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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 30, 2011.

I hereby appoint the Honorable ROBERT HURT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

HONORING DANIEL P. MULHOLLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. PRICE) for 5 minutes.

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor the distinguished career of a man who has been an institution within an institution: Daniel P. Mulhollan, the director of our Congressional Research Service, who will retire next month after more than 17 years at the helm of CRS and nearly 42 years of service to the Congress overall.

To say that Dan is an institution around here is really an understatement. In many ways, he has personified the growth of CRS from a relatively small division of the Library of Congress into the world-class source of objective and authoritative research and analysis that it is today.

Dan first joined what was then the Legislative Reference Service as an analyst in American national government in September of 1969, fresh out of his doctoral training at Georgetown. At the time, just two of the 435 Members currently serving in this House had been elected to Congress—and a fair number serving here hadn't even been born yet!

For the next 25 years, Dan steadily acquired seniority and respect within the Government Division of CRS, excelling as both an analyst and a division chief. When the Librarian of Congress, Dr. James Billington, conducted a strategic review of the Library's priorities in the early 1990s, Dan was tapped to help ensure that the Library's services were as relevant as possible to the Members, committees, and staff that it exists to serve. This assignment led him to assume the role of Acting Deputy Librarian of Congress, and when CRS found itself in search of a new director a few years later, Dan was a natural fit.

As director, Dan has continued to exemplify both the analytical depth that is at the core of his organization's mission and the strategic vision needed to bring CRS into the 21st century. He expanded the service's ability to bring interdisciplinary scholarship to bear on complex issues of policy, recruiting scientists and engineers to work alongside policy analysts and attorneys. He developed a personnel succession plan to ensure that CRS will continue to be able to recruit topnotch talent as older analysts retire.

Mr. DREIER. Will the gentleman yield?

Mr. PRICE of North Carolina. I would be happy to yield to my friend from California, who I know has made a special effort, given his leadership duties, to join us on the floor.

Mr. DREIER. I would like to join the gentleman from North Carolina in extending our hearty congratulations to Dan Mulhollan for his extraordinary service to this institution and, in particular, for the work that he has done to ensure that the House Democracy Partnership has been able to succeed.

I want to thank my friend for taking out this very important time, and I thank him for yielding.

Mr. PRICE of North Carolina. I thank my friend and colleague Mr. DREIER, the chairman of the House Democracy Partnership, which I had the privilege to chair for the past four years.

Dan Mulhollan and the Congressional Research Service have indeed been critical partners in our efforts around the world in developing democracies to increase the capacity of their parliaments.

Mr. DREIER. We should say we have four of them here, in fact, this week.

Mr. PRICE of North Carolina. We have delegations from four parliaments in town this week for workshops on committee operations. They're from Pakistan, Indonesia, some members from Iraq——

Mr. DREIER. Lebanon.

Mr. PRICE of North Carolina. And from Lebanon. That's right.

There are four groups of parliamentarians here this week, and the CRS, as usual, is a full partner in putting on workshops for these members, workshops that will help them strengthen their operations back home. These exchanges are very useful to us as well.

As my colleague has stressed, the main reason for the two of us being here to offer this tribute today is because of the support Dan Mulhollan has offered over the years: first to the Frost-Solomon Task Force, the precursor of our present commission,

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which in the early 1990s worked in Central and Eastern Europe, offering technical assistance to the parliaments emerging from communist rule; and then for the last 6 years to the House Democracy Partnership.

So we are happy to join today in thanking Dan Mulhollan for all these years of work on behalf of the Congress and particularly for the kind of support that he has offered our international partnerships.

Dan knows a lot about Congress and has a profound respect for the institution. He has brought a particular sense of mission to the work of our commissions. As a political scientist, he recognizes how critical legislative research is to the growth of democracy, first in post-Communist Europe and now to all kinds of emerging democracies around the world.

I had the privilege of traveling last year with Dan to Warsaw to observe the 20th anniversary of that earlier task force's work. I can assure my colleagues he received a hero's welcome. His work has not gone unnoticed, and it is not going to go unnoticed by us either.

We want to salute Dan Mulhollan for his many, many years of distinguished service. We want to thank him for all that he has done, and we want to wish him well in his retirement and offer him our sincere gratitude and praise for a job well done.

HONORING THE EXTRAORDINARY LIFE OF EDGAR HAGOPIAN

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

Mr. MCCOTTER. Mr. Speaker, today I rise to honor the extraordinary life of Edgar Hagopian and to mourn his passing at the age of 80.

Born on August 16, 1930, to Haroutun and Cariana Hagopian, Edgar dedicated his life to serving our community and our country. He was an exemplary citizen with an incredible work ethic who held an absolute love for his ancestral Armenia.

After graduating from Detroit's Cass Tech High School in 1948, Edgar studied at the University of Michigan and valiantly served in the United States Army during the Korean war. After being honorably discharged on December 7, 1954, Technical Sergeant Hagopian joined his father's business, where he had frequently worked since childhood.

Thus began a long and storied career, establishing himself not only as a successful entrepreneur but as an ardent advocate and activist for our community and Armenian causes.

Edgar served on the board of directors of the Armenian Assembly of America, the board of governors of the Michigan Design Center, the Detroit chapter of the Armenian General Benevolent Union, and the Michigan chapter of the Seeds of Peace. He was an associate in the Founders Society of the Detroit Institute of Arts, and was involved with the Armenian Library. Edgar also founded the Detroit chapter of the Armenian American Business Council.

Edgar was named ''Man of the Year'' by the Canadian Armenian Business Council in 1995. In 2002, he was inducted into the International Institute Heritage Hall of Fame, and Edgar was awarded the 2005 Ellis Island Medal of Honor. This prestigious award was created to honor ancestral groups who, through struggle, sacrifice, and success, helped build this great Nation.

Edgar Hagopian deeply loved his community, and his community loved him. Always mindful of his humble roots, Edgar always endeavored to better our world. He was a mentor to many and an avid patron of the arts. A pensive philanthropist, Edgar led Hagopian Companies to donate in excess of $70 million in goods and services to local charities.

Sadly, on March 27, 2011, Edgar passed from this earthly world to his eternal reward. He is survived by his beloved wife of 54 years, Sarah, and his children Suzanne, Edmond, and Angela. Yet Edgar's legacy will continue in the lives of his grandsons Alexander, Adam, and Nicholas. As he joins his brother Arthur in eternity, Edgar is also survived by sisters Mary and Ilene and his brother Steve.

Mr. Speaker, Edgar Hagopian will be long remembered as a compassionate father, a dedicated husband, a passionate champion of Armenian causes, a philanthropist, a community leader, and above all, as a friend. Edgar was a man who deeply treasured his family, friends, community, and his country.

Today, as we bid Edgar Hagopian farewell, I ask my colleagues to join me in mourning his passing and in honoring his unwavering patriotism and legendary service to our community and our country.

□ 1010

I would also ask us to reflect on what is perhaps the most poignant part of Edgar's legacy: We are not enriched by what we do for ourselves but by what we do for others within the short span of time God grants. Truly, Edgar Hagopian used the time he was given to leave us all better off; and now, in honor of him, let us return the favor to our fellow human beings.

THE FAIRNESS IN TAXATION ACT

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

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to address a grave threat to both our economy and our democracy, and that is the disappearing middle class.

Over the last 30 years, there has been a dramatic and deliberate transfer of wealth from the middle class to the very, very, very rich. Income inequality is now at the highest level since 1928. Wages have stagnated for middle and working class families despite enormous gains in productivity. Where has the money gone?

This chart shows the change in the average pre-tax household income from 1979 to 2005. The bottom 20 percent—that's that number way down in the corner—of households saw their incomes over those 30 years grow just $200. Over the same period, the top 0.1 percent saw income growth of nearly $6 million each year. The top 100th of 1 percent now makes an average of $27 million per household per year. The average income for the bottom 90 percent of Americans: $31,244.

Meanwhile, Republicans, who squandered a budget surplus, created a huge deficit with unpaid-for tax cuts that went mainly to the very rich, and whose policies allowed Wall Street recklessness to bring our economy to near collapse, are now demanding that the middle class foot the bill. Their solution to our fiscal mess is to gut vital programs like Social Security, Medicare, and Medicaid, and to make cuts in domestic spending that would cause an additional 700,000 middle class Americans to lose their jobs.

In the next chart, you can see some of the enormous cuts that they are proposing: $1.3 billion from community health centers, the only source of medical care for many families; $5.7 billion from Pell grants, reducing the size of the grant for 9.4 million students who want to go to college; and $1 billion in funding for high-speed rail, important infrastructure projects that will create good jobs—thousands and thousands of good jobs.

Once again, they are showing their utter disregard for the shrinking middle class and those who aspire to it by cutting important jobs programs and assistance programs for poor families.

Part two of the Republican program for addressing our economic problem, and every other problem, is to cut taxes even more for the rich. Enough is enough. It's time for millionaires and billionaires to pay their fair share. This isn't about punishment and it isn't about revenge. It is about fairness.

Currently, the top tax bracket starts at $375,000, failing to distinguish between the well-off and billionaires. I have introduced the Fairness in Taxation Act, which would create new tax brackets beginning at 45 percent for income over $1 million, rising to 49 percent for income of $1 billion a year or more; and, yes, there are people in our country who made $1 billion or more just last year. Historically, these rates are relatively modest. During most of the Reagan administration, the top tax rate was 50 percent; and in previous decades, the top tax rate was as high as 94 percent.

My bill would also address a fundamental inequality in our current law by taxing capital gains and dividends

at ordinary income rates in those brackets. Rich hedge fund managers should not be paying a lower tax rate than their secretaries because much of the income of the hedge fund manager is capital gains and dividends.

According to Citizens for Tax Justice, the Fairness in Taxation Act will raise more than $78.9 billion if enacted in 2011, allowing us to avoid the harsh cuts that will hurt the middle class. This is an idea that Americans support. In a recent poll, 81 percent of respondents supported placing a surtax on Federal income for those who make more than $1 million per year in order to reduce the deficit.

Passing the Fairness in Taxation Act will allow us to stop the war on the middle class, restore fiscal integrity and fairness, and fund initiatives that reflect our American values and goals.

RECOGNIZING GUS MACHADO FORD FOR RECEIVING THE FORD MOTOR COMPANY PRESIDENT'S AWARD

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate a constituent of my south Florida community, Gus Machado of Gus Machado Ford, for receiving the Ford Motor Company's President's Award. The President's Award is a prestigious honor and is awarded to less than 10 percent of all dealers nationwide. It recognizes Gus Machado Ford for exceeding customer expectations in every department.

Customer satisfaction is more important than ever during these tough economic times. Its loyal and supportive customer base has allowed Machado Ford to prosper where others have seen their markets shrink. Certainly, in the past year and a half, we have sadly witnessed many dealers close up shop, and it has been a very difficult period for car dealers nationwide; but Gus has not only survived but has flourished. I applaud Gus Machado Ford for making the interests of customers its number one priority.

To further recognize his contribution to our south Florida neighborhoods, two outstanding individuals, Remedios and Fausto Diaz-Oliver, will acknowledge the significant aid that Gus has provided to others with a community event this Sunday. Gus may be best known for his outstanding company, but his hand in helping those less fortunate in our south Florida area is admirable.

In 1985, Gus organized the first golf shootout at the Doral Golf Resort. With all proceeds going to the American Cancer Society, the charity event was so successful that his shootout has become an annual event.

Along with his golf event, Gus is also founder of two additional charity events. He is the founder of the first PGA Tour Senior Golf Classic in Miami at Key Biscayne, which donates to the American Cancer Society and to the United Way. He is also the founder of the Gus Machado Classic Charity Golf Tournament, which has raised over half a million dollars for cancer research.

In 2008, to better serve the community through his charitable contributions, he created the Gus Machado Family Foundation. Every year, the foundation celebrates the Gus Machado Community and Back to School Fair on the grounds of his car dealership. The event provides hundreds of children with backpacks full of school supplies. Along with the generous donations of school materials that the foundation supplies to our children, it also offers immunizations and ID cards for kids in conjunction with different State and local government agencies during the back-to-school community fair.

As a contributor to over 30 charitable organizations, few in our community have impacted south Florida as much as Gus has. Again, congratulations to Gus Machado for his recent commendation and for his leadership to our community.

RETIREMENT OF ERVIN HIGGS

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to honor Ervin Higgs on his well-deserved retirement after 46 years of public service in the Florida Keys. Ervin's long and distinguished career was marked by a solid 35 years as property appraiser of Monroe County, otherwise known as the Keys. In his service to the Keys, Ervin has borne witness to the unique and profound changes that have taken place in our Keys community. His commitment to excellence has truly allowed him to shape the lives of countless Conchs.

It is sad to see such a fine and dedicated public servant retiring, but those who follow in his footsteps will truly have much to establish. There are few greater rewards than the satisfaction of serving one's community, and I thank Ervin so very much for having embraced this most noble of endeavors with such high principles.

Congratulations to Ervin on his retirement, and I wish him all the best on this new chapter of his life.

□ 1020

LIBYA: THERE SHOULD HAVE BEEN A VOTE

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

Ms. KAPTUR. Mr. Speaker, a little over a week ago, the executive branch launched U.S. military force against yet another Middle Eastern country. This time it is oil-rich Libya. U.S. naval and air forces attacked Libyan military installations across that country, wiping out air defenses, intelligence systems, tanks, and also apparently is now targeting that nation's ground forces.

Under what policy is the executive branch operating without a vote of Congress in expending millions of defense dollars and State dollars on offensive action taken inside a nation that did nothing provocative toward the United States. In fact, last year, Libya was even a recipient of U.S. foreign aid. The President's justification for this action was that it was not an act of war but, rather, a humanitarian mission to prevent a catastrophe that would have resulted from Libya's military forces under the command of Libyan President Muammar Qadhafi from taking the civilian center of Benghazi.

Our President says he did not act alone, as French, British, Canadian, and other Western NATO members participated in these attacks. The President informed Congress that future operations will be handled by NATO. Well, who exactly decided all of this? Not Congress. If this is not an act of war, as F–16s fly over and bomb and U.S. naval forces shell, what is it?

The President has further said he authorized this military action to enforce U.N. Security Council Resolution 1973; yet on that resolution, many nations who normally are U.S. allies abstained from the vote, such as India, Brazil, and Germany.

The President said he sought the permission of the Arab League before taking action. But in fact it was 3 days into the bombing when the press reported the Arab League said it had ''no objection'' to the bombing. So where in these operations have been the Arab League's planes and soldiers? And I might ask, where is the African Union's engagement? Why are they silent?

It appears the administration consulted key allies from oil-dependent Europe, like the French, who dropped the first bombs, and the British. But the President didn't bother to ask Congress. We live in very strange and dangerous times. The administration says it made a couple of phone calls to Members of Congress serving in the leadership. Well, who exactly were they? And then the administration set up an after-the-fact briefing for Members of Congress in the Capitol Visitor Center. None of these gestures meet the spirit or letter of the law under our Constitution relating to military engagement abroad.

Yes, protest movements seem to be springing up across Africa and the Middle East, and we witness some Libyan rebels—though we really don't know exactly who they are or who is funding them—take to the streets to demand reform and an end to the Qadhafi government's grip on power. But we also see troops very loyal to the Qadhafi regime who are fighting to maintain that regime.

So why is America taking a military role in an internal civil conflict without a vote of Congress on behalf of the American people whose sons and daughters are engaged in these operations? Should we not be clear and vote

on whom it is we are supporting, for how long, and through what legal means?

I and the entire world watched with horror the news reports of Qadhafi's troops attacking civilians, including shutting off food, water, and fuel, shelling cities and towns, and targeting innocent people for killing. Those responsible for these crimes must face justice for what they have done. But please tell me, where across that region do we not have dictators in charge of nations? Is America to intervene everywhere there is an uprising?

Libya is certainly not the only African country facing a humanitarian crisis. We have all but ignored the situation in Côte d'Ivoire which has already displaced approximately 500,000 people, with triple the population of Libya. The crisis in Côte d'Ivoire would dwarf the violence in Libya. Would the President's logic extend there? Or what about the Congo? Or Sudan? Is it America's new 21st century Monroe Doctrine to now intervene militarily under the guise of humanitarian aid wherever a President chooses?

The crisis in Libya was several weeks old when the President chose to take action. Surely there was time to seek congressional approval. I am highly concerned that this military intervention took the familiar pattern of launching attacks just when Congress left town to go back to our districts for a week, thus silencing our voices in Congress even more as this floor was shut down. How premeditated and how irresponsible I believe the current course of events to be.

I have sent an official letter to the Obama administration asking under what U.S. legal authority U.S. forces have been engaging in Libya. As a member of the Defense Subcommittee, I fully expect a matter of this nature would have been brought up before us. It never was.

Moreover, what have the operations cost to date? And from which accounts are funds being taken? The Department of Defense claims it cannot create a civil works employment program to employ our returning U.S. Iraqi and Afghani veterans when they come home here, yet it finds money for this excursion.

Mr. Speaker, there should have been a vote on the use of force outside our borders, not a notice after the fact. Anyone who is following the news has seen the reports of protest and unrest in multiple nations. Mr. Speaker, on the operations in Libya, there should have been a vote here.

Does this Administration, like the last one, believe that it has the authority to take military action wherever it chooses in the Middle East? Could the President's same rationale extend to Yemen? Or Lebanon? What about Syria? How would the Administration respond to a similar situation in Iran? Or Pakistan? The list goes on.

The simultaneous commitment of U.S. military force in multiple countries is a serious matter. And the Administration needs to be rebuked for its failure to appropriately engage Congress.

Not only is Congress a co-equal branch. Congress and Congress alone has the Constitutional authority to commit the Republic in such matters. F–16's, Harpoon missiles, Apache helicopters, are all weapons of war not humanitarian assistance. And who exactly are the rebels we are favoring in this Libya incursion, and where is their funding and weapons coming from? Which interests do they represent? Mr. Speaker, on the operations in Libya, there should have been a vote here.

GETTING OUT OF AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, a couple of weeks ago, we had the opportunity to vote to bring our troops home from Afghanistan. It was Mr. KUCINICH's resolution that many of us hoped that my party would have joined. We only had eight Republicans vote to bring our troops home this year from Afghanistan.

Mr. Speaker, what is so ironic, we sit on this floor and we debate cutting the budget, doing this and that, and yet we are supporting a corrupt leader named Karzai in Afghanistan.

In fact, I want to share with the people that a former Marine general is my confidential adviser. I don't have permission to use his name. I could, I guess, but I don't have his permission. This is what he said in a recent email to me:

''What do we say to the mother and father, the wife, of the last soldier or marine killed to support a corrupt government and corrupt leader in a war that can't be won?''

Let me share with you, Mr. Speaker, a couple of comments from the leader of Afghanistan, President Karzai, on March 12, 2011, in The New York Times:

''I request that NATO and America should stop these operations on our soil,'' he said. ''This war is not on our soil. If this war is against terror, then this war is not here'' because there is no terrorism here on our soil.

Karzai further stated, on December 8, 2010, in a meeting with Petraeus and Eikenberry, that he now has three main enemies: the Taliban, the United States, and the international community. He said, ''If I had to choose sides today, I'd choose the Taliban.''

This is the leader of a country where our young men and women are going and getting killed and losing their legs and their arms. It makes no sense, Mr. Speaker.

According to a Washington Post/ABC News poll on March 15 of this year, 73 percent of Americans no longer think the war in Afghanistan is worth fighting. Mr. Speaker, 73 percent of the American people say the war in Afghanistan is not worth fighting.

I was very disappointed when Secretary Gates recently spoke to the Armed Services Committee, which I serve on, and I would like to read his quote because we are going to be there until about 2014 or 2015 unless this Congress demands that we start bringing our troops home. This is his quote:

''That is why we believe that, beginning in fiscal year 2015, the U.S. can, with minimal risk, begin reducing Army active duty end strength by 27,000 and the Marine Corps by somewhere between 15,000 and 20,000. These projections assume that the number of troops in Afghanistan would be significantly reduced by the end of 2014, in accordance with the President's strategy.''

Mr. Speaker, we are going to be there until 2014 or maybe even 2015.

I also would like to show this poster. This was in the Greensboro, North Carolina, paper called the News & Record on February 27, 2011. There's a flag-draped coffin coming off a plane, Mr. Speaker, and the paper in Mr. HOWARD COBLE's district said, ''Get out.'' Get out of Afghanistan before it's too late. And it's a black hole with no end to it.

In closing, Mr. Speaker, I would like to read from a letter from a marine down in my district, Camp Lejeune in Jacksonville, North Carolina. He served 31 years and retired as a colonel in the United States Marine Corps.

''I urge you to make contact with all of the current and newly elected men and women to Congress and ask them to end this war and bring our young men and women home. If any of my comments will assist in this effort, you are welcome to use them and my name,'' Dennis G. Adams, Lieutenant Colonel, Retired, United States Marine Corps.

Mr. Speaker, before I close, yesterday, with Congresswoman SUE MYRICK, I went to Walter Reed Hospital to visit the young soldiers and marines who have lost their legs, their arms. Two of them that we saw, Mr. Speaker, have no body parts below their waist. No body parts below their waist. And here we are supporting a corrupt leader of a nation that, quite frankly, will never be a nation. It is a country.

□ 1030

It is not a nation. It never will have a national government. Why are we wasting $7 billion a month in Afghanistan, and our young men and women are coming back with broken bodies?

Mr. Speaker, it is time to get out of Afghanistan. I close by asking God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God, in his loving arms, to hold the families who've given a child dying for freedom in Afghanistan and Iraq.

I ask God to bless the House and Senate that we will do what is right in the eyes of God. And I will ask God to please bless the President, that he will do what is right in the eyes of God.

And I will say three times, God, please, God, please, God, please continue to bless America.

IS TWO WARS IN THE MIDDLE EAST NOT ENOUGH?

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

Ms. WOOLSEY. Mr. Speaker, I rise to express my deep concern about the military campaign in Libya, one that has been underway the last week and a half.

First off, it's distressing to once again see that Congress's power has been so casually disregarded in our role and responsibility regarding war. There should have been a robust debate in this Chamber about the proper course of action in Libya. The American people deserve it. The Constitution mandates it.

The President gave a fine speech Monday night, as he certainly does, but I found him more eloquent than persuasive. I'm not satisfied that he has made a thorough case for military action against Libya. There are still too many unanswered questions.

What is our responsibility now?

Where does our commitment end?

Does the Pottery Barn rule apply in Libya? If we break it do we own it?

I'm not comforted by the fact that NATO is now in charge of this mission because the fact is, the United States is the dominant force within NATO. Any NATO-led operation is one in which we still bear an enormous responsibility.

And then there's the cost. The Pentagon has acknowledged that it's already spent $550 million on the Libya operation. That's after 1½ weeks, Mr. Speaker. The bill to the taxpayer could easily climb over $1 billion. And, Mr. Speaker, at a time when we're already spending close to $7 billion a month on a failed military occupation in Afghanistan; this, at a time when my friends in the majority want to snap the purse shut on so many important programs the American people need.

There is unquestionably, unquestionably a humanitarian crisis in Libya. I'm appalled, as we all are, about Qadhafi's brutality against his own people. But I fear that that operation will set a dangerous precedent and send us sliding down a slippery slope.

We can't afford to head down a path of perpetual U.S. military engagement around the world. With developing situations in Syria, the Ivory Coast, Congo, Yemen, et cetera, et cetera, et cetera, we can't give up on diplomatic and humanitarian efforts in favor of guns and bombs everywhere there's violence and unrest.

We're already fighting two wars in the Middle East. Is that not enough? Have we learned nothing over the last decade? Have we learned nothing about the danger of open-ended military conflicts where the exit strategy is unclear and victory is ill-defined?

The war in Afghanistan is sapping America of its strength in so many ways. It has cost us in precious taxpayer dollars and has cost us more than 1,500 of our bravest people. And it is costing us credibility and moral authority in ways that can't even be measured yet or quantified every single day.

The time is now, Mr. Speaker, for less war, not more. Let's stop, let's turn, and let's insist that we don't turn Libya into another black hole. Let's bring our troops home from Afghanistan, and let's give our children a future of peace.

AMERICA'S RISING ENERGY PRICES

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

Mr. WALBERG. Mr. Speaker, I rise today to talk about a topic that affects every American, rising energy prices. I've spoken on this floor about it before, and I will continue to do so until we increase our energy production here in America, and our dependence on the political earthquake zones of this world is depleted.

While President Obama was traveling in South America, I returned home to my district last week, and I heard from my constituents loud and clear: Gas prices are too high. We need to do something about it. That's why I found it so outrageous and appalling when I heard our President last week offering assistance and encouraging energy production, not here in America, but in Brazil.

No, that's not the right direction. We need to encourage energy production right here at home, not Brazil. We need to develop our offshore energy resources so that jobs can be created here in America, not Brazil. And we need to encourage energy independence so that we return to more reasonable energy costs, not in Brazil, but right here in America.

Mr. Speaker, the time is now to confront this issue and encourage energy exploration and production right here at home. The time is now to create our independence from foreign energy sources and secure our present and future as good stewards of our God-given resources and the blessings of liberty.

THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2011

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

Ms. HIRONO. Mr. Speaker, today a united Hawaii delegation will be introducing the Native Hawaiian Government Reorganization Act in both Chambers of Congress. Long denied the recognition and rights accorded to America's other indigenous people, this bill will finally enable Native Hawaiians to embark on their long awaited process of achieving self-determination.

On the House side, Congresswoman HANABUSA and I have the great pleasure of being joined in this effort by Congressman Don YOUNG, Congressman ENI FALEOMAVAEGA, Congresswoman MADELEINE BORDALLO and Congressman TOM COLE. All are longstanding friends of Hawaii and Native Hawaiians.

How we treat our native indigenous people reflects our values and who we are as a country. Clearly, there is much in the history of our interactions with the native people of what is now the United States that makes us less than proud. The American Indians, Alaska Natives, and Native Hawaiians, all indigenous people, have suffered at the hands of our Government. But one of the great attributes of America has always been the ability to look objectively at our history, learn from it, and when possible make amends.

The bill we are introducing today has been more than 10 years in the making. It has been a deliberative and open legislative process. There have been 12 congressional hearings on Native Hawaiian recognition, five of which were held in Hawaii. These bills have been marked up by committees in both Chambers. The House has passed Native Hawaiian recognition bills three times: First in 2000, again in 2007, and most recently just last year.

The goals and purposes of the Native Hawaiian Government Reorganization Act are consistent with the history of the Native Hawaiian people and the record of United States involvement in Hawaii. The bill is also consistent with over 188 existing Federal laws that promote the welfare of Native Hawaiian people.

I know there are Members who question these authorized programs simply because Native Hawaiian is in the title, which is exactly why we need this bill. It will formalize the very special political and legal relationship between the United States and the Native Hawaiians by providing a process through which the Native Hawaiian community can reorganize its governing entity within this relationship. This is how we treat Alaska Natives and American Indians, and this is how we should treat Native Hawaiians.

The Kingdom of Hawaii was overthrown in 1893. Hawaii's last monarch, Queen Liliuokalani, was deposed by an armed group of businessmen and sugar planters who were American by birth or heritage, with the support, abetted by U.S. troops. The Queen agreed to relinquish her throne, under protest, to avoid bloodshed.

□ 1040

She believed the United States, with which Hawaii had diplomatic relations, would restore her to the throne.

There may be new Members to this body who have not had occasion to learn the history of Hawaii, and I extend an open invitation to those Members to share this history with you.

The State of Hawaii motto, which is also the motto of the Kingdom of Hawaii, is, ''Ua mau ke ea o ka aina i ka

pono,'' which translates to, ''The life of the land is perpetuated in righteousness.''

Native Hawaiians, like American Indians and Alaska Natives, have an inherent sovereignty based on their status as indigenous aboriginal people. I ask for your support of the Native Hawaiian Government Reorganization Act.

Mahalo nui loa. (Thank you very much).

CAROL ANNE BEAVER

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

Mr. BARTON of Texas. Mr. Speaker, my dear sweet sister-in-law, Carol Anne Beaver, went to be with her Lord on Saturday, March 26, 2011. She passed away in her home near Lockhart, Texas, following a long and valiant battle with cancer. She is the first of four daughters of James Brasher and Betty Hodges. She was born on December 19, 1955, in Pasadena, Texas.

In addition to her parents, she is survived by her loving husband of 7 years, Jeff Beaver; three sons, Michael, Dustin, and Layton Warmack; Layton's wife, Holly; two granddaughters, Kelsie Anne Warmack and Maddy Ruiz; one grandson, Layton Warmack; three sisters, Vicki Perdue, Barbara Payne, and my wife, Terri Barton. She is also survived by numerous aunts, uncles, nieces, nephews, cousins, her stepfather, Steven Hodges, two brothers-in-law, two stepdaughters, and of course her husband's family.

She began her business career in Houston, Texas, as a bookkeeper for Brinadd Company, a multinational workover and completion fluids company that was owned by her late stepfather, James Jackson. While with Brinadd Company, she gained an early knowledge of computerized accounting systems when she worked closely with the programmer to convert a handwritten system into a computerized one.

She moved to Lockhart, Texas, in Congressman LLOYD DOGGETT's district in Caldwell County, in 1988. She worked several years as a secretary and bookkeeper at a local law office. She subsequently returned to the accounting field, first working for Lifeway, then Columbia Health Care, and finally went to work for Austin's municipal transit system, Capital Metro System. She retired from Cap-Metro, when she came down with cancer, as the payroll manager for the entire system.

Carol was a very loving, caring woman. She had a ready smile, a twinkle in her eye. She treasured her husband, her family and many, many friends.

When I started dating her baby sister, Terri, she was, as she should be, very skeptical of whom she called Congressman JOE. She wasn't sure that her baby sister should be associated with anybody that was a Member of Congress. I would have to say, though, that when I invited Carol, her mother and two sisters and Terri to the local Dairy Queen in Lockhart, Texas, I was able to at least neutralize their opposition with some ice cream sundaes and some Barton-backer T-shirts. Carol and I became fast friends, and she came to respect not only me but this institution.

She is going to be missed. She was the absolute most courageous, dedicated human being in fighting her long battle with cancer. She never complained. She never grumbled or whined about ''Why me, Lord?'' She took her battle with cancer in stride. She is now with her Lord in a better place. We will miss her very, very much, but we know that one day we will see her again.

Her funeral will be tomorrow in Lockhart, Texas, at 1 o'clock. Visitation is this evening from 5 to 8 p.m. at the McCurdy Funeral Home in Lockhart, Texas.

Sweet, sweet, Carol, we miss you very much.

GERALDINE FERRARO

The SPEAKER pro tempore (Mr. POE of Texas). The Chair recognizes the gentlewoman from New York (Mrs. MALONEY) for 5 minutes.

Mrs. MALONEY. Mr. Speaker, I rise to remember the late Geraldine Ferraro. There will be services held for her tomorrow in New York, which many of us will be attending.

It was the night of July 19, 1984, in San Francisco that Geraldine Ferraro changed the game, changed the rules, and changed history when she accepted the Democratic Party's nomination as Vice President of the United States of America.

I was there on the floor that night as a young delegate, and when Geraldine Ferraro walked out on that stage it was electrifying and inspiring beyond words. What her nomination meant to me and to millions of women everywhere, what she accomplished in that moment and what she said that night was all so important that her words still ring in my ear as if it were yesterday.

She said, ''By choosing a woman to run for our Nation's second highest office, you send a powerful signal to all Americans. There are no doors we cannot unlock. We will place no limits on achievement. If we can do this, we can do anything.''

That moment served as a hammer blow to the glass ceiling and a clarion call for a greater gender equality in our country.

I remember reading Time Magazine, and Time Magazine heralded her selection as ''A Historic Choice.'' But even more than that, it was a life-changing event. It changed the course of women's lives for the better. I know beyond question that it changed mine.

Because even in that not too distant era, it had been all too commonplace for those in power to believe that: She simply cannot do that. She is a woman. It didn't matter if you had the talents, the education, the abilities and the drive to be the best one to get the job done if it was a job that many believed women simply could not do. That was the kind of thinking that was all too often applied to roles in politics, to career choices, and to sports. And Geraldine Ferraro changed all of that.

When she gained admission to Fordham Law School, an admissions officer said to her: You're taking a man's place, you know. You really should not go to law school.

Geraldine Ferraro knew a woman's place was in the House, the Senate, or any job she wanted to take. When she first ran for Congress in 1978, all the political experts said she could not win in her home district in Queens. She not only won; she went on to become a leader here in Congress, and she went on to become a friend, a mentor, and a role model.

That is one of the reasons that, to honor her, I have redoubled my efforts to pass the Equal Rights Amendment and to add to our Constitution the simple words: ''Equality of rights under the law shall not be denied or abridged by the United States on or by any State on account of sex.'' Those words embody the principles that Geraldine Ferraro lived by and the equality of opportunity that she sought.

I saw her several weeks ago. She was full of energy and plans and had some constituent issues she wanted me to take care of. She never gave up. She never gave in.

Towards the end, Geraldine Ferraro fought her own battle against cancer with the same dignity, courage, tenacity, and grace that she brought to all of her fights, whether it was battling for equal rights or for human rights, for women and men alike.

It can truly be said of Geraldine Ferraro, this heroin and role model for the ages, what was once said of the great heroes of old. She was, as Tennyson wrote, ''One equal temper of heroic hearts, made weak by time and fate, but strong in will, to strive, to seek, to find, and not to yield.''

Geraldine Ferraro. We shall never forget her. And I remember one of her great sayings was, ''Every time a woman runs, women win.''

□ 1050

THE TRUTH ABOUT THE DEBATE OVER DEFUNDING PLANNED PARENTHOOD

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

Mr. PENCE. Mr. Speaker, abortion on demand is an American tragedy, but public funding for abortion and abortion providers is an American disgrace. Fortunately, we have never been closer to denying public funding to abortion providers in America than we are today.

On February 18, 2011, with bipartisan support, the House of Representatives

passed H.R. 1, which included the Pence amendment ending taxpayer funding for Planned Parenthood, the largest abortion provider in America. Despite efforts to suggest otherwise, the Pence amendment does not reduce funding for cancer screening or eliminate one dime of funding for other important health services to women. If the Pence amendment becomes law, thousands of women's health centers, clinics and hospitals would still provide assistance to low-income families and women. The Pence amendment would simply deny all Federal funding to Planned Parenthood of America.

Over the past several weeks, Planned Parenthood has used its vast resources to launch slick Madison Avenue television ads portraying the Nation's largest abortion provider as an altruistic organization that provides health care services to the poor with only an incidental interest in the abortion industry. The truth is far afield from the image. The truth is that a major source of Planned Parenthood's clinic income comes from the abortion business.

Despite attempts by advocates for the abortion industry and ideologues on the left to portray efforts to defund Planned Parenthood as some kind of a ''war on women,'' the issue here is big business, and that business is abortion. This legislative battle over the Pence amendment is about Big Abortion versus American taxpayers and American women specifically.

As Abby Johnson, a former Planned Parenthood director, recently said, ''Planned Parenthood's mission, on paper, is to give quality and affordable health care and to protect women's rights. But in reality,'' she said, ''their mission is to increase their abortion numbers and in turn increase their revenue.''

There is no doubt that Planned Parenthood's focus is on making Big Abortion even bigger. In 2009, the group made only 977 adoption referrals and cared for 7,021 prenatal clients, but performed an unprecedented 332,278 abortions. In fact, in 2009, a pregnant woman entering a Planned Parenthood clinic was 42 times more likely to have an abortion than to receive either prenatal care or to be referred to an adoption service.

According to their most recent annual report, the organization raked in $1.1 billion in total revenue. Of that amount, $363.2 million came from taxpayers in the form of government grants and contracts. This is about big business, and that business is abortion.

And for all the talk about how poor women would be harmed if taxpayers stopped subsidizing Big Abortion, it is telling to see how they have been spending their money. According to a June 2008 story in The Wall Street Journal, Planned Parenthood was flush with cash and using its profits to rebrand itself to appeal to more affluent American women. Their rebranding effort was designed to build their business by increasingly targeting wealthy consumers to complement their existing targeting of poor and minority women.

While taxpayers underwrite their operations, Planned Parenthood is building large luxury health centers in shopping centers and malls designed by marketing experts with touches like hardwood floors, muted lighting, large waiting rooms and the like.

And Big Abortion routinely puts profits over women's health and safety. When women testify on behalf of improved safety standards at abortion clinics, Planned Parenthood opposes it and fights them every step of the way. And despite the fact that 88 percent of Americans favor informed consent laws that provide information about the risks and alternatives to abortions for women, Planned Parenthood opposes these efforts and works to keep women in the dark in jurisdictions across the country.

The reality is abortion on demand is an American tragedy, but public funding of abortion providers is an American disgrace. The time has come to deny any and all funding to Planned Parenthood of America and this week, as House Republicans reaffirm our commitment to H.R. 1, to reaffirm our commitment to make a down payment on fiscal responsibility and reform. Let us also seize this moment to reaffirm our commitment to defend the broad mainstream values of the American people in the way we spend the people's money.

I urge continued support by my colleagues on both sides of the aisle of the Pence amendment denying public funding to Planned Parenthood of America.

TRIBUTE TO GERALDINE FERRARO

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

Mr. LEWIS of California. Thank you, Mr. Speaker. I very much appreciate my colleague yielding me this time.

I have come to the floor to let the world know that during the time I have been in the Congress, from my view, one of my dearest friends has just passed away.

Geraldine Ferraro and I came to the Congress together as classmates some three decades ago. She was more than just a friend. She managed to have me serve on the same committee with her that first term. From the Public Works Committee, it wasn't very long before she convinced a cross-section of us to travel with her to New York to attempt to have us better understand the difficulty New York has in delivering potable water to the people of the great City of New York.

Geraldine was a really, really tough lady, according to some. I knew her as a wonderful friend. She was a woman who cared about her constituency and fought very hard to represent their interests; and, indeed, the initial role of any Member of Congress is to represent or try to represent their people well, and Gerry and I learned together what that was all about.

So over these years as I look back on this service, the opportunity to serve with the woman who became the first major-party woman as a Vice Presidential nominee, it was always my privilege to say that Gerry Ferraro most importantly was my friend.

Mr. Speaker, when Gerry Ferraro and I came to Congress in 1979, she was one of just 16 women serving in the House of Representatives. It could be frustrating for my female colleagues at that time—my friend Congresswoman Shirley Pettis, who I had the honor of succeeding in the House, told stories of being asked on several occasions if she was someone's secretary when she got off the member's elevator.

But Gerry Ferraro, who had made a name for herself in the New York district attorney's office, soon caught the eye of Speaker Tip O'Neill. He named her to the Public Works and Transportation Committee and later to the Budget Committee. It was the beginning of a close relationship with Tip O'Neill, who eventually had a strong hand in putting Gerry in line to be named as the first female vice presidential candidate from a major party.

As a fellow member of the Public Works and Transportation Committee, I quickly saw that Gerry would be a very strong advocate for the needs of her Queens district. We both understood the absolutely essential priority of serving our constituents, and ensuring that federal dollars flowed where they could provide solutions to very major challenges.

I also found that although Gerry Ferraro had a pretty liberal reputation, she was ready and willing to work with members on both sides of the aisle to accomplish goals and serve the needs of her constituents and all Americans. She and I worked together often in recognition of the fact that 90 percent of the issues we confront here have nothing to do with partisan politics.

Her willingness to fight for her district and her ability to get things done brought her respect and admiration from people throughout New York and beyond. It also led Tip O'Neill to get her appointed to chair the party's convention platform committee in 1984. And that in turn led Walter Mondale to realize the great qualities of this hardworking, pragmatic representative from Queens. He asked her to be his vice presidential nominee, and history was made.

Mr. Speaker, today we welcome 74 women colleagues in the House and 17 in the Senate. That is without question an improvement to be applauded, although my old friend Gerry Ferraro would say there is still a lot of work to do. I do not doubt that many of those who serve with me drew their inspiration to run for office from Geraldine Ferraro's pioneering spirit, and I will always be proud that I served as her classmate.

So, with that, in memory of Gerry's service here in the Congress, I watched her grow as a human being and a public servant, and I am very proud of the fact that she is my friend.

RECESS

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

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

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

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

With the Psalmist we pray:

Those who put their trust in You, Lord God, are like the mountains that cannot be shaken. They seem to absorb all the turmoil and controversy. They stand tall and strong forever.

Just as the mountains, as well as the depths of the sea coasts, surround this Nation, so, Lord, Your love holds Your people now and forever.

You will not allow the power of lies and half truths to dominate the air breathed in by the just, nor will You allow fear to paralyze their hands when it comes to defending what is right.

Do good, Lord, for those who seek the common good and are openhearted. Drive away those who are so deceived they create only indecision and dissension among the virtuous.

Give us peace, Lord, now and forever. Amen.

THE JOURNAL

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

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

Mrs. MILLER of Michigan. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mrs. MILLER of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Rhode Island (Mr. CICILLINE) come forward and lead the House in the Pledge of Allegiance.

Mr. CICILLINE 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side.

GOP AGENDA OF MISGUIDED PRIORITIES

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

Mr. GENE GREEN of Texas. Mr. Speaker, Members: Ignoring the facts, the experts, political reality, and the best interests of the American people, the Republican leadership continues to embrace a spending plan already rejected by the Senate that would destroy 700,000 jobs and derail the economic recovery.

The Republican spending plan is a doctrine of misplaced priorities. They want to lay off teachers, cut Pell Grants, slash programs for homeless veterans, and reduce Head Start, among other shortsighted and harmful cuts.

Incomes and consumer spending increased in February, helping to expand the Nation's economy. First time jobless claims decreased by 5,000 a week. The total number of people receiving benefits fell to the lowest level in 3 years, due, in part, to increased hiring.

The February jobs report shows a gain of 192,000 jobs, a significant employment increase that marks the 12th straight month of private sector growth and a drop in the unemployment rate to 8.9 percent, the lowest level in almost 2 years.

Let's don't hurt our fragile recovery by the Republican majority shutting down the government.

FOREIGN POLICY AND CONSTITUTIONAL CRISIS

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

Mr. KUCINICH. Madam Speaker, we are in the midst of a foreign policy and constitutional crisis. The administration has committed our Nation to a war against Libya in violation of the Constitution of the United States.

The administration has said they do not have full information about the rebels they are assisting. But it is clear that for the last 30 years, U.S. intelligence has had a relationship with prominent elements within the Libyan opposition.

Further, The New York Times today reports that elements of the opposition may be linked to al Qaeda, and that we are considering arming them.

When it comes to the war in Libya, the administration has subverted Congress and the United States Constitution. Tomorrow, I will present to Congress a definitive 1-hour response to the administration's Libyan war in the form of facts and questions. Congress must challenge violations of our constitutional principles relating to war and peace.

The critical issue today is not the defense of Libyan democracy but the defense of American democracy.

RECOGNIZING PROVIDENCE VA MEDICAL CENTER

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

Mr. CICILLINE. Madam Speaker, I rise today to recognize and honor the Providence Veterans Affairs Medical Center for their outstanding service to the heroic men and women who serve in our Armed Forces.

The Providence VA Medical Center is an award-winning health care facility in Rhode Island providing personalized outpatient and inpatient health care to our veterans. Recently the Providence VA received the National Center for Patient Safety's 2010 Cornerstone Recognition Program Bronze Award for successfully providing high quality health services to our veterans.

The men and women who serve in the Armed Forces put their lives on the line every day to protect the freedoms that we enjoy here at home. We owe our troops, veterans, and their families our utmost gratitude and respect, in addition to exceptional medical care for their great sacrifices on our behalf.

I commend the Providence VA Medical Center for their excellent service to our veterans. Congratulations on your achievements, and thank you for your commitment to Rhode Island's veterans.

LOAN MODIFICATION CRISIS

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

Ms. TSONGAS. Madam Speaker, last year, I heard from a single father from Haverhill, Massachusetts, who put his life savings into purchasing a home. After a reduction in his salary forced him to modify his mortgage, his servicer stopped returning his phone calls, lost his documents, and refused to provide him with any information to help him modify his loan.

He wrote to me saying, ''My bank told me that they had not received the application documents I had sent at the beginning of the modification process. It was ridiculous, as I have the original documents on file with the fax receipt. Nonetheless, I faxed everything again.''

Over the course of an entire year, he called and re-sent his documents, speaking with multiple people, none of whom could give him an answer or even find that he had a modification in place.

This story represents just one of the many that I have heard from constituents. We should be doing far more to ensure that these lenders are playing by the rules.

Instead, my Republican colleagues have sought to terminate every step taken by the Federal Government to help homeowners like my constituent, leaving them at the mercy of unscrupulous lenders such as these.

□ 1210

JAPAN

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

Mrs. DAVIS of California. Madam Speaker, in the past few weeks we have seen the devastating images of the massive earthquake and tsunami in Japan.

As someone who lived in Japan, it is hard to believe entire towns and cities in this beautiful country have been destroyed, and I am heartsick for the more than 9,800 lives that have been lost. I can only imagine the grief and shock felt by the families and friends of the victims, and my heart goes out to them.

I am grateful that San Diego's own USS *Reagan* departed for Japan on March 11 to help with relief efforts. With the more than 17,500 people still missing and more than 245,000 people in evacuation centers, daunting challenges lie ahead.

Madam Speaker, I urge this body to stand in solidarity with the Japanese people and reassure our ally that America is ready and committed to giving our partner the support needed to cope with this horrible disaster.

IMMIGRATION

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

Mr. BACA. Madam Speaker, America's broken immigration system continues to wreak havoc in communities across the country.

Real families with real children live in fear that someone they love may be torn away from them. No child deserves to grow up without the love of their parents. We must bring an end to the separation of families. We must all remember that immigrants are not our enemies. They are our neighbors, our classmates, our fellow churchgoers. They are part of the American fabric.

Over the coming month, I look forward to working with CHC and advocates across the Nation to speak on the human impact of our broken immigration system.

Immigration is not just a Latino issue. It is an American issue that impacts all of us. Let's work together to stop this hateful rhetoric and pass real immigration reform.

EARLY CHILDHOOD PROGRAMS

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

Mr. SIRES. Madam Speaker, I rise today to promote early childhood programs, which are an investment not only in our children, but in our country's future.

In 1990, the Child Care and Development Block Grant was created for low-income parents who are either working or in school. If the proposed cuts to Child Care and Development Block Grants are signed into law, 150,000 families nationwide will lose child care subsidies. In my home State, the annual cost for child care for an infant can be nearly $12,000 a year and the annual cost for a toddler can be as much as $9,000.

Head Start is another vital service that has provided education, health, nutritional and social services for 3- and 4-year-olds since 1965. If the cuts proposed in H.R. 1 become reality, 218,220 children nationwide will lose access to Head Start, and approximately 55,000 Head Start employees will lose their jobs; 3,719 children in New Jersey would be left without access to Head Start, and we already have 9,500 children on the waiting list.

I ask Congress to continue debate in support of the bill.

CUTS TO JOBS AND SERVICES

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

Ms. FUDGE. Madam Speaker, I rise today to talk about the loss of jobs and services in America.

So far, this Republican-controlled Congress has had nearly 100 hearings, but not a single one has addressed the real issue in this country, which is jobs. Republican attempts to cut more than 50 percent—50 percent—of funding for Head Start, which will affect more than 200,000 children, and their proposal to cut 62 percent from Community Development Block Grants have hurt our communities. They are depriving hardworking Americans of services they need.

According to the latest Bloomberg national poll, when given five choices of the most important issues facing this Nation, 43 percent of all Americans picked unemployment and jobs as number one. Reducing the deficit and spending came in a distant second at 29 percent.

Madam Speaker, the American people want leadership that will create jobs and jump-start our Nation's economy.

SOROPTIMIST INTERNATIONAL OF SAN RAMON VALLEY

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

Mr. MCNERNEY. Madam Speaker, I rise today to recognize the members of Soroptimist International of San Ramon Valley for their work to improve the lives of women in our community.

This is the final week of the Women's History Month; and, as such, it is fitting that we recognize an organization that is helping the next generation of women to succeed and make history.

The Soroptimists of San Ramon Valley recently held a conference for the 7th year in a row to help young women gain self-confidence and develop important life skills. The event included presentations from speakers and interactive workshops that promote leadership and help the participants to pursue their life's goals.

The Soroptimists of San Ramon Valley, which is one of many chapters of the Soroptimists International throughout the world, also issue awards to girls who are involved in community service and provides grants to women so they can participate in job training and education programs.

The Soroptimists of San Ramon Valley have made a difference for many in our community. I ask my colleagues to join me in recognizing the members of this organization for their hard work to improve the lives of women.

SUPPORT MORE DIVERSITY IN THE UNITED STATES CAPITOL

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

Mr. COHEN. Madam Speaker, this week I plan to introduce a bill that will allow States to submit three statues for display in the United States Capitol.

This bill seeks to include more diversity among the honored in our Capitol by increasing that number of statues to include more notable women, minorities, and other ethnic groups that have contributed significantly to our history.

Currently, there are 100 statues on display given by the States, and only 16 are women or minority groups. Ten are women with three Native-Americans; three statues are Native-American males, two are Hispanic, and one is a Pacific Islander. Although there have been many noteworthy African Americans and Asian Americans in our history, no State has submitted a statue honoring one of them. This disparity must be rectified.

If you walked through the Capitol and looked at the statues, you would think all the heroes and leaders were granite white men. This bill is to express that equal representation of all Americans is essential in our historical perspectives and the educational value that the Capitol offers its thousands of visitors.

I urge my colleagues to look at the bill, to support it, and to have more diverse representation among the statuary in the United States Capitol.

GROW THE ECONOMY

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

Ms. JACKSON LEE of Texas. Madam Speaker, I ask the American people to

wake up from the malaise of this debate about the deficit and raising the debt ceiling. You have lost your way. Let me just ask you to raise your voices against the issue of a broken government and the potential of a shutdown on the question of, what do you want for your children.

As we go back to our districts and our school districts and our States, parents are standing in lines at school board meetings crying about 60-seat classrooms and teachers being laid off. Don't you understand that it starts right here in Washington? You need to be speaking to our friends on the other side of the aisle. It is time to invest and grow the economy. It is time to recognize that consumer spending has increased, that jobs have been created, and that it is important to invest in this economy.

If you don't get in the way and get in the mix, I can tell you that the rise that we have of 192,000 jobs being created, the unemployment going down, economists saying we should invest now, you are going to lose it, tied up with those who have views that are only self-centered, our friends that are in the tea party. It is time for people to put education first and realize that if you let us fall on the spear here in Washington on the grounds of mislabeled politics and not worry about your children, you are going to lose.

Wake up, America. It is time to get in the fight. Fight for your children. Invest and grow the economy now.

CONTINUE FUNDING FOR COMMUNITY HEALTH CENTERS

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

Ms. HIRONO. Last week, when most of us were in our respective districts, representatives from community health centers around the country came to Capitol Hill to remind us of the essential role they play in our communities. I hope that the staff of Members who voted for H.R. 1, which drastically cuts funding for these very health centers, listen to the stories they heard last week.

I have long supported community health centers because in my district, spread over seven inhabited islands, access to care is a challenge. Although their principal focus has been to provide health care for the underserved, these centers serve people at all income levels.

Hawaii's network of community health centers serve nearly 127,000 patients, and only one-third of them are Medicaid eligible. On the island of Lanai, 40 percent of the residents receive care through their community health center. This population, 25 percent of which are over 65 years of age, can't afford to fly to another island for care.

Funding for community health centers is an investment because prevention is more cost effective than treatment. I urge my colleagues to reject cuts to community health centers.

□ 1220

WAKE-UP CALLS; ARE WE LISTENING?

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

Mr. TONKO. Madam Speaker, wake-up calls; are we listening? Yes, there are wake-up calls. Can we hear them?

This majority in the House has not heeded a wake-up call. They have ignored the investments that we need in the clean energy economy to grow jobs.

What are those wake-up calls? Well, there is, first, the hard-earned American energy consumer dollars, $400 billion plus, that go to unfriendly nations that will take those dollars and invest in fighting the American troops while they supply us fossil-based fuels. Then there is the oil spill in the gulf that reeked damage on our ecosystem and wrecked the regional economy. Then there was the sticker shock at the pump, at the gas pump, that is driving down the American economy. And no one is listening.

Now maybe we will pay attention to the sad announcement today. Last year, we dropped to number three in clean energy investment after China and Germany. When will we wake up?

I say today, as the President talks to us about energy security in our economy, that we need to reduce oil imports and innovate into a clean energy future. We need to heed that clarion call. It is a wake-up call that's necessary.

The America I know and love is number one. It should never be three on the list of clean energy investment.

WASHINGTON DOESN'T UNDERSTAND CALIFORNIA'S WATER PROBLEMS

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

Mr. COSTA. Madam Speaker, California's Governor will soon declare an end to the drought that devastated the San Joaquin Valley. Our cities are flooding and our rivers are raging and the snowpack in the Sierras is deeper than it has been in any 15-year period. It is clear that the drought is over. Somehow, though, Washington has not gotten the news.

With unemployment still in double digits in seven counties in the valley and unemployment continuing to be very problematic, the folks in Washington think that communities can recover from the Great Recession with just over half the water our farmers need. They don't understand the valley. They don't understand us.

Do you hear me, Commerce Department? Do you hear me, Secretary Locke? Water is the lifeblood of the San Joaquin Valley. It puts food on our table. It sustains our economy, and it creates good jobs. That is why I am introducing legislation that will allow the needed flexibility for California's water policy.

As we work to find short-term and long-term solutions to California's broken water system, passing commonsense legislation will bring over half a million acre-feet of water to valley farmers and farm communities. It is time to put aside our political differences. It is time to reach a compromise, and it is time to end this regulatory drought.

FISCAL AND PUBLIC HEALTH SAFETY AND SANITY PREVAILING

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

Mr. COURTNEY. Madam Speaker, a few hours ago, fiscal and public health safety and sanity prevailed when the Food and Drug Administration clarified an order on February 3 approving the drug Makena, which is an injectable medication for women at risk of preterm birth, one of the biggest health care challenges that our country faces. There are a half million premature births in this country. They cost the health care system $29 billion. They are the leading cause of infant mortality.

This new medication which the FDA approved on February 3 is promising, but it costs $1,500 per injection, $30,000 per pregnancy. At the same time, OB–GYNs in this country have been prescribing a compound alternative that costs only $20 per treatment per medication. And yet the order on February 3 indicated that there would only be exclusive treatments under the $1,500 medication.

The order this morning clarifies that there will be no exclusivity, that OB–GYNs will continue to be able to prescribe the cheaper alternative, but FDA retains its power to still require exclusivity.

For the sake of taxpayers and patients, Congress must keep a close eye on the FDA to not take away this option to OB–GYNs all across America.

PROVIDING FOR CONSIDERATION OF H.R. 471, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

Mr. BISHOP of Utah. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 186 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 186

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 471) to reauthorize the DC opportunity scholarship program,

and for other purposes. All points of order against consideration of the bill are waived. The amendment recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Delegate Norton of the District of Columbia or her designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS). During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this resolution provides for a structured rule for consideration of H.R. 471, the Scholarships for Opportunity and Results Act, sometimes called the SOAR Act, with 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Oversight and Government Reform Committee.

Further, this proposed rule will make in order all of the amendments filed at the Rules Committee for H.R. 471. Admittedly, it was only one amendment, but it is made in order, and it is offered by the gentlewoman from the District of Columbia (Ms. NORTON). This is an amendment that was presented in the committee and defeated on a 12–21 vote, but which will be reoffered here today as a substitute measure. In short, this rule is about as fair as they potentially get.

Madam Speaker, this is a very open, straightforward rule that we will be considering today, and I am pleased to stand before the House in support of this rule as well as the underlying legislation, H.R. 471. I commend the sponsor of this legislation, the distinguished Speaker of the House, the gentleman from Ohio (Mr. BOEHNER), who has previously served as chairman of the Education and Workforce Committee, and he understands education issues very, very well.

Madam Speaker, when the Cubs in the 1960s hired Leo Durocher to be their manager, he was hired 2 years after they finished the season 49 games out of first place. In his short period of time there, he would take them to the top, in which case, in 1969, a year that still hurts, the Cubs were atop the National League for 155 days. Unfortunately, 7 of those days they were not on top included the last day of the season.

□ 1230

But Durocher always said for his team that ''I make a great effort to argue for the issues, but there are two things that are working against me: the umpires and the rules.''

There will be a lot of people—some people—who will speak against this motion, perhaps even this rule, and there are two things against them: One is the unique constitutional relationship between Congress and the District of Columbia that is not there, vis-a-vis the States; and, number two, the underprivileged kids who benefit from this underlying bill.

If I were to predict a preview of what will be taking place in the debate, not only on the rule but also on the bill itself, I would predict four themes will be appearing time after time after time.

One will be the concept of the constitutional mandate that is here. When this Republic was established, the Constitution gave unique jurisdictional responsibility to Congress over the District of Columbia. That is not going to be a violation of their home rule concept, but it is a responsibility of Congress. And there is great precedent for this particular kind of provision.

In 1996, it is Congress that insisted upon a charter school program in the District of Columbia. You will hear from both sides of the aisle recognition of the great value that that program has, and justifiably so. There is a waiting list in the District of Columbia for those charter schools. This underlying bill increases the percentage of funding going to charter schools in the District.

In 2003, an Opportunity Scholarship was instituted, at the insistence of Congress. Again, there was a waiting list of people wanting the opportunity; disadvantaged kids who wanted the opportunity that this scholarship afforded them. In the appropriation bill for 2010, unfortunately, Congress intervened again in a negative way and cut out this Opportunity Scholarship program. There were a lot of upset students and parents who couldn't believe how special interest politics got in the way of their son's or daughter's dreams and was snatched from their very hands. Their opportunity to make what they believe were better educational choices was basically taken away from them.

H.R. 471 remedies this inequity. There were 216 kids at the time scheduled to enter the program who were not allowed because of the action of that particular appropriation bill. Those 216 kids, by this particular legislation, will be given priority in once again being able to apply for this Opportunity Scholarship.

A second discussion point that will be coming up repeatedly deals with the efficacy of these programs. There will be conflicting data that will be thrown from both sides as to the effectiveness. But I think the one piece of information that can be clearly stated is that 91 percent of the kids enrolled in this Opportunity Scholarship complete their coursework. That is 21 percent higher than a control group of kids who were interested but were not allowed the opportunity to complete this particular program. That completion rate is almost 32 percent higher than the regular completion rate of kids in the public education system in Washington, D.C.

To quote Dr. Patrick Wolf, who was the lead investigator of the evaluation mandated by Congress of this program, he concluded by stating: ''The research evidence and the testimonials of parents confirm that the District of Columbia is a better place because of the Opportunity Scholarship program.''

The third issue that you will be hearing deals with the support of this particular program. There will be dueling statistics that will be coming at you during the course of the debate. Those in favor of the bill will give lists of groups who are in favor of this particular program. Those against the bill will give lists of groups and unions who are opposed to it. Each side will give a list of political leaders both within Washington, D.C., and outside who are in favor; and those opposed will give lists of political leaders who do not support this program.

There will be poll results that will be given from both sides, the most recent of which will be given by advocates, a Lester & Associates poll, which simply says 74 percent of the D.C. residents polled supported this program and wanted it restored and made available to all D.C. students for all their abilities to participate. You will hear polling data to the contrary. You will hear anecdotal stories to the contrary.

Perhaps the most telling, though, issue of support deals with parents and the kids in Washington, D.C., who lined up for this program; who went on waiting lists for the opportunity to become involved in this program; who cried and pled with Congresses past when this program was eliminated. They clearly do not want this program to totally be destroyed because it takes away from them their chance, their option, their opportunity to individualize and upgrade their educational opportunities.

This program probably has a philosophical basis, a kinship, if you would, with the Pell Grant, the GI Bill of

Rights, in which, once again, government tried to empower with choices with few strings attached individual adult students or parents so they could choose their own personal education future. That's what this bill still tries to do.

The final concept that will probably be presented during debate on the rule as well as the bill deals with the concept of liberty. We have a Statue of Liberty in New York Harbor. The Revolutionary War was supposedly fought for the purpose of preserving personal liberty.

I have to admit, though, as I was teaching school that it was difficult for my kids there to really comprehend what liberty meant. It was an abstract noun, to say the least. The Founders clearly understood what that concept meant as they looked upon a government that was far, far away from them. And in the Declaration of Independence we're willing to write that the government far away has erected a multitude of new offices and sent hither swarms of officers to harass our people and eke out their stance. Indeed, they had waged war against them. Those of us who live in the West today have the Department of the Interior to remind us of those same circumstances.

But the kids, mainly in urban and rural settings and suburban settings, still have a problem understanding what it means really to have liberty until you try and talk about liberty in terms of choices. Options, opportunity, without the heavy hand of a government official defining what those options and opportunities may or may not be.

The entrepreneurial world gets it. They realize if they want a market share, they have to give people choices in their lives. So if I want a mobile phone, there are all sorts of plans from which I may choose. Even in the smallest corner market in Washington there are still a whole row of breakfast cereals from which I may choose. I may want Pringles potato chips, but they still give me 16 varieties. If indeed Omaha Steaks sends me an invitation every week to try and come up with one of their products, I will choose this week to order one that fits for me.

Only in Washington in this government do you still have people that truly believe in a one-size-fits-all approach and that mandates can actually be worked, that believe and go back to the concepts of Henry Ford when the automobile was so unique he could with a straight face look at a consumer and say, You can have a car in any color you want as long as it is black.

Unfortunately, many of the ideas and philosophies still in government today, indeed some of the programs still in government today, were born in that era in which the idea of an elite sitting in some darkened office would decide what I wanted and what was indeed best for me. That's liberty.

The icons who face us in this Chamber, all of them were related in some way of moving the concept of law forward, which led to the concept of liberty. This bill is based on that concept of choice, opportunity, and options for people. It deserves our support because it is an opportunity. Call it an education app for Americans living in the District of Columbia. The most needy and deserving can actually have their choice of how they want their education to take place and it is done under the sphere of responsibility given to Congress by the Constitution.

This bill is worthy of our heritage. It is a symbol of our legacy. One can only assume that the Founders, indeed the icons that are looking down from the perch above us, are smiling now, saying, Congress doesn't always do it correctly, but this time with this bill they got it right.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased today to rise in strong opposition to H.R. 471, the Scholarships for Opportunity and Results Act, also known as the SOAR Act. I also am very pleased that my friend from Utah has, in the tradition of this committee, granted the time to our side. This legislation revives the District of Columbia's school voucher program, a program that was allowed to expire after 5 years of failing to improve student achievement.

My colleague said that there will be statistics on both sides. Doubtless that is true. I also have great respect that the presenter of the rule today is a school teacher. At least if somebody is going to meddle in somebody else's business, they ought to at least know a little bit about what they're talking about. Too many times in our States, too many times in this place, many of us who are not educators, nor have we been involved, are making decisions about the education of children when we should be being a lot more careful.

□ 1240

For example, I'm sure that my colleague, who knows his State well, as I know mine and as we know ours—all of us in this institution—is mindful that in the last 41 years voters have rejected private school vouchers every time they have been proposed—interestingly enough, two times in Utah, I would urge my good friend. As late as 2007, Utah voted 62 percent to 38 percent not to have vouchers. Before that, it was sort of like the District of Columbia. Incidentally, in 1981, 89 percent of the people in a referendum in the District of Columbia voted against vouchers—but in 1988, in Utah, 67 percent. It didn't change very much from that time to 2007, which isn't very much time from now.

So how dare we come here to tell these people that we are going to thrust upon them something they don't want without a single bit of consultation with a single member of the public officials in this community being consulted. I might ask why we are here debating such a misguided, narrowly focused measure when violence is raging in the Middle East, when earthquakes and tsunamis have ravaged Japan, and when our own Nation's economy is kind of sputtering along. I suppose, when it is one of the leadership of the Republican Party's pet issues, the people's work can always be put on hold. This matter is nothing more than a shallow attempt to, once again, appease the right-wing of the Republican Party.

Well, Madam Speaker, Congress' oversight of the District is not an excuse for political pandering to the Republicans' special interest of the day du jour. My colleague used Leo Durocher. He played with and against Yogi Berra. Yogi Berra reminds me, if I were to use an analogy, that this is deja vu all over again.

He and Leo would be proud that we are talking about them, Mr. BISHOP.

Whether it is gun rights, a woman's right to choose or education policy, the District is not and should not be the dumping grounds for Republicans' ideological whims. My colleagues have already stripped the District of its limited vote in Congress. The least they could do is allow them to control their education system just as every other jurisdiction in this country is able to do.

The people of the District of Columbia did not ask for or want this program, nor were they or their elected officials consulted, as I have pointed out. If they had been, I'm sure the committee would have been told what many of us already know: that this program is simply a waste of money. According to legislatively mandated evaluations, the D.C. voucher program failed to show any statistically significant impact on student achievement. This is in contrast to reading and math scores across the District, which did improve over the same period. Though my colleagues claim that this program serves students who would otherwise be stuck in failing schools without the resources to adequately meet their needs, only about a quarter of the students using vouchers came from schools in need of improvement.

Additionally, the Department of Education found that students participating in the D.C. voucher program were significantly less likely to attend a school with ESL programs, learning support and special needs programs, tutors, and counselors.

Further, private schools are not required to hold the same level of transparency or accountability as public schools. Rather than directing these funds toward improving all of the District's public and charter schools, as Delegate ELEANOR HOLMES NORTON has proposed, this program only serves 1.3 percent of the 70,000 students enrolled in the D.C. public schools.

Though my colleagues may claim to have a newfound commitment to education—my friend from the Rules Committee being an exception—albeit for

only a few select students they have found this commitment. Let's not forget that, just a few weeks ago, some in this body and most in the Republican Party were content to cut—and my friend just used the kinship of Pell Grants with this proposal—Federal funding for 9.4 million students, to eliminate over 200,000 Head Start placements, to do away with supplementary education services for 957,000 underprivileged students, and to reduce or get rid of, they said, after-school programs for 139,000 students across this Nation.

I was just with the CEO of the Urban League's Broward and Palm Beach Counties—my constituency—and they were talking about how drastic this is going to affect the constituency in that area of underprivileged students and who they are seeing and what the juvenile justice system is now reaping from this ill harvest that we have thrust upon these people.

On the one hand, the Republicans go on about the need for fiscal discipline. They refuse to negotiate on legislation to keep the government operating, and they propose billions of dollars in cuts to our Nation's students. Yet they are perfectly willing to throw millions of dollars at a program that has proven year after year to be unpopular, inefficient, and downright ineffective.

If my colleagues truly wanted to improve the District's schools, along with the schools across the Nation, they would be bringing forth a serious measure to reform the No Child Left Behind provision. But no. Instead, we are debating a measure that has no hope of becoming law. It is simply to appease the political whims of a few in the Republican Party. The American people, in my view, are tired of the majority's using this institution to do nothing but spew ideological rhetoric.

Madam Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to provide that immediately after the House adopts this rule it will bring up H.R. 639, the Currency Reform for Fair Trade Act, and I am mindful that there will be speakers regarding the same. The amendment will provide our government the tools to rein in unfair currency policies by the Chinese.

I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. I am going to at this time reserve any further comments that I have after the following statement:

It has been 13 weeks and still no jobs bill and no substantive plan to improve our Nation's economy. When my friends in the majority are ready to get down to the serious business of improving the lives of all American people, we will be waiting.

I reserve the balance of my time.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

Madam Speaker, I appreciate the opportunity of being here, and I also appreciate being here with my good friend from Florida (Mr. HASTINGS), who is one of the true delights with whom I have such an opportunity to work here in Washington.

I guess, if he is saying that we have the group du jour from whom we are presenting bills, today's group du jour would be those who are financially disadvantaged and still want a better opportunity for education.

As I said, there would be four issues that would be discussed. We can check off three of the four already. Only the concept of ''liberty'' has yet to be addressed here. Some of them may be non sequiturs, but they were still there nonetheless. I guess the last statistic that still can be put out there as to whether this program works or not deals with the parents who, when the free market of ideas was opened up to them, they chose this program. They wanted this program. They wanted to maintain this program, and they will flock back to it.

Since my good friend Mr. HASTINGS also used a baseball reference to tie me, I have to one-up him one more time. In the words of the great Satchel Paige, who was consulting a struggling pitcher who was failing to get it over on the corners, he just said, Throw the pitch. Just throw strikes. Home plate don't move.

This program is one of those strikes. All we need to do is throw it. Home plate don't move.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Before yielding, I'll one-up the one-upper: Satchel Paige also said, Don't look back.

I am pleased to yield 3 minutes to my distinguished friend and colleague from the Rules Committee, the gentleman from Colorado (Mr. POLIS).

□ 1250

Mr. POLIS. I thank the gentleman.

This bill, the SOAR Act, reestablishes a program to send D.C. students to private elementary and secondary schools. The main issue that I struggle with, that this body needs to struggle with, with regard to this measure is the justification for pushing Federal will onto Washington, D.C., which is counter to local control over education, a concept that has broad bipartisan support.

One of my top priorities in this body is to improve our education system—ensure that every child has an effective teacher in a classroom, improve accountability for all schools, and provide a pathway to college and careers for lifelong success. To be clear, the overall state of the schools in Washington, D.C., is a disgrace. A recent Education Week study showed a 48.8 percent on-time graduation rate. Frankly, we as Americans should be ashamed. We need to do better, the Americans who live here in Washington, D.C.

Yet it's absurd, Madam Speaker, that we as elected officials from 50 States are executing a right to determine how schools are funded in a jurisdiction that doesn't even have a vote in this body. I'm a Representative of part of one State, Colorado, and yet here I am in a position to make school funding decisions on behalf of Washington, D.C., students. We wouldn't do this to Colorado, Ohio, or any other State.

A district near mine in the State of Colorado, Douglas County School District, recently enacted a district-wide voucher program. The residents of D.C. are no less American than the residents of Douglas County, and yet in Douglas County, Colorado, there will be candidates that run for school board for the program, candidates that run for school board against the program, and the future of whether or not vouchers can continue in Douglas County, Colorado, will be decided where it should be, by the residents of Douglas County, Colorado.

This vote underscores the need for Washington, D.C., to control its own public school system as the State does. In fact, Madam Speaker, I think Washington should be a State. Until that day, Congress should respect the wishes of D.C. elected officials with regard to the administration of their education system.

I would point out that there is a Federal interest with regard to what the States do and what Washington, D.C., does with regard to education. States and the District of Columbia should have the discretion to make the changes they need to improve education but not the discretion to stand back and do nothing. In fact, I worry considerably about a recent announcement by Mayor Gray that they would fund capital for charter schools at only $2,800 per pupil as opposed to the $5,800 that the conventional public schools get.

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

Mr. POLIS. I would ask for an additional 45 seconds, Mr. HASTINGS.

Mr. HASTINGS of Washington. I yield the gentleman an additional 45 seconds.

Mr. POLIS. If the elected officials and people of Washington, D.C., wanted a system of school vouchers, they would have created it and not relied on the Federal Government.

The important moral imperative of education reform can occur with or without vouchers, and at this point in time, I think it's critical to give education reformers that are hard at work in the District of Columbia a chance to succeed on a route that they have laid out, which apparently does not include vouchers at this time.

I will continue to push for D.C. statehood and for a Federal role that encourages transparency and accountability, improves and builds upon our

successes in public education, and makes sure that we change what doesn't work, with the tools and discretion at the local level to make those tough decisions.

Mr. BISHOP of Utah. Again, Madam Speaker, I'm pleased to be here and also be joined my good friend from Colorado, whom I should probably publicly apologize to for saying disparaging things last night. I screwed up and I apologize for that.

However, he presents to us an unusual conundrum that is here on who gets to decide what will or will not be allowed. Whatever we do in this unique situation, the decision will be made. If we pass the underlying bill, we empower parents in Washington, D.C., to make a choice. If we don't pass the underlying bill, we prohibit parents in Washington, D.C., from making that kind of choice. Once again, when they were allowed to make that choice, they had a waiting list for those wishing to participate. It's a conundrum whatever we do, yes or no. It makes a decision on behalf of the people of Washington, D.C.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, would you be so kind as to inform us as to the remaining time.

The SPEAKER pro tempore. The gentleman from Florida has 16¾ minutes remaining. The gentleman from Utah has 17½ minutes remaining.

Mr. HASTINGS of Florida. I am very pleased at this time to yield 3 minutes to the distinguished gentlewoman from the District of Columbia, my good friend, Ms. HOLMES NORTON, who knows more about this issue than all of us combined.

Ms. NORTON. Thank you very much, and I certainly thank my good friend from Florida for his work on not only this bill, H.R. 471, but for his strong respect for the District of Columbia and its residents and his support for our right to self-government as American citizens.

I oppose this rule, I oppose this bill, and at the appropriate time, I will have a substitute to redirect the funds in this bill in accordance with the home-rule wishes of the District of Columbia. May I say, I appreciate the words of my good friend from Utah, but I do resent the use of the word ''liberty'' at a time when this bill will deprive the residents of the District of Columbia of the liberty every other district has in deciding local educational decisions for itself. They have it in Utah, and we will never be satisfied as long as we do not have each and every right you have in Utah.

Now, the majority ought to approach this rule with caution. Many in the House ran on the promise to reduce the power of the Federal Government and to reduce the budget. Now, we are 3 months into the new Congress, and if they vote for this rule, they will be breaking their promises.

They will be voting for an unprecedented expansion of the Federal Government's power into the quintessentially local decision of elementary and secondary education. They will be voting for this rule against the will of the jurisdiction, the only jurisdiction to which it applies, the District of Columbia. They will be voting for this rule with no consultation with any elected official in the local jurisdiction involved. They will be voting to authorize the Federal Government to mandate that a local government offer a program for students to attend private schools at public expense, Federal expense, that is. They will be voting to increase the deficit by $300 million with no offset whatsoever for these funds because this is a new program and their own protocols demand an offset for new programs.

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

Mr. HASTINGS of Florida. To complete her thought, I yield the gentlelady an additional 30 seconds.

Ms. NORTON. So in the first test of their legislative cut-go protocol, they will be voting to violate it. They will be voting to do so with $300 million added to the deficit at a time when they are cutting $11.6 billion with a ''b'' from education throughout the United States of America. We are American citizens.

Mr. BISHOP of Utah. Madam Speaker, again, I appreciate the opportunity of discussing this particular issue.

There is one effect where the Delegate from the District of Columbia does have something in common with the State of Utah. Over 70 percent of my land is owned by the Federal Government in Utah, and it is one of those factors that inhibits our ability to fund our education system in the State of Utah. The District of Columbia has that same initiative problem with so much of the land owned by the Federal Government.

The difference, though, is that this program is giving Federal money to the District of Columbia to fund not just the scholarship opportunity but also increased funds to fund their charter schools, as well as funds to fund the regular public education system. In that respect, I wish we were very similar to what's happening in the District of Columbia, but unfortunately we are not.

□ 1300

I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 2 minutes to the distinguished gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman from Florida for yielding.

Madam Speaker, I urge my colleagues to defeat the previous question so that we can address this important issue of currency manipulation and trade.

Manufacturers in my home State of Rhode Island and those across the Nation are working hard and playing by the rules, and they are suffering disproportionately because their Chinese counterparts refuse to play by the same set of rules in the global economy.

One way Chinese businesses cheat is by keeping their currency artificially low so that their imports are cheaper than U.S. goods. That is simply not fair, and this practice must end. Artificially low Chinese currency contributes greatly to the global trade imbalance, which puts U.S. businesses and workers at a significant disadvantage.

China's unfair currency manipulation has destroyed millions of good-paying American jobs and jeopardizes the future of the American middle class. Employment in manufacturing shrank from 20 million jobs in 1979 to fewer than 12 million jobs today. In Rhode Island, we experienced the loss of more than 30,000 manufacturing jobs in the last decade alone.

Despite these sobering statistics, the American manufacturing sector is in the midst of a resurgence. If this vital economic engine is to be sustained, Congress must continue its investments in programs that help manufacturers compete in the global economy, ending currency manipulation. And by doing that, we can level the playing field for American manufacturers, give them a fighting chance to compete, and speed up our economic recovery and create jobs.

With so many factories shuttered, small businesses barely hanging on, and Rhode Island workers continuing to look for jobs, we can't afford to wait any longer for the Chinese to correct their unfair trade practices. That's why I am proud to cosponsor this legislation to end China's unfair currency manipulation, because in States like Rhode Island, we have to fight back against countries like China that won't stick to their obligations under international agreements and play by the rules.

If our country is going to compete in the global economy, we have to guarantee that manufacturers are not disadvantaged by an uneven playing field in foreign trade. We must demand that China play by the rules.

Mr. BISHOP of Utah. Madam Speaker, I reserve the balance of my time so I can find another baseball metaphor.

Mr. HASTINGS of Florida. Sort of like ''Joe DiMaggio was against vouchers.''

Madam Speaker, at this time I would like to yield myself 10 seconds to explain that we are still on the D.C. voucher matter, but the previous question is with reference to Chinese currency.

With that, I am pleased to yield 2 minutes to the distinguished gentleman, my good friend from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Madam Speaker, the Republican follies go on. The Republicans have done nothing in their 13

weeks in charge of this House to help Americans get jobs, nothing to open markets for businesses to expand, nothing to open up markets overseas for American workers and businesses to compete more fairly. While they hold the economy hostage to their cultural war agenda, maybe we could do something to help the American people.

I rise today in support of the effort to defeat the previous question so that we can take a first step toward addressing the egregious imbalance between China's currency and our own. For too long, the Chinese have been playing unfairly in the international trade arena, and this Congress has to send a clear message that China must become a responsible player in multilateral trade. The Chinese export-driven strategy is smart, but subsidizing it by suppressing their currency is an unfair way to do it.

This effort is a good step, and we should follow up by working together with our trading partners to bring a multilateral WTO case against China on the currency issue. This commonsense legislation helps the Commerce Department do a fairer job for making the multilateral mechanisms more available to U.S. businesses. We must send a clear signal with this legislation that the American people respect international agreements and expect fairness.

After years of an unlevel playing field, it is time to act; and this motion to defeat it and bring it to the floor is the right kind of measured first step we can take now. I hope the Republicans will join us in helping this economy. I am tired of reading the Constitution and all the silly things we have done for the last 13 weeks. When are we going to see anything having to do with job creation?

Mr. BISHOP of Utah. Madam Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, at this time, I am pleased to yield 2 minutes to my very good friend, the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

Madam Speaker, some of the 15 million unemployed Americans no doubt got together with some of their friends this morning around a kitchen table and talked about another fruitless day of job searching, another sleepless night, another paycheckless Friday that's coming. And I wonder, Madam Speaker, what they would think about what's going on on the floor of this House today. At a time when there are 15 million Americans out of work, the House majority has decided to pretend that it is the District of Columbia Board of Education.

Now, there are profound issues about the quality of schools for children in the District of Columbia. I would be guided by their elected representative, Ms. HOLMES NORTON, who speaks for them but tragically does not have the right to vote on their behalf. She should have that right. But beyond that, what are we doing?

This is a time when Americans are struggling and suffering and losing their homes. What we should be doing is coming together, Republicans and Democrats, on this floor to create an environment where entrepreneurs and small businesses can create jobs for the American people.

We have a proposal on the floor right now that would say the following: Let's stop China from unfairly manipulating its currency that puts American manufacturers at a disadvantage.

It is estimated that 1 million manufacturing jobs could be added in this country if the Chinese were made to stop their unfair practice of discriminating and manipulating currency. Now, you may think that's a good idea or a bad idea. I think it's a good idea. But why don't we take a vote on that instead of how to run the District of Columbia Public Schools? That's a question that the voters of the District of Columbia should decide for themselves. What we ought to decide is to get our act together and get Americans back to work.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

Madam Speaker, I am not objecting at all to the concepts and the comments about Chinese trade. I think that's a legitimate issue. It has its time and place, perhaps not necessarily on this particular bill. But as an approach that the opposition, the minority, wishes to take, I can understand that.

I do, though, have my baseball analogy still here, and I'm not going to count the DiMaggio joke because that was made up. That was not a true one. But it is true that Casey Stengel at one time, talking about I think one of the best second basemen ever, Bobby Richardson, said: I just can't understand it. He doesn't smoke, he doesn't drink, he doesn't stay out at night, and he still can't hit .250.

Now, even though a healthy lifestyle may extend a career, it still has no ability or connection to the ability of hitting a curve ball. But those kind of non sequiturs are part and parcel of the entire debate that we will be having not just on this rule but also extended on to the other debate as well.

I find it personally very difficult to understand why anyone would oppose this bill, which only expands choices for D.C.'s brightest and least financially blessed schoolkids and does not subtract from school funding for D.C. public schools. In fact, it increases funding while keeping within Federal budget disciplines. It increases the percentage of money going to the charter school program as well as to the public schools. This is a win-win-win situation because it sends money to three distinct efforts: the regular public school; the charter schools, which have a waiting list more than ever before; and also this Opportunity Scholarship Program, which had a waiting list and will again as well.

With that, I reserve the balance of my time.

□ 1310

Mr. HASTINGS of Florida. Madam Speaker, my friend is absolutely correct about the Joe DiMaggio comment. But I've been around long enough to remember the Washington Senators. One of my personal friends played baseball with them, Earl Battey, and I won't tell you some of the things that Earl said to me when it wasn't about school vouchers.

But I leave to the seriousness of the moment 5 minutes of my remaining time to the gentlewoman from the District of Columbia (Ms. NORTON), who has, with great persistence, tried to get clarity about taxation without representation.

Ms. NORTON. Madam Speaker, you know, in the later days of European colonialism, countries like France allowed some representation from the colonies because the whole notion of voting on the fate of the colonies with nobody there who could also vote seemed even then to be a dilemma they could not live with. And I don't understand how any Member of the House believes she has a right to vote on local education matters or any other local matter affecting any part of the United States, including the District of Columbia.

I note, Madam Speaker, that Mr. POLIS of the Rules Committee indicated yesterday that there was a county in Colorado that had created its own voucher program. I respect that because they didn't come to the Federal Government to ask that their local voucher program be funded, nor, Madam Speaker, did we.

I think every Member of this House ought to ask, since we've had 5 years of a voucher bill, why is there no national bill on the floor? I think the gentleman from Florida has said one of the good reasons, and that is that the Bush Department of Education found that, when compared with the students in comparable schools in DC, there was no increase in test scores in math or reading. So there's a merit reason why there's no national bill.

But there's another reason why. The majority doesn't have the nerve to put a national voucher bill on the floor because it knows that in each and every state referendum, including in referendums in Utah, from which my good friend comes, not once has such a referendum succeeded.

I don't know why the majority thinks it can go home now and say I voted for vouchers, when you, yourselves, were against the use of public money for private schools in your district. I would not like to be at that town meeting where you have to explain why you voted for a rule for $300

million for one district that did not want that money for that purpose.

Madam Speaker, I very much resent the use of Article I, Section VIII of the Constitution whenever the majority wants to move in on the District of Columbia with one of its pet ideas, or because it disagrees with some issue in the District of Columbia. That's quintessentially the absence of democracy.

It's one thing to have no democracy. It's another thing to press your version of policy on another jurisdiction. That's why I have an alternative, a substitute that I will be bringing at an appropriate time.

Madam Speaker, in 1973, after 150 years, this Congress finally said we have been wrong for most of the existence of our country in allowing no democracy whatsoever in the District of Columbia, no mayor, no city council. We give up. We delegate self-government to you. We are out of your affairs.

Self-government means nothing if the District of Columbia can still be a dumping ground for every pet project and pet idea of the majority. We have our own pet ideas, and we will insist on respect for our own ideas, and not yours.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I would advise my friend from Utah that I am going to be the last speaker.

Mr. BISHOP of Utah. Madam Speaker, may I inquire how much time I have left?

The SPEAKER pro tempore. The gentleman has 15 minutes remaining.

Mr. BISHOP of Utah. I will yield 10 minutes if the gentleman from California wants it. Otherwise, I will be happy to use what he does not use.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 10 minutes.

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

Mr. DREIER. Madam Speaker, first, let me thank my friend for his superb management of this rule and to say that I have the utmost respect for my colleague from the District of Columbia. Since I reside here in the District of Columbia, she represents me here in this institution. And when I'm here—of course I'm a Californian, first and foremost—but when I'm here, I get her newsletters in the mail. She and I have served on a commission together, focused on reform of this Congress in the 1990s, and I do have the utmost respect for her.

That is one of the main reasons that we chose, when she offered the one amendment to this measure, to make it in order, because there's been a commitment that Speaker BOEHNER and I and others have made that we want to have a free-flowing debate. And I think that the notion of concluding that somehow this is a cut-and-dried issue was really wrong.

I have to say that I felt, as I sat in the Rules Committee last night and listened to my good friend and I listened to Mr. MCGOVERN, I was really saying, my gosh, maybe there is no support for this measure at all. Especially when Mr. MCGOVERN, the second ranking Democrat on the Rules Committee, said every city council member in the District of Columbia is opposed to this measure. In fact, he said it not once but two, maybe even three, times.

And then I was handed a list. And I have just been told that Mr. BISHOP raised at the beginning that there are going to be lists on either side.

But the notion, to conclude, Madam Speaker, that we somehow are imposing the will of the majority on the people of the District of Columbia, that there's no support for this whatsoever, which is what I inferred from what was offered in the Rules Committee last night, is just plain wrong.

I don't often cite the editorial work of The Washington Post, but The Washington Post has editorialized strongly in support of this notion. Why? Because they're committed, as I believe we all are, Democrats and Republicans alike, I believe that all of my colleagues are committed to improving educational opportunities for our fellow Americans.

I think that what we need to recognize is that educational choice is an important thing, and that's why The Washington Post has editorialized in support of this.

And then when one looks at the list of D.C. leaders, some currently holding office, some formerly having held elective office here in the District of Columbia, the notion that there's only one voice that's elected by the people of the District of Columbia is an inaccurate one.

The fact is, the chairman of the city council, chairman-at-large, Kwame Brown, is a supporter of this measure. The former mayor, Adrian Fenty. I recognize that he did not win reelection. I don't know that this was the sole determinant in the outcome of that election. But Adrian Fenty, in fact, is a supporter of this measure.

The mayor before that, Anthony Williams, is a supporter of this measure. Marion Barry, the former mayor; Kevin Chavous, former chairman of the D.C. City Council Education Committee; Patrick Mara, the D.C. school board member; and, of course, the often-cited Michelle Rhee, the former D.C. school chancellor, they all happen to be supporters of this measure.

And so that's why, some elected, some not elected, some hold office today, some formerly held office, but I believe, Madam Speaker, that every single one of these people, along with the editorial pages, as I said, of The Post, The Journal, a number of other publications, lots of organizations are very, very committed to ensuring the quality of education is improved in the District of Columbia, and, Madam Speaker, they are very, very committed to ensuring that we see the quality of education improved across this country.

□ 1320

It is very important for us to do that. And that is why I find it very interesting that the previous question battle that we are dealing with here is one that is designed to focus on the issue of international trade and creating jobs here in the United States.

I can understand there is a great deal of concern about the fact that jobs have fled overseas. That has happened because of the policies of the United States of America. The fact that we have the highest tax rate on job creators of any country in the world, the fact that we have chosen over the last few years to stick our heads in the sand when it has come to market opening opportunities through trade agreements which have been signed by our past administration and the leaders of other countries, is an indication that we have chosen to ignore great job-creating opportunities. And I am speaking about these trade agreements, the ones that President Obama said that he would like to see us pass here in the House. First, the Korea-U.S. Free Trade Agreement which he talked about. And I am grateful that he talked about the importance of Colombia and Panama, two agreements that were actually signed before the completion of the U.S.-Korea Free Trade Agreement.

Now, Madam Speaker, if we were to focus attention on those items, plus reducing that top rate on job creators from 35 percent to 25 percent, that would do more to create job opportunities than almost anything we could do.

And then we get back to the core issue here, and that is education. We need to make sure that the United States of America, as we seek to remain competitive in this global economy, that we have the best educated young people. That is why educational choice, I believe, is critically important.

We are going to have an opportunity for debate. The Rules Committee has chosen to make in order and give 40 minutes of debate to my friend from the District of Columbia so we will be able to continue this exchange.

I urge my colleagues to vote ''yes'' in favor of the previous question, and in so doing, we will be able to pursue tremendous items like the pending three free trade agreements and reducing the top rate on corporate income, those on job creators, so that we can generate more job opportunities in this country.

Vote ''yes'' on the previous question. Vote ''yes'' on the rule. I believe that the underlying legislation will dramatically enhance the opportunity for young people in the District of Columbia to have educational opportunities that they otherwise would not have.

Mr. HASTINGS of Florida. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 2 minutes remaining.

Mr. HASTINGS of Florida. I yield 1 minute of that time to the gentlewoman from the District of Columbia, Ms. HOLMES NORTON.

Ms. NORTON. No one ever said that everybody in the District of Columbia or even every public official was against vouchers.

Mr. DREIER. Will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from California.

Mr. DREIER. I just said that Mr. MCGOVERN in the debate last night in the Rules Committee said that every city council member, and then I was given this list.

I thank my friend for yielding.

Ms. NORTON. On the contrary, a letter is on its way up here from city council members. The present mayor opposes the bill. Yes, the former mayor was for the bill. The largest demonstration of citizens since I have been in the Congress was held when this bill was imposed on the District of Columbia.

If you ask people in the District of Columbia, ''Would you support some Federal money for vouchers?'' a lot of them will say yes. If you ask them the right question, ''Would you want money for private school vouchers or would you want money for public charter schools?'' hands down, they will say, relieve those long waiting lists of all of us trying to get in our public charter schools and give the money to our public charter schools.

Nobody on that side of the aisle knows anything about the residents of the District of Columbia or they never would have put this bill in in the first place.

Mr. BISHOP of Utah. Madam Speaker, I will reserve the balance of my time, and I will tell the gentleman from Florida that I am prepared to close when he is.

Mr. HASTINGS of Florida. Thank you very much, and I shall conclude.

I say to the chairman, before he leaves the room, that if any American corporation is paying 35 percent corporate tax, they need to fire their accountants.

Madam Speaker, if the people of the District of Columbia wanted a school voucher program, they would have created one—without the interference of Congress.

This pilot program was allowed to expire for a reason: It didn't work.

Why the self-proclaimed party of fiscal conservatism would support authorizing millions, 300 of those, in new spending for a downright useless program with no offset is beyond me. It is time for Republicans to take their hands out of the internal affairs of the District, and instead focus on what our constituents sent us here to do—rebuild our economy and put Americans back to work.

At a time when our Nation's schools and communities find themselves in dire fiscal straits, we should not be throwing money away to revive a program that has, by all objective measures, failed.

Madam Speaker, I urge my colleagues to vote ''no'' and defeat the previous question, so we can debate and pass real jobs legislation today, I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. BISHOP of Utah. Once again, I appreciate the discussion, I appreciate my good friend from Florida if for no other reason that all of a sudden people are now sending me baseball stories and analogies here. I have one from Casey Stengel which I will save for the next time we join together here on the floor.

Madam Speaker, it is fairly clear what we are dealing with in this particular bill. This is money that is within our Federal budgetary discipline. We are talking with this bill about money that would go to the traditional public education system in the District of Columbia, an equal amount of money that would go to the charter schools which does have a waiting list here in the District of Columbia, as well as money that would go to this new opportunity scholarship.

Once again, with our dueling statistics, whether one wants to say that it was successful or not, the bottom line is still there were parents who wanted that program, there were parents who complained when the program was taken away from them by Congress, and there are parents who still want this program reestablished. They want those options for their children.

We have a choice here. If we act favorably on this bill, we empower those parents. If we refuse to act favorably on this bill, then we limit those parents and the choices that they seem to want. That is one of those issues that is there.

Madam Speaker, in closing, I want to reiterate the fairness of this structured rule. I urge its adoption, along with the underlying legislation. I urge members to support this rule which will allow the House to consider good legislation that affords bright and competitive D.C. students with an enhanced opportunity to pursue a higher quality of education while not harming the underlying public education system in the District of Columbia.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 186 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 639) to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to a fundamentally undervalued currency of any foreign country. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated,

control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 186, if ordered; and approval of the Journal, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 237, nays 182, not voting 13, as follows:

[Roll No. 199]

YEAS—237

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—182

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—13

Barton (TX)
Butterfield
Campbell
Carson (IN)
Clarke (NY)
Cleaver
Conyers
Costello
Frelinghuysen
Giffords
Ruppersberger
Shuler
Whitfield

□ 1353

Ms. BROWN of Florida, Messrs. TIERNEY, CLARKE of Michigan, HONDA, ISRAEL, and Ms. LINDA T. SÁNCHEZ of California changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 178, not voting 19, as follows:

[Roll No. 200]

YEAS—235

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley

McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—178

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—19

Barton (TX)
Bass (NH)
Brooks
Butterfield
Campbell
Carson (IN)
Clarke (NY)
Cleaver
Davis (IL)
Frelinghuysen
Garamendi
Giffords
Hayworth
Heller
Polis
Quigley
Rangel
Shuler
Slaughter

□ 1400

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 309, nays 107, answered ''present'' 1, not voting 15, as follows:

[Roll No. 201]

YEAS—309

Ackerman
Adams
Aderholt
Akin
Alexander
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Capps
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Courtney
Crawford
Crenshaw
Critz
Crowley
Culberson
Davis (CA)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Engel
Eshoo
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Franks (AZ)
Gallegly
Garamendi
Garrett
Gerlach
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hanabusa
Harper
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Holden
Holt
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Inslee
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Payne
Pence
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Price (GA)
Price (NC)
Quayle
Quigley
Rehberg
Reichert
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—107

Altmire
Baldwin
Bass (CA)
Becerra
Bilbray
Bishop (NY)
Boswell
Brady (PA)
Brown (FL)
Burgess
Capuano
Cardoza
Carnahan
Chu
Clarke (MI)
Costa
Costello
Cravaack
Cuellar
Cummings
Davis (IL)
DeFazio
Dent
Deutch
Dicks
Dold
Donnelly (IN)
Ellison
Farenthold
Farr
Filner
Fitzpatrick
Foxx
Fudge
Gardner
Gibbs
Graves (MO)
Gutierrez
Hall
Hanna
Harris
Hastings (FL)
Heck
Heller
Hinchey
Honda
Hoyer
Hunter
Israel
Jackson (IL)
Jackson Lee (TX)
Keating
Kinzinger (IL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Luján
Lynch
Maloney
McCotter
McDermott
McGovern
McKinley
Meeks
Miller, George
Moore
Napolitano
Olver
Pallone
Pastor (AZ)
Pearce
Pelosi
Peters
Peterson
Poe (TX)
Rahall
Rangel
Reed
Renacci
Reyes
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Scott (VA)
Sires
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tipton
Towns
Visclosky
Weiner
Wu
Young (AK)

ANSWERED ''PRESENT''—1

Amash

NOT VOTING—15

Andrews
Barton (TX)
Buchanan
Butterfield
Campbell
Carson (IN)
Clarke (NY)
Cleaver
Frelinghuysen
Giffords
Gohmert
Perlmutter
Posey
Shuler
Slaughter

□ 1408

Ms. BASS of California changed her vote from ''yea'' to ''nay.''

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained on official business and missed rollcall vote Nos. 200 and 201. Had I been present, I would have voted "nay" on rollcall vote Nos. 200 and 201.

SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

Mr. ISSA. Mr. Speaker, pursuant to House Resolution 186, I call up the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BASS of New Hampshire). Pursuant to House Resolution 186, the amendment recommended by the Committee on Oversight and Government Reform now printed in the bill is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 471

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 ''Scholarships for Opportunity and Results Act'' or the ''SOAR Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their child.

(2) For many parents in the District of Columbia, public school choice provided under the Elementary and Secondary Education Act of 1965, as well as under other public school choice programs, is inadequate. More educational options are needed to ensure all families in the District of Columbia have access to a quality education. In particular, funds are needed to provide low-income parents with enhanced public opportunities and private educational environments, regardless of whether such environments are secular or nonsecular.

(3) While the per student cost for students in the public schools of the District of Columbia is one of the highest in the United States, test scores for such students continue to be among the lowest in the Nation. The National Assessment of Educational Progress (NAEP), an annual report released by the National Center for Education Statistics, reported in its 2009 study that students in the District of Columbia were being outperformed by every State in the Nation. On the 2009 NAEP, 56 percent of fourth grade students scored ''below basic'' in reading, and 44 percent scored ''below basic'' in mathematics. Among eighth grade students, 49 percent scored ''below basic'' in reading and 60 percent scored ''below basic'' in mathematics. On the 2009 NAEP reading assessment, only 17 percent of the District of Columbia fourth grade students could read proficiently, while only 13 percent of the eighth grade students scored at the proficient or advanced level.

(4) In 2003, Congress passed the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), to provide opportunity scholarships to parents of students in the District of Columbia to enable them to pursue a high-quality education at a public or private elementary or secondary school of their choice. The DC Opportunity Scholarship Program (DC OSP) under such Act was part of a comprehensive 3-part funding arrangement that also included additional funds for the District of Columbia public schools, and additional funds for public charter schools of the District of Columbia. The intent of the approach was to ensure that progress would continue to be made to improve public schools and public charter schools, and that funding for the opportunity scholarship program would not lead to a reduction in funding for the District of Columbia public and charter schools. Resources would be available for a variety of educational options that would give families in the District of Columbia a range of choices with regard to the education of their children.

(5) The DC OSP was established in accordance with the Supreme Court decision, Zelman v. Simmons-Harris, 536 U.S. 639 (2002), which found that a program enacted for the valid secular purpose of providing educational assistance to low-income children in a demonstrably failing public school system is constitutional if it is neutral with respect to religion and provides assistance to a broad class of citizens who direct government aid to religious and secular schools solely as a result of their genuine and independent private choices.

(6) Since the inception of the DC OSP, it has consistently been oversubscribed. Parents express strong support for the opportunity scholarship program. Rigorous studies of the program by the Institute of Education Sciences have shown significant improvements in parental satisfaction and in reading scores that are more dramatic when only those students consistently using the scholarships are considered. The program also was found to result in significantly higher graduation rates for DC OSP students.

(7) The DC OSP is a program that offers families in need, in the District of Columbia, important alternatives while public schools are improved. This program should be reauthorized as 1 of a 3-part comprehensive funding strategy for the District of Columbia school system that provides new and equal funding for public schools, public charter schools, and opportunity scholarships for students to attend private schools.

SEC. 3. PURPOSE.

The purpose of this Act is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunities for enrolling their children in other schools in the District of Columbia, at least until the public schools in the District of Columbia have adequately addressed shortfalls in health, safety, and security, and the students in the District of Columbia public schools are testing in mathematics and reading at or above the national average.

SEC. 4. GENERAL AUTHORITY.

(a) OPPORTUNITY SCHOLARSHIPS.—

(1) IN GENERAL.—From funds appropriated under section 14(a)(1), the Secretary shall award grants on a competitive basis to eligible entities with approved applications under section 5 to carry out a program to provide eligible students with expanded school choice opportunities. The Secretary may award a single grant or multiple grants, depending on the quality of applications submitted and the priorities of this Act.

(2) DURATION OF GRANTS.—The Secretary may make grants under this subsection for a period of not more than 5 years.

(b) DC PUBLIC SCHOOLS AND CHARTER SCHOOLS.—From funds appropriated under paragraphs (2) and (3) of section 14(a), the Secretary shall provide funds to the Mayor of the District of Columbia, if the Mayor agrees to the requirements described in section 11(a), for—

(1) the District of Columbia public schools to improve public education in the District of Columbia; and

(2) the District of Columbia public charter schools to improve and expand quality public charter schools in the District of Columbia.

SEC. 5. APPLICATIONS.

(a) IN GENERAL.—In order to receive a grant under section 4(a), an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) CONTENTS.—The Secretary may not approve the request of an eligible entity for a grant under section 4(a) unless the entity's application includes—

(1) a detailed description of—

(A) how the entity will address the priorities described in section 6;

(B) how the entity will ensure that if more eligible students seek admission in the program of the entity than the program can accommodate, eligible students are selected for admission through a random selection process which gives weight to the priorities described in section 6;

(C) how the entity will ensure that if more participating eligible students seek admission to a participating school than the school can accommodate, participating eligible students are selected for admission through a random selection process;

(D) how the entity will notify parents of eligible students of the expanded choice opportunities in order to allow the parents to make informed decisions;

(E) the activities that the entity will carry out to provide parents of eligible students with expanded choice opportunities through the awarding of scholarships under section 7(a);

(F) how the entity will determine the amount that will be provided to parents under section 7(a)(2) for the payment of tuition, fees, and transportation expenses, if any;

(G) how the entity will seek out private elementary schools and secondary schools in the District of Columbia to participate in the program;

(H) how the entity will ensure that each participating school will meet the reporting and other program requirements under this Act;

(I) how the entity will ensure that participating schools submit to site visits by the entity as determined to be necessary by the entity, except that a participating school may not be required to submit to more than 1 site visit per school year;

(J) how the entity will ensure that participating schools are financially responsible and will use the funds received under section 7 effectively;

(K) how the entity will address the renewal of scholarships to participating eligible students, including continued eligibility; and

(L) how the entity will ensure that a majority of its voting board members or governing organization are residents of the District of Columbia; and

(2) an assurance that the entity will comply with all requests regarding any evaluation carried out under section 9(a).

SEC. 6. PRIORITIES.

In awarding grants under section 4(a), the Secretary shall give priority to applications from eligible entities that will most effectively—

(1) in awarding scholarships under section 7(a), give priority to—

(A) eligible students who, in the school year preceding the school year for which the eligible students are seeking a scholarship, attended an elementary school or secondary school identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316);

(B) students who have been awarded a scholarship in a preceding year under this Act or the DC School Choice Incentive Act of 2003 (sec. 38–

1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this Act, but who have not used the scholarship, including eligible students who were provided notification of selection for a scholarship for school year 2009-2010, which was later rescinded in accordance with direction from the Secretary of Education; and

(C) students whose household includes a sibling or other child who is already participating in the program of the eligible entity under this Act, regardless of whether such students have, in the past, been assigned as members of a control study group for the purposes of an evaluation under section 9(a);

(2) target resources to students and families that lack the financial resources to take advantage of available educational options; and

(3) provide students and families with the widest range of educational options.

SEC. 7. USE OF FUNDS.

(a) OPPORTUNITY SCHOLARSHIPS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), an eligible entity receiving a grant under section 4(a) shall use the grant funds to provide eligible students with scholarships to pay the tuition, fees, and transportation expenses, if any, to enable the eligible students to attend the District of Columbia private elementary school or secondary school of their choice beginning in school year 2011–2012. Each such eligible entity shall ensure that the amount of any tuition or fees charged by a school participating in such entity's program under this Act to an eligible student participating in the program does not exceed the amount of tuition or fees that the school charges to students who do not participate in the program.

(2) PAYMENTS TO PARENTS.—An eligible entity receiving a grant under section 4(a) shall make scholarship payments under the entity's program under this Act to the parent of the eligible student participating in the program, in a manner which ensures that such payments will be used for the payment of tuition, fees, and transportation expenses (if any), in accordance with this Act.

(3) AMOUNT OF ASSISTANCE.—

(A) VARYING AMOUNTS PERMITTED.—Subject to the other requirements of this section, an eligible entity receiving a grant under section 4(a) may award scholarships in larger amounts to those eligible students with the greatest need.

(B) ANNUAL LIMIT ON AMOUNT.—

(i) LIMIT FOR SCHOOL YEAR 2011–2012.—The amount of assistance provided to any eligible student by an eligible entity under the entity's program under this Act for school year 2011–2012 may not exceed—

(I) $8,000 for attendance in kindergarten through grade 8; and

(II) $12,000 for attendance in grades 9 through 12.

(ii) CUMULATIVE INFLATION ADJUSTMENT.—Beginning the school year following the school year of the date of the enactment of this Act, the Secretary shall adjust the maximum amounts of assistance described in clause (i) for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

(4) PARTICIPATING SCHOOL REQUIREMENTS.—None of the funds provided under this Act for opportunity scholarships may be used by an eligible student to enroll in a participating private school unless the participating school—

(A) has and maintains a valid certificate of occupancy issued by the District of Columbia;

(B) makes readily available to all prospective students information on its school accreditation;

(C) in the case of a school that has been operating for 5 years or less, submits to the eligible entity administering the program proof of adequate financial resources reflecting the financial sustainability of the school and the school's ability to be in operation through the school year;

(D) agrees to submit to site visits as determined to be necessary by the eligible entity pursuant to section 5(b)(1)(I);

(E) has financial systems, controls, policies, and procedures to ensure that funds are used according to this Act; and

(F) ensures that each teacher of core subject matter in the school has a baccalaureate degree or equivalent degree, whether such degree was awarded in or outside of the United States.

(b) ADMINISTRATIVE EXPENSES.—An eligible entity receiving a grant under section 4(a) may use not more than 3 percent of the amount provided under the grant each year for the administrative expenses of carrying out its program under this Act during the year, including—

(1) determining the eligibility of students to participate;

(2) selecting eligible students to receive scholarships;

(3) determining the amount of scholarships and issuing the scholarships to eligible students;

(4) compiling and maintaining financial and programmatic records; and

(5) conducting site visits as described in section 5(b)(1)(I).

(c) PARENTAL ASSISTANCE.—An eligible entity receiving a grant under section 4(a) may use not more than 2 percent of the amount provided under the grant each year for the expenses of educating parents about the entity's program under this Act, and assisting parents through the application process, under this Act, including—

(1) providing information about the program and the participating schools to parents of eligible students;

(2) providing funds to assist parents of students in meeting expenses that might otherwise preclude the participation of eligible students in the program; and

(3) streamlining the application process for parents.

(d) STUDENT ACADEMIC ASSISTANCE.—An eligible entity receiving a grant under section 4(a) may use not more than 1 percent of the amount provided under the grant each year for expenses to provide tutoring services to participating eligible students that need additional academic assistance. If there are insufficient funds to provide tutoring services to all such students in a year, the eligible entity shall give priority in such year to students who previously attended an elementary school or secondary school that was identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

SEC. 8. NONDISCRIMINATION AND OTHER REQUIREMENTS FOR PARTICIPATING SCHOOLS.

(a) IN GENERAL.—An eligible entity or a school participating in any program under this Act shall not discriminate against program participants or applicants on the basis of race, color, national origin, religion, or sex.

(b) APPLICABILITY AND SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in subsection (a) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subsection (a) is inconsistent with the religious tenets or beliefs of the school.

(2) SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—Notwithstanding subsection (a) or any other provision of law, a parent may choose and a school may offer a single sex school, class, or activity.

(3) APPLICABILITY.—For purposes of this Act, the provisions of section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) shall apply to this Act as if section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) were part of this Act.

(c) CHILDREN WITH DISABILITIES.—Nothing in this Act may be construed to alter or modify the provisions of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(d) RELIGIOUSLY AFFILIATED SCHOOLS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a school participating in any program under this Act that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1 et seq.), including the exemptions in such title.

(2) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this Act to eligible students, which are used at a participating school as a result of their parents' choice, shall not, consistent with the first amendment of the Constitution, necessitate any change in the participating school's teaching mission, require any participating school to remove religious art, icons, scriptures, or other symbols, or preclude any participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(e) RULE OF CONSTRUCTION.—A scholarship (or any other form of support provided to parents of eligible students) under this Act shall be considered assistance to the student and shall not be considered assistance to the school that enrolls the eligible student. The amount of any scholarship (or other form of support provided to parents of an eligible student) under this Act shall not be treated as income of the parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

(f) REQUESTS FOR DATA AND INFORMATION.—Each school participating in a program funded under this Act shall comply with all requests for data and information regarding evaluations conducted under section 9(a).

(g) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school, including the schools described in subsection (d), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

(h) NATIONALLY NORM-REFERENCED STANDARDIZED TESTS.—

(1) IN GENERAL.—Each participating school shall comply with any testing requirements determined to be necessary for evaluation under section 9(a)(2)(A)(i).

(2) MAKE-UP SESSION.—If a participating school does not administer a nationally norm-referenced standardized test or the Institute of Education Sciences does not receive data on a student who is receiving an opportunity scholarship, then the Secretary (through the Institute of Education Sciences of the Department of Education) shall administer such test at least one time during a school year for each student receiving an opportunity scholarship.

SEC. 9. EVALUATIONS.

(a) IN GENERAL.—

(1) DUTIES OF THE SECRETARY AND THE MAYOR.—The Secretary and the Mayor of the District of Columbia shall—

(A) jointly enter into an agreement with the Institute of Education Sciences of the Department of Education to evaluate annually the performance of students who received scholarships under the 5-year program under this Act;

(B) jointly enter into an agreement to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this Act; and

(C) make the evaluations described in subparagraph (A) and (B) public in accordance with subsection (c).

(2) DUTIES OF THE SECRETARY.—The Secretary, through a grant, contract, or cooperative agreement, shall—

(A) ensure that the evaluation under paragraph (1)(A)—

(i) is conducted using the strongest possible research design for determining the effectiveness of the opportunity scholarship program under this Act; and

(ii) addresses the issues described in paragraph (4); and

(B) disseminate information on the impact of the program—

(i) in increasing the academic growth and achievement of participating eligible students; and

(ii) on students and schools in the District of Columbia.

(3) DUTIES OF THE INSTITUTE OF EDUCATION SCIENCES.—The Institute of Education Sciences of the Department of Education shall—

(A) use a grade appropriate, nationally norm-referenced standardized test each school year to assess participating eligible students;

(B) measure the academic achievement of all participating eligible students; and

(C) work with the eligible entities to ensure that the parents of each student who applies for a scholarship under this Act (regardless of whether the student receives the scholarship) and the parents of each student participating in the scholarship program under this Act, agree that the student will participate in the measurements given annually by the Institute of Educational Sciences for the period for which the student applied for or received the scholarship, respectively, except that nothing in this subparagraph shall affect a student's priority for an opportunity scholarship as provided under section 6.

(4) ISSUES TO BE EVALUATED.—The issues to be evaluated under paragraph (1)(A) shall include the following:

(A) A comparison of the academic growth and achievement of participating eligible students in the measurements described in paragraph (3) to the academic growth and achievement of the eligible students in the same grades who sought to participate in the scholarship program under this Act but were not selected.

(B) The success of the program in expanding choice options for parents of participating eligible students, improving parental and student satisfaction of such parents and students, respectively, and increasing parental involvement of such parents in the education of their children.

(C) The reasons parents of participating eligible students choose for their children to participate in the program, including important characteristics for selecting schools.

(D) A comparison of the retention rates, high school graduation rates, and college admission rates of participating eligible students with the retention rates, high school graduation rates, and college admission rates of students of similar backgrounds who do not participate in such program.

(E) A comparison of the safety of the schools attended by participating eligible students and the schools in the District of Columbia attended by students who do not participate in the program, based on the perceptions of the students and parents.

(F) Such other issues with respect to participating eligible students as the Secretary considers appropriate for inclusion in the evaluation, such as the impact of the program on public elementary schools and secondary schools in the District of Columbia.

(G) An analysis of the issues described in subparagraphs (A) through (F) by applying such subparagraphs by substituting ''the subgroup of participating eligible students who have used each opportunity scholarship awarded to such students under this Act to attend a participating school'' for ''participating eligible students'' each place such term appears.

(5) PROHIBITION.—Personally identifiable information regarding the results of the measurements used for the evaluations may not be disclosed, except to the parents of the student to whom the information relates.

(b) REPORTS.—The Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Oversight and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Homeland Security and Governmental Affairs of the Senate—

(1) annual interim reports, not later than April 1 of the year following the year of the date of enactment of this Act, and each subsequent year through the year in which the final report is submitted under paragraph (2), on the progress and preliminary results of the evaluation of the opportunity scholarship program funded under this Act; and

(2) a final report, not later than 1 year after the final year for which a grant is made under section 4(a), on the results of the evaluation of the program.

(c) PUBLIC AVAILABILITY.—All reports and underlying data gathered pursuant to this section shall be made available to the public upon request, in a timely manner following submission of the applicable report under subsection (b), except that personally identifiable information shall not be disclosed or made available to the public.

(d) LIMIT ON AMOUNT EXPENDED.—The amount expended by the Secretary to carry out this section for any fiscal year may not exceed 5 percent of the total amount appropriated under section 14(a)(1) for the fiscal year.

SEC. 10. REPORTING REQUIREMENTS.

(a) ACTIVITIES REPORTS.—Each eligible entity receiving funds under section 4(a) during a year shall submit a report to the Secretary not later than July 30 of the following year regarding the activities carried out with the funds during the preceding year.

(b) ACHIEVEMENT REPORTS.—

(1) IN GENERAL.—In addition to the reports required under subsection (a), each eligible entity receiving funds under section 4(a) shall, not later than September 1 of the year during which the second school year of the entity's program is completed and each of the next 2 years thereafter, submit to the Secretary a report, including any pertinent data collected in the preceding 2 school years, concerning—

(A) the academic growth and achievement of students participating in the program;

(B) the high school graduation and college admission rates of students who participate in the program, where appropriate; and

(C) parental satisfaction with the program.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information.

(c) REPORTS TO PARENTS.—

(1) IN GENERAL.—Each eligible entity receiving funds under section 4(a) shall ensure that each school participating in the entity's program under this Act during a school year reports at least once during the year to the parents of each of the school's students who are participating in the program on—

(A) the student's academic achievement, as measured by a comparison with the aggregate academic achievement of other participating students at the student's school in the same grade or level, as appropriate, and the aggregate academic achievement of the student's peers at the student's school in the same grade or level, as appropriate;

(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions; and

(C) the accreditation status of the school.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

(d) REPORT TO CONGRESS.—Not later than 6 months after the first appropriation of funds under section 14, and each succeeding year thereafter, the Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Oversight and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Homeland Security and Governmental Affairs of the Senate, an annual report on the findings of the reports submitted under subsections (a) and (b).

SEC. 11. DC PUBLIC SCHOOLS AND DC PUBLIC CHARTER SCHOOLS.

(a) CONDITION OF RECEIPT OF FUNDS.—As a condition of receiving funds under this Act on behalf of the District of Columbia public schools and the District of Columbia public charter schools, the Mayor shall agree to carry out the following:

(1) INFORMATION REQUESTS.—Ensure that all the District of Columbia public schools and the District of Columbia public charter schools comply with all reasonable requests for information for purposes of the evaluation under section 9(a).

(2) AGREEMENT WITH THE SECRETARY.—Enter into the agreement described in section 9(a)(1)(B) to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this Act.

(3) SUBMISSION OF REPORT.—Not later than 6 months after the first appropriation of funds under section 14, and each succeeding year thereafter, submit to the Committee on Appropriations, the Committee on Education and the Workforce, and the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Appropriations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate, information on—

(A) how the funds authorized and appropriated under this Act for the District of Columbia public schools and the District of Columbia public charter schools were used in the preceding school year; and

(B) how such funds are contributing to student achievement.

(b) ENFORCEMENT.—If, after reasonable notice and an opportunity for a hearing for the Mayor, the Secretary determines that the Mayor has not been in compliance with 1 or more of the requirements described in subsection (a), the Secretary may withhold from the Mayor, in whole or in part, further funds under this Act for the District of Columbia public schools and the District of Columbia public charter schools.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to reduce, or otherwise affect, funding provided under this Act for the opportunity scholarship program under this Act.

SEC. 12. TRANSITION PROVISIONS.

(a) REPEAL.—The DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code) is repealed.

(b) SPECIAL RULES.—Notwithstanding any other provision of law—

(1) funding appropriated to provide opportunity scholarships for students in the District of Columbia under the heading ''Federal Payment for School Improvement'' in title IV of division D of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 653), the heading ''Federal Payment for School Improvement'' in title IV of division C of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3181), or any other Act, may be used to provide opportunity scholarships under section 7(a) for the 2011–2012 school year to students who have not previously received such scholarships;

(2) the fourth and fifth provisos under the heading ''Federal Payment for School Improvement'' of title IV of Division C of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3181) shall not apply; and

(3) any unobligated amounts reserved to carry out the provisos described in paragraph (2) shall be made available to an eligible entity receiving a grant under section 4(a)—

(A) for administrative expenses described in section 7(b); or

(B) to provide opportunity scholarships under section 7(a), including to provide such scholarships for the 2011–2012 school year to students who have not previously received such scholarships.

(c) MULTIYEAR AWARDS.—The recipient of a grant or contract under the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this Act, shall continue to receive funds in accordance with the terms and conditions of such grant or contract, except that—

(1) the provisos relating to opportunity scholarships in the Acts described in subsection (b)(1) shall not apply; and

(2) the memorandum of understanding described in subsection (d), including any revision made under such subsection, shall apply.

(d) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Mayor of the District of Columbia shall revise the memorandum of understanding entered into under the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this Act, to address—

(1) the implementation of the opportunity scholarship program under this Act; and

(2) how the Mayor will ensure that the District of Columbia public schools and the District of Columbia public charter schools comply with all the reasonable requests for information as necessary to fulfill the requirements for evaluations conducted under section 9(a).

(e) ORDERLY TRANSITION.—Subject to subsections (c) and (d), the Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this Act from any authority under the provisions of the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of enactment of this Act.

SEC. 13. DEFINITIONS.

As used in this Act:

(1) ELEMENTARY SCHOOL.—The term ''elementary school'' means an institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under District of Columbia law.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means any of the following:

(A) A nonprofit organization.

(B) A consortium of nonprofit organizations.

(3) ELIGIBLE STUDENT.—The term ''eligible student'' means a student who is a resident of the District of Columbia and comes from a household—

(A) receiving assistance under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

(B) whose income does not exceed—

(i) 185 percent of the poverty line; or

(ii) in the case of a student participating in the opportunity scholarship program in the preceding year under this Act or the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of enactment of this Act, 300 percent of the poverty line.

(4) MAYOR.—The term ''Mayor'' means the Mayor of the District of Columbia.

(5) PARENT.—The term ''parent'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) PARTICIPATING ELIGIBLE STUDENT.—The term ''participating eligible student'' means an eligible student awarded an opportunity scholarship under this Act, without regard to whether the student uses the scholarship to attend a participating school.

(7) PARTICIPATING SCHOOL.—The term ''participating school'' means a private elementary school or secondary school participating in the opportunity scholarship program of an eligible entity under this Act.

(8) POVERTY LINE.—The term ''poverty line'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) SECONDARY SCHOOL.—The term ''secondary school'' means an institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under District of Columbia law, except that the term does not include any education beyond grade 12.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $60,000,000 for fiscal year 2012 and for each of the 4 succeeding fiscal years, of which—

(1) one-third shall be made available to carry out the opportunity scholarship program under this Act for each fiscal year;

(2) one-third shall be made available to carry out section 4(b)(1) for each fiscal year; and

(3) one-third shall be made available to carry out section 4(b)(2) for each fiscal year.

(b) APPORTIONMENT.—If the total amount of funds appropriated under subsection (a) for a fiscal year does not equal $60,000,000, the funds shall be apportioned in the manner described in subsection (a) for such fiscal year.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 112–45, if offered by the gentlewoman from the District of Columbia (Ms. NORTON) or her designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 471 and include extraneous materials thereon.

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

There was no objection.

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

Mr. Speaker, it is a great pleasure for me to rise in strong support of H.R. 471, the Scholarships for Opportunity and Results Act.

H.R. 471 is not new but H.R. 471 is essential. It reauthorizes and makes improvements in the D.C. Opportunity Scholarship Program, which was created by Congress in 2003 to provide eligible low-income District parents with an opportunity to send their children to a private school of their choice.

□ 1410

But it does more. It also provides an equal amount of money for chartered public schools, which are greater in the District of Columbia perhaps than anywhere else in the Nation, and an equal amount for improving the public school system in the District of Columbia.

Mr. Speaker, this Act gives twice as much money to the two categories of public schools—conventional schools and chartered public schools—than it does to the scholarship program. However, the scholarship program is a focus of this bill, and it's a focus because this program has proven to be successful. In fact, 74 percent of all District residents, when polled, favor the continuation of this program as to these D.C. Opportunity Scholarships. Obviously among those who have had opportunities they would not otherwise have had, those who have gone on to college and enjoyed benefits because of their opportunity to seek an education of their choice, it is 100 percent valuable.

Mr. Speaker, we have pursued regular order on this bill. We have gone through both the subcommittee and the committee process. We have had an extensive hearing, and we believe this bill is absolutely essential. I will mention that, pursuant to the goals of the Republican House, we have made some austerity. Originally, this would have been $75 million. It is $15 million less because at this time, although we would like to do more, we have to make those kinds of trimmings that are possible.

Still, Mr. Speaker, this is a jewel of the D.C. school system. It is an opportunity for people to have the kind of choice they have in few other areas. And I want to personally thank the Speaker of the House for bringing this piece of legislation and for all of his work through all of the years in which he worked so hard on the Education Committee to understand this program in a way that no other Member does.

I reserve the balance of my time.

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

I rise today in strong opposition to H.R. 471.

Let me be very clear: Public funds should support public education. But this bill, which would authorize $300 million to support education in the District of Columbia, includes an authorization for the expenditure of $100 million over 5 years to enable a tiny fraction of D.C. students to attend private schools. We have been told that the purpose of this bill is to help D.C. children get a better education. But House Republicans passed legislation earlier this year that slashes billions of dollars from educational programs across the country. In H.R. 1, which passed the House in February, House

Republicans cut $5.7 billion from the Pell Grant program, $1 billion from Head Start, $757 million from Federal Supplemental Educational Opportunity Grants, $694 million from Title I-A grants, and $100 million from the 21st Century Community Learning Centers. Under these Republican cuts, nearly 44,000 students from the District of Columbia could see their Pell Grants reduced, 700 would lose their Head Start placements, 500 could face reduced or eliminated after-school placements, and 2,500 would lose supplemental educational services.

Remarkably now, after voting to leave so many behind, the Republican leadership wants to authorize $100 million in new spending just for private schools in the District as part of a $300 million authorization for education in that one district. And the majority does not even pay for any part of this $300 million bill. Let me be clear on this point: There is no offset for this bill. For that reason, H.R. 471 also appears to violate the legislative protocols issued by the majority with such fanfare at the beginning of this Congress. So all the rhetoric supposedly justifying massive cuts to education funding, all the talks about budget constraints, about tightening our belts, and about making sacrifices, all that goes out the window when the majority wants to give $100 million in taxpayer funds to private schools.

Also problematic is that the D.C. voucher program has not resulted in better student achievement. The Institute for Education Sciences evaluated this program and found that in 2010, there was no overall statistically significant impact on student achievement in reading or math. By comparison, reading and math test scores did improve among students enrolled in the District's public schools and its public charter schools from 2007 to 2010.

The bill is also a direct assault on D.C. home rule. The Speaker did not consult with the District's representative or its elected officials before introducing the bill. Our committee did not receive testimony from the mayor of the District before we marked up this bill. And the Republicans have not introduced a national voucher bill because using taxpayer dollars to fund private schools is highly unpopular and has failed in every referendum placed on State ballots.

Despite all of these arguments against the bill, to me, the most significant problem is that it diverts funds away from educational programs that help all of the District's 70,000 students. Instead, the bill would use a lottery system to award vouchers to send about 1.3 percent of District students to private schools. I know there are Members on the other side of the aisle who are truly concerned about the education of our Nation's children, and they have a sincere desire to help students of the District of Columbia. But we should help all of the students. We should provide a high-quality education for all of them, and we should support continued improvements that raise all student achievement.

I have said it over and over again: The greatest threat to our national security is the failure to properly educate every single one of our children, every one of them. We should not adopt a measure that spends $100 million so that about 1,000 students can go to private schools. And as a graduate of public schools and a longtime advocate of quality public education, as one who has sat on a charter school board, I agree with the President's statement of the administration's policy which opposes creating or expanding a voucher program and asserts that the ''Federal Government should focus its attention and available resources on improving the quality of public schools for all students.'' Because this bill does not do that, I urge my colleagues to reject H.R. 471 in its current form.

Mr. Speaker, later during this debate, my distinguished colleague Congresswoman ELEANOR HOLMES NORTON, who represents the District of Columbia, will offer an amendment to redirect funding for private schools to improve public education for all of the District's students. This amendment is a thoughtful improvement, and I urge all Members to support it.

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

Mr. ISSA. Mr. Speaker, it's now my pleasure to yield 5 minutes to the gentleman from Minnesota (Mr. KLINE), the chairman of the Committee on Education and the Workforce.

Mr. KLINE. I thank the gentleman for yielding time.

Mr. Speaker, I rise today in support of H.R. 471, this legislation that would reauthorize the D.C. Opportunity Scholarship Program. This program was created in 2004 with bipartisan support. This program has provided an educational lifeline and meaningful choices to thousands of District families. I urge my colleagues to support this legislation.

Everyone agrees now that our educational system is broken. As we work to craft targeted reforms, we must support existing education programs that improve student achievement. The D.C. Opportunity Scholarship Program is one such initiative with a proven track record of success. Over the past 7 years, this program has helped more than 3,000 low-income children receive a high-quality education at the private school of their choice. The Department of Education's own research confirms the program's success in increasing graduation rates to more than 90 percent in the low-income population of students previously trapped in underperforming schools.

□ 1420

Additionally, this scholarship program has improved parental involvement in education. Four consecutive studies have shown parents of program participants are more engaged in their children's education and more satisfied with their academic progress than parents of public school students.

The evidence is clear, Mr. Speaker. This innovative program works and serves as a real alternative for parents who want to give their children the educational opportunities they never had. Yet, despite this proof, the administration and some in Congress are determined to destroy this groundbreaking program.

Without the D.C. Opportunity Scholarship Program, thousands of parents will be denied an opportunity to make decisions about their children's education. Equally troubling, thousands of children will be denied the opportunity to achieve their full potential, leaving them unequipped to succeed in a 21st century workforce. We must put children first and stop a vocal minority from taking vital opportunities away from thousands of D.C. families.

The program has received widespread support from Washington residents, including three former Democratic Mayors, several members of the D.C. City Council, and thousands of students and parents. Congress cannot turn its back and deny students a chance, a chance for a better future.

As our Nation fights to get back to the path to prosperity, we cannot afford to eliminate critical educational opportunities that will prepare our Nation's youth for tomorrow's workforce.

All parents should be empowered to decide what school is best for their child. A quality education should not be a luxury available only to those who can afford it.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from the District of Columbia, ELEANOR HOLMES NORTON.

Ms. NORTON. Mr. Speaker, I thank the gentleman from Maryland for his terrific help on all we have done on this bill.

Let me count the ways I strongly oppose H.R. 471:

Because it reestablished a program that failed to improve academic achievement as measured by standardized reading and math tests;

Because it infringes on the local government's right to make decisions about quintessentially local education matters;

Because it was introduced without so much as consultation with any elected official from the affected jurisdiction, the jurisdiction I represent;

Because it provides Federal funds to send students to religious and other private schools, despite the absence of support for vouchers, as demonstrated by the failure of every State referendum to authorize vouchers, including two in California; and

Because it increases the deficit by $300 million, violating the majority's own CutGo for discretionary authorization legislative protocols.

Although I am a proud graduate of the D.C. Public Schools and strongly

support our public schools, especially given their great improvement, I have always supported public charter alternatives for those parents who are dissatisfied with our traditional public schools. Children can't wait until public schools now in the throes of ''a race to the top'' meet the top.

I'm proud that the District of Columbia has the largest charter school system in the United States of America, with almost half of our children attending. Parents and organizations in the District of Columbia have made this alternative, not the Congress of the United States.

The existence and the phenomenal growth of our public charter schools has fueled the competition that has actually helped our public schools improve. The reason is because the charter schools and the public schools, unlike the voucher schools, are competing for the same local dollars.

So, today, it is interesting to note that the National Assessment of Educational Progress found that the D.C. Public Schools have awakened to the competition, and now is the only one of 18 large urban school systems that showed improvement in the fourth and eighth-grade achievement tests over the past 2 years.

Now, contrast this with what the Bush Education Department found for the very voucher program we will be voting on in H.R. 471, and I'm quoting:

The Department of education found ''no conclusive evidence that the Opportunity Scholarship Program affected student achievement'' as measured by standardized reading and math tests. Yet the program was established precisely to measure and improve performance of the lowest achieving students in our schools.

D.C. charter schools, however, outperform the D.C. public schools and greatly outperform the voucher schools. Our public charter schools at the middle and high school level, with a majority of economically disadvantaged students, scored almost twice as high as their D.C. Public School counterparts in math and reading, and the graduation rate of charter school students is 24 percent higher than the graduation rate of our traditional public high schools and 8 percent higher than the national average. Yet these public charter schools have a higher percentage of African American students and of disadvantaged students than our public schools.

They are entirely accountable. They can be closed and, like public schools, they have been closed.

With this remarkable record, why in the world would anyone pick the District of Columbia to impose a voucher program on, or target the only big school system that has set up an alternative public charter school system?

If the majority were truly interested in our education agenda, instead of their own, they would do what former Speaker Newt Gingrich did. When he approached me about private school vouchers, I told him of public opposition to vouchers in the city, but not to charter schools, as demonstrated by a fledgling charter school program in the District that had attracted few charters. And there was a District of Columbia charter school law. He worked with me, not against me, to introduce a bill——

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

Mr. CUMMINGS. I grant the gentlewoman an additional 1 minute.

Ms. NORTON. To introduce P.L. 104–134, which has helped us produce a large-scale robust alternative public school system that is now a model for the Nation.

The pattern of this Congress could not be clearer. They began by stripping the District of Columbia of its vote. They have done nothing but try to take from the District of Columbia with bill after bill. Now they want to help us, against our will.

We reject the insult of your help with the children of the District of Columbia. We are not second-class citizens. We are not children. If you want to help us, give us the courtesy, have the good grace to ask us how we want to be helped.

Mr. ISSA. Mr. Speaker, as it says in the Constitution, to exercise exclusive legislation in all cases whatsoever over the District, and that is what we are doing.

It gives me great pleasure to yield 5 minutes to the gentleman from California (Mr. MCCARTHY), the whip of the House.

Mr. MCCARTHY of California. As I listen to the debate, people want to know if anybody was asked. You realize that there are four times as many children who want a scholarship than there's one for? Those are the people we should ask. Those are the people who have been asked. Those are the people that have asked to be able to have a new life, a new direction and a hope that we all dream about in America.

I will tell you, this morning, like almost every morning when I'm in Washington, D.C., we get that time, we call home. As a husband and a parent, I call my wife, and the first thing we talk about is our children. We talk about our children, about how they're feeling, how they're doing, but more importantly, how's their education—who are the latest and where they are going. It's the same question that every single parent that's a Member of this body asks. Every Member of this body that's a parent doesn't care about what they will become. You care about what your children will become.

□ 1430

The greatest opportunity you have for your children to expand all the dreams and hopes they have as an American is making sure they have the right education. But it is not just for a select few. We want to make sure everybody does.

Last Congress, one of the toughest times I watched on this floor was the new Obama administration and the Democratic majority, where they worked to terminate this program to prevent new children from participating, and going so far as revoking 216 new children for a scholarship that had already been elected to the 2009–2010 school year. Not only was it unfair; it was unwise.

We have an opportunity on this floor to do something different. We have an opportunity on this floor to actually make a correction. It is not a correction for you and me. It is a correction of a hope and a dream that a child can unleash and unshackle something that holds them back. It is a dream that they can rise to the occasion, they can have the foundation, they can have the ability that the country has always talked about. That is why I support the SOAR Act, because I believe these children can soar higher. I believe these children can reach a new dream, and I do not believe in holding them back.

For all those who sit there and still want more, four to every one, I for one am going to join with them. Support this bill and support a new hope and dream. It is not about what we will become. It will be about what the next generation in America can achieve, and we want them to soar to new heights.

Mr. CUMMINGS. In regards to what was just stated by the gentleman, we care about all these children. And it would be helpful if $5.7 billion was not slashed from the Pell Grants when these kids get to college.

It is my honor to yield 1 minute to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the chair for yielding.

Mr. Speaker, I wanted to come to the floor today to say that I think this debate is a distraction. I have spent a lot of time visiting schools and talking with teachers and parents in my district, and this debate does nothing to address what they tell me they need.

What they want is for us to work together to reauthorize the Elementary and Secondary Education Act and to fix the things that we know are wrong with No Child Left Behind.

If we care about improving their education, we should be working to make our system more flexible and less punitive, which is something that both sides of the aisle agree needs to happen.

I urge my colleagues to come together to work on the pressing education issues: America's decline in international education rankings; unacceptable dropout rates and achievement gaps; and the need to create a smart, innovative workforce prepared for the jobs of tomorrow.

I urge my colleagues to vote against this bill.

Mr. ISSA. Mr. Speaker, no one has worked harder on this than my subcommittee chairman, the gentleman from South Carolina (Mr. GOWDY), to whom I yield 3 minutes.

Mr. GOWDY. I would like to thank the distinguished chairman of Oversight for his graciousness and leadership.

Mr. Speaker, we have found consensus. Sweet, elusive consensus. We found it. Not in a final committee vote; that would be too much to ask. Not even in the testimony of the witnesses who came before the subcommittee. But we found consensus among the Members themselves, one after the other after the other who testified as to the power and the magic of education to transform not just their lives but generations of lives.

I spoke with a distinguished Member from the other side of the aisle, a gentleman that I happen to like and respect very much and is one of the most powerful speakers in this body. And I will not call his name because the conversation was not public. But he recalled for me the day that he was sworn into office, and how his father came to him with tears streaming down his face. And some of the tears were the tears that only a father can have who is delighting in the success of a child. But some of the tears were also the acknowledgement that it could have been the father and not the son had the father not been born in the wrong town, at the wrong time, and in the wrong State, and, yes, in the eyes of our educational system of yesterday, the wrong race.

It is that shared acknowledgement that education is the pathway to prosperity that makes me struggle with how someone can oppose this bill. The parents want it. They feel more vested. They feel like their children are safer.

Mr. Speaker, you should have seen the parents that came and crossed political and cultural and racial lines to testify on behalf of this bill in the subcommittee. They want it desperately. The students want it. They feel safer. They feel like it's an educational environment that is conducive to their learning. Their test scores are higher. But even if they were not, their graduation rates are higher.

As a former prosecutor who cannot remember the last high school graduate that I prosecuted, the simple fact that they are graduated from high school in and of itself is enough of a reason to support this. Educational achievement is higher. Educational attainment is higher.

The parents want the same choices for their kids that the President of the United States and, indeed, most of us who are Members of Congress have for ours. Even the United States Department of Education once lauded this program as an example of something that works, until someone or something told them to think otherwise. The residents of the District of Columbia, again crossing racial, political lines overwhelmingly support this program.

And the most insidious argument is also the most demonstrably false, that somehow this program takes dollars away from the three-sectored approach that the District of Columbia uses. The public schools will still be funded. Their charter schools will still be funded. This just provides a third alternative, a third choice for parents who desperately want it and need it.

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

Mr. ISSA. I yield the gentleman an additional 1 minute.

Mr. GOWDY. One of the reasons that public approval for our body is sometimes so historically low is we have a tendency to demagogue those with whom we disagree and we create false dichotomies. This bill is no more about the independence of the District of Columbia than anything else. The District of Columbia does not think twice before accepting Federal dollars for the public school system, the charter school system, or a host of other agendas. Nor does the District of Columbia think twice when it accepts Pell Grant monies that allow an 18-year-old to go to Georgetown, which is a private school, but will not allow a 17-year-old to go to a private high school.

Nor is this bill about whether or not someone believes in the public school system. I went to the public schools in South Carolina. My wife teaches in the public schools in South Carolina. And my son will graduate from the public schools in South Carolina. But I will miss his graduation, like many of you have missed things in your lives, because we will be in session.

What I will not miss is the opportunity to throw a lifeline to kids who were born through the vicissitudes of life into poverty. We will give them the same choices and chances that we have had.

Mr. CUMMINGS. Mr. Speaker, it is not a false dichotomy when, through H.R. 1, $1.8 billion is being slashed from the Head Start budget, causing 218,220 Head Start students to not get a start.

I now yield 3 minutes to the gentleman from Illinois, Congressman DANNY DAVIS.

Mr. DAVIS of Illinois. I thank the gentleman from Maryland for yielding.

Mr. Speaker, I rise to join my colleagues in opposition to H.R. 471, the D.C. voucher bill. While I share the same commitment to improving the quality of education here in D.C., in Chicago, and throughout the Nation, as a staunch supporter of public schools I strongly disagree with vouchering public dollars to private schools and institutions. I do not believe that the D.C. public schools should become experimental labs for the rest of the Nation. As I have stated previously on a number of occasions, paying for school vouchers translates into fewer taxpayer dollars for traditional public schools which have the responsibility to educate all, and I emphasize, all of the children.

Improving public education in the District of Columbia, as in the rest of the Nation, has been and continues to be a long and arduous task. It is an absolute priority of mine. However, now is not the time to abandon our obligation to ensure top-notch public education for all students by shifting Federal dollars to private schools.

I understand and commend the Federal Government for playing a critical role in providing the District with badly needed funding for improving education since 2004.

□ 1440

But I have never found any conclusive evidence that vouchers have increased achievement, nor have I seen any evidence in any study that an overall school district has improved as a result of vouchers. If the Federal Government is serious about improving the quality of education for the city's 70,000-plus deservedly young minds, then we should place our resources towards educational opportunities for all.

I must add that in the District we have seen improvement during the last 2 and 3 years. And while we didn't seek any real testimony from the officials of the District of Columbia or school officials and students in public schools, we did hear from Delegate ELEANOR HOLMES NORTON, whose thoughts represent the thinking of a large number of Washingtonians, and she has told us that continued investment in D.C.'s public school reform efforts will yield far greater benefits for the city as a whole rather than spending millions of dollars on less than 2,000 students to attend private schools.

I agree with Delegate ELEANOR HOLMES NORTON. She represents the thinking of the people of the District of Columbia. I urge that we vote down this voucher bill and support the amendment that will be presented by Delegate ELEANOR HOLMES NORTON.

Mr. ISSA. Mr. Speaker, it is a great honor to yield the customary 1 minute to the author of the bill, the gentleman from Ohio (Mr. BOEHNER), Speaker of the House.

Mr. BOEHNER. Let me thank my colleague for yielding and let me start by also thanking him and the members of the Government Reform Committee for their work on this bill. Also I want to thank our 50 cosponsors and all the Members on both sides of the aisle who are standing with us today. I also appreciate the efforts of our colleagues in the Senate, particularly Senator JOE LIEBERMAN, who are working on similar legislation.

Today, the House will have the opportunity to do something special for the future of our country. I think just about every Member would agree that we have got to do everything we can to help our education system. Americans are concerned that their children won't be able to have the same blessings that they have had, and if we want to protect the American Dream, there is no substitute for a quality education.

My view has always been that education reform starts with giving children a way out of our most underachieving public schools. Of course,

that doesn't mean that we abandon those schools. It means we take some of the pressure off of them while they work to turn themselves around.

So we came together here about 7 years ago and said let's try something different. Instead of just throwing money at the problem, let's empower parents from lower-income families to choose the schools that are best for them. We wouldn't deny any school money that they had already been receiving. We would be injecting freedom and competition into a system that is caught up in the status quo.

We had a strong bipartisan coalition, including Anthony Williams, who was the Mayor here at the time, and Dick Armey, who for years led this fight in the House, paving the way for this program. He and I started working together on school choice in the early nineties when we served on the Education and Labor Committee together. We said let's give kids in our capital city a real chance at success and a real shot at the American Dream that they don't have. We thought to ourselves, what do we have to be afraid of? Well, as it turned out, there was nothing that we needed to be afraid of.

Thousands of families have taken advantage of the D.C. Opportunity Scholarship Program, and there is strong evidence that it is both effective and cost-effective. Unfortunately, the education establishment in our country sees this Opportunity Scholarship Program as a threat. In reality, this is an opportunity to raise the bar, because competition makes everybody better. I think if you look beyond the talking points and focus on the facts, you will find that the D.C. program provides a model that can work in other communities around our Nation.

Now, I think all of you know that this issue is important to me, but I will tell you this: This is not about me. I am proud to say that I have supported the Opportunity Scholarship Program from the get-go, but I am even more proud of the fact that I had nothing to do with its success. For that, we can thank the students and parents who have become more than the program's beneficiaries—they are its greatest ambassadors.

In recent days, I have received letters from many of them asking Congress to do the right thing, and I will be submitting some of those for the RECORD. You see, they know what it was like before. They remember living just blocks from great schools, but feeling miles away from them, and all they did was ask us to have a chance to have the same kind of education that kids down the street were getting. There is no controversial idea here. It is the American way.

So if we are serious about bipartisan education reform, we should start by saving this successful bipartisan program that has helped so many underprivileged children here in D.C. get a chance at a quality education. I urge the House to support and save this important program.

MARCH 29, 2011.

DEAR SPEAKER BOEHNER, I want to thank you for spending so much time and energy on a cause that does not benefit you but helps me and a lot other DC children.

I was a lucky one. I had the opportunity to be a scholar and it worked! I was accepted into Archbishop Carroll and Bishop McNamara High School. I'm proud of my success. One day I would like to attend Spellman College. When I get to college I know it will be because of the solid foundation I received in my elementary school. The foundation for my future was possible because of my scholarship.

Again, thank you for fighting to save the Opportunity Scholarship. I know you care about us and I wish you a lot of good luck!

Sincerely,

SAMAYA MACK,
8th grade,
St. Anthony Catholic School.

MARCH 29, 2011.

DEAR MR. SPEAKER, my name is Katherine Campos and I am a recipient of the Opportunity Scholarship. I am an eighth grader at Sacred Heart School and have received the scholarship for the past six years.

I want to thank you from the bottom of my heart for introducing the SOAR Act to Congress. I know that you really believe in the Opportunity Scholarship and that means the world to me. I believe in the scholarship, too.

The scholarship has offered me an escape from some of the harsher realities of the city. It has offered me a chance to grow in my spirituality and academics because it allowed my mom to choose Sacred Heart for me. My family is happy now that I have a better chance of getting into a good high school. Without the scholarship, I wouldn't be where I am today and I wouldn't have as much hope for tomorrow. I know that I am better prepared for a successful future because I am a recipient of the Opportunity Scholarship.

Thank you, Mr. Speaker, for all that you are doing to help me and all the other scholarship recipients. You really do make a difference in my world.

Sincerely,

KATHERINE CAMPOS,
8th grade,
Sacred Heart School.

MARCH 29, 2011.

DEAR MR. SPEAKER, We met for the first time at the State of the Union. Remember you gave me advice on giving interviews? Since then a lot of people have asked me about OSP and I just wanted to say thank you, Mr. Speaker, for all of the hard work you're putting into bringing back this Program. This program has helped me and a lot of other DC children.

Without this program I would not have attended St. Anthony Catholic School and probably would not have achieved the success I have. I love my school and am glad my parents had the option to send me here.

Since we met I am proud to share that I earned a full four year academic scholarship to Gonzaga and will be going there in the fall. This high school scholarship was possible because the elementary school that my parents chose for me provided me with a strong academic foundation. I know I will do well in high school. And then, I plan to do well at Ohio State University for college.

I hope the SOAR Act passes so other kids will get the chance I did. Thank you again!

Sincerely,

OBI MBANEFO,
8th grade,
St. Anthony Catholic School.

MARCH 29, 2011.

Hon. JOHN BOEHNER,
Speaker of the House, The Capitol, Washington, DC.

DEAR MR. SPEAKER, I am writing to thank you for never giving up in your fight to restore the D.C. Opportunity Scholarship Program.

As a mother who has seen the benefits of the program first-hand, I can attest to the value of this program. Nico, my nine year old son attends Naylor Road Private School on an opportunity scholarship and is excelling in his small classes. If Nico were unable to attend Naylor Road, he would have been forced to attend a failing, underperforming school.

I can also attest to the heartbreak of having my daughter's scholarship revoked by President Obama's Secretary of Education. My daughter Nia received an opportunity scholarship in 2009 to attend the same school as her brother and receive the same educational opportunities. But that is no longer the case.

My daughter was one of 216 students who received a letter from Secretary of Education Arne Duncan retracting her scholarship. Suddenly, I did not know where I was going to send my daughter to school. I know that I will not send my daughter to any of the schools in my area. While I have been blessed by emergency, private scholarships to send Nia to Naylor Road with her brother, I do not know if this support will continue.

As a single mother on disability, I am unable to work enough to afford tuition. Education is the first priority in my household, and this program allows my children to attend safe schools and thrive.

I can tell you that your work, and that of so many other Members of Congress, has not gone unnoticed in the parts of our city that many people too often ignore.

For me, it will mean a quality education for my children. It will also mean peace of mind, because I will know that my children will not, one day, be separated—my son to attend a safe and nurturing school, and my daughter, forced elsewhere.

Please keep fighting for this program. Please. And I encourage all Members of Congress to follow your lead in voting YES for the SOAR Act. I know that with the chance to thrive in better schools, my children will truly SOAR!

Sincerely,

LATASHA BENNETT.

Mr. CUMMINGS. Mr. Speaker, most respectfully to our Speaker, I know his intentions are very good and honorable, and I wanted to be clear on this side of the aisle, Mr. Speaker, that we care about every single child being educated and becoming all that God meant for them to be, too. That is why we oppose the $1.08 billion cut from Head Start in H.R. 1 and the $5.7 billion cut from the Federal Pell Grant program.

With that, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking member of the Education and Workforce Committee.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding. I thank him for his discussion of this legislation on the floor.

I rise in opposition to this legislation because I don't believe that we can afford to spend $100 million on a program

that in fact, in spite of what has been said on the other side, has been proven time and again to be ineffective and inefficient.

Supporting our students, especially in poor minority communities, is the right thing to do, and particularly in this economy it is absolutely essential. But that is not what this bill does.

If you really care about school reform, you want to help our students, our future, you do it in a sustainable and systematic way. You can't arbitrarily throw money at a small group of students and just hope against overwhelming evidence that your ideology somehow will work this time. You can't decide that only a handful of students deserve special attention. You can't ask Congress to vote for programs that the citizens of D.C. and the elected officials and the Mayor have not asked for. You certainly can't decide to continue a program that does not help students succeed.

There are a number of concerns about this bill. First and most importantly, the program does not help the students succeed. Just 2 weeks ago, the Republicans made harmful cuts in proven programs based upon purported standards of inefficiency, seeking to get rid of inefficient programs. If this is the standard, the D.C. voucher program fails the test.

The D.C. voucher program does not increase student achievement or graduate students so they are prepared to go on to college or careers. In fact, four Department of Education studies over both administrations found that the voucher program has had no effect on the academic achievement of the voucher students.

These findings are consistent with other private school voucher programs in Milwaukee and Cleveland. Just yesterday, the State test results showed that voucher students in Milwaukee's 20-year voucher program are actually performing similar or worse than other poor Milwaukee students. The study mandated by Congress about the D.C. voucher program says very clearly that the use of vouchers had no statistically significant impact on the overall student achievement in math or reading.

So what is the purpose of the expenditure of this money, other than to prop up an inefficient, an ineffective, ideological point of view about how these students might learn? These students are not going to the schools that will change the outcomes.

□ 1450

These students are not graduating with a set of skills that will allow them to succeed in college or a career. But the fact of the matter is there are many public schools in the District of Columbia that are in fact achieving those goals that are working for those parents and for those students.

The District of Columbia has open choice. Parents can go wherever. But we simply decided to take these Federal dollars and put it into a program on the belief that it works in spite of all of the evidence that it's not working for these students. So why are we paying a premium of another $100 million in taxpayers' money to pursue this effort when on its face it's not working? Yes, you've done telephone surveys of parents and they said, I think I made a good choice. Okay. You do telephone surveys of the students, Are you any safer? The answer is: No, we don't feel any safer.

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

Mr. CUMMINGS. I yield the gentleman 1½ additional minutes.

Mr. GEORGE MILLER of California. A great deal is made about the choice of these parents. It's to be honored and respected. What about the choice of the parents of Head Start students that made a choice to put their children into Head Start, in an effective program that makes a difference when they leave that program on whether or not they are school ready, whether or not they're prepared to proceed at fourth grade and eighth grade and tenth grade, those critical points when a student decides to drop out of school. Those parents who are making the choice about effective education for their children, they get cut, a quarter of a million of them. But if you make an ineffective choice and it's consistent with the ideology, you get funded.

That's just not the way we should do business here, and that's not the way to do business in terms of school reform. That's not the way to help these children, and that's not the way to incentivize the other schools that are struggling to achieve better results, to achieve better success for their students.

If you're going to say, We'll fund them, whether it's successful or not, we'll put a $100 million into it because it comports with our view of the constellations, that's just the wrong way to proceed in this effort for these children and for other children who will follow them.

Mr. ISSA. Mr. Speaker, I now yield 2 minutes to the gentlewoman from New York (Ms. BUERKLE).

Ms. BUERKLE. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of H.R. 471, the Scholarships for Opportunity and Results Act, because today I stand here not only as a Member of Congress but also as a mother of six children and a grandmother of 11. I know from personal experience the process that parents follow when they're choosing which school is the best choice for their children. Each child has different needs, different strengths. And as a parent reaches out to make that choice, we can realize that school choice is not cookie cutter. It should not and it must not be. And who better to make that decision than the parents of that child? Who knows best the needs of that student? Certainly, not the government bureaucracy.

The SOAR Act is about empowering parents to make the choice that's best for their own child. The Act is about giving them the freedom to pursue educational opportunities not available to them in failing public schools. The parents of the D.C. public school children deserve the same opportunities as Members of Congress, the Secretary of Education, and the President of the United States. Sadly, the parents of the children in the D.C. voucher program do not have the ability to pick up and move elsewhere for better public schools, and they can't afford private schools.

The D.C. system needs substantial and sustained reform, but that reform process does not have to come at the expense of the children who live in the District. I stand here and I encourage my colleagues to support H.R. 471.

Mr. CUMMINGS. I yield 3 minutes to the distinguished gentleman from Virginia, Mr. BOBBY SCOTT.

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

Mr. Speaker, our public schools need more resources, not less. This bill diverts funds that could be used for public schools into private school vouchers. Instead of helping public schools, the bill helps the privileged few who can both win the lottery and have the resources to pay the difference between the voucher and the cost of an education. That cost of education is usually more than just the tuition charged. So the recipient not only has to cover the whole tuition but also has to get access to a charity or a religious institution that would subsidize the cost of the education. Many who win the voucher lottery find that they can't even use the voucher because they can't afford the remaining cost of education.

And so we've heard a lot about the so-called choice of a private school education. That choice is only available to those who win the voucher lottery. So it's not a choice. It's a chance. With that same logic we can solve the Social Security problem by just selling Lotto tickets. Those who win the Lotto will be much better off. But, of course, few will win. Likewise, 90 percent of those who seek a voucher will lose the voucher lottery, and so they don't have a choice. Even though they have chosen the lottery, they don't have the choice. They will remain in public schools. And those schools will be worse because the money has been diverted.

The evidence now shows that even those who win the lottery may not be better off. Studies of the D.C. voucher program reveal that there's virtually no improvement in education. Furthermore, those the program was supposed to help are the ones that are benefiting. Those in failing schools represent a small portion of those who use vouchers. Many of those who use vouchers were already in private schools. And many more would have gone to private schools anyway.

The schools that these children attend with vouchers are not covered by the same educational accountability standards as public schools, and the students and employees are not covered by the same civil rights protections. So we should defeat this bill and channel these funds into the public schools in Washington, D.C.

Mr. ISSA. Mr. Speaker, sometimes you just hear something that's hard to believe. We're wasting money here in Washington. The American people are hearing it first here today.

[From the Washington Post]

WHITE HOUSE IGNORES EVIDENCE OF HOW D.C. SCHOOL VOUCHERS WORK

With the House poised to vote Wednesday on legislation to reestablish a voucher program that allows low-income D.C. students to attend private schools, the Obama administration issued a strongly worded statement of opposition. The White House of course has a right to its own opinion, as wrongheaded as we believe it to be. It doesn't have a right to make up facts.

''Rigorous evaluation over several years demonstrates that the D.C. program has not yielded improved student achievement by its scholarship recipients compared to other students in D.C.,'' President Obama's Office of Management and Budget proclaimed Tuesday, in response to H.R. 471, sponsored by House Speaker John A. Boehner (R–Ohio).

That dismissal might come as a surprise to Patrick J. Wolf, the principal investigator who helped conduct the rigorous studies of the D.C. Opportunity Scholarship Program and who has more than a decade of experience evaluating school choice programs.

Here's what Mr. Wolf had to say about the program in Feb. 16 testimony to the Senate Committee on Homeland Security and Governmental Operations. ''In my opinion, by demonstrating statistically significant experimental impacts on boosting high school graduation rates and generating a wealth of evidence suggesting that students also benefited in reading achievement, the DC OSP has accomplished what few educational interventions can claim: It markedly improved important education outcomes for low-income inner-city students.''

There are, we believe, other benefits to a program that expands educational opportunities for disadvantaged children. The program, which provides vouchers of $7,500 to low-income, mainly minority students to attend private schools, is highly regarded by parents, who often feel it allows their children to attend safer schools or ones that strongly promote achievement. Our view has never been that this voucher program is a substitute for public school or public school reform. But while that reform proceeds, scholarships allow a few thousand poor children to escape failing schools and exercise a right that middle-class parents take for granted—the right, and dignity, of choice.

We understand the argument against using public funds for private, and especially parochial, schools. But it is parents, not government, choosing where to spend the vouchers. Given that this program takes no money away from public or public charter schools; that the administration does not object to parents directing Pell grants to Notre Dame or Georgetown; and that members of the administration would never accept having to send their own children to failing schools, we don't think the argument is very persuasive. Maybe that's why an administration that promised never to let ideology trump evidence is making an exception in this case.

[From the Washington Post, Mar. 30, 2011]

SCHOOL CHOICE IS NOT A PARTISAN ISSUE

(By Kevin P. Chavous)

Seventy-four percent of people rarely agree on anything.

In Pew poll in September, for instance, not even 60 percent of Americans could correctly name Joe Biden as the vice president. But here in Washington, there is overwhelming consensus on something: education reform. More specifically—the D.C. Opportunity Scholarship Program.

Indeed, 74 percent of city residents, multiple members of the D.C. Council—including Chairman Kwame R. Brown—former local Democratic elected officials like me and former mayor Anthony A. Williams, and thousands of parents, students and other activists all support the Scholarships for Opportunity and Results (SOAR) Act, set for a vote in the House today. This legislation would reauthorize the Opportunity Scholarship Program, a federally funded initiative that provides low-income children with money to attend private schools. It would also infuse the District's traditional public and public charter schools with $40 million in additional funding per year.

It's a smart, well-constructed plan. But if we were to listen only to the national narrative surrounding school choice in the District, it would seem as if all of the program's supporters were Republicans and none of them have any connection to the city besides happening to work here on weekdays.

In reality, local support for returning all options to the District's low-income children comes from all corners of the city. After years of divisive battles over the creation of the program, its destruction in 2009, and its path toward resurrection in the current Congress, there is wide support among local leaders for the view that reauthorizing the program will be beneficial for students and families, as well as all three education sectors serving children in the city. Even Mayor Vincent Gray has in the past expressed support for the three-sector federal initiative, and it was noteworthy that he was not critical of the voucher program itself—emphasizing instead home-rule issues and the success of the city's public and charter schools—in his lone Capitol Hill appearance to testify on the reauthorization bill.

The only significant local opposition comes from D.C. Del. Eleanor Holmes Norton, who claimed at a House oversight hearing on the SOAR Act that providing educational options for low-income students was somehow a ploy by Republicans to use District children to further a set of ''ideological preferences'' by dismissing the ''independent, self-governing'' nature of Washington.

But if the city is to truly be self-governing as its representative suggests she wants, Norton and other scholarship opponents must do what they so often criticize others for not doing. They must listen to the city's residents.

The only common ideology among supporters of the Opportunity Scholarship Program is that it's the right thing to do. Parents of the 91 percent of program participants who graduate from high school know that, as do the parents of students who have seen their children increase their reading scores through the program. These are certainly many of the same people who elected Norton to her 11th term as their representative in Congress with 89 percent of the vote in November.

This is not, as pundits often contend, a partisan issue. The large majority of the city's residents are Democrats—myself included—and we believe in a set of core values that are consistent with both Democratic ideals and a more fundamental set of ideals rooted in the belief that all children deserve a chance to receive a quality education by any means necessary.

And we're tired of seeing opponents of school choice use traditional party breakdowns as cover for opposition to a program that works or use disparaging language about the intentions of the other side. The fact of the matter is that those who continue to fight for this program want what's best for the District's children, and there is a simple reason why a city full of Democrats want to bring the Opportunity Scholarship Program back to the nation's capital: It's the right thing to do.

[From Politico, Mar. 30, 2011]

GIVING STUDENTS A CHANCE AT SUCCESS

(By Rep. Darrell Issa and Rep. John Kline and Rep. Harold Rogers)

The House is due to vote Wednesday on reinstating the Opportunity Scholarship Program for the District of Columbia.

This is a critical education reform that can offer low-income students and their parents the chance to break out of low-performing public schools and receive a quality education. The reauthorized program would give an annual voucher of $8,000 for elementary students and $12,000 for secondary students within 185 percent of the poverty line. It could make it possible for thousands of district school children to prepare for college at the competitive private school of their choice.

But it is not just about helping one city's schoolchildren. This is part of a larger national conversation about school reform. Across the country, an increasing number of states are looking for ways to break the cycle of low graduation rates and substandard public education to give under-privileged students an educational environment where they can succeed.

Opponents of school choice represent some of the most powerful special interests in the country. Teachers unions, for example, have long opposed school choice and have tried to block voucher programs like the DC Opportunity Scholarship. It was pressure from these groups that influenced President Barack Obama's decision to end the DC scholarship two years ago. This injustice must be corrected.

The success of school choice programs like this one—which was originally passed in 2004—is convincing. Parental satisfaction for scholarship recipients far exceeds that of parents whose children are trapped in failing public schools.

Students in the Washington program who get to attend better-performing private schools in the District are approximately three months ahead in reading ability, compared to non-scholarship students. Graduation rates for scholarship recipients are more than 30 percentage points higher than others in the district's public schools.

These programs enjoy widespread support among those involved. Almost 75 percent of D.C. residents believe the Opportunity Scholarship Program's success deserves reauthorization, according to a recent poll by the American Federation of Children. The D.C. City Council chairman, Kwame Brown, favors continuing the program, as do two former Washington mayors.

Growing bipartisan support in Congress means Democrats and Republicans can work together to help underprivileged students in Washington—which is Congress's responsibility under the Constitution.

School choice programs, like the DC Opportunity Scholarship, strengthen public education systems by offering greater competition. A study by economist David Figlio

of Northwestern University demonstrated that similar school choice programs in other parts of the country have improved public education.

In fact, no study to date has suggested school choice hurts student achievement in public schools.

Everyone benefits from the success of these school choice programs. High-performing students are better-equipped for a college education. College graduates are better prepared for well-paying jobs.

In this economy, Congress should be doing everything it can to give the next generation of lawyers, doctors, teachers, engineers and entrepreneurs a chance to suceed. School choice is a critical part of the path to success.

Support for school choice is about providing immediate assistance for parents and their children—many of whom now wait years to get into charter schools. In many cases, these parents know that their kids attend some of the nation's worst public schools, with some of the highest rates of drug use and crime. No parent should be forced to keep their children in unsafe schools that fail to provide a quality education.

We can think of no reason why Washington students should wait for long-term public school reform when immediate relief is now possible.

Reauthorizing the DC Opportunity Scholarship Program can open the doors to success for thousands of students living in the shadow of their nation's Capitol. More than that, it provides an example for states across the country to follow as they seek to reform a broken system of public education.

I now yield 2 minutes to the gentleman from Arizona, Dr. GOSAR.

Mr. GOSAR. Thank you, Mr. Chairman.

Our children are being let down. Our education system is no longer the world's best. In the District of Columbia, they are facing an education crisis like none other in our country. According to some experts, the D.C. public schools spend over $20,000 per year on each and every student. Despite this, D.C. students perform the worst when compared to all 50 States. One study found that only 13 percent of eighth-graders in the D.C. public schools were proficient in reading. This must change.

You may be wondering, Why is Congress focusing on just the D.C. schools today? That is because the D.C. public schools are unique, in that under the Constitution, Congress has the sole responsibility to govern over the District of Columbia. With that in mind, it is our responsibility to ensure that we no longer allow these students to slip through the cracks. That is why I'm urging my colleagues to support H.R. 471, the SOAR Act. This bill allows low-income D.C. students a scholarship to attend a school of their parents' choice. Seventy-four percent of parents in D.C. support this plan because that has achieved real results.

While I believe education is best decided on the local level, Congress is constitutionally obligated to fund D.C. students and their education. That is why we must give parents the choice as to where their children will attend school. We can't afford to continue to ignore these students. They deserve a chance to attend better schools that achieve greater results.

Today, we have a golden opportunity to make D.C. public schools better. Today, we have an opportunity to help students in the lowest-achieving school district in the country. Today, we can give D.C. students an opportunity to succeed and pursue their dreams. Join me in supporting H.R. 471.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I rise today in strong opposition to this bill to expand the failed private school voucher program in Washington, D.C. In this time of budget strife and cutbacks for public school districts all across the country, this is the wrong time to take Federal money away from public schools and give it to private schools.

When I evaluate education or any other policy, I want to see the research on what works. Despite claims that the D.C. voucher system would improve academic achievement of D.C. students, multiple congressionally mandated Department of Education studies have concluded that the program has not improved these students' academic achievement in reading or math.

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Further, the studies found the voucher program to have had no effect on student satisfaction, engagement, motivation, or students' feelings of security. The studies found no significant impact on students' career aspirations, participation in extracurricular activities, homework completion, reading for fun, or tardiness. Students with special education needs, English language learners, and gifted students in the voucher program were less likely to have access to key services than their peers in public school.

Despite receiving public money under the D.C. voucher program, these private schools do not take all students. In addition, teachers at these private schools are not subject to the same certification requirements as those in D.C. public schools.

This bill also makes an exception to the majority's own budget rules, which require that all legislation proposing new funding must slash funding from somewhere else. This bill adds $300 million to the deficit without any such offset. These kinds of exceptions make a mockery of their own rules, particularly when there is little evidence to support the underlying bill, itself.

I understand that many voucher supporters are disappointed with the quality of our public schools. This says to me that there is common ground for Members from both sides of the aisle to improve our public schools. I urge my colleagues to vote ''no'' on this bill.

Mr. ISSA. At this time, I yield 2 minutes to my colleague from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

This is a fascinating discussion we are having here. The gentleman who spoke a while ago said, because this is a lottery and because not every one of the children who wants in this program can get in the program, it represents not a choice but a chance. I can tell you a lot of these kids will settle for a chance. I mean, give them a chance. Give them a choice, a chance, whatever. Just give them the opportunity, however slim it might be. The fact that they only have a chance and that not all of them can get in the program speaks about the demand for the program. It speaks about how many people actually need it and value it and want it, and we ought to expand it further and give more individuals a chance.

I live in an area where there are pretty good public schools. My children—I have five of them—have either been in the public schools or are currently in the public schools. Those public schools are better because of the competition around them. We have a robust charter school program in Arizona. There are lots of them around. There are many choices for kids to have. The public schools my kids attend are better for it, and the same will hold true in D.C. as well.

If you want to improve the public schools where most children typically attend, then offer a choice and a chance. Competition and accountability does that. It does it all across the economy. It does it in every other phase of our lives. Why we say it won't happen in public education is just beyond me.

So I commend those who have put this bill forward. I wholeheartedly support it. I was involved several years ago in crafting the original one, and I am very pleased to support this today. This will be good for all kids.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time is left on both sides.

The SPEAKER pro tempore. The gentleman from Maryland has 4½ minutes remaining, and the gentleman from California has 10½ minutes remaining.

Mr. CUMMINGS. I yield 2 minutes to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, I rise with great excitement. My Republican colleagues have made a vow to offset new spending, but they found a cause worthy enough to bypass this promise.

My Republican colleagues have rallied behind the SOAR Act, a $300 million bill without an offset. Reportedly, the goal of the bill is to give ''all students a shot to win the future'' by ''restoring hope'' and ''building stronger public schools.'' This is truly encouraging as it matches my goals as well as those of many of my Democratic colleagues. However, I strongly disagree with the proposed solution. The $300 million bill will continue the D.C. Opportunities Scholarship Program, which was ineffective.

Department of Education reports show the voucher program had no statistically significant impact on overall

student achievement, aspirations for the future, the frequency of doing homework, or attendance or tardiness rates. Further, although built on the premise of choice, voucher schools can and do reject students based on prior academic achievement, economic background, English language ability, or disciplinary history, which significantly limits choice.

This $300 million program, which has proven ineffective, is not the solution for the intended goal. To reach this goal, we can begin by repealing the H.R. 1 cuts to programs that remove barriers for low-income students, such as title I programs, Head Start and TRIO.

I urge my colleagues who are truly invested in the goal to reject these cuts to key education programs and to oppose the SOAR Act.

Earlier, I heard one of the persons on the other side talk about persons who support vouchers in D.C. Most of the political persons who support it either were defeated or have left and have no more say.

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

Mr. Speaker, we've heard a lot of talk, and it seems like most of the talk is about how we are being unfair to the District of Columbia by giving them money that, in fact, they don't really need. Let me just be candid. The District of Columbia gets all the other Federal money that the States get and other cities. This is additional money, but here is the amazing fact:

Depending upon whose figures you use, for each student in the District of Columbia, they spend between $17,000 and $28,000 per student. Cato says $28,000. We'll take the District at $17,000. These Opportunity Scholarships go between $7,500 and $12,000. I'll agree that perhaps some of those students would have gone to a parochial or to a private school otherwise; but for those who leave the public school to take advantage of this scholarship, they leave all $28,000 behind; and they leave with $7,500 in opportunity and some parent who cares enough to find a way to make up the rest if there is additional cost. Many of the parochial schools mentioned that are high school equivalents of Georgetown—except they're not getting Pell Grants; they're getting this grant—in fact, take this as the entire payment.

So the truth is that this is a gift to the District of Columbia in several ways, and I want it understood here today: when you look at the ranking of all of the States, if the District of Columbia were a State, it would be 51st. If you rank it against the top 50 inner cities, it's still only around 22nd. It is a failed school system with the second highest amount, by their own figures, per capita spent on students. If you take Cato's figures, they're far and away the most expensive public schools anywhere in the country.

Mr. Speaker, we've had a lot of talk about how Republicans are cruel because we're funding less than the Democrats would like, and we're actually funding less on this program than they would have. The difference is they were simply handing $75 million a year for the next 5 years, or at least for this year, to the public schools, with no strings attached, while, in fact, we are breaking it into three pots of $20 million in order to allow the public school to get something.

The Speaker, in this bill, believes strongly they should get something so they're net better off. There is another $20 million so that children can go to charter schools. Let's understand something. If you go to the public school, they say you have choice, but the regular public schools have districts, boundaries. You can't exceed them. Going to a charter school gives you an opportunity to cross town for the school of your choice. The last 20, a mere $20 million out of hundreds of millions of dollars, in fact, goes to these few lottery winners.

The gentleman on the other side of the aisle—and rightfully so—said it's a lottery. Yet as a former businessman—and I don't call myself a recovering businessman because I hope to never forget the lessons I learned in business—if you came to the State of California and said, We'll give you, whether it was $60 million or $600 million, but you've got to take a small amount of that and put it out for lotteries, and if you asked the voters in California would they take it, you'd get the same 74 to 80 percent absolute approval. If it were absolutely new money, they would.

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But if you went to a businessman, if you went to somebody who had to understand how to make a dollar go further, there's no question what you would find is—let's do the math. I spend between $17,000 and $28,000 on each student; $7,500 in expanding these Opportunity Scholarships. If they were to use their own in-district money, for every time they hand out $7,500, they would leave themselves over $17,000. It means that every student who remained would have more dollars.

The fact is, it's a self-inflicted wound for the District of Columbia not just to take all of this money but to take additional money because every student who exits is an opportunity to have more for those who stay, but that's not the way public education thinks. It thinks in terms of how much do I get per student, how many union teachers do I make sure I employ, how much union dues do I get.

I'm sorry, but that's not way the rest of America thinks. It's not the way the Speaker thinks when he crafted a bill that was incredibly fair to the District of Columbia and fair to many of the students who, yes, have an opportunity to get these few scholarships; and God help us, I just wish there were more because they wish there were more.

I reserve the balance of my time.

Mr. CUMMINGS. I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, the majority has been obsessed with depriving the District of Columbia of its home-rule rights ever since this Congress opened. They have come now with their choice, their preference, for the people I represent. If, in fact, the majority is correct that this program has been so effective, I ask you why you have not brought a national voucher bill to the floor so that your constituents could have the very same thing my constituents have? I know why. It's the height of hypocrisy to put it on us and not bring a bill to the floor to give the same wonderful, wonderful opportunity to your own people.

I have a home-rule agenda in the amendment coming up. I challenge you, I challenge you to bring a national voucher bill to the floor this session.

Mr. ISSA. I would like to inquire of the minority, do you have additional speakers at this time?

Mr. CUMMINGS. No, I do not.

Mr. ISSA. Then are you prepared to close?

Mr. CUMMINGS. I am prepared to close, Mr. Speaker.

Mr. ISSA. Then I will reserve the balance of my time to close.

Mr. CUMMINGS. Might I inquire how much time each side has.

The SPEAKER pro tempore. The gentleman from Maryland has 1½ minutes remaining, and the gentleman from California has 5 minutes remaining.

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

Let me say this, Mr. Speaker. The ranking member said that basically this is a gift to the District of Columbia, and you know, the chairman of the committee—and I would appreciate it if he would take into consideration—while handing the District of Columbia $20 million in vouchers, H.R. 1, which he voted for, would take from the District of Columbia now $2.39 million from the D.C.'s title I funding, $500,000 for the funding for the 21st Century Community Learning Centers. This is just from the District of Columbia; $23.5 million from Pell Grants so that when these kids get through the system like he just said, they would be able to have some money to go to school; but H.R. 1 takes away $845 per year. That's a lot of money for a college student. $5.7 million from Federal supplemental educational opportunity grants, $3.92 million from Head Start programs which would disallow 700 Head Start students from going to Head Start.

So when you talk about giving a gift, I mean, that's one thing; but just in Pell Grants alone you've taken away from the very people that you say you support.

And, you know, let's just be fair about this. Mr. Speaker, this is about every child. I've said it in committee, and I'll say it again. There is nobody

on this side of the aisle who wants more for every child to have an education and have a good education than we do; and so hopefully this matter will be resolved, but this is not the way to do it.

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

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

You know, there has been a lot of talk about H.R. 1, and I think that's a bigger picture than what we're looking at here today; but it should be considered.

Republicans offered on this floor, and passed without the support for the most part of the other party, a continuing resolution. We have been responsible in trying to fund the government, and we tried to fund the government at over 90-some percent of what it would have been funded had the majority not changed and certainly at or above 2008 levels.

But that bill died in the Senate. Everything seems to have died in the Senate. And yet it can be demagogued as though we've cut, but you can't cut what you haven't done and you can't cut what you haven't offered an alternative for. We cut what was already on the book: $75 million to $60 million.

We did decide, the Speaker's leadership, that we were going to keep this program which we believe works. At $20 million, it's just a fairly large pilot program. As one of the speakers on the Democratic side so aptly said, you have to win the lottery, there aren't enough slots. You're right, there aren't enough opportunities for the District of Columbia. But unlike what the gentlelady, the Delegate from the District of Columbia said, we don't have an authority to go out and do this as a national referendum; but more importantly, we don't have the money. This is more a matter of showing the benefit to States which may or may not choose and giving an opportunity to one of the worst school systems, most failed school systems in the Nation.

Students in the District of Columbia in math and science and reading are typically 51st when compared to the 50 States. This is, in fact, a difficult area if you happen to be a student in this District. If you're like the President's family or his predecessor or his predecessor or his predecessor, if they have school-age children, they don't go to public school. They go to private school. That's pretty well-known.

But private school offers opportunities and it offers choice; and, Mr. Speaker, this $20 million per year of special funding for Opportunity Scholarships is all we're talking about today. One of the speakers, rightfully so, called it $100 million over 5 years. The Delegate from the District of Columbia called it $300 million, but she was forgetting the other $200 million goes right where she wants it to go. The only thing we're debating is over 5 years will $100 million go to Opportunity Scholarships that don't basically go to union schoolteachers that are failing the students in a system that is failing.

We just lost the head of education here, Ms. Rhee; and, in fact, part of the reason she left was she saw a new administration that didn't seem to live up to the high expectations that the previous one did. That's a local matter. That's local control and local rule. We're not preempting that. They have a right to fail, and they are failing; but Congress has a right to at least intervene.

And in closing, what I want the Speaker to understand and America to understand is in 1996, when chartered public schools were authorized in the District, it was authorized by my predecessor on the Republican side, Mr. Davis. He got it in and got it funded, and he got it made law over the objection at that time of the people of the District. We've looked through our records and can find no broad support for this mandate. The District did not do chartered public schools on their own. They did it with an act of Congress, with help.

I believe they should take the same suggestion. If they want to choose to disagree with the conservative extreme Washington Post, so be it, but I think they have to begin to look at themselves more deeply, at those that they actually represent, those who voted for them but did not vote to have this money rejected.

I urge strong support for this bill, for this opportunity for the few who win the lottery.

Mr. CONNOLLY of Virginia. Mr. Speaker, today the House will vote on H.R. 471, a bill to make Congress the de-facto School Board for the District of Columbia. This legislation, introduced without a hint of irony by self-proclaimed small-government conservatives, would authorize $60 million in federal taxpayer subsidies for private schools in the District of Columbia. The same party that just cut $1.2 billion in Head Start funding for Americans across the country will readily transfer tax money from all Americans to the District of Columbia. Moreover, the concern expressed today for District of Columbia students rings hollow in light of the Republicans' repeal of voting rights of the Delegate from the District of Columbia, which occurred in the first vote this session. Thus, this legislation is hypocritical on three levels, as it represents federal intrusion in local affairs, a federal spending increase in D.C. in contrast to nationwide education funding cuts, and disingenuous concern for the welfare of D.C. residents.

Although H.R. 471 is blatantly inconsistent with Republicans' alleged fealty to fiscal conservativism and federalism, it is quite consistent with Republicans' ideologically driven efforts to unravel public education. This bill is not about providing educational alternatives for students: It is about defunding public schools and gutting teachers' unions. Does this sound familiar? Middle class Americans are attempting to survive a similar assault by Republican governors and state legislatures in Wisconsin and Ohio. Ultimately, this bill isn't even about vouchers, but rather about power. There is not any compelling data that vouchers work, after all, while there are several studies suggesting that, at best, they divert resources and talented students from public schools. But whether vouchers work or not is irrelevant to the party whose goal is elimination of the public education system as we know it, for vouchers are just a means to that end.

Educational policy should put students first rather than sacrifice them for ideological objectives. H.R. 471 would make District of Columbia students lab rats in a Republican experiment to gut public education and replace it with an unproven alternative. H.R. 471 makes a mockery of Republican commitments to federalism and fiscal conservativism, even as it belies their callousness to the welfare of their own constituents.

Finally, my colleagues should be aware that this bill did not pass out of the Oversight and Reform Committee without controversy. Congressman PLATTS of Pennsylvania made what may have been the most articulate speech in opposition to the bill. He reminded us that even if vouchers did work—and there's no evidence they do—they would still abandon the rest of our students. Mr. PLATTS called on all of us to work toward an education system that helps all students succeed, and I would hope that we could identify that as our objective rather than diverting money from public schools through vouchers.

I urge my colleagues to put students first and vote against H.R. 471.

Mrs. MALONEY. Mr. Speaker, I rise today in opposition to H.R. 471, the DC voucher bill. I opposed the creation of the DC Voucher Program when it came before the House in the 108th Congress and I oppose today's bill that would extend this unsuccessful program. As a mother and a former educator, I understand the desire and the value of giving children the best educational opportunities. That is not what this bill would do.

This program has neither the same accountability standards for improving student academic achievement as public schools nor do students in the program have the same civil rights protections as students in public schools. The U.S. Department of Education (ED) evaluated the Washington, DC voucher program in both the Bush and Obama Administrations and issued reports indicating the program was ineffective and has not lived up to its promises. In its 2010 Final Report, the ED concluded that the use of a voucher had no statistically significant impact on overall student achievement in reading and math. There also is concern that students in the voucher program who have special needs, including those with learning disabilities and those in ESL courses, do not have access to programs or resources to address these needs.

Unlike our nation's public schools, the private schools in the DC voucher program are not accountable for the public dollars they receive. In 2007, GAO issued a report on the DC voucher program documenting concerns with the accountability of the program operator, questioning whether the operator has sufficient oversight to govern the use of federal funds. Furthermore, the GAO report found that this program does not proportionally reach the students it is meant to target, those from schools in need of improvement. It also raised concerns that many teachers in the voucher program do not have adequate educational attainment or certification to teach.

This bill extends and expands the only federally funded voucher program in the U.S. At a time when the utmost fiscal responsibility is needed, and especially when our public schools are facing giant cuts, we should not be wasting money on programs that do not work and fail our students. My colleagues who support this bill have neither paid for the $300 million cost nor have they kept to their own legislative rules by making the cost offset by cuts to other programs. This voucher program is clearly not the best use of federal taxpayer dollars and does not provide the youth of our nation's capital with the best learning opportunities.

I fully support measures that encourage our children and youth to rise to new heights. However, this legislation extends a program that does not do what the title suggests and usurps DC's prerogative of self-governance. Congress should be focusing on providing the best educational resources to youth from every part of our nation. I repeat, that is not what this bill would do. I oppose H.R. 471.

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today in strong support of H.R. 471, the Scholarships for Opportunity and Results Act (SOAR Act).

This bipartisan bill, which I am proud to cosponsor, reauthorizes the incredibly successful District of Columbia Opportunity Scholarship Program, which provides low-income D.C. children an opportunity to compete for a scholarship to attend the private school of their choice. Last year, after half a decade of increased graduation rates and opportunities for a better life, the current Administration unilaterally rescinded the Opportunity Scholarships that had been promised to 216 children. This is unacceptable. The SOAR Act renews the Opportunity Scholarship Program to again provide low-income children and their parents the opportunity to choose what educational environment suits them best.

Additionally, in recognition that not every child will be able to earn an Opportunity Scholarship, the SOAR Act also invests equally into the D.C. public and charter school systems. For far too long, the D.C. public school system has under-promised and under-performed, leaving children's educational future dependent on their zip code. Giving students and their parents the opportunity to choose what learning environment is best—whether it is a private, charter, or public school—should be the standard, not the exception.

I urge all of my colleagues to support the SOAR Act because it takes an all of the above approach to improving educational opportunities for low-income children in our Nation's capital.

Mr. MORAN. Mr. Speaker, I rise in opposition to H.R. 471. This bill provides $300 million in unfunded appropriations at a time when the same leadership that is advancing this bill has told us that cuts to education programs, like Head Start and Pell grants, that affect students around the country, are a fiscal necessity.

The Majority is pushing an ideological agenda designed to satisfy their base framed as an effort to improve the lives of children in the District.

While Congress retains an oversight role over the District of Columbia, D.C. should not be treated as a petri dish for conservative ideas that are opposed by the voters in the District.

There have been two major studies of the D.C. Opportunity Scholarship program.

The first found "no conclusive evidence" that the vouchers program affected student achievement.

The second found that while math scores did not improve, there was a modest improvement in reading. Unfortunately, those gains occurred strictly for those students who came from the least troubled D.C. schools and scored the highest on the baseline test.

Unfortunately, this program has failed to help those who need it the most.

Critically, the gains in student achievement witnessed in the vouchers program do not match those achieved by the District's charter schools. If this body is truly interested in supporting effective school choice and education reform in D.C., we should focus on funding to reduce long waiting lists for the best charter schools.

Congresswoman NORTON, the only Member of this House democratically accountable to the parents and students of the District, has offered a substitute amendment which would divide the funding equally between DCPS and the city's charter schools. I will support the substitute.

Mr. STARK. Mr. Speaker, I rise in strong opposition to H.R. 471, a bill that would resurrect the failed District of Columbia school voucher program. This legislation is nothing more than a pet project of the Republican majority that has not proven successful for students or popular with the American people. This is the same majority that just last month voted to cut $5 billion in education funding, potentially hurting students all across this country. Now they want to spend $300 million on a program that serves only a handful of students, and doesn't even serve those few students well.

Evaluations of the former D.C. voucher program by the Government Accountability Office (GAO) and the Department of Education found no statistically significant effects on student achievement. GAO also found that the program was poorly managed, concluding that, "accountability and internal control were inadequate." Subsidizing private schools undermines public education in the District of Columbia by shifting resources to private and religious schools, rather than working on ideas for real reform in our public schools.

This bill also violates the District's right to home rule by using its school systems for a federally funded social experiment. As a former chairman of the Committee on the District of Columbia, I am well aware of the long struggle the District has waged for self-determination and a voting member of Congress. Unfortunately, instead of moving legislation to enfranchise the people of the District, we are voting today to impose more ideological mandates on the city.

Public opinion is not in favor of taxpayer-funded school voucher programs. They consistently fail when they are brought up in state referendums. A majority of Americans do not approve of the idea under any circumstances, and as many as 70 percent are against vouchers if they take money away from public schools.

Vouchers don't work, they hurt public schools, and Americans do not support them. I urge all of my colleagues to stand with the District of Columbia and oppose this legislation.

Mr. BOEHNER. Mr. Speaker, let me start out by thanking the members of the Oversight & Government Reform Committee for their work on this bill. Thank you also to our 50 cosponsors and all the members on both sides who are standing with us today. I appreciate the efforts of our colleagues in the Senate—particularly JOE LIEBERMAN—who are working on similar legislation.

Today, the House will have the opportunity to do something special for the future of our country. I think just about every member would agree we have work to do when it comes to our education system.

Americans are concerned that their children won't come to know the same blessings they have. And if we want to protect the American Dream, there's no substitute for a quality education.

My view's always been, education reform starts with giving children in need a way out of our most underachieving public schools. Of course, that doesn't mean we abandon those schools. It means we take some of the pressure off of them while they work to turn themselves around.

So we came together here about seven years ago and said, let's try something different. Instead of just throwing more money at the problem, let's empower parents from lower-income families to choose the schools that are best for their children. We wouldn't deny any school money they would already be receiving—we would just be injecting freedom and competition into a system caught up in the status quo.

We had a strong bipartisan coalition, including: Anthony Williams, our mayor here at the time; and Dick Armey, who for years led this fight in the House, paving the way for this program. We started working together on school choice in the early 1990s when we served on the Ed & Labor Committee.

We said, let's give these kids in our capital city a real chance at success and a real shot at the American Dream that they do not have. What do we have to be afraid of? Nothing, as it turned out. Thousands of families have taken advantage of the D.C. Opportunity Scholarship Program. There's strong evidence that it has been both effective and cost-effective.

Unfortunately, the education establishment in our country sees the Opportunity Scholarship Program as a threat. In reality, this is an opportunity to raise the bar. Competition makes everyone better.

I think if you look beyond the talking points and focus on the facts, you'll find that the D.C. program provides a model that can work well in other communities around the nation.

Now, this issue is important to me—but it's not about me. I'm proud to say I've supported the Opportunity Scholarship Program from the get-go, but I'm even more proud of the fact I had nothing to do with its success. For that, we can thank the students and the parents who have become more than just the program's beneficiaries—they are its greatest ambassadors.

In recent days, I've received letters from many of them asking their Congress to do the right thing, I'll be submitting some of those for the record.

You see, they know what it was like before. They remember living just blocks from these great schools, but feeling miles away from them. All they ask us to do is help ensure others get the same chance they've had. That's

no controversial idea—it's just the American way.

So if we're serious about bipartisan education reform, we should start by saving this successful, bipartisan program that has helped so many underprivileged children get a quality education.

I urge the House to support this measure to save and renew the D.C. Opportunity Scholarship Program.

TUESDAY, MARCH 29, 2011.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER, I am writing to thank you for never giving up in your fight to restore the D.C. Opportunity Scholarship Program.

As a mother who has seen the benefits of the program first-hand, I can attest to the value of this program. Nico, my nine year old son attends Naylor Road Private School on an opportunity scholarship and is excelling in his small classes. If Nico were unable to attend Naylor Road, he would have been forced to attend a failing, underperforming school.

I can also attest to the heartbreak of having my daughter's scholarship revoked by President Obama's Secretary of Education. My daughter Nia received an opportunity scholarship in 2009 to attend the same school as her brother and receive the same educational opportunities. But that is no longer the case.

My daughter was one of 216 students who received a letter from Secretary of Education Arne Duncan retracting her scholarship. Suddenly, I did not know where I was going to send my daughter to school. I know that I will not send my daughter to any of the schools in my area. While I have been blessed by emergency, private scholarships to send Nia to Naylor Road with her brother, I do not know if this support will continue.

As a single mother on disability, I am unable to work enough to afford tuition. Education is the first priority in my household, and this program allows my children to attend safe schools and thrive.

I can tell you that your work, and that of so many other Members of Congress, has not gone unnoticed in the parts of our city that many people too often ignore.

For me, it will mean a quality education for my children. It will also mean peace of mind, because I will know that my children will not, one day, be separated—my son to attend a safe and nurturing school, and my daughter, forced elsewhere.

Please keep fighting for this program. Please. And I encourage all Members of Congress to follow your lead in voting YES for the SOAR Act. I know that with the chance to thrive in better schools, my children will truly SOAR!

Sincerely,

LATASHA BENNETT.

MARCH 29, 2011.

DEAR SPEAKER BOEHNER, I want to thank you for spending so much time and energy on a cause that does not benefit you but helps me and a lot other DC children.

I was a lucky one. I had the opportunity to be a scholar and it worked! I was accepted into Archbishop Carroll and Bishop McNamara High School. Pm proud of my success. One day I would like to attend Spellman College. When I get to college I know it will be because of the solid foundation I received in my elementary school. The foundation for my future was possible because of my scholarship.

Again, thank you for fighting to save the Opportunity Scholarship. I know you care about us and I wish you a lot of good luck!

Sincerely,

SAMAYA MACK,
8th grade, St. Anthony Catholic School.

MARCH 29, 2011.

DEAR MR. SPEAKER, My name is Katherine Campos and I am a recipient of the Opportunity Scholarship. I am an eighth grader at Sacred Heart School and have received the scholarship for the past six years.

I want to thank you from the bottom of my heart for introducing the SOAR Act to Congress. I know that you really believe in the Opportunity Scholarship and that means the world to me. I believe in the scholarship, too.

The scholarship has offered me an escape from some of the harsher realities of the city. It has offered me a chance to grow in my spirituality and academics because it allowed my mom to choose Sacred Heart for me. My family is happy now that I have a better chance of getting into a good high school. Without the scholarship, I wouldn't be where I am today and I wouldn't have as much hope for tomorrow. I know that I am better prepared for a successful future because I am a recipient of the Opportunity Scholarship.

Thank you, Mr. Speaker, for all that you are doing to help me and all the other scholarship recipients. You really do make a difference in my world.

Sincerely,

KATHERINE CAMPOS,
8th grade, Sacred Heart School.

MARCH 29, 2011.

DEAR MR. SPEAKER, we met for the first time at the State of the Union. Remember you gave me advice on giving interviews? Since then a lot of people have asked me about OSP and I just wanted to say thank you, Mr. Speaker, for all of the hard work you're putting into bringing back this Program. This program has helped me and a lot of other DC children.

Without this program I would not have attended St. Anthony Catholic School and probably would not have achieved the success I have. I love my school and am glad my parents had the option to send me here.

Since we met I am proud to share that I earned a full four year academic scholarship to Gonzaga and will be going there in the fall. This high school scholarship was possible because the elementary school that my parents chose for me provided me with a strong academic foundation. I know I will do well in high school. And then, I plan to do well at Ohio State University for college.

I hope the SOAR Act passes so other kids will get the chance I did. Thank you again!

Sincerely,

OBI MBANEFO,
8th grade, St. Anthony Catholic School.

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 471. Today's vote comes just weeks after House Republicans brought a Continuing Resolution to the floor to slash billions from public education programs—legislation that would cut Head Start slots, reduce critical support to thousands of schools, and decrease afterschool services at high-poverty and low-performing schools. My colleagues across the aisle argued that we simply cannot afford these investments in our nation's children.

But today, the Majority brings to the floor a bill to provide private school vouchers in the District of Columbia. This bill adds $300 million to the deficit, a violation of their own new "Cut-Go" rule that requires offsets for all new spending.

Mr. Speaker, I support investments in education. We all want our children to have the opportunity to succeed. But we should be using public funds to improve our public schools first. And it is totally hypocritical to have a vote one month to cut public school funding under the guise of deficit reduction and vote the next month to increase the deficit to support some schools over all others. I urge my colleagues oppose this bill.

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

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MS. NORTON

Ms. NORTON. Mr. Speaker, I have a substitute amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Funds for Public Education Act".

SEC. 2. FUNDING FOR DC PUBLIC SCHOOLS AND DC PUBLIC CHARTER SCHOOLS.

(a) GENERAL AUTHORITY.—From the funds appropriated under section 4, the Secretary of Education (in this Act referred to as the "Secretary") shall provide funds to the Mayor of the District of Columbia (in this Act referred to as the "Mayor"), if the Mayor agrees to the requirements described in subsection (b), for—

(1) the District of Columbia public schools to improve public education in the District of Columbia; and

(2) the District of Columbia public charter schools to improve and expand quality public charter schools in the District of Columbia.

(b) CONDITION OF RECEIPT OF FUNDS.—As a condition of receiving funds under this Act on behalf of the District of Columbia public schools and the District of Columbia public charter schools, the Mayor shall agree to carry out the following:

(1) AGREEMENT WITH THE SECRETARY.—Enter into an agreement with the Secretary to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this Act.

(2) INFORMATION REQUESTS.—Ensure that all District of Columbia public schools and the District of Columbia public charter schools comply with all reasonable requests for information for purposes of the evaluation described in paragraph (1).

(3) SUBMISSION OF REPORT.—Not later than 6 months after the first appropriation of funds under section 4, and each succeeding year thereafter, submit to the Committee on Appropriations, the Committee on Education and the Workforce, and the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Appropriations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate, information on—

(A) how the funds authorized and appropriated under this Act for the District of Columbia public schools and the District of Columbia public charter schools were used in the preceding school year; and

(B) how such funds are contributing to student achievement.

(4) PUBLIC AVAILABILITY.—Ensure that all reports and underlying data gathered pursuant to this subsection shall be made available to the public upon request, in a timely

manner following submission of the applicable report under paragraph (3), except that personally identifiable information shall not be disclosed or made available to the public.

(c) ENFORCEMENT.—If, after reasonable notice and an opportunity for a hearing for the Mayor, the Secretary determines that the Mayor has not been in compliance with 1 or more of the requirements described in subsection (b), the Secretary may withhold from the Mayor, in whole or in part, further funds under this Act for the District of Columbia public schools and the District of Columbia public charter schools.

SEC. 3. PRIORITY CONSIDERATION FOR CERTAIN STUDENTS.

Each District of Columbia public charter school, in selecting new students for admission to the school, shall give priority to students who were provided notification of selection for an opportunity scholarship under the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code) for the 2009–2010 school year, but whose scholarship was later rescinded in accordance with direction from the Secretary of Education.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $60,000,000 for fiscal year 2012 and each of the 4 succeeding fiscal years, of which—

(1) 50 percent shall be made available to carry out paragraph (1) of section 2(a) for each fiscal year; and

(2) 50 percent shall be made available to carry out paragraph (2) of section 2(a) for each fiscal year.

The SPEAKER pro tempore. Pursuant to House Resolution 186, the gentlewoman from the District of Columbia (Ms. NORTON) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

□ 1520

Ms. NORTON. Mr. Speaker, first of all, I have to correct the gentleman from California. The District charter school bill was created by Speaker Gingrich in partnership with me. He came to me and proposed a voucher bill. I asked him, since the District had a local charter school bill, if he would introduce, instead, a charter school law. We consulted with the local public officials, with the school board, with citizens. It was the home rule alternative to vouchers, and you can check with Speaker Gingrich.

Now, my home rule substitute would redirect the $300 million in H.R. 471, 50 percent to the District public charter schools, 50 percent to the District of Columbia Public Schools. If the majority wants to add $300 million to the deficit without an offset, then let it at least be on the basis of educational merit; then it should be added to the public schools which have shown major growth, the only public school system of the 18 largest urban school systems that showed significant improvements in math and reading over the last 2 years.

If you want to add to the deficit, then at least add to it by giving money to our public charter schools which outdo the D.C. public schools and way outdo, of course, the voucher schools, which show no improvement. The public charter middle and high schools scored twice as high as the traditional public charter schools in the District in math and reading, and they have a graduation rate 24 percent above the D.C. public schools and 8 percent above the national average. This is where you would give the money if you had any interest in education in the District of Columbia instead of your own parochial interests in making the District a petri dish of the pet project of a few Members of Congress. You would look at our public charter schools as the alternative to the District's public schools.

There are 53 campuses, amounting to almost 100 different charter schools, almost half of the children of the District of Columbia. How did they get there? They voted with their feet. I mean, listen to some of the names of these schools: Washington Latin School; Washington Math, Science, and Technology High School. I have, myself, appointed two students from Washington Math, Science, and Technology to Service Academies. Early Childhood Academy; Hospitality Academy; Howard University Middle School—that's a charter school; the KIPP Schools. We've got eight of them. Those are the top charter schools and some of the best public charter schools in the United States. SEED Residential charter school. You have some money? You want to spend some money? Here is the place to spend it.

To show you just what kind of a home rule alternative this is, with almost 100 different schools, they have got 19 new charter school applications coming for 2012. People keep coming despite the improvements in the District public schools. They are going to have a preschool charter. They are going to have three new high schools: one an all male college prep, one that focuses on public service, another that focuses on math and science.

You want to talk choices, you want to talk creative choices, look at the District of Columbia. We know how to create choices for ourselves, choices that our parents want, choices that our parents create and pay for because they want their own choices, not the choices of the Republicans of the House of Representatives. In a democracy, the choices of a self-governing local jurisdiction trump all other choices, and especially the choices of Members who are not responsible to the people of the District of Columbia, who do not have to stand for election in the District of Columbia but get a free ride, as I do not.

If you insist on adding to the deficit, then, for goodness sake, reinforce the home rule, hard work of our own parents and our own local organizations. Commend them for the dazzling array of almost 100 public, accountable charter schools they have created. Relieve their long waiting lists, which now contain thousands of students waiting to get into our charter schools.

The District of Columbia did not appreciate being an unwilling object of a Republican experiment once. With your cavalier defiance of our choices, we like it much less the second time around.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from California is recognized for 20 minutes.

Mr. ISSA. I yield such time as he may consume to the gentleman from South Carolina (Mr. GOWDY), the subcommittee chairman who has worked so hard on this issue and who truly does understand the gentlelady's passion, if not her accuracy.

Mr. GOWDY. Mr. Speaker, again I would like to thank the chairman of the full committee, the gentleman from California, for his leadership.

It is instructive, it is informative, not to mention ironic, that there were opponents to the D.C. charter school system, just like there is resistance to the Opportunity Scholarship Program. Indeed, Mr. Speaker, some of the very same people who rise today in opposition to the Opportunity Scholarship Program, lauding the virtues of the D.C. charter school system, once opposed that very charter school system.

The charter school system is a success—I will acknowledge that—just like the Opportunity Scholarship Program is a success. They are both successful because the parents in the District of Columbia want choice.

I hate to be redundant. I don't want to beat a dead horse, although it does not hurt the horse to return to the evidence. And the evidence proves beyond a reasonable doubt by any reasonable, statistical measurement: the parents want this program; the students want this program; the community wants this program; even some elected officials want this program. They just happen to not be ones we have heard from on the other side of the aisle today.

Reading scores are up. Educational attainment is up. Graduation rates are up. And it bears repeating again. There is a myriad of maladies that are connected to the dropout rate in this country. And if all we do is to get kids to graduate, it is worth it for this program alone if they just get kids to graduate.

Opposition to this bill, Mr. Speaker—and make no mistake about this. Opposition to this bill is political and not factual. I will say that because 18-year-olds in the District of Columbia can take Federal dollars and they can go to Notre Dame and BYU, and they can go to Stanford and they can go to Baylor and they can go to Rice. So why do we oppose Federal dollars helping 17-year-olds? Let that point sink in. So 18-year-olds can take Federal dollars and go to whatever private school they want to, but 17-year-olds cannot take private dollars to go to whatever high school they want to. And I defy anyone to explain to me that distinction.

My colleague from the District of Columbia is a passionate, zealous advocate for her constituents, and I commend her for that. I genuinely commend her for her passion and her zeal

in representing her constituents. But even her passion is no match for the passion of parents who hope for a better future for their children. Even her passion cannot match the passion of the parents who came to testify before our subcommittee that this is a lifeline. This is a once-in-a-generation opportunity. And for us to say ''no'' to the Opportunity Scholarship Program because of pure, raw, gutter politics is wrong.

□ 1530

I would oppose this amendment, and I would ask my colleagues to support the Opportunity Scholarship Program.

Ms. NORTON. I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the committee.

Mr. CUMMINGS. Mr. Speaker, let me say this: The last speaker said something that I found very offensive when he said it's about raw, gutter politics. I personally resent that, and the reason why I resent it is because it sends the wrong message on this floor.

We can have disagreements, but this is not about raw, gutter politics. This is about standing up for every child. I've said it over and over and over again. And I, as a product of public schools, and my children who have gone to charter schools and public schools, and I've sat on a charter school board, and living in an area in Baltimore where ''The Wire'' is filmed, I can tell you that this is not about raw, gutter politics. This is about the politics of lifting children up so that they can be the best that they can be. That's what this is all about.

And I've said it in committee and I'll say it over and over again: There is not one Member on this side who does not care about every single child. And when we talk about this program, this voucher program, one of the things that we need to consider is we're talking about right now about 1,012 kids. We're also talking about a charter school program with over 27,000 and counting. And it affects a lot more people. What we're trying to do is help as many kids as possible.

You talk about the graduation rates. The graduation rates for the charter schools are better than this voucher program graduation rates. And so what do we try to do?

We need to be trying to address things in the most effective and efficient manner. And so it's easy to talk about gutter politics. But what we're talking about is trying to help every child.

Now, you talked also about how we can take this money, children can take this money, when they get to college and go to various places, colleges; and you're right. But the fact is that you just voted in H.R. 1 to slash $845 per year. And I see students every year, the board I sit on, the college board in Baltimore where kids, for $845, that $845 would cause kids not to be able to attend college, period. So it's nice to lift them up.

First of all, we don't give them, we cut off money from the Head Start so they can't get the Head Start. We want children to even get to the point of being able to be in a position to go to high school. But then after they get out of high school—and it is not about gutter politics—after they get out of high school, we want to make sure that they're able to have the necessary funding to go forward. And so I don't consider what the other side is saying one bit.

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

Ms. NORTON. I am pleased to yield the gentleman another minute.

Mr. CUMMINGS. Let me be clear. I do not consider it gutter politics for the other side to argue what it's arguing. I believe there are philosophical differences, and that's okay. And we will differ. And I have never, not once, and I don't think anybody on this side has not once, said that we don't all want to lift our children up. That's what America's all about. That's how we became the great country that we are. For every child.

And again I say it: The worst thing, the greatest threat to our national security is our failure to properly educate every single one of our children. Leave no child behind.

Mr. ISSA. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WALSH).

Mr. WALSH of Illinois. Mr. Speaker, what are they afraid of? What are my colleagues on the other side of the aisle, Mr. Speaker, afraid of?

Let me second my colleague from South Carolina, respectfully. It is about raw, gutter politics. Respectfully, my colleague from Maryland talks about standing up for every child, helping every child.

What are they afraid of? Why won't they help every single child?

And it is politics. My colleagues on the other side can dance around any rationale they want to dance around. The evidence on this issue, we're beyond it. We are beyond having to debate empowering parents. We're past that.

So what, respectfully, on the other side of the aisle, is causing my colleagues to be against empowering—and I'll emphasize the word ''every''—every parent?

Ms. NORTON. Will the gentleman yield?

Mr. WALSH of Illinois. Respectfully, no.

My colleague from South Carolina respectfully said raw, gutter politics because my colleagues on the other side are scared to death of offending the teachers' unions.

And ladies and gentlemen and Mr. Speaker, the teachers' unions are scared to death of this scholarship program because, look out, if this scholarship program demonstrates success, and it has, it will be modeled all over the country, and that, respectfully, is what scares the teachers' unions, because they don't want kids to be able to escape.

And my colleagues on the other side will answer to what they want. That's the politics that we're talking about.

We're talking about power. The power should go to the parent, plain and simple, every parent. Charter school, public school, home school, private school, you name it. That's where the power should lie.

Ms. NORTON. How much time remains?

The SPEAKER pro tempore. The gentlewoman from the District of Columbia has 10½ minutes remaining, and the gentleman from California has 14½ minutes remaining.

Ms. NORTON. To the gentleman who didn't have the nerve to yield to me, this bill, of course——

POINT OF ORDER

Mr. ISSA. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentlewoman will suspend.

The gentleman will kindly state his point of order.

Mr. ISSA. Mr. Speaker, isn't it true that the House rules prohibit direct accusations about the intent or the personal features of somebody or, in fact, whether or not they have nerve?

The SPEAKER pro tempore. The Chair is not going to respond to a hypothetical question.

Mr. ISSA. And I am not going to take down the gentlelady's words because it is too short a period of time.

The SPEAKER pro tempore. The gentlewoman is recognized.

Ms. NORTON. The speaker before the last speaker wanted to know what the offense was. The offense is to the home-rule prerogative to the people of the District of Columbia to decide on educational choices for their own children. That's what the offense is.

Now I am pleased to yield 2 minutes to the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. One of the previous speakers said that he wanted to empower the parents of the District of Columbia. I agree. I think we should empower the parents of the District of Columbia to elect a representative who has a vote in this Chamber. Why don't we start with that?

The irony of the proposition that this bill is allegedly about empowerment of adults in the District of Columbia and their children comes from people who, I assume, would resist the notion that the representative of the District of Columbia should have a vote in this Chamber.

And let me bring up some very recent history. Under our majority, votes in the Committee of the Whole were, in fact, accorded to the gentlewoman from the District of Columbia. On the first day of the new majority, it repealed her right and the rights of others from the territories to vote on matters in the Committee of the Whole.

□ 1540

There is one issue in this bill: Taxation without representation is tyranny. Decisionmaking without representation is wrong. The duly-elected representative of the people of the District of Columbia supports this amendment and opposes this bill. So do I for that reason.

I would suggest, Mr. Speaker, that tomorrow we should consider a bill reorganizing the public schools of Cincinnati, Ohio, because we have just about as much prerogative to do that as we do this.

Support the amendment. Defeat the underlying bill.

Mr. ISSA. Mr. Speaker, we should bear in mind that home rule is not the right of the District of Columbia to rule people's private homes and how they make their choices for their children.

I yield 3 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I thank the chairman.

Mr. Speaker, I rise today in support of H.R. 471, the Scholarship Opportunity and Results Act, and against the Norton amendment.

Coming from South Carolina, for 8 years in the general assembly, we debated the positive benefits of school choice. I have heard every argument. But what I have seen prior to 2009 is that here, in D.C., school choice was a model for the Nation as a very successful program. We have seen the positive impact of injecting free market principles into the education system here in Washington, D.C. We have seen thousands of students' lives changed. We have seen them line up for a chance at a better life because they could escape a failing school and have the opportunity to reach their full potential.

Because all students learn differently, it is imperative that we empower parents. And that is what it is about, empowering parents to make choices for the education of their children; give them the ability to choose the best educational experience for their child, whether it is public, charter, private, or home school.

Neither the State nor the Federal Government knows what is best for our children. We do as parents. Parents know what is best for their children, and parents and teachers should have the freedom to work together to find and create motivating learning environments that are necessary for every child to succeed.

This bill restores to the parents the ability to make the right choices that this administration and the previous Congress stripped away, and it provides an escape from the failed bureaucratic system of the District of Columbia.

Without question, when students are placed in a learning environment that best fits their individual needs, our educational system will become exceptional. This bill brings more transparency and accountability to the program, raises the scholarship amounts for both elementary school and high school students, as my colleague from South Carolina said, and caps the administrative costs. This bill takes a successful program and makes it even better, and does so without spending new taxpayer dollars or growing the size of government. In fact, school choice saves the government money while providing a better education for the children.

It is my hope, Mr. Speaker, that other States will follow suit. Even as parental school choice is working for American students and families in Washington, D.C., we have also seen its effectiveness in States like Pennsylvania, Arizona, Georgia, Milwaukee, Wisconsin, and Florida, where the achievement gap between white students and minorities is disappearing. My home State of South Carolina is debating school choice right now in their legislative session, creating a bill that would expand educational choice opportunities for all children across my home State. And I urge my fellow colleagues in South Carolina to get the job done and pass that legislation.

Let me thank the Speaker of the House for introducing this bill. I thank him for his leadership of parental choice on behalf of Washington, D.C.'s families and students who demand effective schools.

I urge my colleagues to vote ''no'' on the Norton amendment and ''yes'' on the SOAR Act.

Ms. NORTON. The gentleman cited a number of schools that he said vouchers had helped. There is no data showing that voucher schools—and there have been a few in the United States—have ever scored better than children in public schools. And since Milwaukee was mentioned, let me indicate some news that just came out Tuesday.

Results from the first administration of Statewide exams for students participating in the Milwaukee voucher program showed lower academic achievement than students attending Milwaukee public schools. The results also show that the Milwaukee public schools and voucher schools have significant lower achievement than the Statewide average.

But here, you have a big city public school system that is doing better than the voucher schools. And that is what the data shows all over the United States, including the District of Columbia, where the Bush Department of Education specifically found that the children in voucher schools did not show significant improvement in math and reading scores. While I have shown details here this afternoon of significant improvement of the D.C. public schools, the only urban school system that has in fact shown significant improvement in math and science, and particularly dazzling results in the D.C. charter schools.

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

Mr. ISSA. Mr. Speaker, it is my honor to yield 5 minutes to my distinguished colleague from Indiana (Mr. PENCE).

Mr. PENCE. I thank the distinguished chairman for yielding and for his leadership on this issue, which is near and dear to my heart, as it is to the hearts of thousands upon thousands of families in the District of Columbia.

Mr. Speaker, I also rise in opposition to the Norton funding amendment. The gentlewoman and I have worked together on occasion on issues, and I know her devotion to the District of Columbia. But we will just have to respectfully disagree on this issue, because I simply believe that the Scholarships for Opportunities and Results Act represents the continuation of one of the most important programs that I have had the privilege of being a part of here in Washington, D.C.

Now, there is a suggestion that this legislation takes money away from the public schools. But I think, as we have heard in this debate, because of the three-sector approach created by the original authorizing legislation, District public schools and public charter schools have received over one-quarter of $1 billion in additional direct Federal payments since 2004. Both DCPS and the charter schools will continue to receive increased Federal dollars under this legislation.

So the old arguments against giving students and parents more choices because it denies funding to public schools don't even attach here on the facts.

But beyond that, let me say the reason why I felt the need to come to the floor today. The reason why I so respect Speaker JOHN BOEHNER's leadership on this issue is because of meetings that I have had in my office with oftentimes the teary-eyed parents of children in the District of Columbia.

I will just never forget last year meeting with moms and dads from the District of Columbia, most of them from the minority community, who came to me with tears in their eyes and said, ''I have one child that is in a private school. I was able to take advantage of the D.C. scholarship. But because this administration and the last Congress terminated it, I cannot give that other opportunity to their younger brother or sister.'' And they literally came to me—at that time I was in a leadership position in the Republican majority—and they said, ''Please do something about this.'' And my heart went out to those families.

We had an election, and now we find ourselves in a renewed Republican majority. And the Speaker of the House of Representatives today is a man who probably has a larger heart for kids as a former chairman of the Education Committee than maybe any other former Speaker in the history of this institution.

□ 1550

So we find ourselves at this moment when I can say with no small amount of emotion, I can say to those families,

yes, we are going to put the scholarship back. We are going to say to the rest of your children that they deserve the best choice for their education future as well.

It is a noble moment for this Congress. The Old Book tells us that whatever you do for the least of these, that you do for Him. I think this is one of those moments where we look at families that are struggling under the weight of some of the most beleaguered public schools in America and we are putting our arms around those families and saying, we are going to give you more choices. We are going to let you as parents, regardless of your race or income or status in society, we are going to give you the opportunity to make the same choice for a private school and a public school and a charter school as Americans that have the means to do so can make.

Let me also say I see this debate over educational choice, whether it is in the District of Columbia or in my own beloved Indiana, as all tied up in the debate over education reform that has been manifest throughout this country over the last half century and more. I mean, there was a day almost in my lifetime, just on the periphery of my lifetime, when some stood in the schoolhouse door and said, You may not come in.

But we fixed that as a nation. And now there are some in the massive education establishment in this country who stand in the schoolhouse door and say, You may not come out. You may not have the same choices that other Americans have, simply because of your means and your condition in life.

The Scholarships for Opportunity and Results Act levels the playing field.

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

Mr. ISSA. I yield the gentleman 30 additional seconds.

Mr. PENCE. The SOAR Act opens the schoolhouse door. It reopens the door for opportunities for these families and for their children in the District of Columbia. And I believe it was before a model for the Nation, and it can be so again.

So I encourage my colleagues to join me in respectfully opposing the Norton funding amendment but vigorously supporting H.R. 471. Let's stand with those families. Let's put joy in their hearts. Let's create a boundless future for their children. Let's pass the Scholarships for Opportunity and Results Act.

Ms. NORTON. I respect my good friend, but I have got to stand for and with the people I represent. And if the gentleman wants to put the joy in the hearts of my parents, I challenge him to put joy in the hearts of the parents of his beloved Indiana, as he says, by bringing a national vouchers bill to the floor so that some of them may have the choice that we have not asked for.

I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of our committee.

Mr. CUMMINGS. Mr. Speaker, as I listened to our last speaker talk about teary-eyed parents, well, guess what: I see teary-eyed parents who want to put their kids in Head Start. I just saw them last week at a town hall meeting. H.R. 1 slashes over $1 billion from Head Start. They are in tears, too.

In my district, by the way, a total of 20,000 kids will not get Pell Grants or get $1,000 slashed per year from Pell Grants. They are in tears, too. Do you know why? Because they will drop out of school and many of them will never return to school because they don't have the money. They are in tears, too.

I believe with all my heart that the Speaker's intentions are good. You won't hear me say anything opposite of that. But, again, I am trying to figure out how do we take the dollars that we have and spend them in the most effective and efficient manner.

When we talk about the least of these, I really want to see kids get that head start that I am talking about; and, for the life of me, maybe I am missing something, I don't see how on the one hand we talk about these children that we love, how we want to embrace them and how we want to embrace their parents and bring joy to their hearts, but then take away the very money that would allow them to be able to get to where they have got to go.

So you are right that there was a time when people could not get in that schoolhouse door all over this country. My parents, they would be walking to school for 4 miles and other kids would come riding the bus spitting on them.

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

Ms. NORTON. I am pleased to yield the gentleman an additional 30 seconds.

Mr. CUMMINGS. And they were unable to get an education.

Mr. Speaker, what I am saying is let's embrace all of our kids. I want for my colleagues' kids, Mr. Speaker, the same thing I would want for mine. This program affects about 1,000 kids. Well, just in charter schools, there are over 27,000 in the District.

So I would just support the gentlewoman's amendment.

Mr. ISSA. I yield myself 1 minute.

Mr. Speaker, maybe we should lighten up just a little here. Yogi Berra apparently said, ''Nobody goes there anymore; it's too crowded,'' when referring to a restaurant that had long lines to get in. Mr. Speaker, we are finding a way to say a program isn't good because it has long lines waiting to get in. And, oddly enough, when it comes to the charter public schools that have been lauded on a wide basis here, they too have no free rights to automatically go and they have lines. Perhaps what we should be asking is, on a bipartisan basis: What could we do to reduce the lines to both to provide that opportunity to all the children in the District of Columbia?

I will say one thing in maybe a Yogi Berra-type way. If the Democrats will come halfway to the center of the aisle to talk about how we can hit a reasonable number for spending, I will put everything on the table, at least as to my vote, to meet them the other half. But we can't simply say all cuts are bad and have no alternatives, all programs are so needy they can't be cut, and then complain even when we preserve a program.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, the residents of the District of Columbia see a pattern here. The majority begins by taking away my vote in the Committee of the Whole so I can't vote on any part of this bill this afternoon, then they take away or try to take away the needle exchange program that keeps HIV-AIDS from being spread throughout the District of Columbia. Then they are also trying to take away the choice of low-income women in the District in two bills, the reproductive choice of low-income women in two bills: H.R. 1 and H.R. 3.

They have introduced a bill to put their version of gun laws on the District of Columbia, although the courts have found our new gun laws to be constitutional. This morning we hear that they are coming forward yet again with more to do to the District of Columbia by trying to erase our marriage equality law.

Now they say, after taking all of that from you, we have got something for you, something you never asked for, vouchers, instead of funding your own home rule choice, your public charter schools.

Yes, we know you fund the charter schools as well; but you then fund your choice, not ours. My amendment says if you want to fund something, ask us. Fund what we want, not what you want. And if you want vouchers, bring a national voucher bill right to the floor.

□ 1600

I can understand Republicans voting against my substitute. They will argue perhaps that it adds to the deficit. But if you vote against my substitute, then I don't see how you can vote for H.R. 471, because it certainly adds to the deficit, too; and you will be voting for your choice, not ours.

Many of you have come to the House under the banner of liberty, to get the Federal Government out of even Federal matters. Now you're trying to get into a purely local matter involving our children and our local schools. If this were your district, you would ask us to defer to you. I'm asking you to defer to our preferences. The District of Columbia asks to be treated exactly as you would want to be treated—as free and equal citizens of the United States of America and not as second-class citizens, not as children, and certainly not as the colonial subjects of the Congress of the United States.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to direct their comments to the Chair.

Mr. ISSA. Mr. Speaker, in closing, we won't fund failure from this side of the dais. Yes, we're giving additional money to the failed public schools. Yes, we're giving additional money to a chartered public school system that tries valiantly to help those children trapped in those failed public schools. And, yes, we are going to make a continued small investment in children having an opportunity to find other alternatives, just as we do when children a little older get to go to Georgetown or Catholic University with Pell Grants that in fact go to these parochial colleges.

Elections have consequences. The majority a year ago had planned on simply giving it all to union schools, to government schools, because the party of government was in charge. Mr. Speaker, the election made a difference. We consider ourselves—and we try valiantly on this side of the aisle—to be the party of the people. And we believe that the small amount of money to empower people and parents to do something they choose, and they stand in lines—in lotteries, as the other side has said—to escape those schools and to have an opportunity for these scholarships, we believe they have spoken loud and clear.

And although the Delegate will talk about elections and home rule, she ignores those long lines to get out of failed public schools. She ignores the hearings we had in which people came and said, Please don't take our scholarships. And, Mr. Speaker, she even ignores her own party, and she ignores what is in her own amendment.

Mr. Speaker, her amendment would leave 216 special cases that were denied still in for this year. Her amendment would leave in, the same as the Democrats did when they closed out the previous bill, it would leave those already in school in private schools getting additional funding every year. And there's a reason. President Obama's children were not going to watch their schoolmates be thrown out because a successful program that allowed them to be side by side as peers rather than relegated to a failed school was going to be stopped.

So all we're doing is keeping a program of hope alive for the District of Columbia. And I have never been so insulted to be told that if we give money, we're bad; and if we don't give money every place the other side wants it, we're bad. We're trying to give the best we can to parental choice to failed school districts.

With that, I urge the defeat of this amendment, that does nothing but retain the public school status quo that has failed, and the passage of the underlying bill.

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

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 185, nays 237, not voting 10, as follows:

[Roll No. 202]

YEAS—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peterson
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—237

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chu
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peters
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—10

Barton (TX)
Campbell
Frelinghuysen
Giffords
Granger
Graves (GA)
Graves (MO)
Pascrell
Pingree (ME)
Shuler

□ 1629

Messrs. SCHWEIKERT, RENACCI, COFFMAN of Colorado, YOUNG of Florida, and FORBES changed their vote from ''yea'' to ''nay.''

Mrs. NAPOLITANO, Messrs. CARSON of Indiana, RANGEL, GRIJALVA, ALTMIRE, DOLD, and CLEAVER changed their vote from ''nay'' to ''yea.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

POINT OF ORDER

Mr. WEINER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. WEINER. Mr. Speaker, I make a point of order against consideration of this bill because the legislation violates clause 10 of rule XXI which states

that it is not in order to consider a bill if it has the effect of increasing spending for the current year and a 5-year window. CBO estimates this bill will cost $500 million over 5 years without an offset in the bill.

□ 1630

As you can see, Mr. Speaker, ''We are setting PAYGO aside and instituting Cut-As-You-Go, which means if there is any spending called for in any new way or authorization, that there has to be some cutting somewhere.'' ERIC CANTOR.

Further, the Speaker said:

''Very simply under the Cut-Go rule, if it is your intention to create a new government program, you must also terminate or reduce spending on an existing government program of equal or greater size—in the same bill.''

I would point out, Mr. Speaker, as we already know, on January 5, there was a violation of the rules where Members failed to take the oath when they were not in the room.

On February 9: Failed to offer a proper constitutionality statement with legislation that was offered.

On March 3: Failed to require a three-fifths majority for the passage of a bill that raised tax rates.

On March 17, we failed to make legislation available for 72 hours.

And now we are failing to include an offset for a new government program required under these rules under Cut-Go.

In order for these rules to be taken seriously, we can't simply say, Because it's a favorite program of the Speaker, we're going to waive the rules. The rules are there for a reason. We voted on those rules, and they were made an important part of the change of hands in this House. When you have statements like this by the Speaker, they should be taken seriously. There is no argument that the funds in this bill are simply not paid for, and I insist on my point of order.

The SPEAKER pro tempore. The Chair is not aware of any point of order against the pending measure that would be timely or cognizable at this time.

PARLIAMENTARY INQUIRIES

Mr. WEINER. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WEINER. Is it not the rules of the House that, under clause 10(a) of rule XXI, what the Speaker articulated in this sentence is in fact the rule, that if you have money that needs to be offset, it has to be offset in the same bill? And it is further not the case that in this bill, it has been stipulated on both sides that this expense of $300 million over 5 years is not paid for.

Is that or is that not the rule of the House?

The SPEAKER pro tempore. The House does have a clause 10 of rule XXI. That rule does not support a point of order at this stage of the proceedings.

Mr. WEINER. The rule exists, but we don't need to follow it.

I withdraw my parliamentary inquiry.

The SPEAKER pro tempore. The point is that the gentleman is untimely.

Mr. WEINER. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WEINER. It's a simple question: Doesn't the rule stipulated here exist? And is the only reason we're not following it is that I didn't get to the floor in time?

The SPEAKER pro tempore. The Chair will not respond to political commentary.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CUMMINGS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CUMMINGS. Yes, I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. ISSA. Mr. Speaker, I object to the dispensing of the reading, and I reserve a point of order against the motion.

The SPEAKER pro tempore. The point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Cummings moves to recommit the bill, H.R. 471, to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith, with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. FUNDING FOR DC PUBLIC SCHOOLS AND DC PUBLIC CHARTER SCHOOLS.

(a) GENERAL AUTHORITY.—From the funds appropriated under section 2, the Secretary of Education (in this Act referred to as the ''Secretary'') shall provide funds to the Mayor of the District of Columbia (in this Act referred to as the ''Mayor''), if the Mayor agrees to the requirements described in subsection (b), for—

(1) the District of Columbia public schools for continued improvements in the academic achievement of all students in the District of Columbia public schools;

(2) the District of Columbia public charter schools for continued improvements in the academic achievement of all students in the District of Columbia public charter schools; and

(3) special education services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) for students eligible for such services in the District of Columbia public schools and the District of Columbia public charter schools.

(b) CONDITION OF RECEIPT OF FUNDS.—As a condition of receiving funds under this Act, the Mayor shall—

(1) enter into an agreement with the Secretary to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this Act; and

(2) ensure that the funds are used by the District of Columbia public schools and the District of Columbia public charter schools for continued improvements in the academic achievement of all students in the District of Columbia public schools and the District of Columbia public charter schools, respectively, by using effective methods and instructional strategies, which are based on scientifically based research, that strengthen the core academic program of schools identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $30,000,000 for fiscal year 2012 and each of the 4 succeeding fiscal years, of which—

(1) $10,000,000 shall be made available to carry out paragraph (1) of section 1(a) for each fiscal year;

(2) $10,000,000 shall be made available to carry out paragraph (2) of section 1(a) for each fiscal year; and

(3) $10,000,000 shall be made available to carry out paragraph (3) of section 1(a) for each fiscal year.

The SPEAKER pro tempore. Does the gentleman from California continue to reserve his point of order?

Mr. ISSA. No, I do not.

The SPEAKER pro tempore. The gentleman withdraws his point of order.

The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, the final amendment before us would accomplish two important goals: First, the amendment would cut the funding authorized by H.R. 471 in half, thereby reducing the Federal deficit over the next 5 years by $150 million below what was authorized for expenditure in the base text of H.R. 471.

We have heard a lot of rhetoric from the other side today, Mr. Speaker. But one thing is clear: Voting for this motion will save $150 million over 5 years.

So the question for my Republican colleagues is will you be true to your promises to address the deficit, or will you put these promises aside to support a pet project that advances a narrow ideological agenda?

Second, instead of spending money on a miniscule fraction of students who would receive a voucher, this amendment would target scarce Federal resources to areas where they would do the most good: D.C. public schools, charter schools, and special education/IDEA activities.

As we have discussed, students participating in the existing D.C. voucher program have shown no statistically significant improvement in reading or math skills. By contrast, students in the D.C. public schools and charter schools have shown significant gains

over the last few years. This amendment would direct funds to support schools that have been proven to improve student achievement. This amendment would also provide funds to support special education and IDEA-related programs in the District.

□ 1640

IDEA funding goes toward critical services for children with disabilities, such as early intervention, support for special education teachers, and assistance to help students gain access to a suitable curriculum.

Since the enactment of IDEA, achievement among students served by this program has improved dramatically, but more progress must be made.

As Mayor Gray discussed Monday in his State of the District address, D.C. has been unable to serve all of its special needs kids in public facilities and is paying nearly $250 million to send students to nonpublic schools that can serve disabled students' unique educational needs. This amendment would help D.C. better serve students who need special education services in the public system.

Importantly, let it be clear that if you vote ''yes'' on this motion, the amendment it proposes will be voted on immediately following this debate. That vote will be followed by a vote on final passage of the bill. Adoption of this amendment will not delay consideration of this legislation; and, therefore, I urge my colleagues to vote for deficit reduction. I urge my colleagues to direct scarce Federal dollars where they will do the most good.

I urge a ''yes'' vote on this final amendment to the bill.

With that, I yield to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. The point of this amendment is, if you're going to spend this money in violation of the rule and you're going to create additional deficit, you at least ought to spend it on something that's effective and that works for the children and improves their educational opportunity.

Investing in the D.C. voucher program that has now run over a period of years by every study that has been done on it says that these students are doing no better than when they left the school, but we're spending $100 million to educate them. They statistically are not improved over the performance of the school that they left, but we continue to spend the money on the myth that somehow this is a model program that you would replicate all over the country.

Why would you replicate a program that is so inefficient and does not provide an educational advantage for the students participating in it?

I understand their parents who chose them to participate in the voucher program feel they made a good decision, but that's not a mark of whether or not they're getting the educational opportunity that they're entitled to.

With Mr. CUMMINGS' amendment, you can invest in what is working. You can invest in the public schools where African American high school students have seen double-digit gains in reading and math, and the percentage of high school students that have achieved advance status in reading and math has more than doubled. The percentage of special education students achieving proficient status has more than doubled. These schools, public and public charter schools, are working for the children of D.C.

But the Republicans would have you insist that what you really ought to do is take $100 billion in new deficit spending and park it in this voucher program because of their commitment on an ideological basis, but not on programs that work. We ought to choose the programs that work for the children of the District of Columbia.

Mr. ISSA. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. ISSA. Mr. Speaker, I will be brief. We spent an hour and 40 minutes discussing the bill and the amendment, and at least the delegate from the District of Columbia attempted to move these dollars all to the public school system.

This bill, in fact, not only denies the children who are in these programs today, some of them side by side with the President's children; but, in fact, it cuts funding for public education.

Under this motion to recommit, the funding for public education on a yearly basis would go from $40 million to $20 million. There would be less money in the public school system, in addition to being no money for Opportunity Scholarships.

I oppose the motion to recommit and urge the support of the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. CUMMINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 185, noes 238, not voting 9, as follows:

[Roll No. 203]

AYES—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—238

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chu
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones

Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Barton (TX)
Campbell
Frelinghuysen
Giffords
Pascrell
Pingree (ME)
Platts
Shuler
Stutzman

□ 1701

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. ISSA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 195, not voting 12, as follows:

[Roll No. 204]

AYES—225

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—195

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Graves (MO)
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—12

Barton (TX)
Campbell
Frelinghuysen
Giffords
Herger
Hunter
Mica
Pascrell
Pingree (ME)
Platts
Shuler
Velázquez

□ 1708

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PLATTS. Mr. Speaker, on rollcall No. 204, I was not present for the vote due to my participation, as Co-Chair of the House Traumatic Brain Injury (TBI) Task Force, in a meeting with Department of Defense officials regarding the treatment of wounded warriors suffering from TBIs.

Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, on March 30th, I was unavoidably detained and missed three rollcall votes. Had I been present, I would have voted "yea" on rollcall vote #202 on agreeing to the Norton Amendment in the Nature of a Substitute. Had I been present I would have voted "yea" on rollcall vote #203, on the Motion to Recommit H.R. 471 With Instructions. And finally, had I been present, I would have voted an emphatic "nay" on rollcall vote #204, on passage of H.R. 471, the "Scholarships for Opportunity and Results Act."

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, March 30, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, H–232 U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. 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 March 30, 2011 at 9:32 a.m.:

That the Senate passed without amendment H.R. 1079.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

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 the motion 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.

Any record vote on the postponed question will be taken later.

REDUCING REGULATORY BURDENS ACT OF 2011

Mr. GIBBS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 872) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 872

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 ''Reducing Regulatory Burdens Act of 2011''.

SEC. 2. USE OF AUTHORIZED PESTICIDES.

Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.''.

SEC. 3. DISCHARGES OF PESTICIDES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GIBBS) and the gentleman from New York (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. GIBBS. 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 materials on H.R. 872.

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

There was no objection.

Mr. GIBBS. Mr. Speaker, I yield 10 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT) and ask unanimous consent that she be allowed to control that time.

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

There was no objection.

Mrs. SCHMIDT. I rise in support of the bill, and I yield myself such time as I may consume.

(Mrs. SCHMIDT asked and was given permission to revise and extend her remarks.)

Mrs. SCHMIDT. Mr. Speaker, it is imperative that we act in a timely manner on H.R. 872 to ensure that our small businesses, farmers, communities, counties, and State and Federal agencies will not be burdened with a costly, duplicative permit requirement that offers no environmental or health benefits. It is important to note that pesticides play an important role in protecting our Nation's food supply, public health, natural resources, infrastructure, and green spaces. They are used not only to protect crops from destructive pests, but also to manage mosquitoes and other disease-carrying pests, invasive weeds, and animals that can choke our waterways, impede our power generation, and damage our forests and recreational areas.

The Reducing Regulatory Burdens Act of 2011 amends FIFRA and the Clean Water Act to eliminate the requirement of a permit for applications of pesticides approved for use under FIFRA. This Act is being passed in response to National Cotton Council v. EPA, which found NPDES permits are required for point source discharges of biological pesticides and chemical pesticides that leave a residue.

This legislation, Mr. Speaker, is not intended to exempt waste-streams or discharges from regulation simply because they may contain pesticides or pesticide residues. This legislation, Mr. Speaker, makes clear that the NPDES exemption only addresses discharges of pesticide or pesticide residue resulting from applications consistent with FIFRA. The legislation does not exempt applications of pesticides that violate the relevant requirements of FIFRA.

There have been accusations that this bill would cause contamination of our waterways. But, Mr. Speaker, I challenge those accusations. Today, some will argue in defending the Sixth Circuit Court decision that pesticide applications were a violation of FIFRA. The case in question is the Talent Water District in Jackson County, Oregon, where it is claimed that the application of pesticides in violation of the FIFRA label resulted in a fish kill of more than 92,000 juvenile steelhead. I point out that these pesticide applications were in violation of FIFRA and the requirements of FIFRA, and therefore would be addressed under that law. Requiring a duplicative permit under the Clean Water Act would not offer any additional environmental safety standard.

Mr. Speaker, H.R. 872 is a simple fix. The legislation before us passed unanimously through the House Agriculture Committee and with an overwhelming 46–8 vote in the House Transportation and Infrastructure Committee. This proves that this is not a partisan issue but an issue of such importance that Republicans and Democrats and even the EPA have worked together to provide a solution.

H.R. 872 makes clear that it was never the intent of Congress to require this redundant layer of bureaucracy, especially since the EPA already comprehensively regulates the distribution, sale, and use of pesticides. Although the court did extend the effective date of its order to October 31, it did not fix the underlying problem. The impact on all pesticide users required to obtain this extra permit will be the same in October as it is today. There is no difference in the burdensome cost or real impact on their livelihoods. The only things this extension provides is more months of regulatory uncertainty.

I ask my colleagues to support this necessary piece of legislation and to ensure that FIFRA remains the standard for pesticide regulation. Let us help protect our mutual constituency from duplicative obligations that provide no qualified benefit to human health or environmental concerns.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I ask unanimous consent that the

gentleman from California (Mr. BACA) be permitted to control 10 minutes of my time.

The SPEAKER pro tempore (Mr. NUGENT). Without objection, the gentleman from California will control the time.

There was no objection.

Mr. BISHOP of New York. I yield to the gentleman from California.

Mr. BACA. Thank you very much.

I want to thank the gentleman from New York, TIM BISHOP, our third baseman—an excellent third baseman—for yielding the time.

Mr. Speaker, I rise today in strong support of H.R. 872, the Reducing Regulatory Burdens Act of 2011. I want to thank Nutrition and Horticulture Subcommittee Chair JEAN SCHMIDT and I also want to thank Water Resources Subcommittee Chair BOB GIBBS for their leadership on this issue. I appreciate the opportunity to work with my colleagues on the Transportation and Infrastructure Committee to jointly resolve an important issue and to build a relationship across jurisdictions and across the aisle.

H.R. 872 is a straightforward bipartisan bill that creates a necessary fix to the flawed National Cotton Council v. EPA Sixth Circuit Court decision. If the decision is implemented, pesticide applicators will be forced into a duplicative regulatory process that would require permitting under both FIFRA and the Clean Water Act. We don't need to duplicate. We don't need additional costs and burdens on many of the individuals. We need one agency that can handle it, not two agencies.

While the new regulation will provide no environmental benefit, it will add millions in new costs to State regulating agencies, agricultural producers, mosquito control districts, and small businesses. The EPA understands this. That's why they have helped us write this bill. The EPA estimates that the permit process would add $1.7 million in annual costs to our cash-strapped States. But during a hearing on this issue last month, former Congressman John Salazar testified that the cost of implementation for the State of Colorado would be even greater—upwards of $20 million.

□ 1720

In addition, the permitting process is estimated to add another $50 million to the cost of pesticide applicators, and most of them are small businesses.

In my home State of California, we face a 12.2 percent unemployment rate and a $25 billion to $31 billion deficit. We simply can't afford this regulatory burden on them or on anyone else throughout the State. Likewise, the negative impact on agricultural, irrigation—and I state on agricultural, irrigation—and pest control professionals is a cause for serious public concern.

My congressional district, located in California's Inland Empire, has long had problems with the West Nile virus. The ability of mosquito and pest control to respond quickly to any situation must not be jeopardized. If we have one agency, it can act quickly. If we have two, it's not only costly, but can you imagine what would happen if we didn't act quickly?

For over 30 years, FIFRA has ensured that when a pesticide is used in accordance with label requirements, it will not bring unnecessary risk to our communities or to the environment. Let's work together to pass this simple fix to protect the public health—and I state to protect the public health—of our communities and to prevent costly duplicative regulatory burdens on us.

With that, Mr. Speaker, I have a letter that I would like to submit. It is from the National Association of Conservation Districts, which is a nonprofit organization that represents the Nation's 3,000 conservation districts. For more than 70 years, the NACD has worked with the landowners and managers of private working lands to help them apply effective conservation practices. They understand that the EPA already conducts a rigorous analysis of the health and environmental effects of any proposed usage of a pesticide under FIFRA.

I also have another letter to submit for the RECORD, Mr. Speaker, that has been signed by 138 different agricultural, irrigation, and pest control organizations from across the Nation.

I ask my colleagues on both sides of the aisle to support this legislation. It's good bipartisan legislation. It deals with duplicative efforts, and consolidates some of them. It is also cost-effective. We don't need to put the burden on anyone else.

NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS,
Washington, DC, March 30, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: On behalf of the National Association of Conservation Districts (NACD) and America's 3,000 conservation districts, I write to voice our support for H.R. 872 to allow farmers, ranchers, and foresters to continue pesticide use in compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). We appreciate your recognition of this important issue and encourage bipartisan congressional action to address the significant regulatory concerns arising from a 2009 court ruling.

In 2009, the U.S. Sixth Circuit Court of Appeals ruled that Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permits are required for pesticide applications made ''in, over, or near'' water. Prior to this ruling, the Environmental Protection Agency (EPA) has not required CWA permits for pesticides applied according to the FIFRA label. This ruling creates confusion, uncertainty and increased regulatory burdens.

EPA conducts a rigorous analysis of the health and environmental effects of a proposed use of a pesticide; when used in compliance with the EPA-approved label, FIFRA-registered pesticides have already been proven safe. Rather than spending precious time and resources on duplicative permitting efforts, EPA should instead be focused on working with landowners to support on-the-ground conservation solutions with true environmental value. Forcing producers to go through an additional burdensome permitting process will only increase production costs and add stress on already overburdened state resources, without providing any additional environmental benefits.

H.R. 872 would continue to ensure the protection of water during routine, FIFRA-label pesticide use, while clarifying that applicators abiding by these strict standards do not need to go through the unnecessary and burdensome process of obtaining CWA permits.

Thank you for your leadership on this important issue. We look forward to working with you as we continue to provide the benefits of locally-led natural resource conservation across the country.

Sincerely,

GENE SCHMIDT,
President.

MARCH 29, 2011.

Hon. JOE BACA,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BACA: The undersigned organizations urge you to support H.R. 872, the Reducing Regulatory Burdens Act, which will be considered on the House floor on the suspension calendar later this week. Based on a court ruling in the National Cotton Council v. EPA (6th Cir. 2009) case, the Environmental Protection Agency (EPA) and delegated states are required to establish permit programs under the Federal Clean Water Act for aquatic pesticide applications. H.R. 872 is a bipartisan bill aimed at reducing the regulatory burden and duplication posed by this court mandate.

Pesticides play an important role in protecting the nation's food supply, public health, natural resources, infrastructure and green spaces. They are used not only to protect crops from destructive pests, but also to manage mosquitoes and other disease carrying pests, invasive weeds and animals that can choke our waterways, impede power generation and damage our forests and recreation areas.

Since the inception of the Clean Water Act in 1972, water quality concerns from pesticide applications have been addressed during the registration and labeling process under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Imposing a national pollutant discharge elimination system (NPDES) permit in addition to FIFRA regulation will not provide any identifiable additional environmental benefits.

The proposed permit means further unfunded mandates on already struggling governments, and it creates additional red tape, squeezing existing resources and threatening added legal liabilities. The permit's complex compliance requirements will impose tremendous new burdens on thousands of small businesses, farms, communities, counties and state and federal agencies legally responsible for pest control, and expose them to legal jeopardy through citizen suits over paperwork violations. It could jeopardize jobs, the economy and human health protections across America as regulators and permittees struggle to implement and comply with these permits.

This week's court decision to grant a 6-month extension to comply with permit requirements from April 9 to October 31, 2011 is welcome news. However, it does not change the urgency, to pass H.R. 872 and fix the underlying problem of regulatory redundancy and bureaucratic burden. We urge Congress to pass H.R. 872 into law before the permit becomes final this year.

We respectfully ask that you join Transportation & Infrastructure Chairman John Mica (R–FL) and Subcommittee Chair Bob

Gibbs (R–OH), as well as Agriculture Committee Chairman Frank Lucas (R–OK), Ranking Member Collin Peterson (D–MN), Subcommittee Chair Jean Schmidt (R–OH), and Ranking Member Joe Baca (D–CA) in supporting this bipartisan bill.

Sincerely,

Agricultural Alliance of North Carolina, Agribusiness Association of Iowa, Agribusiness Association of Kentucky, Agribusiness Council of Indiana, Agricultural Retailers Association, American Chemistry Council—Biocides Panel, American Farm Bureau Federation, American Mosquito Control Association, American Nursery and Landscape Association, American Soybean Association, Alabama Agribusiness Council, Alabama Vegetation Management Society Inc., Aquatic Ecosystem Restoration Foundation, Aquatic Plant Management Society, Arizona Crop Protection Association, California Dried Plum Board, California Grape & Tree Fruit League, Chemical Producers & Distributors Association, Colorado Corn Growers Association, Commercial Flowers Growers of Wisconsin, Consumer Specialty Products Association, Cranberry Institute, CropLife America, Crop Protection Association of North Carolina, Delta Council (MS), DuPont Crop Protection, DuPont Professional Products, Far West Agribusiness Association, Florida Aquatic Plant Management Society, Florida Fruit & Vegetable Association, Florida Vegetation Management Association, Gardens Beautiful Centers (WI), Georgia Agribusiness Council, Georgia Urban Agriculture Council, Golf Course Superintendents Assoc of America, Gowan Group, Growmark, Hop Growers of America, Hop Growers of Washington, Illinois Fertilizer & Chemical Association, Iowa Corn Growers Association, Kansas Agribusiness Retailers Association, Kentucky Corn Growers Association, Land O'Lakes, Lawns of Wisconsin Network, Maryland Grain Producers Association, Michigan Agri-Buisness Association, Michigan Aquatic Managers Association, Midwest Aquatic Plant Management Society.

Midsouth Aquatic Plant Management Society, Minnnesota Agricultural Aircraft Association, Minnesota Agri-Growth Council, Minnesota Corn Growers Association, Minnesota Crop Production Retailers, Minnesota Pest Information & Education, Mississippi Vegetation Management Association, Missouri Agribusiness Association, Montana Agricultural Business Association, Mosquito & Vector Control Assoc of California, National Agricultural Aviation Association, National Alliance of Forest Owners, National Alliance of Independent Crop Consultants, National Assoc of State Departments of Agriculture, National Association of Wheat Growers, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Farmers Union, National Grange, National Pest Management Association, National Potato Council, National Roadside Vegetation Management Assoc Inc, New Jersey Green Industry Council, New Jersey Mosquito Control Association, North Carolina Agribusiness Council Inc., North Carolina Growers Association, North Carolina State Grange, North Central Weed Science Society, Northeast Aquatic Plant Management Society, Northeastern Weed Science Society, Ohio Professional Applicators for Responsible Regulations, Oklahoma Agribusiness Retailers Association, Oregon Association of Nurseries, Oregonians for Food & Shelter, Professional Landcare Network, RISE (Responsible Industry for a Sound Environment), Rocky Mountain Agribusiness Association, Schertz Aerial Services, Society of American Florists, South Carolina Aquatic Plant Management Society, South Carolina Fertilizer & Agrichemical Assoc, South Dakota Agri-Business Association.

Southern Crop Production Association, Southern Weed Science Society, Syngenta, Texas Agricultural Industries Association, Texas Aquatic Plant Management Society, Texas Mosquito Control Association, Texas Vegetation Management Association, USA Rice Federation, US Apple Association, US Hop Industry Plant Protection Committee, Valent U.S.A., Vegetation Management Association of Kentucky, Virginia Agribusiness Council, Washington Friends of Farms & Forests, Washington Hop Commission, Washington State Potato Commission, Weed Science Society of America, Western Aquatic Plant Management Society, Western Growers Association, Western Plant Health Association, Western Society of Weed Science, Wild Blueberry Commission, Wisconsin Agribusiness Council, Wisconsin Christmas Tree Producers Association, Wisconsin Crop Protection Association, Wisconsin Landscape Contractors Association, Wisconsin Nursery Association, Wisconsin Potato & Vegetable Growers Assoc, Wisconsin Sod Producers Association, Wyoming Ag-Business Association, Wyoming Crop Improvement Association, Wyoming Wheat Marketing Commission, Wyoming Wheat Growers Association.

I yield the balance of my time to the gentleman from New York (Mr. BISHOP).

The SPEAKER pro tempore. Without objection, the gentleman from New York will control the time.

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 872, the Reducing Regulatory Burdens Act of 2011.

I recently introduced H.R. 872 to clarify congressional intent regarding how the use of pesticides in or near navigable waters should be regulated. The Federal Insecticide, Fungicide, and Rodenticide Act, also known as FIFRA, has long been the Federal regulatory statute that governs the sale and use of pesticides in the United States. However, more recently, as a result of a number of lawsuits, the Clean Water Act has been added as a new and redundant layer of Federal regulation over the use of pesticides. As a result, an additional set of permits will be required for the use of pesticides.

H.R. 872 is aimed at reversing a decision of the Sixth Circuit Court of Appeals in National Cotton Council vs. EPA. In this ruling, the Sixth Circuit substituted judge-made policy choices for reasonable agency interpretations of the law. In the process, the court undermined the traditional understanding of how the Clean Water Act interacts with other environmental statutes, and it judicially expanded the scope of Clean Water Act regulation further into areas and activities not originally envisioned or intended by Congress.

EPA has estimated that approximately 365,000 pesticide users, including State agencies, cities, counties, mosquito control districts, water districts, pesticide applicators, farmers, ranchers, forest managers, scientists, and even everyday citizens who perform some 5.6 million pesticide applications annually, will be affected by the court's ruling. This will virtually double the number of entities currently subject to NPDES permitting under the Clean Water Act.

With this ill-advised court decision, the States and a wide range of public and private pesticide users will face increased financial and administrative burdens in order to comply with the new permitting process, and all of this expense comes with no additional environmental protection.

This new permitting process was meant to take effect on April 9 of this year. However, just 2 days ago, the Sixth Circuit granted an extension through October 31, 2011. The court's extension only temporarily postpones the need for an NPDES permit for pesticide use, and does not completely eliminate the need for this legislation.

H.R. 872 fixes the problem. It exempts from the NPDES permitting process a discharge to waters involving the application of a pesticide authorized for sale, distribution, or use under FIFRA, where the pesticide is used for its intended purpose and where the use is in compliance with FIFRA pesticide label requirements.

H.R. 872 was drafted very narrowly to address the Sixth Circuit's holding the National Cotton Council case and return the state of pesticide regulation to the status quo before the court got involved. This bill passed unanimously out of the Agriculture Committee and passed the Transportation and Infrastructure Committee on a strong bipartisan vote of 46–8.

Many organizations, representing a wide variety of public and private entities, support a legislative resolution of this issue. Just to name a few, these organizations include:

The National Association of Counties; the National Association of State Departments of Agriculture; the National Water Resources Association; the American Mosquito Control Association; the American Farm Bureau Federation; the National Farmers Union; CropLife America; and Responsible Industry for a Sound Environment.

Mr. Speaker, I want to thank my colleague Chairman SCHMIDT for her leadership on this bill in both the Agriculture and the Transportation and Infrastructure Committees.

I also want to thank the ranking members of the Subcommittee on Water Resources and Environment and

of Transportation and Infrastructure for their support of the bill.

In addition, I want to thank Chairman MICA and Ranking Member RAHALL for their leadership of the Transportation and Infrastructure Committee, as well as Chairman LUCAS and Ranking Member PETERSON of the Agriculture Committee for their leadership.

I urge all Members to support H.R. 872.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, in light of the fact that Mr. BACA yielded the balance of his time to me, may I inquire as to how much time we have left on this side?

The SPEAKER pro tempore. The gentleman has 15 minutes remaining.

Mr. BISHOP of New York. Thank you very much.

Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding.

We're here, and we're pretending we're doing something about a real problem. We are amending the wrong statute at the wrong time under the guise that this is a crisis, and we're bringing up a bill that will never see the light of day in the Senate.

So what could we really do?

Well, we could work with the Environmental Protection Agency. I've already written to the Environmental Protection Agency, and I would encourage others to as well who recently got an extension until October 31 from the court. So there is no immediate threat of these new regulations going into place. Particularly, the biggest problem with what they're proposing is the small size of general permitting. It's 640 acres. My State has 6,400 acres. That's a pretty big piece of property. I don't know many small farms or other folks who operate on more than 6,400 acres. Even at 6,400 acres, it's a three-page form that you fill out in my State.

Oregon is the State where this problem started because 90,000 juvenile salmon were killed by the improper application of a pesticide, so we would be particularly sensitive to that. We're pretty sensitive about our water. I think all of your constituents are sensitive about their water. So, to amend the Clean Water Act here, you're going at the wrong place. People don't want pesticides or herbicides in what they drink or in what their kids drink—plain and simple.

FIFRA is meaningless in terms of really regulating what goes into the water. The EPA doesn't test pesticides for their water quality standards, and FIFRA does not regulate how much of a pesticide is safe to apply to water. So we should be amending FIFRA, but that would have been a little more work, and that would have been real legislation, and that might have been something that the Senate would have taken up, and that might really have gotten something done.

But we don't want to do that. We want to play to the crowd here. Let's rage here and say it's going to cost $50,000 for every small business. That's a bunch of hooey.

In my State, like I say, we have a three-page application. So the point is that we can do something real. We can influence the EPA, get reasonable regulations, and protect the drinking water of this country—or you can do what you're doing here today, which is meaningless.

Mrs. SCHMIDT. Mr. Speaker, I yield 3 minutes to the chairman of the Agriculture Committee, the good gentleman from Oklahoma (Mr. LUCAS).

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

Mr. LUCAS. I rise in support of this bill.

Mr. Speaker, the piece of legislation before us today must be passed and placed on the President's desk as soon as possible if we want to prevent a possible blitz of regulatory burdens on our farmers and ranchers.

□ 1730

The 6-month delay that the EPA was granted by the court this past Monday evening may have bought us more time, but the delay does not fix the underlying problem.

The impact on those pesticide users who will be required to obtain a duplicative permit will be the same in October as it is today. There is no difference in the burden, the cost, or the real impact on their livelihoods. The only thing this extension provides farmers is 6 more months of regulatory uncertainty. We must act now to give our farmers the certainty they need to continue to produce the safest, most affordable, and abundant food supply in the history of the world.

If Congress does not act, more than 40 States will face increased financial and administrative burdens in order to comply with the new permitting requirement process during a time when many States are already being forced to make difficult budget decisions. This would be a crushing blow to an already fragile economy. Giving EPA and the States more time to develop a permit system does nothing to minimize the unnecessary expense this uninformed court decision has imposed.

Governments at all levels are facing a fiscal emergency. This exercise represents a tremendous waste of valuable time and resources. There is no need to send our States down a path of fiscal disaster when we have the opportunity to put a stop to it all today.

It was always the intent of Congress to exempt pesticide use from the Clean Water Act. The decision of the court represents a fundamental ignorance of congressional intent that will not be rectified by a delay. Congress has no choice but to act now.

I would like to serve note that on the Ag Committee as chairman, I'm very pleased with our point person's efforts on this behalf, Subcommittee Chairwoman JEAN SCHMIDT. I'd like to thank our ranking member, Mr. PETERSON, of the full committee, and subcommittee ranking member, Mr. BACA, for working with us in a very bipartisan way to address this issue. We all agree something has to be done, something needs to be done, and we have an opportunity to do it.

With that, I encourage my colleagues to vote in support of this legislation.

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume, and I rise in reluctant opposition to H.R. 872.

Mr. Speaker, I find myself in an awkward position here today being asked to urgently vote on a bill where there is no real sense of urgency and where questions of its potential impact on human health and the environment far outweigh the answers.

I am also concerned that, in our effort to address concerns on implementation of two Federal statutes, we are neglecting a rational analysis of the best way to protect human health and the environment from the potential adverse effects of pesticides.

Finally, I stand in opposition to this legislation because it appears that the push to vote today on this bill is so great that it has stretched the bounds of traditional Member-to-Member commitments to resolve legitimate differences on issues of critical importance to all of us.

Mr. Speaker, let me state from the outset that I agree pesticides provide a valuable tool in controlling unwanted pests, whether they be mosquitoes in my home county of Suffolk County, New York, or corn borers in the Midwest. This bill is not about whether pesticides should or should not be used. However, what this bill does call into question is the best way to balance the use of pesticides with the protection of water quality, human health, and the environment, and the economic benefits associated with them.

On this point, I am not convinced that the current efforts to protect human health and the environment, which this bill seeks to maintain, are sufficient. If they were, pesticides would not continually show up in the urban and rural water bodies throughout the Nation. As States and the U.S. Geological Survey have told us, pesticides are frequently detected in streams and groundwater throughout the Nation, and literally thousands of streams and bays and lakes are currently impaired or threatened by pesticides. In the State of California alone, pesticides are listed as the number one source of water quality impairment in the State.

It is also telling that many States continue to find waters impaired by pesticides that have been banned in the United States for decades. In my view, this shows how the decisions we make today will have long-term impacts on human health, on our environment, and create long-lasting implications

and potential increased costs for generations to come.

According to the EPA, the potential human health implications of pesticide exposure depend on the type of pesticide and the pathway, concentration, and duration of exposure, and can range from minor skin irritations to developmental concerns to being linked to cancer. One potentially significant source of exposure comes from consuming pesticide-contaminated drinking water. Both the USGS and the U.S. Department of Agriculture have verified the presence of pesticides and pesticide byproducts in drinking water sources throughout the Nation.

While in the majority of these cases pesticide protection levels were below existing human health benchmarks for those pesticides that have standards, USGS found a number of instances where pesticide detection levels were above acceptable levels. Similarly, even in those instances where detection levels are below acceptable levels, there is still legitimate concern on long-term, low-level exposure to pesticides, especially to the health of children, pregnant women, and the elderly.

In my view, the combination of these factors, plus the uncertainty created by increased detection of pesticide-chemical mixtures and the fact that modern drinking water treatment technologies are not designed to detect or remove pesticides, compels me to move cautiously on any proposal that would permanently eliminate options for controlling the amount of pesticides being released into the Nation's waters.

In light of these concerns, and in light of the fact that the legislation before us provides for a permanent Clean Water Act exemption for pesticide use, during the markup of this bill in the Committee on Transportation and Infrastructure, I offered a simple, commonsense amendment to require Congress to revisit this issue in 5 years when we have a clearer picture on whether FIFRA is sufficiently protective of human health and water quality from pesticide contamination. If, in 5 years' time, we were to see progress in reducing pesticide contamination in surface and groundwaters, then we would have more information to justify a permanent Clean Water Act exemption for pesticide use. In my view, we simply do not have this critical information before us today.

This simple concept was echoed by a former Bush administration official who was recently quoted as saying that, when it comes to enacting statutory exemptions from environmental regulatory requirements, it is appropriate to periodically review whether the exemption continues to be supported by data and science.

Based on a commitment from the chairman of the full committee to work with me on this issue before this bill was to come to the floor, I withdrew my amendment and voted ''yes'' in the markup. Unfortunately, to date, my concerns remain unaddressed, and yet here we are today considering this bill under the suspension of the rules, where there is no opportunity to debate the issues I and several of my colleagues raised at the committee markup.

It seems that the push to vote today on this bill is so great that it has stretched the bounds of traditional Member-to-Member commitments to resolve legitimate differences on issues of critical importance to us all, especially related to the protection of human health and the environment.

I am aware that many of my colleagues and several constituencies have pushed for immediate consideration of this bill to respond to the looming court-ordered deadline for Clean Water Act permitting on April 9. I agree that concerns expressed by States and pesticide applicators on how they could be expected to comply with a yet-unreleased pesticide general permit by the April deadline were legitimate. However, that deadline has now been extended by the Sixth Circuit Court of Appeals until October 31, 2011. It appears, therefore, that we have additional time to work on this issue and to resolve some of the concerns expressed by several members of the committee.

Mr. Speaker, I believe a more prudent course would be to take the time necessary and work together to address the concerns of both sides in a manner that minimizes regulatory duplication, makes sense for pesticide applicators and the States, and addresses the concerns related to public health and water quality.

I reluctantly urge a ''no'' vote on H.R. 872 under suspension of the rules so that I may continue to work with my colleagues on improving this bill.

I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Mr. Speaker, I rise today in support of H.R. 872 because the last thing the agriculture industry needs is another regulation.

Pesticides are an integral part to ensuring that our Nation continues to produce the world's most abundant, safe, and affordable food supply. As it stands today, pesticides must already go through a minimum of 125 safety tests before being registered for use. On top of that, they are subject to strict labeling and usage requirements.

If we do not pass this bill, our farmers will be required to obtain permits that require them to state the amount of pesticides they will use for a 5-year period. That's not only next to impossible, it will be an expensive and time-consuming process that will harm American agricultural, as well as cost jobs.

Thank you very much.

□ 1740

Mr. BISHOP of New York. Mr. Speaker, I yield 4 minutes to the gentlelady from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I rise in strong opposition to H.R. 872, the Reducing Regulatory Burdens Act, in its current form. At issue, the exemption in the bill means that no Clean Water Act permit would be required for pesticide application to water bodies that are already impaired by pesticides.

Now, most pesticide applications in the United States are done in accordance with FIFRA, according to a 2006 USGS report on pesticides, and frequently are present in streams and groundwater, as you have just heard, at levels that exceed the human health benchmark and occur in many streams at levels that may affect aquatic life or fish-eating wildlife.

In the data that the States provide the EPA, more than 16,000 miles of rivers and streams, 1,380 of bays and estuaries, and 370,000 acres of lakes in the United States are currently impaired or threatened by pesticides. EPA suggests that these estimates may be low because many of these States do not test for or monitor all the different pesticides that are currently being used. I am very concerned of the effect these pesticides have on the health of our rivers, on our streams, and especially the drinking water supplies of all our citizens, especially the most vulnerable, the young, the elderly, and the poor and disenfranchised people who have no other representation.

Mr. Speaker, I would like to place into the RECORD two EPA reports on how pesticides in California are the number one cause of impairments to water quality, which means there are 1,787 causes in 162 water entities in California alone. This means that in all the waters in the States that are found through testing and monitoring to be impaired or polluted under the Clean Water Act, pesticides are the most significant cause of those problems.

We hear that pesticide application is already regulated under FIFRA and that the Clean Water Act review is not needed. I understand the concerns about duplication of effort and the need to minimize the impacts that regulations have on small business or business at large.

However, I am still very concerned that these pesticides are having a very significant impact on water quality and that we are creating this exemption from water quality protection requirements without considering the impacts to the waters that are already impaired with pesticides, as they are in California.

This, in turn, costs our ratepayers, our water users, hundreds of millions of dollars to filter these pollutants out of the water before it is potable. This is something I deal with on an ongoing basis, as the ranking member of the Subcommittee on Water and Power.

We currently have aquifers that are contaminated by the continued use of pesticides and fertilizers. Millions of dollars have been spent on the 15-year-long cleanup effort of a Superfund site

in my area that has pesticides as one of its contaminants.

I do oppose this bill. I do need further study on this issue before taking this very drastic step to reregulate pesticides that affect our Nation's water.

Again, I urge my colleagues on both sides to vote ''no'' on this bill.

CALIFORNIA 2006 CAUSES OF IMPAIRMENT FOR CALIFORNIA WATERS

Cause of impairment group name	Number of causes of impairment reported
Pesticides	312
Pathogens	245

CALIFORNIA 2006 CAUSES OF IMPAIRMENT FOR CALIFORNIA WATERS—Continued

Cause of impairment group name	Number of causes of impairment reported
Metals (other than Mercury)	228
Nutrients	140
Polychlorinated Biphenyls (PCBs)	103
Salinity/Total Dissolved Solids/Chlorides/Sulfates	103
Mercury	101
Sediment	87
Total Toxics	77
Organic Enrichment/Oxygen Depletion	47
Toxic Organics	45
Temperature	37
Trash	37
Ammonia	33
Dioxins	27
pH/Acidity/Caustic Conditions	27
Toxic Inorganics	24

CALIFORNIA 2006 CAUSES OF IMPAIRMENT FOR CALIFORNIA WATERS—Continued

Cause of impairment group name	Number of causes of impairment reported
Nuisance Exotic Species	24
Other Cause	20
Algal Growth	17
Taste, Color and Odor	15
Cause Unknown—Impaired Biota	12
Turbidity	8
Flow Alteration(s)	6
Habitat Alterations	5
Fish Consumption Advisory	3
Oil and Grease	2
Noxious Aquatic Plants	1
Cause Unknown—Fish Kills	1
Total	1,787

CALIFORNIA IMPAIRED WATERS, CAUSE OF IMPAIRMENT GROUP: PESTICIDES, REPORTING YEAR 2006

State	Waterbody name	State basin name	Location
CA	Abalone Cove Beach	Los Angeles	
CA	Alamo River	Colorado River Basin	
CA	Amarillo Beach	Los Angeles	
CA	Anaheim Bay	Santa Ana	
CA	Balboa Beach	Santa Ana	
CA	Bear River, Lower (Below Camp Far West Reservoir)	Central Valley	
CA	Big Rock Beach	Los Angeles	
CA	Blanco Drain	Central Coast	
CA	Bluff Cove Beach	Los Angeles	
CA	Buena Creek	San Diego	
CA	Butte Slough	Central Valley	
CA	Cabrillo Beach (Outer)	Los Angeles	
CA	Calaveras River, Lower	Central Valley	
CA	Calleguas Creek Reach 1 (Was Mugu Lagoon On 1998 303(D) List)	Los Angeles	
CA	Calleguas Creek Reach 2 (Estuary To Potrero Rd-Was Calleguas Creek Reaches 1 And 2 On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 4 (Was Revolon Slough Main Branch: Mugu Lagoon To Central Avenue On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 5 (Was Beardsley Channel On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 9a (Was Lower Part Of Conejo Creek Reach 1 On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 9b (Was Part Of Conejo Creek Reaches 1 And 2 On 1998 303d List).	Los Angeles	
CA	Calleguas Creek Reach 10 (Conejo Creek (Hill Canyon)-Was Part of Conejo Crk Reaches 2 & 3, and Lower Conejo Crk/Arroyo Conejo N Fk On 1998 303d List).	Los Angeles	
CA	Calleguas Creek Reach 11 (Arroyo Santa Rosa, Was Part Of Conejo Creek Reach 3 On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 13 (Conejo Creek South Fork, Was Conejo Cr Reach 4 And Part Of Reach 3 On 1998 303d List)	Los Angeles	
CA	Carbon Beach	Los Angeles	
CA	Carquinez Strait	San Francisco Bay	
CA	Castlerock Beach	Los Angeles	
CA	Castro Cove, Richmond (San Pablo Basin)	San Francisco Bay	
CA	Central Basin, San Francisco (Part of Sf Bay, Central)	San Francisco Bay	
CA	Coachella Valley Storm Water Channel	Colorado River Basin	
CA	Colorado Lagoon	Los Angeles	
CA	Colusa Basin Drain	Central Valley	
CA	Cottonwood Creek (San Marcos Creek Watershed)	San Diego	
CA	Coyote Creek	Los Angeles	
CA	Del Puerto Creek	Central Valley	
CA	Delta Waterways (Central Portion)	Central Valley	
CA	Delta Waterways (Eastern Portion)	Central Valley	
CA	Delta Waterways (Export Area)	Central Valley	
CA	Delta Waterways (Northern Portion)	Central Valley	
CA	Delta Waterways (Northwestern Portion)	Central Valley	
CA	Delta Waterways (Southern Portion)	Central Valley	
CA	Delta Waterways (Stockton Ship Channel)	Central Valley	
CA	Delta Waterways (Western Portion)	Central Valley	
CA	Dominquez Channel (Lined Portion Above Vermont Ave)	Los Angeles	
CA	Dominquez Channel Estuary (Unlined Portion Below Vermont Ave)	Los Angeles	
CA	Elkhorn Slough	Central Coast	
CA	English Canyon	San Diego	
CA	Escondido Beach	Los Angeles	
CA	Escondido Creek	San Diego	
CA	Espinosa Slough	Central Coast	
CA	Feather River, Lower (Lake Oroville Dam To Confluence With Sacramento River)	Central Valley	
CA	Five Mile Slough (Alexandria Place To Fourteen Mile Slough).	Central Valley	
CA	Flat Rock Point Beach Area	Los Angeles	
CA	Harding Drain (Turlock Irrigation District Lateral #5)	Central Valley	
CA	Huntington Harbour	Santa Ana	
CA	Imperial Valley Drains	Colorado River Basin	
CA	Ingram Creek (From Confluence With Hospital Creek To Hwy 33 Crossing)	Central Valley	
CA	Ingram Creek (From Confluence With San Joaquin River To Confluence With Hospital Creek)	Central Valley	
CA	Inspiration Point Beach	Los Angeles	
CA	Islais Creek	San Francisco Bay	
CA	Jack Slough	Central Valley	
CA	Kings River, Lower (Island Weir To Stinson And Empire Weirs).	Central Valley	
CA	La Costa Beach	Los Angeles	
CA	Lake Calabasas	Los Angeles	
CA	Lake Chabot (Alameda Co)	San Francisco Bay	
CA	Las Flores Beach	Los Angeles	
CA	Las Tunas Beach	Los Angeles	
CA	Long Point Beach	Los Angeles	
CA	Los Angeles Harbor-Cabrillo Marina	Los Angeles	
CA	Los Angeles Harbor-Consolidated Slip	Los Angeles	
CA	Los Angeles Harbor-Fish Harbor	Los Angeles	
CA	Los Angeles Harbor-Inner Cabrillo Beach Area	Los Angeles	
CA	Los Angeles River Estuary (Queensway Bay)	Los Angeles	
CA	Los Angeles River Reach 1 (Estuary To Carson Street)	Los Angeles	
CA	Los Angeles/Long Beach Inner Harbor	Los Angeles	
CA	Los Angeles/Long Beach Outer Harbor (Inside Breakwater)	Los Angeles	
CA	Los Cerritos Channel	Los Angeles	
CA	Machado Lake (Harbor Park Lake)	Los Angeles	
CA	Main Drainage Canal	Central Valley	
CA	Malaga Cove Beach	Los Angeles	
CA	Malibu Beach	Los Angeles	
CA	Malibu Lagoon Beach (Surfrider)	Los Angeles	
CA	Marina Del Rey Harbor-Back Basins	Los Angeles	
CA	Mcgrath Lake	Los Angeles	
CA	Merced River, Lower (Mcswain Reservoir To San Joaquin River)	Central Valley	
CA	Mission Creek	San Francisco Bay	
CA	Moro Cojo Slough	Central Coast	
CA	Mosher Slough (Downstream Of I-5)	Central Valley	

CALIFORNIA IMPAIRED WATERS, CAUSE OF IMPAIRMENT GROUP: PESTICIDES, REPORTING YEAR 2006—Continued

State	Waterbody name	State basin name	Location
CA	Moss Landing Harbor	Central Coast	
CA	Mud Slough	Central Valley	
CA	Natomas East Main Drainage Canal (Aka Steelhead Creek, Downstream Of Confluence With Arcade Creek).	Central Valley	
CA	New River (Imperial County)	Colorado River Basin	
CA	Newman Wasteway	Central Valley	
CA	Newport Bay, Lower	Santa Ana	
CA	Newport Bay, Upper (Ecological Reserve)	Santa Ana	
CA	Nicholas Canyon Beach	Los Angeles	
CA	Oakland Inner Harbor (Fruitvale Site, Part Of Sf Bay, Central)	San Francisco Bay	
CA	Oakland Inner Harbor (Pacific Dry-Dock Yard 1 Site, Part of Sf Bay, Central)	San Francisco Bay	
CA	Old Salinas River Estuary	Central Coast	
CA	Orcutt Creek	Central Coast	
CA	Orestimba Creek (Above Kilburn Road)	Central Valley	
CA	Orestimba Creek (Below Kilburn Road)	Central Valley	
CA	Oso Flaco Lake	Central Coast	
CA	Palo Verde Outfall Drain And Lagoon	Colorado River Basin	
CA	Palo Verde Shoreline Park Beach	Los Angeles	
CA	Paradise Cove Beach	Los Angeles	
CA	Peck Road Park Lake	Los Angeles	
CA	Petaluma River	San Francisco Bay	
CA	Petaluma River (Tidal Portion)	San Francisco Bay	
CA	Peters Canyon Channel	Santa Ana	
CA	Pogi Canyon Creek	San Diego	
CA	Point Dume Beach	Los Angeles	
CA	Point Fermin Park Beach	Los Angeles	
CA	Port Hueneme Harbor (Back Basins)	Los Angeles	
CA	Portuguese Bend Beach	Los Angeles	
CA	Puddingstone Reservoir	Los Angeles	
CA	Puerco Beach	Los Angeles	
CA	Redondo Beach	Los Angeles	
CA	Richardson Bay	San Francisco Bay	
CA	Rio De Santa Clara/Oxnard Drain No. 3	Los Angeles	
CA	Robert H. Meyer Memorial Beach	Los Angeles	
CA	Royal Palms Beach	Los Angeles	
CA	Sacramento San Joaquin Delta	San Francisco Bay	
CA	Salinas Reclamation Canal	Central Coast	
CA	Salinas River (Lower, Estuary To Near Gonzales Rd Crossing, Watersheds 30910 And 30920)	Central Coast	
CA	Salinas River (Middle, Near Gonzales Rd Crossing To Confluence With Nacimiento River)	Central Coast	
CA	Salinas River Lagoon (North)	Central Coast	
CA	Salt Slough (Upstream From Confluence With San Joaquin River).	Central Valley	
CA	San Diego Bay Shoreline, Near Switzer Creek	San Diego	
CA	San Diego Creek	Central Coast	
CA	San Diego Creek Reach 1	Santa Ana	
CA	San Francisco Bay, Central	San Francisco Bay	
CA	San Francisco Bay, Lower	San Francisco Bay	
CA	San Francisco Bay, South	San Francisco Bay	
CA	San Joaquin River (Mendota Pool To Bear Creek	Central Valley	
CA	San Joaquin River (Bear Creek To Mud Slough)	Central Valley	
CA	San Joaquin River (Mud Slough To Merced River)	Central Valley	
CA	San Joaquin River (Merced River To Tuolumne River)	Central Valley	
CA	San Joaquin River (Tuolumne River To Stanislaus River)	Central Valley	
CA	San Joaquin River (Stanislaus River To Delta Boundary)	Central Valley	
CA	San Juan Creek	San Diego	
CA	San Leandro Bay (Part Of Sf Bay, Central)	San Francisco Bay	
CA	San Marcos Creek	San Diego	
CA	San Pablo Bay	San Francisco Bay	
CA	San Pablo Reservoir	San Francisco Bay	
CA	San Pedro Bay Near/Off Shore Zones	Los Angeles	
CA	Santa Clara River Estuary	Los Angeles	
CA	Santa Clara River Reach 6 (W Pier Hwy 99 To Bouquet Cyn Rd) (Was Named Santa Clara River Reach 8 On 2002 303(D) List).	Los Angeles	
CA	Santa Maria River	Central Coast	
CA	Santa Monica Bay Offshore/Nearshore	Los Angeles	
CA	Sea Level Beach	Los Angeles	
CA	Smith Canal	Central Valley	
CA	Stanislaus River, Lower	Central Valley	
CA	Stevens Creek Reservoir	San Francisco Bay	
CA	Suisun Bay	San Francisco Bay	
CA	Tembladero Slough	Central Coast	
CA	Tijuana River	San Diego	
CA	Tijuana River Estuary	San Diego	
CA	Topanga Beach	Los Angeles	
CA	Trancas Beach (Broad Beach)	Los Angeles	
CA	Tuolumne River, Lower (Don Pedro Reservoir To San Joaquin River)	Central Valley	
CA	Ventura Marina Jetties	Los Angeles	
CA	Wadsworth Canal	Central Valley	
CA	Watsonville Slough	Central Coast	
CA	Whites Point Beach	Los Angeles	
CA	Zuma Beach (Westward Beach)	Los Angeles	

Mrs. SCHMIDT. Mr. Speaker, I would like to yield 2 minutes to my good friend from Idaho (Mr. SIMPSON), the chairman of the Interior, Environment, and Related Agencies Subcommittee on Appropriations.

Mr. SIMPSON. I thank the gentlelady for yielding.

I rise today in support of H.R. 872, the Reducing Regulatory Burdens Act of 2011. This bill is a much-needed legislative fix that clarifies how pesticide application should be regulated. Congress never intended for pesticide applications that are already regulated under FIFRA to also require permits under the Clean Water Act. Yet because a Federal court did not interpret congressional intent correctly in a 2009 ruling, Congress must act to ensure that farmers, ranchers, forest managers, and other water users, as well as mosquito abatement districts and local governments, won't face unnecessary and duplicative regulations that would make it more difficult to do their jobs.

Everyone here supports protecting our water supplies from polluters acting in violation of our Nation's environmental laws and regulations; but it is also clear that pesticides used around streams to spray for mosquitoes and other pests are already adequately regulated under statute. Adding another layer of regulation by requiring NPDES permits for application of these pesticides doesn't make them safer. It only piles unnecessary paperwork on top of day-to-day operations for small businesses, farmers, and local governments.

My good friend from Oregon mentioned that in Oregon the application is only three pages long. So why should it be a problem? It misses the point. It doesn't matter if it's one page long or 100 pages long. The question is unnecessary dual regulation.

The legislation before us today would clarify Congress' intent that existing FIFRA regulations are adequate for aquatic pesticide use and provide needed certainty for farmers and ranchers who provide our Nation's food supply. I urge our colleagues to support this important legislative fix.

Mr. BISHOP of New York. I reserve the balance of my time.

Mrs. SCHMIDT. Mr. Speaker, may I inquire as to the balance of the time for both myself and Mr. GIBBS.

The SPEAKER pro tempore. The gentlewoman from Ohio has 1½ minutes, and the gentleman from Ohio has 5¼ minutes.

Mrs. SCHMIDT. I yield the balance of my time to the gentleman from North Dakota (Mr. BERG).

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

Mr. BERG. I rise today to strongly urge my colleagues to pass this legislation to protect American farmers from overreaching EPA rules and unnecessary regulations. If this ruling were to stand, the EPA would have full discretion over controlling a buffer zone for chemicals on crops near water sources.

Now, I have talked with farmers in North Dakota who rely on herbicides like Roundup to produce a good crop and to prevent weeds from growing. Most of central North Dakota sits in a water-rich region called the Prairie Pot Hole, and many of these farmers plant on land that is well within the EPA's buffer zone. This ruling could prevent these farmers from raising a good crop in this land.

If this ruling goes into effect, it will require over 6 million pesticide applications will have to be issued each year to tens or even hundreds of thousands of farmers. If they don't comply, they will be forced with a fine of up to $37,000 per day per incident. We know overregulation hurts American business. Overregulation hurts family farms. I strongly urge my colleagues to join me in supporting this legislation.

Mr. BISHOP of New York. I yield myself the balance of my time.

Mr. Speaker, I just want to make a couple of points. There does appear to be strong bipartisan agreement. I know it passed out of the Ag Committee on unanimous vote. There was a very heavy vote in the T&I Committee. My reservations are rooted in the fact that I believe that we are rushing to a judgment in terms of making this statute permanent. I believe we have ample evidence to suggest that we don't know enough about pesticide impairment of water bodies, both surface and groundwater, to determine whether or not it is prudent for us to make a permanent exemption to the Clean Water Act.

So when I offered the amendment, which I then withdrew, for a 5-year sunset so we could assess whether or not this action is the correct one, I believe that I was acting in a very prudent and defensible way. And I am very disappointed, again, that this was an issue that we rushed to the floor in a form that we were unable to amend so that we could get this bill passed.

Now, the urgency of time has become much less pronounced because of the court ruling that was just announced this past Monday with respect to delaying the implementation of the court ruling until the end of October.

□ 1750

Second point. I know it's very popular to talk about the Environmental Protection Agency as if they are in some ways the source of all evil in this world. This is an issue—it's important to clarify—this is not an issue that the EPA saw. We are here today because of a court ruling. And, in fact, for years, decades, FIFRA has been the controlling legislation with respect to pesticide application, and the Clean Water Act has not been invoked.

And, in fact, the EPA, in 2006, took a position that they would not engage in a process that would supersede FIFRA. It was that decision that was overturned by the Sixth Circuit Court.

We all want to come up with a way to handle this. We all recognize that pesticide application is something that is very important. I represent the largest agricultural county in the State of New York, and this is an issue that's very important to my farmers. But my farmers also recognize that they want to see to it that Federal policy is, in fact, consistent with their best interest.

There are no better environmentalists in this country than our farmers. They need clean air. They need clean water in order for them to do their jobs.

So as I say, I am opposed, reluctantly so, and I very much hope that as this goes forward and is considered by the Senate, if it, in fact, is considered by the Senate, that we will take our time, we will craft legislation that we can all support, and that we will particularly have legislation that has a sunset period so that we can evaluate whether or not we are right in taking this action today.

I yield back the balance of my time.

Mr. GIBBS. I yield myself the balance of my time.

Mr. Speaker, I would like to address a few of the concerns raised by my colleague, the ranking member of my committee. Sunset provision, it's not really necessary because this Congress can take it up anytime they want. They don't have to wait 5 years. They can take it up next week, next year. So I think that's just making a kind of a statement.

A couple of things I want to address. There was a reference to the geological survey. That reference was a report done over 10 years ago; and, really, with the detections we're finding in pesticides in our water bodies there are a lot of those pollutants from what we call legacy pollutants from years ago. Some of those detections are pesticides that haven't been used in the United States for many years. And, also, a majority of these detections are very, very low concentrations. We do have the technology to detect parts per trillion where not too many years it was parts per million, which are well below human health benchmarks.

As I said, the data is old. EPA, in the last 10 years or so, does regulate the pesticides. They certify pesticides coming on the market and the amounts that can be used under FIFRA. So that is working. The EPA can pull a product off the market if they deem necessary, if there's a problem.

The pesticides we're using today, and I'm speaking now as a farmer, are more biodegradable. They don't have the residue impact legacy. They don't stay around. They don't stick around in the soil. They break down in the soil. As a matter of fact, so many of our pesticides now break down so fast that farmers have to time the application to make sure they kill the weeds and there's enough—it's not too soon that the crop, what we call cover crop, shades out the sun for the weeds to come up underneath the canopy. And so that's important.

We're using less pesticides. The numbers will show that American agriculture is using less pesticides in lesser amounts and safer pesticides with the biodegradable aspect that we're seeing.

I think it's also important to keep in mind that this bill, it will help bring certainty. Agriculture producers, municipalities have to spray for mosquitos this summer; they know what the rules are. They have certainty to move forward by passing this legislation.

This legislation does not stop the EPA's having control over the regulation of pesticides and the certification of pesticides. And, again, many States also have pesticide applicator certification, depending on the pesticide, make a lot of applicators go through the same process. So there's some stringent rules and regulations in place.

And I would contend that FIFRA is working. If it's not, if my colleagues on the other side of the aisle feel that's not working, then we need to address FIFRA and have a bill to work on that, debate that issue.

But I think you'll find out that agriculture's moving in a safer manner to protect the environment; and this bill will keep the FIFRA in place and the EPA under their authority and their control to protect the environment and public safety when it comes especially to mosquito control districts.

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise in strong support of H.R. 872, the Reducing Regulatory Burdens Act of 2011.

This bi-partisan bill, which I am proud to cosponsor, will prevent farmers all across Eastern Washington and our nation from being subject to a burdensome duplicative permitting requirement for already regulated pesticides. If we do not pass this bill today, on April 9, 2011, farmers and ranchers will be susceptible to fines and may be forced to stop producing.

American ingenuity has enabled farmers to produce healthier higher crop yields—that capability is regulated and monitored by the Federal Insecticide, Fungicide, Rodenticide Act (FIFRA) to ensure public and environmental safety. The delicate balance of responsible regulation of pesticides and innovation was subverted by the Sixth Circuit Court's decision in National Cotton Council v. EPA. That Court's decision mandates an unprecedented

expansion of the Clean Water Act's (CWA) clearly limited regulatory prerogative by ordering pesticides that are already regulated and permitted under FIFRA to apply for additional permits not authorized under the Clean Water Act.

Time after time, we have seen special interests abuse the court system to try to side-step Congress in order to get a "pro-environmental" agenda implemented. If left unchecked, this judicially created rule would impose a substantial regulatory burden on our farmers and ranchers—starting with requiring an extra permit for pesticide applications, thousands of dollars in fines for non-compliance, and an increased risk of lawsuits down the road. This is not what the authors of the CWA or FIFRA intended. The CWA is intended to protect our navigable waters—not prevent economic development.

I urge my colleagues to vote in favor of this commonsense bill and urge the Senate to immediately take up H.R. 872 and send it to the President for his signature so that farmers and ranchers in Eastern Washington can focus on feeding and powering America—not filing out duplicative permit applications.

Mr. GIBBS. I urge passage of 872, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, H.R. 872, 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. BISHOP of New York. 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.

U.S. HELPING BRAZIL DRILL FOR OIL

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

Mr. POE of Texas. Mr. Speaker, gasoline has reached nearly $4 a gallon, and 60 percent of the American people want the administration to open up offshore drilling. Yet the administration ignores the will of the people, remaining defiant in their war on domestic energy. They continue to block access to American natural resources, refusing to issue timely drilling permits, despite a Federal court order to do so.

However, the President has announced that the U.S. is going to help somebody drill for oil. We're going to send money, billions of dollars, to Brazil and their state-owned oil company. They will use American money to drill off their coast, and then we will buy the oil back from Brazil. Isn't that lovely?

It's mind-boggling and infuriating that instead of developing our own domestic energy supply and creating jobs in America for Americans, the administration wants to become more dependent on foreign oil. Instead of propping up foreign energy companies, we need to allow American workers to drill in American water. It is wrong for the administration to prevent the development of our own natural resources while promoting the drilling off the shores of other countries.

And that's just the way it is.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2011

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

Ms. HANABUSA. Mr. Speaker, today, H.R. 1250 was introduced. Congresswoman HIRONO, along with Mr. YOUNG from Alaska, were among those, with myself, who signed onto this bill. It is the Native Hawaiian Government Reorganization Act of 2011.

This is a very misunderstood act. Well, what does it do? It really establishes us as meeting the fiduciary obligations that we have to the Native Hawaiians. This is a trust obligation that's been created long ago with the creation of the Hawaiian Homes Commission Act of 1920—1920, Mr. Speaker.

In addition to that, when Hawaii became a State in 1959, in it was contained really a public trust obligation for the betterment of Native Hawaiians as defined by the Hawaiian Homes Commission Act.

And then, of course, in Public Law 103–150 we created the concept of the Apology Resolution and, in that, recognized that we owe a special apology to the Native Hawaiians and a process of reconciliation.

This is what this act will do. It will give us the right to make things correct, and that is why I ask that you, along with the rest of the colleagues, support this.

□ 1800

THE AMERICAN DEFICIT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, there is a lot of discussion here on the floor, around Washington, and across this Nation about the American financial situation.

Some people say America is broke. There couldn't be anything further from the truth than that statement. America is a strong, vibrant economy that far and away is the largest economy in the world. We are nowhere near broke. We do have a problem. We are running at a current deficit, and that deficit is expected to grow. But to understand the deficit and to begin the process of addressing it, we need to understand from whence it came. And so I am going to start this discussion out with, hopefully, an opportunity to get a sense of how it is that the American deficit has risen to the point where it is today.

Really, we need to look back to the Ronald Reagan period. During the Ronald Reagan period, he ended his Presidency with a projected $1.4 trillion deficit for the 10 years beyond his Presidency. So we look at these things saying, okay, Ronald Reagan had 8 years. And then what was projected as a result of the policies during his Presidency? Well, what was projected was that the American deficit would grow by $1.4 trillion.

The first George Bush came into office, and at the end of his Presidency, 4 years, the projection for the 10 years after he left office, continuing the policies that were in place at the end of his Presidency, the deficit would grow to $3.3 trillion.

Similarly, the Clinton administration was in office for 8 years, and the policies that were put in place during those 8 years were projected to literally wipe out the American deficit—literally gone. A $5.6 trillion surplus as a result of the policies that were put in during the Clinton period. Those policies were tax policies. Those were the expenditure policies, a policy that we call today the PAYGO policy. That is, if you are going to start a new program, how are you going to pay for it? If you are going to cut taxes, what are you going to reduce in the expenditure pattern?

So, Reagan, a $1.4 trillion deficit projected beyond his Presidency. Bush, add another $3.3 trillion. Clinton comes along, 8 years, deficits turn into a whopping surplus and literally paying off the American debt.

George W. Bush comes in in 2001, and right off the bat, major tax cuts not associated with spending cuts but just major tax cuts. That was in 2001, followed up with a second round of major tax cuts in 2003, and in between a whole new Medicare entitlement adding a new expenditure at the same time that taxes were being reduced.

And for those of you that remember that period in 2001, we did have 9/11, and immediately we started the Afghanistan war. I think most of us would agree that that was the right thing to do, but it was not paid for. It was actually borrowed money that paid for the early Afghanistan war, followed a couple of years later, 18 months later, with the Iraq war, which once again was not paid for but, rather, borrowed money.

The result of all of that and the total pullback of the American Government from regulating the financial industry, the housing markets, was the Great Recession. At the end of the George W. Bush period, it was projected by the CBO, nonpartisan Budget Office, that the deficit would grow by $11.5 trillion if the same policies were left in place.

So where is today's deficit coming from? It is coming from the Reagan period, the first Bush period, the Clinton policies terminated, and the George W.

Bush policies put in place, leaving us with a projected $11.5 trillion deficit for the next 10 years.

Now, the rest of the story is that, as a result of the Great Recession, the Obama administration came into office looking at this situation: An economy that was headed into not a recession but a depression and a huge deficit. That was put on Mr. Obama's plate the day he took office.

To deal with the Great Recession that could have become a great depression, a stimulus program was put in place, and it was expensive. And a bailout of Wall Street was actually put in place during the last 2 months of the Bush administration. A combination of those was somewhere about $1.5 trillion to $1.6 trillion, a huge whopping sum of money, but done for a good purpose.

And I don't know many economists, in fact I know of none, who would say it was not necessary. It was necessary that we deal with the Wall Street collapse and successfully stabilized Wall Street, the financial industry. It could have been done differently. Most of that money has now been repaid.

The money that was spent, about $750 billion, on stimulating the economy was similarly successful in stabilizing the economy and causing it to rebound slowly, but nonetheless rebound.

Here we are today debating the best way to deal with the deficit. We have a proposal from the President that over the next 5 years to 6 years would significantly reduce the annual deficit; not creating a situation such as ended the Clinton administration, but bringing the deficit back into a situation that is sustainable. That is the President's proposal, based upon holding steady, no growth in the Federal budget over the next 5 years, having the economy bounce back; ending one of the tax breaks that was put in place by George W. Bush back in 2003, that is, the high income, that is, the millionaire-billionaire tax break which is still in place but would end under the President's proposal.

□ 1810

It is following along closely the recommendations of the Deficit Reduction Commission that was appointed.

Now, that is the President's proposal. What we are debating on the floor beginning early this year with H.R. 1, H.R. 1, a continuing resolution to fund the government for the remainder of the year, was a $60 billion reduction in the discretionary expenditures of this government. No one believed that that would have a significant impact on the long-term deficit problem, but it would have a very significant impact on vital, vital programs that are necessary to continue the operations of this government.

So what are we to do? H.R. 1 passed this House and was rejected by the Senate. For me, that was the right thing to do, because H.R. 1 was estimated by two different economists, not Democratic economists, but independent economists, that it would kill 700,000 jobs across this Nation; immediately increase unemployment in America, reducing tax revenues—unemployed people don't pay taxes—but simultaneously increasing the expenditures for unemployment insurance, welfare and the like.

That is not a very wise thing to do, but that is what our colleagues on the Republican side suggested we should do. And it passed, with unanimous Republican support. I think there were three or four Democrats that voted for it. I think they were wrong. I think the Republicans were wrong.

That doesn't solve the deficit. You cannot take 14 percent of the Federal budget, which happens to be the discretionary expenditures that were targeted by our Republican colleagues in H.R. 1, and expect to do anything meaningful about the deficit. The deficit has to be dealt with over a long period of time, and it has to be dealt with in such a way that we actually put in place the foundations for strong economic growth.

What are those foundations? Well, in my view, there are six of them. If this economy is going to grow soon, midterm and late, that is, in the years ahead, we have to have the best educated workforce in the world. So in the Republican proposal was an elimination of funding for higher education, funding for the Pell Grants that allow young men and women, and older men and women, to go into the university system. Not a wise thing to do.

The second thing, if we are going to have a foundation of good, solid economic growth into the future, we need to have the best research in the world. Once again, the proposal, H.R. 1, and the two subsequent continuing resolutions that have funded the government cut, cut research, critical research at our national laboratories. Nearly $800 million of funding for the Department of Energy research programs would be eliminated, laying off some 6,000 researchers, Ph.D.'s, scientists at the national laboratories that are working on research for energy production.

No one in this Nation would argue that we do not have an energy crisis. Check out the price of gasoline. We have a serious energy crisis. Yet the proposal would go right at the heart of the research that we need in order to solve the energy problem. Conservation, nuclear, cleanup of nuclear, research into photovoltaic, geothermal, all of the renewable energy research largely reduced and in some cases totally eliminated.

Health care. The fastest growing segment of our economy is health care. Research at the National Institutes of Health is wiped out, largely reduced. What kind of policy is that? If we are going to have a strong economy, we need to have a well-educated workforce. We need the research.

Thirdly, we need to take up the issue of manufacturing. We need to make the things that come out of research. Manufacturing really does matter. If we were to take the American manufacturing sector, as weak as it is today, it would still rank as the ninth biggest economy in the world. Manufacturing in the United States took an enormous hit during the Great Recession. About 25 percent of the jobs that were lost were in manufacturing. We hollowed out our manufacturing sector. If we are to grow this economy, if we are to have a serious reduction in the deficit, then we are going to have to make sure that manufacturing returns as a principal part of the American economy.

I am going to move on with the other three elements and then come back to manufacturing.

We need to have a very strong infrastructure. This is everything from water to sanitation to transportation, rail systems and air systems. One of the things that will be brought up on the floor has to do with the air transportation system in the United States. That infrastructure is critical. Yet in the proposal that we have had from our Republican colleagues, we are actually weakening the infrastructure system of this Nation. That is not a wise thing to do. But, nonetheless, our economy depends upon that infrastructure.

International investments are necessary. We need to export. We cannot find our economy growing if we continue to rely on imports. They may be cheap, but in their cheapness, they destroy the American manufacturing sector. So we need to keep that in mind as a principal investment that we need to make. It doesn't come cheaply. It requires us to spend money on the Department of Commerce that is out there helping to open markets for America. It requires us to finance the Export-Import Bank and other Federal Government agencies that actually support the export of goods and services from America.

And, of course, we have got to pay attention to the defense of this Nation. In the Defense Department, we need to always strive for efficiency. Now, I happen to oppose the war in Afghanistan. It is costing us about $120 billion a year. My view is we ought to end that quickly and spend some money focusing directly on the real threat, and that is the threat from al Qaeda and other terrorist organizations. We will come to that in a different discussion.

But those are the six critical investments: education, research, manufacturing, infrastructure, international trade, and defense. Are we doing well at those? Not if my Republican colleagues get their way with regard to the discretionary budget cuts.

There are some things that we can do that are not expensive. In fact, they actually will create jobs with no additional Federal expenditure. Let me turn to that at this moment.

□ 1820

My Democratic colleagues and I have developed a program that we call Make It in America. Make It in America. If

America is going to make it, then we have to make it in America. What are we making? We need to make all of the things that this economy and this world needs for energy security—photovoltaic, geothermal, the new biofuels, the advanced biofuels—all of those things in the energy sector that allow us to prosper and to address the energy crisis, including—and I know the problem of Japan and the nuclear systems there. But 20 percent of our energy presently comes from nuclear. And that's going to be part of the future. So we need to make sure that we make it well, safely, and that those systems are made in America.

Manufacturing matters, and we need to make sure that our manufacturing sector is up to speed and actually making things in America. We cannot count on the Chinese or the Indians or any other nation to provide us with our manufactured goods. And the reason is that's where the well-paying middle class jobs are. It's been hollowed out over the last decade by, I think, unwise policies; but nonetheless we can restore it.

Let me tell you a couple of ways that we're proposing to do this in the Democratic Caucus. I love these charts. They seem to actually make a lot of sense and help display what we're talking about.

If we're going to make it in America, we need to make sure that we are educating and researching; and so these are crucial investments that I've talked about before—research, the health sector, science, a well-educated workforce with teachers that are capable of doing what we call the STEM—the science, technology, engineering, and manufacturing kinds of education. And we need to make sure that our workers are prepared to take on these jobs. So that's the first step. That's the education and the research step of it. And these are investments, and we need to make those investments.

Let me give you a couple of other examples of where public policy really becomes important. Photovoltaic, invented in America. Wind turbines, they have been around a long, long time, windmills and the like; but many of the modern technologies that are in the wind turbine system are American research. And, of course, transportation. It turns out that we don't really do much of this—or at least a year ago we didn't do much of this. We were importing the solar systems, the photovoltaic systems, importing many of the wind turbines that are out there in the wind farms providing us with energy and importing from other countries buses and trains and light rail systems.

What we say in the Democratic Caucus is each of these are programs that are subsidized or paid for with your tax money. There are subsidies for solar, photovoltaic systems. Good. We've need to do these kind of things for energy security, and it's a good place to spend tax money to encourage the development of those kinds of systems. All well and good.

But where are those solar panels made? Are they made in America, or are they made overseas? Our view and my own personal legislation is if you want to use American taxpayer moneys to help you buy a solar system either on your business or on your home, then you buy American-made solar systems. If your transit district wants to buy a bus using our tax dollars—this is the excise tax on gasoline—18½ cents for gasoline and 25-plus cents for diesel fuel—if you want to go buy a bus from your local transit district—good. We need public transportation. But if you're going to use the public's tax money to buy that bus, then you buy a bus that's made in America. Make it in America. If you're using our tax dollars as a transit district or as a business or as a homeowner with a solar panel or a bus, then you use that tax money to buy an American-made bus.

Similarly, with wind turbines. This is a personal thing for me. In 1978, I authored the first State legislation for wind solar tax credits to get that industry started. And it did start. Altamont Hills, California, which I currently represent, has the oldest wind farm in America. Good. We're rebuilding those turbines, putting in new modern turbines, and we're expanding the wind industry in this Nation. Good. We need to do that. And we're using our tax money to subsidize it. That's good, too. But where is that wind turbine built? Is it built in Europe—Spain, Germany, Belgium? Or is it built in America?

Too many of these have been built in other countries using our tax money. And I'm saying with my legislation and the support of others that if you're going to use American taxpayer money to invest in wind turbines, then you buy American-made equipment, period. We don't need to buy Chinese wind turbines when we can make those in America.

These are ways in which we can rebuild our manufacturing base. It turns out that in the San Francisco Bay Area there is the Alameda-Contra Costa Transit District that has within that district one of the last remaining bus manufacturers in America. But until very recently that transit district refused to buy buses from a bus manufacturer in that district that was making buses that were every bit as good as buses made anywhere in the world. They have recently changed that policy.

Similarly, in the San Francisco Bay Area, the Bay Area Rapid Transit District, BART, was buying trains and wanted to continue to buy over $300 million of trains from foreign manufacturers. Many of us said whoa, whoa, whoa. Stop. Time out. Don't do that. Let's buy trains that are made in America.

So Siemens, a German company, has established a manufacturing plant and is upgrading a long-existing manufacturing plant in Sacramento to prepare itself to successfully bid for the manufacture of high-speed trains in California and around the Nation, as well as light rail systems, which they are now and have been for some time producing in the Sacramento manufacturing plant. Good. That's how we can use our tax dollars to rebuild the American manufacturing base.

As we do that, we rebuild a vital part of America's economy, that part of America's economy that was traditionally the heart and soul of middle America, the great American manufacturing sector. This is possible. Does it take new money? It takes a redirection of money that we have been spending for some time.

Let me add one more thing to it. As we look at the renewable industry, let us think about where we can find additional money to enhance the renewable energy industry. For one century, America has subsidized through various tax breaks the oil industry. We did that for the purpose of creating a very strong, viable oil industry that provided us with energy. It was eminently successful. The oil industry is the most profitable industry in America, and probably around the world. Very, very successful.

Do they need a continuation of tax breaks? Well, if you ask them, of course. Everybody wants a tax break. But do they need it? Not when they're running over the last 10 years just short of a trillion dollars of profit. The American oil industry in the last decade has earned $950 billion of profit. Do they need a tax break anymore? I think not.

I think we take that tax break, which, depending upon how much and whose estimate, is somewhere north of $10 billion, maybe as much as $20 billion a year, and use that money to build our renewable energy sector, subsidizing these kinds of things—photovoltaic, advanced biofuels, algae fuels, wind turbines—and to enhance our transportation sector.

□ 1830

These are strategies that we ought to employ. However, as to what is happening today, instead of taking the long-term view and making critical investments that actually will give us the foundation and the start to rebuild the American economy, we are going the other direction. I should say, my Republican colleagues are going the other direction. Many of us think it is the wrong direction. We should not shortchange those investments that actually will create short-term and long-term economic growth. It's critical that we continue to invest in those six things: education, research, transportation, manufacturing—obviously, we have to continue to invest in national defense, but we'd better be very, very wise.

As we do these investments—and, in fact, in everything the government does—we must always strive for two

goals: that every program be effective, which is that it actually achieves its stated purpose, and that it be done efficiently. I call these the two E's: efficient and effective. If it's not efficient, then change the program so that it would be efficient. If it's ineffective and inefficient, it should be terminated. It's very simple. But if it is effective and efficient, then maybe we ought to continue it.

Now, in this recent week, we've had our Republican colleagues put forth four bills that literally terminate all of the Federal Government programs, save two, to rebuild the housing industry in America and, more importantly, to help those families that are in desperate trouble with their mortgages. Of those programs, some of them were ineffective, necessary but not yet effective and not up to the kind of efficiency that we would want. That doesn't mean they should be terminated; that means they should be modified because the problem continues to exist.

There is a homeowner mortgage problem in America of enormous, enormous importance. Some 10 million American homes are underwater. It's a problem. We've got to find a way of dealing with that, not just ignore it and not just wipe out programs that we would need. We need to have efficiency, so we look for not a bill that would eliminate it but, rather, a bill that would modify, create more efficiency, and continue to address the problem.

To this date, our Republican colleagues have only moved to terminate, not to replace, not to rebuild. Similarly, with health care, there has only been a bill to terminate, not a bill to improve when we know that we've got an ongoing problem.

I'm going to just wrap this up and let it go where we are, but let me go back and review very, very quickly.

There has been a raging debate here in Congress about the deficit. Where did it come from? How did we get to where we are? How do we solve this problem in the future?

The deficit didn't start with the Obama administration. It started way back, actually, a little bit before the Reagan administration, the Reagan and the George Bush I administrations. It was dramatically altered by Clinton, which actually would have, if those policies had continued, created a surplus, almost wiping out the total debt of America. Then it was run up bigtime during the George W. Bush administration.

These are projections 10 years following, if we'd continued the same policies, as to what would happen. That's where it started. Then there was the great recession and the effort now to deal with that.

The Obama administration has put forth a proposal that follows closely, along with the recommendations of the deficit reduction commission, that says: Don't—don't—do anything that would harm the current recovery, like make an austerity program, like make massive cuts. Yet our Republican colleagues have done and proposed exactly that. Fortunately, the Senate has not gone along with that, but we are nickel and diming our way towards $30 billion of cuts that may, in fact, cause us to see a decline rather than a continued growth in the economy. We must watch that very carefully. So that's the deficit piece of it.

Manufacturing matters. We need to be sure that we rebuild our manufacturing sector. There are many different pieces of legislation, of tax policy. I didn't mention this earlier, but one of the tax policies put forth by the Democrats last December—it actually went into law—was to encourage investment by private companies in capital equipment, allowing those companies in the first year to write off immediately 100 percent of the cost of capital equipment. A good idea. Unfortunately, very few of our Republican colleagues voted for that. In the manufacturing sector, let's make it in America. Let's use our tax dollars to make it in America. With all of the energy programs, transportation programs, let's use our tax dollars to buy American-made equipment.

Finally, research and education. This is not where the cuts should occur. Yet our Republican colleagues are suggesting that that's exactly where it should happen: major cuts in research, energy, education, health care. You cannot make those cuts and expect this economy to be competitive.

One little fact that I just heard about today is that it is expected in the coming year that the Chinese economy will produce more scientific advancements than will the American economy. This will be the first time in, perhaps, three-quarters of a century that the United States Government will give up its lead in scientific advancements. This is not the time for this Nation to make cuts in our science agenda, whether it's in the medical/health care area, the energy area, or in any of the other kinds of research in which we have always been the leader.

Food for thought. Things for us to consider.

I would like the American people to be aware of the real deficit story. You cannot solve it by making massive cuts in just 14 percent of the budget. Yet that's what our Republican colleagues are doing. We need a long-term plan, one that is 5 years, 10 years, to bring our budget back into balance. We can do it. It was done during the Clinton period.

This little chart here gives you some idea of one half of how the Clinton period brought about a budget surplus. This is the spending side, and these are the expenditures of the American Government as a percentage of the economy.

During the Reagan/Bush period, 22–23 percent of the American economy was for government expenditures. It dropped down to 21, but it basically bounced between 21 and 23 percent. During the Clinton period, as a result of policies that were put in place during his period—PAYGO, reinventing government, and other governmental policies—we saw a steady decline in the percentage of the economy that was going to the Federal Government. At the same time, we had very strong economic growth. Those are two of the three things that operate together. There was also a Clinton tax increase that took place that basically added an additional tax burden at the very, very top of the income categories. So the combination of those reductions in the percentage of the economy that was used, good economic growth, and a tax increase that occurred in the very early period, particularly a tax increase on the very wealthy, led to a surplus. George W. Bush came in in 2001–2002, and things reversed.

□ 1840

First of all, there's an increase in the percentage of the economy that went to government, principally the Medicare drug program and the wars, and then this very, very steep rise that occurred right at the end of the Bush administration as a result of two things: one, a plummeting of the American economy as the Great Recession took hold in 2008 and the effort to deal with the Great Recession with the stimulus; and right here at the end of the Bush 2, the financial bailout. And so that's why we saw this extremely high line.

Now, you notice that in the last period, which is the 2010–11 period, we've begun to see a decline once again in the percentage of the government, of the economy that is government spending; and, if we follow carefully the budget that's been put together by the Obama administration, this line will continue to fall back into the 20 percent, 21 percent range, bringing back into balance the Federal expenditure. It cannot and will not happen overnight. It's going to take us 5 years, maybe even longer, to bring this thing back into balance.

Keep in mind the words that were used by the recommendation of the budget deficit commission: Don't do anything immediately to harm the American economy by making rapid, unnecessary, unwise cuts in the Federal expenditure. That will put people out of work. 700,000 people would lose their jobs immediately with the proposal that was put forth by the Republicans but fortunately stopped by the Senate. If that had become law, 700,000 jobs immediately lost and a spike once again in this ratio of government spending.

So we've got work to do. We can do this, but we need to take the long vision, and we need to be very careful that we make the critical investments.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 658, FAA REAUTHORIZATION AND REFORM ACT OF 2011

Mr. WEBSTER (during the Special Order of Mr. GARAMENDI), from the Committee on Rules, submitted a privileged report (Rept. No. 112–46) on the resolution (H. Res. 189) providing for consideration of the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WHAT'S SO SPECIAL ABOUT LIBYA?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, always an honor to come to this floor in these hallowed Halls and address the issues of the day.

My colleague from across the aisle was discussing jobs. That is so important to most Americans, and there is one way we could do a great deal toward immediately putting Americans back to work, and that would be if we started utilizing more of our own energy resources, which is what this Nation has been so blessed with. When you consider all of the natural resources that are natural energy sources—coal, natural gas, oil, we do have wind, places where solar works—but all of the carbon-based energy resources that are so valuable around the world, the ones for which we keep paying trillions of dollars to other nations that could be utilized here in the United States and could be utilized to create jobs right here at home, it does not make sense to keep sending hundreds of billions and trillions of dollars to countries that don't like us. We're doing that through the purchase of energy.

I've listened to all the explanations about why we've gone into Libya that have been made in the press. Those press conferences, all kinds of releases by this administration, and you still come back to trying to figure out why Libya was so much more important than Tunisia or so many of the others, Iran.

I mean, the people of Iran have attempted rebellions against madman Ahmadinejad, and this administration didn't seem to lend a helping hand, and that's a nation whose leader has sworn to see that the United States, Ahmadinejad said, will soon no longer be a Nation. As Ahmadinejad had said, we'll soon be able to experience a world without the United States and Zionism. So he says he's going to eliminate the United States; we're going to eliminate Israel. That ought to cause concern.

Have we lifted anything other than trying to prevent people from buying goods from Iran? Not really. Oh, yes, and those sanctions are going to work, and probably in another 15, 20 years they've got a real chance of working. The trouble is, in 15 or 20 years—and, actually, the possibility exists in a whole lot less than 5—if we continue to persist in sanctions and nothing more with Iran, they will get nuclear weapons, and then they will give us a choice: either remove the sanctions or count on a nuclear blast coming in your country. That's why we have to prevent them from getting nuclear weapons. But we use them, and they will certainly threaten to use them so that they can get what they want. In fact, they may get more by threatening the use once they have them than they would to actually use them.

But Ahmadinejad has made clear in a number of settings he expects the 12th Imam, the Mahdi, to be coming, and he believes he can hasten the return of the Mahdi, have a global caliphate where all of us fall on our knees supposedly or die. Well, we could prevent that, could have stopped it long before now, but we haven't.

So what makes Libya so special? It's really interesting, and it's hard to put our finger on it. Libya does produce oil. China, I understand, may be the biggest purchaser of Libyan oil but not the United States. So why should we go rushing to spend hundreds of millions or billions of dollars in Libya? Europe, England are big customers of Libyan oil. So why would we be running to help Europe and England with their Libyan oil? Well, the President's made clear, it's because they asked us to. You know, we've got a number—and Secretary Clinton has also said, she's made the rounds of the news programs, the Arab States asked us to, the U.N. asked us to, Europe and England's asked us to, so why would we ever need to come to Congress.

It's been made very clear, you know. The public has heard those comments. You don't have to come to Congress when the U.N. has said that's something that needs to be done.

It's interesting, though, I don't recall any of the Cabinet members or the President raising their right hand and taking an oath to defend the United Nations. I was thinking their oath had to do with our Constitution and our country.

And it's also been made clear that Libya was not a threat to our national security, not a threat to our vital interests; yet we're willing to put our treasure and our American lives on the line for something that's not in our vital interests. That does not make sense.

□ 1850

But then again, as you continue to piece together the Obama doctrine—we get it, that apparently intervening, risking American lives, and spending American treasure that this administration didn't earn but they are taking away from taxpayers and then borrowing from others, that's okay if it kind of feels like it ought to be something we do, you know?

If it feels like we ought to go to Libya and risk American lives and spend all that American treasure, then let's go because, after all, people asked us to do that. Why would we not go when people around the world ask us to do that? Could it possibly be that a reason for not doing it is because an oath was taken to this country—not to the U.N., not to the Chinese or the European constitutions or the European Union, but to this country? This is where the oath was taken. These are the people in America for whom and to whom the oath was made.

But then we look at energy again and we look at spending treasure; and as more people are finding out, in the last couple of years this administration has said, You know what, we're shutting down drilling on the gulf coast. We're not just going to stop the one company that had around 800 safety violations while others had one or two during the same period because, see, that's British Petroleum.

And British Petroleum, as we found out, was poised to come public and be the administration and the Democratic Party's one big energy company that rode in on a white horse and said, we support the cap-and-trade bill. We're going to make money like crazy for BP on the side trading in carbon. These stupid Americans. They don't get it. It's a transfer of wealth like nothing anybody has ever seen before. The American people lose. Companies like BP and General Electric, they'll all win big. But the American people lose.

They wouldn't go after BP. It took so long to go after them. And when you know that BP was going to be their big energy company to embrace and endorse the cap-and-trade bill, then it makes a lot more sense as to why it took the administration so long to respond. Then of course we will recall the President sat down with the BP exec and said, Okay, let's tell the American public that you are going to put up $20 billion. They did. Well, that saved some feelings, but there was never $20 billion put up.

So isn't it amazing. We don't know what all was discussed. We don't know what all quid pro quo was promised for BP coming in and offering large sums of money. Obviously, there were a lot of people on the coast that were devastated and continue to be devastated who were not compensated by any money from BP. But nonetheless, it took the heat off of BP for a while.

So perhaps the administration thought that after having the moratorium and putting tens of thousands of

families out of work, putting tens of thousands of families onto unemployment insurance, devastating tens of thousands of families, perhaps the administration thought that nobody would notice that the first permit that was extended after this moratorium, to hurt the Southern States—it actually hurt the whole country—but the first permit, I believe, went to Noble Energy Company.

But the major investor was a company called British Petroleum. Now, was that a quid pro quo? Okay, BP, we are not going to be able to take you out into the Rose Garden, have you announce that you support the cap-and-trade bill because, you know, you are just not well thought of right now. It wouldn't work right now. But there will be pie in the sky by and by if you will just play along with us for a while. Who knows what conversation occurred there.

But isn't it interesting that BP was the largest investor in the company that got the first permit after the drilling moratorium.

Now, understand, there haven't just been a glut of permits come rushing forward. There are still tens of thousands of families that were made destitute by this administration because they chose to punish the entire South and even the country, rather than allowing energy jobs to go forward in the gulf coast area.

So imagine the surprise of some of those destitute folks that have just been traumatized by this administration when they find out that our President has just been down in South America, telling the Brazilians that we think so much of their drilling that we're going to loan them $2 billion to drill off their coast and that, when they strike this oil off their coast, the President tells them, We're going to be your best customer.

Why couldn't we be our own best customer? Why couldn't we be drilling off our own coast? Why couldn't we be drilling in ANWR? Why couldn't we be drilling in the North Slope area where there's no drilling allowed yet? We would be our own best customer. We would create millions of jobs not just in the oil industry but all kinds of jobs if the President were not wanting to punish this area.

I mean, it's as if we're wanting to punish free enterprise. Actually, we've had a very cold winter where I live. Yet the EPA, under this administration, doesn't care, and they don't care that the new regulations they are coming out with would not have maybe one-billionth of 1 percent effect on the CO_2 level in the atmosphere.

Yet as a result of this administration and their war against jobs—the war on jobs—you've got the EPA out there trying to put people out of business, keeping people from hiring, when the truth is, when those jobs leave here, they go to South America. They go to China, India, different places. Then they pollute a minimum of four times more than the pollution in this country from the same industry because we do a good job of policing industries.

When the economy is going well, that is when you have the best chance of really cleaning the environment because when an economy is struggling—and China knows about a struggling economy, trying to employ people, keep them from getting upset and revolting. When an economy is struggling, people don't care so much about the environment. They are more interested in just feeding themselves, having a roof over their heads, and surviving. So if you want to help the environment, if that is the true purpose, then what you do is allow the economy to thrive.

This President has had a war on jobs, and that continues—oh, I'm sorry. I should qualify that—a war on jobs in America. Because obviously we're helping create jobs in Brazil. We're helping the Democratic largest contributor, Mr. Soros, with his single largest investment for drilling down in South America or Brazil. So the Democrats' largest investor is going to make a tremendous amount of money because we're loaning $2 billion to pay him for his investment down there to do the drilling that we won't allow in this country.

Why is it that our global President is more interested in creating jobs in Brazil than in the United States? I guess, whenever we find out that reason, it may help us understand why we expend American treasure and risk American lives in a country that is of no vital interest to this country.

It is interesting. When you look at the history of Muammar Qadhafi, this is not a nice man. This is not a man that should have avoided prison and perhaps even capital punishment, depending on the charges, the evidence, and proving the charges.

□ 1900

Yet you have to look at what will replace Qadhafi when he's gone.

Now, first we hear from the administration, no, there's no al Qaeda there rebelling, and then we find out, yes, there is. They're involved. The Muslim Brotherhood is involved in the rebellion in Egypt.

Now, Mubarak was a dictator. We're not big fans of dictatorship in this country. But when you have to look at the national vital interest here and you have a man who is in charge in Egypt who is not a threat to the United States and was living as best one could with the status quo next to Israel and yet there is an effort to throw Mubarak out of office and any kind of decent intel would indicate you've got the Muslim Brotherhood that in all likelihood will replace Mubarak, then why did we call for Mubarak to leave and allow himself to be replaced by a group that wants us all to bow the knee in one giant global caliphate to religion when some of us believe in our own, my case, Christian beliefs, heart and soul, which I had hoped to get through this life without having to die for?

But there are people who are trying to take over Egypt who we've given great encouragement to. There are people in Libya that are wanting to take over that country and its powerful military who would like us to either convert from Christianity or to lose our heads. Why would we be helping them? That's a difficult question. So if it weren't so serious, it would be an amusing game to try to figure out what this administration is attempting to do.

What is the Obama doctrine? When it comes to the budget, the President gave a wonderful speech. He read it impeccably well, about how we have got to cut spending. He gave that speech right before he released his budget. And that budget was projecting around a $3.75 trillion expenditure when we were only going to take in around $2.1 trillion. So he gave a speech about cutting spending, and he's been doing that the last 2 years, and it turns out the first year we had a $1 trillion deficit. The next year we had more than that. And this year the President's proposed a budget and spending that will be a $1.65 trillion deficit. That makes no sense. Why would you give speeches saying you're going to cut spending, and yet every year it goes up and up dramatically? That doesn't make sense.

Yet we know the results of the election in November indicated very clearly the American people want the spending cut. We can't continue to live in a country that is running up trillion dollar deficits. People will quit buying our bonds. We're dangerously close to having our bonds downgraded, our rating lowered, and if that happens, interest rates go up. And if the interest rates go up like that, that will give fodder to those who are demanding that something besides the dollar be used to buy oil. I mean, it could put this country in a terrible financial spiral downward from which it might be impossible to pull out.

I was in a plane once when I was told the baffles were taken out. It was aerobatically qualified, and I was being allowed to sit in the copilot's seat. It was a crop dusting plane, and it was kind of fun flying the plane with the joystick.

I said through the radio system in the plane to the pilot, This thing is aerobatic qualified, isn't it? You know, we could do loops and go in and out of spins. And he said, It would be, but we removed the baffles from inside the wings where the gasoline for the fuel is stored; so if we go into a spin, then the fuel all runs to one end of one wing and we go into a spin we can't get out of, and we'll crash and both of us die.

Well, that's kind of where we're heading with this thing. If we don't get the spending under control, one thing leads to another and we're in big trouble. And it's got to stop.

At the same time, we're supposed to be helping Americans with better

health care. If you liked your insurance, you were going to keep it. Yet we found out that absolutely was not true. If you liked your doctor, you can keep him. We found out that absolutely was not true. It's a bad bill.

Then when you find out that the prior Congress not only passed that 2,800-page bill with all kinds of things in it, including a new President's commissioned officer corps and noncommissioned officer corps, do we really need that, I wondered, when I had read that in the bill.

But then when you find out we're being sent to Libya and going to use our treasure and our American lives there, maybe there's intention to so deplete the military that we're going to need that Presidential reserve officers commissioned corps and noncommissioned corps that the President can call up on a moment's notice involuntarily, according to the ObamaCare bill.

But the trouble is there's already been $105 billion appropriated. It's like writing postdated checks that are due to be cashed each year into the future. Well, you're really not supposed to do that. That's not appropriate.

This isn't like Social Security where it is controlled by formulas and it's in automatic motion. This was just an appropriation. It's not mandatory. It could be repealed; but, to do so, it actually has to be rescinded.

My friend STEVE KING has got a bill that would prohibit any money that's currently been appropriated through the present from being utilized for the purposes; in other words, it ties the hands of the administration from using any of the money already appropriated for the purposes of implementing this ObamaCare program.

DENNY REHBERG has an amendment that was voted in that also has some effect in that regard.

JACK KINGSTON is an appropriator and has come up with an idea that a couple of us have joined forces with him, and I think we've got around 22 cosponsors, and that's growing constantly. But it is an approach that I would hope would attract Democrats in both the Senate and the House because it is an important principle. And I would certainly hope that it would attract Democrats in the House because it, in effect, says we're not going to do postdated checks for something besides Social Security, those type of things that were controlled by formulas. We're going to cancel the postdated checks.

Now, it should be attractive to my friends in the minority now because, someday, they may be back in the majority. If and when that happens, they surely would not want the Republican majority to have passed a decade worth of spending bills, not for Social Security, not for mandatory spending, but a decade worth of spending with postdated checks, say you can't ever stop this.

So the principle that the Kingston bill would stand on is that these type of things must be taken up annually. So we're going to cancel all the postdated checks that were going to be cashed in the future. And if the Democratic Representatives get back in the majority, some will say it's not a good idea, because if they get back in the majority, they can just appropriate that money. Well, of course they can.

□ 1910

They can pass a whole different health care bill if they get back in the majority. That's the way it works. When you are in the majority, you can pass things.

So it would not be unfair to just say we are canceling all those postdated checks, we are canceling $105 billion worth of spending; and, if you get back in the majority, it is up to you what you appropriate. But as long as we are in the majority, we are not spending that money.

That allows us to keep our promise. It allows people on both sides of the aisle to say we are standing on principle and on procedure that the majority should rule in the legislature, and not a minority that years ago was a majority. That's a better way to do it.

So there have been those questions. Some have said, why make it so complicated? In the new bill that we have proposed today and filed today, it would effectively end the $105.5 billion in the funding that was in Obamacare by turning them into an authorization without the appropriation. That means not this or any future administration would be able to spend the money without first coming to Congress and getting a majority here in both the House and the Senate to approve it.

Now, there are those that say, well, you know, there are a few good things in that Obamacare bill. Well, my gosh, when you have a 2,800-page bill, there surely ought to be something in there that is decent. And there were a few good things. But why not make those a 25-page bill instead of a 2,800 page bill? Why create all these hundreds of new agencies, the hundreds of thousands of pages of regulations, all those things that come from this massive government overload? Why not just do away with all of those things?

That is what we should do, and then start, as Senator Obama had said we should do when he said repeatedly we ought to have negotiations on a health care bill. We ought to have hearings, we ought to have negotiations that are public. Have them on C–SPAN if C–SPAN will carry it. Let everyone see who is in it for themselves and who is in it for the American people. I think the American people, even without seeing the negotiations on Obamacare, got the message who was for the American people, and that is why the House changed hands.

So we hope that in the next few days there will be more and more people get on board, because this is an important principle: A minority, even though they once were a majority, should not be able to bind future Congresses on things that are not mandatory through formulas like Social Security.

Now, with regard to Libya, there were some interesting quotes from the President's speech. He had pointed out that Qadhafi had denied his people freedom, exploited their wealth, murdered opponents at home and abroad, and terrorized innocent people. This had been going on for years. It certainly had been going on all the time that President Obama has been in office. It was going on when he was a Senator, and he had never called on these kind of things before.

But he goes on. Just two paragraphs down, he says, ''Joining with other Nations at the United Nations Security Council, we broadened our sanctions, imposed an arms embargo, and enabled Qadhafi and those around him to be held accountable for their crimes.''

Now, I'm familiar with holding people accountable for their crimes. As a former judge and as a former prosecutor, I have done that, held people accountable for their crimes. I don't see what this administration has done to make Qadhafi accountable for his crimes. In fact, there was discussion in the news today that this administration is floating the idea of some type of amnesty if Qadhafi will just leave. So that statement in his speech may be like the one, if you like your health insurance, you will be able to keep it. It sounds good, but it has no basis in fact.

The President said, ''Military jets and helicopter gunships were unleashed upon people who had no means to defend themselves against assault from the air.'' My understanding is that has happened in Burma, Pakistan, possibly in Syria. There are a lot of other countries it has happened in where we haven't gone against the administration in that country. So that was a little puzzling.

The President said, ''So 9 days ago, after consulting the bipartisan leadership in Congress, I authorized military action to stop the killing and enforce U.N. Security Council Resolution 1973.'' But the fact is, we have been told repeatedly that this administration had the support of the U.N., to whom the President did not take an oath to defend and did not have the consent of the governed in this country—not the governed and not the governed's legally elected representatives.

Now, the President said in his speech, ''We hit Qadhafi's troops.'' Well, I would think, with the President's broad education, he would understand if an infidel, or an infidel country like we are considered, kills Muslims, then we are worthy of death under what they consider the law. So if the President is right and we haven't just shot rockets and taken out certain type of military hardware, we have actually killed Muslims in Libya, then we have not made ourselves a bunch of friends. In fact, that may be one of the reasons we see the President's image being

stomped on and burned and destroyed in effigy in Libya and foreign countries.

The President said, ''I said that America's role would be limited. We would not put ground troops into Libya; that we would focus our unique capabilities on the front end of the operation, and we would transfer responsibility to our allies and partners.'' In other words, we are turning over command, but our U.S. military is doing the lion's share of the fighting. And so we keep hearing that in the news. This administration is turning over the lion's share of the effort when actually they are turning over the leadership.

My office made an official request yesterday of the administration to know what percentage of the military of NATO is U.S. military, and we were given the figure 65 percent. So it doesn't come as a great comfort to many of us that we are turning over this great responsibility that we have led as helpers in Libya to NATO when we are 65 percent of NATO. That is one of those things that sounds good. Kind of like, if you like your insurance, you can keep it. But it really doesn't have much basis in fact for comfort.

The President said in his speech, ''NATO has taken command of the enforcement of the arms embargo and no-fly zone.'' Yet, it is confusing, because those speaking for the administration here in Washington seem to indicate that we have not yet turned over command.

He says, ''Going forward, the lead in enforcing the no-fly zone and protecting civilians on the ground will transition to our allies and our partners.'' I guess that means NATO, which we are 65 percent of.

I know I look stupid sometimes, but, I mean, I can get that. If we are turning it over to a group that is 65 percent us, we really haven't turned it over. Unless we want to say, ''Yeah, but we are not leading anymore. We are putting our military under the command of foreigners who have never taken an oath to support and defend the Constitution of this country.''

□ 1920

How do you feel good about that? Well, it is hard for some of us to feel good about it.

The President says Libya will remain dangerous. The question is, dangerous to whom? We saw that after the invasion of Iraq, that Qadhafi threw up his hands and said, Hey, we will give up nukes, we will give up pursuing anything. We don't want you to invade our country, so we want to work with you. We saw a similar attitude after President Reagan dropped a bomb down his chimney.

So we know that, as long as Qadhafi knows we have a strong President who will go after him if he does anything to us, then we have nothing to fear. But we also know from his history that if he is not controlled, if we do not have a strong President who is willing to go after and punish those who are attempting to destroy us, then maybe he is dangerous. Maybe that is what the President was talking about in his speech.

Anyway, the President said we also have the ability to stop Qadhafi's forces in their tracks without putting American troops on the ground. But, here again, it didn't have the support of the American people; it didn't have the support of Congress.

It brings back to mind, when George W. Bush was President, he enjoyed playing golf. He still does apparently. I never played with him, but I understand he is a good athlete. But once troops were committed to harm's way, President George W. Bush said it didn't feel right for him to be out on a golf course while troops he committed to harm's way were in danger, so he gave up playing golf for the rest of his administration.

Yet the current administration has a President at the top who not only doesn't feel any qualms about playing golf while we have troops committed that he committed to harm's way, he will also play golf and pause long enough to commit more troops to harm's way.

The President said the democratic impulses that are dawning across the region would be eclipsed by the darkest form of dictatorship. That is, unfortunately, what the majority of Americans are concerned about happening here in America if we get away from the legislative process and forcing bills through that are not supported by the American public and forcing American commitments in places that America does not support and spending beyond anything a drunken sailor would have ever spent. We are afraid of what is happening in this country. We are afraid of what is happening to our economy.

The President said it is also what the Libyan opposition asked us to do. Well, then we find out the Libyan opposition is composed of, at least numerous members are part of al Qaeda and the Muslim Brotherhood; and apparently al Qaeda and Muslim Brotherhood representatives had not asked us to intervene militarily in Egypt or Tunisia or Syria. Maybe that is the difference, I don't know. But it is disconcerting.

The fact is, when you look at the oath we took, our allegiance is to this country. It is not to the United Nations; it is not to other countries. It is to this Nation. So a serious look at Libya and the problems there might deserve some intervention. But first we have to ask the question, is whoever will replace Qadhafi more of a danger to this country than Qadhafi? If the answer is possibly yes, then we should not be sending American treasure and American lives to help intervene on behalf of people who would like to see this Nation destroyed. That ought to be pretty commonsense.

One other factor is Israel. We have a true friend in Israel in the Middle East. But, unfortunately, our friends have seen the way we have treated our best friend in the Middle East, Israel. We vote against them at times, like we did last May. We snub them in public ways people hear about. Israel's enemies hear about how we snubbed Israel. And Israel's enemies know when there is a crack and especially, whether it is there or not, a perceived distance between Israel and their greatest ally that used to be us. Then it is time to move. That is when the flotilla came last May, is after we voted against Israel. That is when a lot of these actions began taking place. People who want to see Israel gone seem to be in the middle of revolting in a number of countries around the Middle East and Africa.

We have got to come back to what is best for the United States, and it should be very clear. With the common interests and beliefs that the people of Israel have in the value of life and the value of equality of people and the equality of women, those ought to be our friends. Those ought to be people who, when under attack, tell us we are next.

In this case, it is not a hard deduction to get to, because the people have said we want to eliminate Israel, the little Satan, and then the United States, the big Satan. So Israel is a great investment as a defense partner, because if they go, if they go down, we are certainly next, and also I happen to believe that, in blessing Israel, we can be blessed.

Before I conclude my time here tonight, it is so important to take a look historically at things that have been said in the past history of this Nation, that have been said in this building in official settings, that have been said by those who have led the way, carried a torch to light our way down the years. One such man was the Chaplain of the Senate, Peter Marshall.

I was given this book in the last couple of weeks, two or three weeks, ''Sermons and Prayers of Peter Marshall,'' while he was Chaplain of the United States Senate. I would just like to read a prayer that Peter Marshall gave in the Senate for the historical value and insight of this brilliant man, a dedicated Christian.

He said: Our father, we are beginning to understand at last that the things that are wrong with our world are the sum total of all the things that are wrong with us as individuals. Thou has made us after Thine image, and our hearts can find no rest until they rest in Thee.

We are too Christian, really, to enjoy sinning and too fond of sinning to really enjoy Christianity. Most of us know perfectly well what we ought to do. Our trouble is that we do not want to do it. Thy help is our only help. Make us want to do what is right, and give us the ability to do it.

In the name of Christ, our Lord. Amen.

A prayer by Peter Marshall.

PROPOSED AMENDMENTS TO THE CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. JACKSON) is recognized for 30 minutes.

Mr. JACKSON of Illinois. Mr. Speaker, I recently have given several Special Order speeches about my view of the Constitution and making my argument for why I think it should be amended to include certain basic rights that the American people currently lack, such as the right to a high-quality education, the right to health care, and equal rights for women.

□ 1930

I believe these rights should be given to the American people as a matter of moral and social justice. However, even more than that, I believe that there's a strong economic case for why these rights should be granted by this Congress. If we guarantee the right to an education of equal high quality to every American, and give the Congress the power to implement that right by appropriate legislation, then, Mr. Speaker, we will set off a true race to the top as States, cities, and the Federal Government are compelled to meet under the standard.

The nature of the problem: in 50 States there are 95,000 schools. There are 15,000 school districts; 3,141 counties; 19,000 municipal governments, and 30,000 incorporated cities. In all of that government there are 60 million children who are being asked to be the very best that they can be.

With my amendment, that means more teachers and teachers' aides and tutors for our kids. It means the construction companies and roofers and architects will be engaged to build new schools and improve old ones. It means technology companies benefit as computers and laptops are purchased; and, yes, iPads, Kindles, and Nooks replace textbooks.

I realize that there will be a cost to all of this, but I believe that if we can find the resources for wars in Iraq and Afghanistan and military action in Libya, then we can find the resources to educate our children and the American people. Most importantly, for 308 million Americans, we can't afford not to.

But, Mr. Speaker, I want to put my proposal tonight in some historical context, if I can. I want to suggest that through the course of human history, law is actually going somewhere. I want to suggest that at points in time from the earliest civilizations, progress has been made incrementally towards freedom, towards justice, and towards human rights.

I want to put our own Constitution and the Bill of Rights into the context at vital points in time. These documents are not the end all and the be all of democracy and freedom. No, Mr. Speaker. The very ability to amend our Constitution suggests that the Founders of our country see things the way I do—that the document they crafted was a landmark in human history, but not a perfect, final draft.

So, tonight, Mr. Speaker, I would like to take a walk through history to talk a little bit about where law and human rights have been, where they are, and where they're going. A couple of themes are going to emerge that as history shows that law is heading in a certain direction, we're going to see an action by a majority in this Congress heading in the opposite direction of human law through human history.

Like all civilizations, the roots of democracy and human rights lie in what is known as the Middle East—the Mesopotamian Empire. Although those early civilizations were decidedly not democratic and not inclusive of human rights, the evolution of law as we know it started there. Around 2350 B.C., Before Christ, Mesopotamia was ruled by Urukagina's Code, the oldest known set of laws. They are referenced in documents from the period as the consolidation of ''ordinances'' that claimed that kings were appointed by the gods, and affirmed the rights of citizens to know why certain actions were being punished.

Some 300 years later, around 2050 B.C., Ur-Nammu's Code was the earliest known written law. Only a handful of articles can be deciphered, but evidence suggests an advanced legal system with specialized judges, testimony under oath, and the ability for judges to assess damages to be paid to victims by the guilty party.

In 1850 B.C., we saw the first known legal decision involving murder of a temple employee by three other men. Nine witnesses testified against them, and three were sentenced to death. In 1700 B.C., Hammurabi's Code was carved into rock columns in Babylon. The underlying principle was ''an eye for an eye.'' Some 282 clauses regulated an array of obligations, professions, and rights, including commerce, slavery, marriage, theft, and debts. Punishment by modern standards was barbaric, including cutting off hands or fingers as a punishment for theft.

In 1300 B.C., the Jewish Torah and the Christian Old Testament say that the Ten Commandments were received by Moses directly from God. Contained in the book of Exodus, those Commandments became the basis of modern laws against murder, adultery, and stealing. Around 1280 B.C., in India, rules passed down orally through generations were formally written down as the Laws of Manu. They were the basis of India's caste system, and punishment was used sparingly and only as a last resort. Interestingly, members of the higher castes were punished more severely than those in the lower castes.

In 621 B.C., Draco's Law was written for the Athenians. The punishment was so severe—often death—that we derived the word ''Draconian'' from it. However, Draco's Law introduced the concept that the state, not private parties or vigilantes, had the exclusive role in trying and punishing a person for a crime. Shortly after Draco's Law, the Spartan King Lycurgus give his oral law to the world. Lycurgus' Law held that women had a duty to have children. But if the children were deformed, they would be killed. Those who lived became wards of Sparta at age 7 when they began preparation for military duty.

In 550 B.C., Solon, an Athenian statesman and lawmaker, redefined and refined Draco's Law by ''democratizing'' it, making it more accessible to the citizens of Athens. Around the same time, in 536 B.C., China created the Book of Punishments, which limited the ways in which somebody could be punished after being convicted of a very serious crime, but still allowed for tattooing, manipulation, the amputation of feet, and death as legal punishments.

In 450 B.C., the Twelve Tables in Rome were created. These formed the basis of all modern law. Under these laws, a system of public justice was developed whereby injured parties could seek compensation from guilty defendants. The lower classes—the plebes—were given greater protection from abuses by the ruling classes—the patricians—especially with regard to debts. The Twelve Tables also prohibited marriages between classes, severely punished death, and gave fathers the right of life or death over their sons. The Tables survived for nearly a thousand years until they were destroyed by the invading Gauls in 390 A.D.

One hundred years later, in 350 B.C., the first Chinese Imperial Code of Law, the Code of Li k'vei, dealt with the issues of theft, robbery, arrest, and other general subjects. It served as a model for the Chinese T'ang Code, which came about a thousand years later. In 339 B.C., the trial of Socrates played a role in the development of law. Accused of corrupting the minds of youth with his logic and of not believing in the gods, Socrates was a scapegoat for the loss of the Peloponnesian Wars. He was sentenced to death by a vote of 361–140, but his trial advanced the idea of the role of ''conscience'' in legal proceedings. Socrates was afforded the opportunity to speak to the jury and engage them in a dialogue. And, instead, he chose to give the jury a speech, criticizing them for their lack of sensitivity.

While it may not be contemplated as part of the traditional legal history, the life of Jesus Christ informs my personal understanding of the law. Under Jesus' law, pure motives, a mature love and grace unmerited, as well as nominal justice, good behavior, and honorable ends became important. Jesus was not replacing Moses' Law, but was seen as fulfilling and perfecting it. In the Book of Matthew, Jesus says, ''Think not that I have come to abolish the law and the prophets; I have come not to abolish them but to fulfill them. For truly I say to you, until heaven and

Earth pass away, not an iota, not a dot will pass from the law until all is accomplished.''

In Galatians, Paul writes, ''For the whole law of Moses is fulfilled in one word: You shall love your neighbor as yourself.'' In Romans he writes, ''Love is fulfilling the law.'' Thus, this Judeo-Christian understanding of the law is both a commitment to justice and the application of a knowledgeable understanding of love is important to the spiritual framework that underlies and undergirds much of my understanding and this Nation's philosophy towards the law as well as the purpose and the function of the law in society.

All law after the birth and resurrection of Jesus Christ is profoundly impacted. We make a transition from Before Christ to Anno Domini. Jumping ahead to 529 Anno Domini, Justinian's Code organized Roman Law into a series of books called ''Corpus Juris Civilis.'' This legal collection was guided by Greek and English common law, the two main influences on contemporary Western jurisprudence. Many legal principles in use today, including the very spelling of the modern word ''justice,'' emanate from Justinian, the Emperor of the Byzantium.

□ 1940

The 17-article Constitution of Japan, written in 604 A.D., shaped that country's morality and law. Paternalistic in orientation, it espoused such legalisms as ''peace and harmony,'' that they ''should be respected because they are very important for intergroup relations'' and ''equality, speediness, and integrity should be maintained in court procedures.''

One distinction that characterizes two different legal traditions is that much of traditional Asian law seeks to prevent disputes; whereas Western law seeks to resolve disputes. It is very important, Mr. Speaker. A distinction between Asian law is that it seeks to prevent disputes; whereas Western law seeks to resolve disputes.

In 653 A.D., the kingdoms that make up modern-day China were consolidated, and the T'ang Code, revising earlier existing Chinese laws and standardized procedures, was created. It listed crimes and their punishments in 501 articles. One of those allowed just two forms of capital punishment for a convicted criminal: beheading or hanging.

Shortly thereafter, in 700 A.D., China invented the use of fingerprinting as a means of identifying people.

In 1100 A.D., the first law school came into existence.

The basis of English common law in 1215 A.D., the Magna Carta, was signed by King John. It forced the King, for the first time, to concede a number of rights to the barons and to the people. Its 61 clauses included freedom of the church; fair taxation; controls over imprisonment, habeas corpus; and the right of all merchants to come and go freely except in time of war. Its most important clause was No. 39, stating that no freeman shall be captured or imprisoned except by the judgment of his peers or by the law of the land. Now even the King was restrained from merely exercising his will against another person.

In 1689, the English Bill of Rights was enacted, the precursor of our American Bill of Rights. It prohibited the arbitrary suspension of Parliament's laws, and more importantly, limited Parliament to the right to raise money through taxation.

In 1692, the Salem witch trials captivated Salem, Massachusetts. The fervor resulted in more than 300 accusations of witchcraft, with 23 executions as a result. It thrust the justice system into the popular mind in a way never seen before.

In 1740, the infamous South Carolina Slave Code, which regulated the use of slaves, became the model for slavery in other States. It said: ''All Negroes, Indians . . . and their offspring . . . shall be and are hereby declared to be and remain forever hereafter slaves; and shall be deemed . . . to be chattels personal in the hands of their owners.''

Then in 1765, law became more accessible to the common man when a British barrister named Blackstone wrote down the entire English law system in an easy-to-read, four-volume ''Blackstone's Commentaries on the Laws of England.'' Blackstone's work was easily exported to the new British colonies and was the basis for the governments there according to many legal scholars.

In 1772, the Somersett case captured the world's attention. James Somersett, a slave in Massachusetts, escaped from his master while on a trip abroad in England. He was recaptured and imprisoned, to be sent to Jamaica, then a British colony; but three English citizens claimed to be his godparents. Three white citizens claimed to be the godparents of an African American slave, and they filed a suit, alleging that slavery was not legal under British law. They won their case. Somersett was freed, and slavery was finished in Great Britain.

The reaction in the colonies was profound. Partly in response to the Somersett case, the colonies in America revolted. In 1776, the Declaration of Independence by the American colonists from Great Britain created a new day for human rights. It asserted ''all men are created equal'' and have ''certain inalienable rights and that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their powers from the consent of the governed.'' But we know that the writers of the Declaration did not intend those words to apply to all men and certainly not to women or to the American slave.

The Constitution of the United States of America was signed in Philadelphia on September 17, 1787, and was ratified by nine States on June 21, 1788. It formed the legal basis for the first republican form of government in the history of the world. It defined the institutions of government and the powers of the executive, the judicial, and legislative branches. Its shortcomings with respect to slavery, along with the power struggles between the Federal Government and the States, are well documented. Nevertheless, the Constitution and its inherent ability to be amended have been the model for many other nations in attaining their independence, and represent one of the most important steps in the development of law and human rights.

The American Bill of Rights, the first 10 amendments to the Constitution, was approved and ratified in 1791. These 10 amendments, in the tradition of Thomas Jefferson, declared rights in the areas of free speech, free press, free religion, the right to trial by jury, protection against cruel and unusual punishment, and unreasonable searches and seizures. The Bill of Rights has influenced many modern charters and bills of rights around the world, and stands as one of the bedrocks of not just our democracy but of human rights history.

In 1803, in Marbury v. Madison, the Supreme Court upheld the supremacy of the Constitution and stated unequivocally that the Court had the power to strike down actions taken by American State and Federal bodies that, in its judgment, were unconstitutional. This principle of ''judicial review'' represents, in my opinion and in the opinion of many legal scholars, the biggest advance in American law since the Constitution was ratified. It serves as a model for the balance of powers that many other nations have adopted.

One year after Marbury, France adopted the Napoleonic Code, which canonized many of the victories of the French Revolution, including individual liberty, equality before the law, and the ''consent of the governed'' character of the state. It had great influence beyond France, with Quebec, Canada, Germany, Switzerland, California, and Louisiana adopting parts of it.

The Geneva Convention of 1864 set forth basic human rights standards during times of war, including protection of military medical personnel and humane treatment of the wounded. It was later supplemented by a Prisoner of War Convention. Though it has been violated and ignored on numerous occasions, the Geneva Convention remains an important legal document and a milestone on the march of law and human rights.

In 1865, following the Civil War, the U.S. Congress passed, and the States ratified, the 13th Amendment to the Constitution, officially ending legal slavery.

Prior to that, the 10th Amendment was the turning point in the Constitution of the United States. Those rights not written in the Constitution are in the purview of the States.

The addition of the 13th Amendment to the Constitution established a new

paradigm. If slavery, as conservatives and Southerners argued, is a State right, then States' rights can never be human rights.

The Constitution, with the addition of the 13th Amendment, changed the present order and the divided time.

I'm in Congress today, and Barack Obama is President of the United States because of the Constitution and its capacity to change time and space.

In 1948, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights, which puts forth a legal code of internationally recognized human rights. It serves as a basic guide to the fundamental rights of all people.

Since the adoption of the Universal Declaration of Human Rights, we've seen many, many more landmarks in human rights that have been reached. We're even watching the Middle East now seek even greater human rights against monarchies and kings and other leaders who are despots and not believing in the basic rights of people.

While we've failed to ensure full equality for all women in this country, we are making progress towards pay equality. I believe we need to amend the Constitution to ensure that women have fully equal standing with men.

We've enacted hate crimes legislation, and many States have moved towards marriage equality for gays and lesbians. We have much more work to do on that front.

And as I began my remarks tonight, I began, Mr. Speaker, by saying that we need to amend our Constitution to include certain rights that the American people should have but don't. As I just said, we need to include equal rights for women; we need to include the right to a public education of equal high quality; we need to include health care as a right for all Americans.

Mr. Speaker, it might surprise some Americans to know, which we learned in Bush v. Gore, that we don't even have a fundamental right to vote in the U.S. Constitution, only a right to not be discriminated against in the States while voting.

So, from the earliest civilizations in Mesopotamia, through the development of Europe, Asia, North America, and the rest of the modern world, we have seen greater democracy; we've seen more inclusion; we've seen more freedom; we've gone from vigilante justice, to ''an eye for an eye,'' to the modern criminal justice system. The death penalty was a common response to crime in many of the earliest civilizations, and it persists to this day in many places around the world, including here in the United States. My home State of Illinois, thanks to Governor Pat Quinn, recently banned the death penalty. I personally support that, but I know many of my colleagues would not.

There is an element in this Congress that is heading in the opposite direction of human law and human history, but the arc of history continues. The development of law and human rights did not stop with the writing of our Constitution, and it did not stop with the writing of our Bill of Rights.

□ 1950

The Constitution is not a static, set in stone, take it as it is and only as it is document. It, like the overall development of human rights and law through time, is organic. It's dynamic. It's living. It's forward-looking. It is adaptable to the challenges of a new day and a new world.

In fact, in their infinite wisdom, the Framers of the Constitution set up the very mechanism by which the march of justice and human rights could continue: an amendment process. It's not an easy one, and it's not one that should be taken lightly, but I believe we should, indeed, revisit our sacred document and amend it to include fundamental freedoms for the American people.

Thus, human law and political rights have evolved through history to ever higher forms and the granting of more rights. This has also meant that responsibilities and obligations have moved away from external sources and appointed governmental power to the voice of the majority of the democratically elected representatives of the people.

The word ''democracy'' is comprised of two Greek words: demos and kratos—people, strength or power—people power. It means we the people have the strength and the power in the end to elect people to make our laws and rules. We the people have the right to declare what rights we have and what rights we don't have, what rules we will live and play by, and under which laws we will be governed. A representative democratic government is a political structure and arrangement whereby the supreme governmental authority is accepted, and the rules are made with the consent of a majority of the common people.

Thus, the contrast between organic, evolutionary, and political nature of the law versus the static, strict constructionist, and natural view of the law should be clear in terms of the creation and preservation of political rights in human development.

The approach of conservatives to play down or advocate an antipolitical, antilegislative, and anti-Federal Government philosophy of social change is, therefore, certainly not a strategy designed to advance the public interests or real economic interests of the majority of the American people. These conservatives and tea party activists who will descend upon Washington tomorrow are acting on behalf of the special interests of the few who do not want mass democratic participation and action. This antigovernment and undemocratic conservative approach is a strategy to undermine progressive and economic change intended to benefit the public good.

In a living democracy, we must continually criticize and reform our politics, our government and policies to keep them relevant, effective, efficient, accessible, accountable, and responsive to real people's needs. This is very different, however, from criticizing politics and the government, per se, as irrelevant and ineffective as instruments of change or protecting old rights as opposed to advancing new ones.

It is quite clear that the strict constructionist constitutional approach of conservatives like Mr. Quayle and Mr. Buchanan, Mr. Robertson and Mr. Meese, Mr. Bork and George W. Bush seem to be frozen in time, backward-looking and fearful philosophical views of government, history, and the Constitution.

Strict constructionism, Mr. Speaker, runs contrary to the whole legal development of rights in human history. Strict constructionists look back to the Founders' original document only, before the 13th, 14th, and 15th Amendments and other progressive amendments to the Constitution were added, before nonlandowners could vote, before Lincoln's Gettysburg Address. Strict constructionists, as former Supreme Court Justice Thurgood Marshall said at an event celebrating the 200th anniversary of the writing of the Constitution, ''believe that the meaning of the Constitution was 'fixed' at the Philadelphia Convention.'' That would require us to know their original intent and rigidly preserve the Founding Fathers' philosophy, even though they were all men, most were slaveholders, and they allowed slavery in the Constitution. A strict constructionist interpretation of the Constitution also means a reaffirmation of States' rights as the preeminent guiding legal principle.

A broad interpretation, on the other hand, sees the Constitution as forward-looking, as living, as positive, and a hopeful document. We respect the past and the positive contribution that the Founders made. We seek to understand their intent and the full context in which the Constitution was written, and we seek to understand to the fullest its original meaning. But we also know that it has been changed and improved along the way in order to be more inclusive of all the American people. Therefore, we also know that we have an obligation today to improve it even further.

The more people are made aware of their rights to which they are entitled, the rights which have already been written in national and international law, the more politically educated and conscious people become of these rights, the more politically active and organized the common people become in the struggle to achieve these rights, and the more accessible and responsive our democratic institutions of politics and government become to the democratic will of the people, the faster and more nonviolently we as a society will be able to achieve a new and higher set of human rights.

Mr. Speaker, since this Congress has begun, I've been coming to this floor

talking about one issue, and that's high unemployment. And in order to wipe out unemployment, which we've been recording from 1890 to 2011, we need a massive jobs program in this country. I recommend a jobs program that benefits all Americans: the rebuilding of 95,000 schools in this Nation to an equal high-quality standard; putting roofers, brick masons, electricians, teachers, carpenters to work; providing unprecedented technological access to the Internet and modern forms of communication to 60 million children across our country.

Unfortunately, Mr. Speaker, tea party activists and conservatives in both the Democratic Party and the Republican Party, many of them don't see it that way. But I see something different. I see an America that can build runways for airplanes in States all across this country and build an interstate transportation system by one national Federal standard.

We simply can't build schools and provide an equal high-quality education for 60 million children in 50 different States in 15,000 locally controlled school districts in 3,100 counties in 19,000 cities across this country one school at a time. If there's enough money to fight the war in Iraq, if there's enough money which this Congress keeps writing the check for to fight the war in Afghanistan, if there's enough money to spend $550 million in 1 week bombing Libya, then, Mr. Speaker, we can find the money in this Congress to rebuild these schools, reduce unemployment, put 15 million unemployed Americans to work, and change the course of our country. If we can put 15 million Americans to work, we can wipe out the Nation's debt, its deficit, and provide a long future for the American people.

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

PRESIDENT CARTER'S RECENT VISIT TO CUBA

The SPEAKER pro tempore (Mr. NUNNELEE). Under the Speaker's announced policy of January 5, 2011, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 30 minutes.

Mr. DIAZ-BALART. I appreciate the recognition.

Mr. Speaker, on March 28, former President Jimmy Carter arrived on a trip to Cuba at the invitation of the Cuban dictatorship. He arrived there, and originally in his agenda that was made public he had no meetings with any of the internal opposition leaders, no meetings with any of the civil society leaders, no meetings with anybody other than the regime.

I know that he met with the dictator who's been oppressing and torturing and savaging that population without obviously having free elections for over 52 years, for over half a century. He called the dictator, Mr. Castro, his dear friend.

Mr. Speaker, right before former President Carter arrived at that enslaved island, the regime went about arresting and detaining a rather large number of people, people who they wanted to make sure didn't make trouble. Now, remember, that making trouble in that totalitarian regime, Mr. Speaker, is speaking out, asking for freedom, just getting together and organizing and asking for some basic human rights. So they started systematically detaining and arresting and harassing people so that former President Carter wouldn't have to see, wouldn't have to be bothered with the inconvenience of people actually speaking out and asking for freedom and asking for democracy.

□ 2000

A group of people, Mr. Speaker, actually went in front of the old capitol building. A capitol building, by the way, that doesn't look very dissimilar to this Capitol building, where at one time, debates in the democratic society used to take place, where people argued and debated in a peaceful fashion about their future, about their agreements and disagreements.

So a group of people decided to demonstrate in front of that building, which is actually very emblematic as to what they were talking about, and basically just to say, We want freedom. We want democracy. We want the ability to speak out and determine our future. But for that they were again harassed, and for that they were arrested.

Eriberto Liranza was reportedly beaten by state security rather harshly. Several were detained at the protests in Havana, including activist Eriberto Liranza Romero, the president of the Cuban Youth for Democracy movement, and Boris Rodriguez Jimenez, a member of that same organization.

Mr. Speaker, one of the heroes that I greatly admired is a man named Jorge Luis Garcia Perez. Everybody knows him as ''Antunez,'' by one name. He mentions, and he said, This action, this action of just demonstrating is a demand for the freedom of the political prisoners; and in response, a moral slap in the face for the campaign's undertaking by the regime to divide the opposition. He went on to say, Mr. Speaker, ''We are true to our motto: The streets belong to the people.''

But, you see, unfortunately in Cuba, just standing out, walking together, like the Ladies in White do, and when they just demonstrate peacefully together, they walk together as a symbol of just speaking out because their relatives, their husbands and fathers and sisters and daughters and brothers and sons, et cetera, are in prison. Just for doing that, they get savagely beaten by that regime.

While President Carter was there, did he insist on free elections for the Cuban people? No. Did he insist on meeting with and speaking about and talking about those who are suffering in the dungeons, the political prisoners? No, Mr. Speaker, he did not. And as I mentioned at the beginning, sir, he really didn't even have it on an agenda to even meet with anybody, other than the regime, until I guess he was a little bit embarrassed by some of the reports and eventually decided to allow some people to try to meet with him.

So did he speak out about the savagery of the regime? Did he speak out about the lack of elections? Did he demand free elections for the enslaved people? Did he demand for an end to the apartheid system? Did he demand that that regime turn over the multiple, the many fugitives from American law who are harbored by that terrorist regime 90 miles away from the United States? No, Mr. Speaker, he did nothing of that sort.

But let me tell you what he did do. He spoke of and he complained about the sanctions that the United States Government has to try to show solidarity with the Cuban people, to have leverage with that regime once Castro is no longer in the picture, which I think is sooner than people expect. He complained about the attitude and the policies of the United States Government but not about the policies of that thug, that dictatorship 90 miles away. He didn't complain about what they do, what that dictatorship does to its own people.

Did he complain about the mass arrests of those heroes who wanted to speak out and who decided to use that opportunity in front of the capitol building to just ask for freedom? No, he didn't do that, Mr. Speaker, but he did complain about U.S. policy.

He went a step further. He went on to demand the release in the United States of five convicted criminals, five people who were convicted in the United States, in a country where we have due process, we have all the rights and all the rights that are provided to a defendant, five people who were convicted of espionage and one who was also convicted of conspiracy to commit murder. So former President Carter did ask that those convicted in a court of law, with all the due process that we have in this country, for espionage and for conspiracy to commit murder, he did ask and demand their release. But he did not ask or demand the release of the hundreds and hundreds of political prisoners who are rotting in prison while he was there.

So it's a sad day, Mr. Speaker. It's a sad day, I think, for humanity.

I know a lot of people who are listening are probably not surprised. I recall that when the Cuban dictator was gravely ill, it was reported that former President Carter wrote him a nice little letter, a nice note, hoping that he would recover and that he would recover his health. And now, again, former President Carter called him his dear friend, hoping that he would recover.

This is a regime who had asked on multiple occasions for the then-Soviet Union to strike the United States with

nuclear weapons, to do a first strike on the United States with nuclear weapons, and yet former President Jimmy Carter was hoping that he would recover. This is a regime that is a state sponsor of terrorism 90 miles away from the United States, and yet former President Jimmy Carter sent him a note that he would hope that he would fully recover. This is a regime who our GIs died in Grenada, the island of Grenada, liberating that island and died at the hands of the troops that the Cuban regime had sent there, and yet former President Jimmy Carter was hoping and writing that that dictatorship would fully recover. This is a dictatorship that harbors U.S. fugitives, that harbors terrorists, that is on a list of states that sponsor terrorism, one of just four on that list, and yes, former President Jimmy Carter was hoping that he would fully recover.

Well, unfortunately, the dictator has somewhat recovered. And what has he been doing? Well, more of the same. He still harbors the terrorists. He still harbors the fugitives, and he still is creating all sorts of havoc around the hemisphere. But he also, in addition to that, continues to enslave his people, to oppress his people, to torture his people. And we've seen example after example of that with, again, the last arrests that I just spoke of.

Mr. Speaker, a couple of weeks ago a group of us here in Congress spoke to another one of my heroes, Dr. Oscar Elias Biscet. Oscar Elias Biscet is a brilliant young Afro-Cuban physician. He founded the Lawton Foundation for Human Rights in 1997, and that was founded just to promote the study and defense of human rights and to denounce human rights violations inside of Cuba and wherever else they may take place. Now, for denouncing the double standards and discrimination against the Cuban people, the discrimination that the Cuban health care system has for the Cuban people, he was forbidden from practicing medicine. Again, he is an M.D.

In November of 1999, Dr. Biscet was imprisoned for 3 years just for organizing a peaceful pro-democracy protest. He was released in 2002. By the way, again, he was no longer allowed to practice medicine. But he was released in 2002. So what he did was he organized seminars on just the Universal Declaration of Human Rights.

I snicker because, you know, that's something that every day people talk about. I mean, my colleague on the other side of the aisle just spent quite a large part of his time talking about the evolution of the Constitution, et cetera, and human rights. Well, Dr. Biscet, when he was released in 2002, he talked about the Declaration of Human Rights.

□ 2010

So he was arrested once again in December of 2002 for attending seminars and for organizing some of those seminars.

On April 7, 2002, Dr. Biscet was sentenced to 25 years in prison. He has been incarcerated in multiple prisons around the island in multiple gulags and has suffered greatly in his incarceration.

On November 5, 2007, President Bush recognized Dr. Biscet by presenting him, in absentia of course, he was not allowed to visit with him, the Presidential Medal of Freedom, and stating that Dr. Biscet is a champion in the fight against tyranny and oppression. Despite being persecuted and imprisoned for his beliefs, he continues to advocate for a free Cuba in which the rights of all people are respected.

I said, Mr. Speaker, that a group of us, CHRIS SMITH from the State of New Jersey, Congresswoman ILEANA ROS-LEHTINEN, chairperson of the International Relations Committee, and I, spoke to Dr. Biscet by telephone. And, obviously, the first thing was we asked him about his health. And he has suffered greatly in prison.

I can tell you, Mr. Speaker, that he has not, however, given up his efforts. He said, You know, I am recuperating so I can continue the struggle for freedom.

We asked him about, well, what was his opinion about the policy, the United States policy? By the way, the same policy that former President Jimmy Carter now has just criticized. He said, there are some that claim that if we just opened up trade and we just opened up and we got rid of the sanctions that freedom would come to the Cuban people.

He was emphatic. He was so emphatic. He said, no, no, no, no, no. He said, tyrants are always looking at ways to get more money. Tyrants are always looking at ways of getting more revenue. But he further stated, the only thing that would do—and I'm paraphrasing what he said—but he was very emphatic and very clear. The only thing that would do, he said, would be to strengthen the dictatorship. It wouldn't help the Cuban people. It would strengthen the dictatorship.

Did former President Jimmy Carter meet with Dr. Biscet, the recipient of the Medal of Freedom? No, he did not. He did not because he probably would have not liked to have heard what Dr. Biscet would have had to say. He would have not liked to have heard about the oppression and the lack of human rights and the lack of dignity that those who suffer in Castro's gulags have to suffer, while former President Jimmy Carter calls the dictator in Havana his good friend.

There are other such incredible heroes that are on the island, Mr. Speaker. I mentioned Dr. Biscet, but I also want to mention Antunez, as I mentioned before. Antunez served almost two decades in prison. He received incredible tortures, beatings, multiple beatings, while he was there; and, yet, when released, his attitude has been what? His attitude has been one of great dignity, of great courage, of standing up and he continues to demand elections, continues to demand freedom.

And he also would tell you, if he could be speaking here today, that we have to stay firm and we have to hold steadfast and show solidarity with the Cuban people, not with the regime, not with those that former President Carter calls his good friends, not with those that former President Carter says that they should continue to prosper, when they were ill, hoping that they would do well and fully recover. No, we have to hold firm and stand with the Cuban people.

Mr. Speaker, I'm so convinced, so convinced that the Cuban people will be free, despite the apologists, despite those that go out of their way to try to make the regime look good, try to make the regime look like they're this wonderful, charitable regime because every once in a while they may free a political prisoner as a token gesture.

Despite that, the Cuban people continue to stand firm. Their heroes are still there; the Mandelas and the Havels of Cuba are on the island. They're speaking out. Most of them, many of them have been in prison. Many of them have been tortured and beaten, but their spirit remains strong, Mr. Speaker. They continue to speak out.

And despite individuals like, unfortunately, former President Jimmy Carter, who looks for every excuse and every opportunity to criticize the policies of the United States and yet refused to criticize the savagery of that dictatorship, despite that, I'm absolutely convinced that the Cuban people will be free because of the heroes like Dr. Biscet and Antunez and many more.

So I am not discouraged. I am not discouraged when I see these gestures of solidarity with the dictatorship. I am not discouraged when people go down to Havana and, you know, might have a mojito and relax and go to the beaches and tour the hotels where the Cubans are not allowed to go unless they're accompanied by foreigners. I'm not discouraged because ultimately truth always reigns, because ultimately the rights of individuals always surface. Ultimately, those that sacrifice and that work hard and the heroes who, by the way, are the future leaders of a free Cuba, those heroes who are in the dungeons or who are in and out of the dungeons, they don't give up. And they're not discouraged, and they're not quieted, and they will not be intimidated.

So, Mr. Speaker, despite this, what some would call a slap in the face to the cause of human rights and democracy in Cuba, I will tell you further than that, the cause of human rights and human dignity around the planet, despite that that former President Jimmy Carter has just attempted to do, I'm not discouraged. On the contrary, I am as encouraged as ever.

I think I might end by reading a letter, if I actually have it here. No, I

don't think I have it. I do want to mention, though, that one of our colleagues in the Senate, a Democrat, Democrat from New Jersey, Senator MENENDEZ, wrote a letter to former President Jimmy Carter where he expressed, and I will be submitting that for the RECORD, Mr. Speaker, where he expressed what Jimmy Carter, what former President Jimmy Carter should be talking about. And he expressed how it was rather incredible that the former President would not demand the freedom of the Cuban people and would criticize the policies of the United States.

And as Senator MENENDEZ says in that letter, the issue is not what the policy of the United States is with the Cuban regime. The issue is the policies of the regime and the oppression of the regime with its own people. And once again, Senator MENENDEZ, Democrat from New Jersey, is right on.

With that, Mr. Speaker, I just want to again say that we do not forget the heroes in the island. We do not forget those who are struggling and working and speaking out and suffering the consequences for their actions in the island. We do not forget them. We admire them. We support them. We are humbled by their courage. We are humbled by their love for freedom and what they are willing to sacrifice for that freedom, and we know that sooner than I think some may believe and clearly sooner than some would like, they too will be free. They too will be able to discuss the issues in public. They too will be able to make the determination as to the future of their country.

I am encouraged and humbled by their leadership, despite sometimes the sadness of what we have to listen to by those who still continue to call Fidel Castro their good friend.

MARCH 29, 2011.

Hon. JIMMY CARTER,
The Carter Center, One Copenhill,
Freedom Parkway, Atlanta, GA.

DEAR PRESIDENT CARTER: I am writing to express my grave concern about your visit to Cuba this week to discuss improving U.S.-Cuba relations.

Your visit suggests that the improvement of relations between the United States and Cuba is contingent upon some action by the United States, rather than acknowledging that it is Cuba's intolerant and tyrannical actions that continue to define the future of U.S.-Cuba relations. While you are visiting with President Castro and other Cuban officials to learn about new economic policies and the upcoming party Congress, the regime's thugs are in the streets harassing and arresting scores of political dissidents who dared to hope that you would hear their pleas and argue on their behalf for the adoption of political reforms. The fate of American Alan Gross, a USAID contractor who sought to assist the island's Jewish community, also hangs in the balance while you meet with the political elite that are directing the crackdown on Cuba's peaceful civil society activists. On Sunday, the regime detained activists Adriano Castañeda Meneses, Yris Tamara Pérez Aguilera and Jorge Luis García Pérez Antúnez and on Monday, Liranza Romero, president of the Cuban Youth for Democracy Movement and Boris Rodriguez Jiménez were arrested when they attempted to stand in front of the Capitol with signs reading ''Freedom without Forced Exile for Cuba's Political Prisoners'' and ''The Streets belong to the Cuban People.''

I urge you to address with President Castro the aspirations of Cuba's civil society to live in a democratic state whose laws are derived and implemented by their democratically elected representatives and are based on the core principles of respect for human and civil rights, including the freedom of expression and freedom of assembly.

As we witness unprecedented movements for democratic change in the Middle East, I appeal to you to recognize that same heartfelt desire amongst the Cuban people and to urge the regime to fulfill the democratic aspirations of the Cuban people.

Sincerely,

SENATOR ROBERT MENENDEZ.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BARTON of Texas (at the request of Mr. CANTOR) from noon today and for the balance of the week on account of a death in the family.

ENROLLED BILL SIGNED

Karen L. Haas, 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. 1079. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

ADJOURNMENT

Mr. DIAZ-BALART. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 31, 2011, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the fourth quarter of 2010 and the first quarter of 2011 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO KUWAIT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 20 AND FEB. 26, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. David Dreier	2/20	2/21	Kuwait		425.00		(3)				425.00
Hon. David Price	2/20	2/21	Kuwait		316.00		(3)				316.00
Hon. Lois Capps	2/20	2/21	Kuwait		425.00		(3)				425.00
Hon. Sam Farr	2/20	2/21	Kuwait		425.00		(3)				425.00
Hon. Jim McDermott	2/20	2/21	Kuwait		425.00		(3)				425.00
Rachael Leman	2/20	2/21	Kuwait		425.00		(3)				425.00
Brad Smith	2/20	2/21	Kuwait		425.00		(3)				425.00
Robert Lawrence	2/20	2/21	Kuwait		425.00		(3)				425.00
John Lis	2/20	2/21	Kuwait		425.00		(3)				425.00
Asher Hildebrand	2/20	2/21	Kuwait		316.00		(3)				316.00
Brian Monahan	2/20	2/21	Kuwait		425.00		(3)				425.00
Hon. David Dreier	2/21	2/25	Indonesia		777.00		(3)				777.00
Hon. David Price	2/21	2/25	Indonesia		681.00		(3)				681.00
Hon. Lois Capps	2/21	2/25	Indonesia		777.00		(3)				777.00
Hon. Sam Farr	2/21	2/25	Indonesia		777.00		(3)				777.00
Hon. Jim McDermott	2/21	2/25	Indonesia		777.00		(3)				777.00
Rachael Leman	2/21	2/25	Indonesia		777.00		(3)				777.00
Brad Smith	2/21	2/25	Indonesia		777.00		(3)				777.00
Robert Lawrence	2/21	2/25	Indonesia		777.00		(3)				777.00
John Lis	2/21	2/25	Indonesia		777.00		(3)				777.00
Asher Hildebrand	2/21	2/25	Indonesia		711.00		(3)				711.00
Brian Monahan	2/21	2/25	Indonesia		777.00		(3)				777.00
Hon. David Dreier	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Hon. David Price	2/25	2/26	Timor-Leste		165.00		(3)				165.00
Hon. Lois Capps	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Hon. Sam Farr	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Hon. Jim McDermott	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Rachael Leman	2/25	2/26	Timor-Leste		176.00		(3)				176.00
Brad Smith	2/25	2/26	Timor-Leste		176.00		(3)				176.00
Robert Lawrence	2/25	2/26	Timor-Leste		190.00		(3)				190.00
John Lis	2/25	2/26	Timor-Leste		190.00		(3)				190.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO KUWAIT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 20 AND FEB. 26, 2010—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Asher Hildebrand	2/25	2/26	Timor-Leste		165.00		(3)				165.00
Brian Monahan	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Committee total					14,854.00						14,854.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. DAVID DREIER.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JO BONNER.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XIV, executive communications were taken from the Speaker's table and referred as follows:

933. A letter from the Acting Chairman, Joint Chiefs of Staff, Department of Defense, transmitting the 2011 report on vulnerability assessments, pursuant to 10 U.S.C. 2859; to the Committee on Armed Services.

934. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Safety of Facilities, Infrastructure, and Equipment for Military Operations (DFARS Case 2009-D029) (RIN: 0750-AG73) received March 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

935. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Multiyear Contract Authority for Electricity from Renewable Energy Resources (DFARS Case 2008-D006) (RIN: 0750-AG48) received March 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

936. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 10-78, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

937. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-135, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

938. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-135, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

939. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-137, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

940. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-137, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

941. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-144, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

942. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-144, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

943. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-143, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

944. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-133, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

945. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-145, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

946. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Memorandum of Justification regarding the determination under Title II of the Foreign Appropriations, Export Financing and Related Programs Appropriations Act, 2002; to the Committee on Foreign Affairs.

947. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification relating to Pakistan; to the Committee on Foreign Affairs.

948. A letter from the Inspector General, House of Representatives, transmitting the final report on the Atlas Deployment Support Project; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEBSTER: Committee on Rules. House Resolution 189. Resolution providing for consideration of the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes (Rept. 112–46). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Mr. GOODLATTE, and Mr. ISSA):

H.R. 1249. A bill to amend title 35, United States Code, to provide for patent reform; to the Committee on the Judiciary, 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 Ms. HIRONO (for herself, Ms. HANABUSA, Mr. YOUNG of Alaska, Mr. FALEOMAVAEGA, Ms. BORDALLO, Mr. COLE, Mrs. MALONEY, Mr. HONDA, Mr. KILDEE, Ms. DEGETTE, Mr. MCDERMOTT, Mr. FARR, Mr. STARK, Mr. COURTNEY, Mr. BOSWELL, Ms. MATSUI, Mr. HINCHEY, Mr. CARNAHAN, Mr. WALZ of Minnesota, Mr. PAYNE, Mr. SABLAN, Ms. WOOLSEY, Mr. KUCINICH, Mr. MCINTYRE, Ms. ROYBAL-ALLARD, and Mrs. NAPOLITANO):

H.R. 1250. A bill to express the policy of the United States regarding the United States

relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to the Committee on Natural Resources.

By Mr. COSTA (for himself and Mr. CARDOZA):

H.R. 1251. A bill to provide congressional direction for implementation of the Endangered Species Act as it relates to operation of the Central Valley Project and the California State Water Project and for water relief in the State of California; to the Committee on Natural Resources.

By Mr. COOPER (for himself and Mr. RYAN of Wisconsin):

H.R. 1252. A bill to amend title XI of the Social Security Act to provide for the annual mailing of statements of Medicare beneficiary part A contributions and benefits in coordination with the annual mailing of Social Security account statements; 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 Mrs. BIGGERT (for herself, Mr. GRIJALVA, and Mr. KILDEE):

H.R. 1253. A bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT (for himself, Mr. MEEHAN, Mr. MARINO, Mr. PLATTS, Mr. BARLETTA, Mr. CUELLAR, Mrs. EMERSON, Mrs. BIGGERT, Mr. LATOURETTE, Mr. GIBSON, Mr. STIVERS, and Mr. REED):

H.R. 1254. A bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOMACK (for himself and Mr. WOODALL):

H.R. 1255. A bill to prevent a shutdown of the government of the United States, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on Oversight and Government Reform, House Administration, and 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. MCDERMOTT:

H.R. 1256. A bill to amend title XVIII of the Social Security Act to require the use of analytic contractors in identifying and analyzing misvalued physician services under the Medicare physician fee schedule and an annual review of potentially misvalued codes under that fee schedule; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT (for himself and Mr. HARRIS):

H.R. 1257. A bill to require the President to recommend specific reductions in nonsecurity discretionary appropriations for fiscal year 2011 to offset the costs of Operation Odyssey Dawn; to the Committee on Appropriations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah:

H.R. 1258. A bill to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah; to the Committee on Natural Resources.

By Mr. BRADY of Texas (for himself, Mr. ROSS of Arkansas, Mrs. NOEM, Mr. BOREN, and Mr. NUNES):

H.R. 1259. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself, Mr. POE of Texas, Ms. PINGREE of Maine, and Ms. SLAUGHTER):

H.R. 1260. A bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY of Virginia (for himself, Mr. MORAN, and Mrs. MALONEY):

H.R. 1261. A bill to establish an Office of the Federal Chief Technology Officer in the executive office of the President, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia (for himself, Ms. NORTON, Mr. DEUTCH, and Mr. DAVIS of Illinois):

H.R. 1262. A bill to reform the United States Postal Service in order to fulfill its constitutional mandate, to improve its efficiency, to help it meet its universal service obligation, and to facilitate private sector economic growth; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 1263. A bill to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures; to the Committee on Veterans' Affairs.

By Mr. FINCHER:

H.R. 1264. A bill to designate the property between the United States Federal Courthouse and the Ed Jones Building located at 109 South Highland Avenue in Jackson, Tennessee, as the ''M.D. Anderson Plaza'' and to authorize the placement of a historical/identification marker on the grounds recognizing the achievements and philanthropy of M.D. Anderson; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH (for himself and Mr. NEAL):

H.R. 1265. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; to the Committee on Ways and Means.

By Mr. GRIMM:

H.R. 1266. A bill to amend the Controlled Substances Act to improve detection of the fraudulent abuse of prescriptions to obtain controlled substances in schedule II or III, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER (for himself, Mr. BLUMENAUER, Mr. GERLACH, and Ms. HIRONO):

H.R. 1267. A bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on certain vessels; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. ENGEL, Mrs. MALONEY, and Mr. HINCHEY):

H.R. 1268. A bill to provide certain requirements for the licensing of commercial nuclear facilities; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Ms. MOORE, Mrs. DAVIS of California, Ms. LEE of California, Ms. BALDWIN, Ms. SCHAKOWSKY, Ms. MATSUI, Mr. GRIJALVA, Ms. BASS of California, Mr. STARK, Ms. HERRERA BEUTLER, Mrs. SCHMIDT, Ms. SPEIER, Mrs. LUMMIS, Mrs. ADAMS, Ms. NORTON, Mrs. BLACKBURN, Ms. BORDALLO, Mr. FRANK of Massachusetts, Mrs. BIGGERT, Mr. HASTINGS of Florida, and Mr. MORAN):

H.R. 1269. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum; to the Committee on Transportation and Infrastructure.

By Mr. MCCAUL (for himself and Mr. KING of New York):

H.R. 1270. A bill to direct the Secretary of State to designate as foreign terrorist organizations certain Mexican drug cartels, and for other purposes; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 1271. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on the sale of animals which are raised and sold as part of an educational program; to the Committee on Ways and Means.

By Mr. PETERSON (for himself and Mr. CRAVAACK):

H.R. 1272. A bill to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al, by the United States Court of Federal Claims in Docket Numbers 19 and 188, and for other purposes; to the Committee on Natural Resources.

By Mr. PIERLUISI (for himself, Mr. ANDREWS, Mr. RANGEL, Mr. SERRANO, Mr. CONYERS, Mrs. CHRISTENSEN, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Mr. FALEOMAVAEGA, and Mr. SABLAN):

H.R. 1273. A bill to amend title XVIII of the Social Security Act to apply the additional Medicare HITECH payment provisions to hospitals in Puerto Rico; to the Committee on Ways and Means.

By Mr. ROYCE (for himself, Mr. KINGSTON, Mr. WESTMORELAND, Mrs. MYRICK, and Mr. SMITH of Texas):

H.R. 1274. A bill to gain operational control of the border, enforce immigration laws, strengthen visa security, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, Homeland Security, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself and Mr. OWENS):

H.R. 1275. A bill to support State and tribal government efforts to promote research and education related to maple syrup production, natural resource sustainability in the maple syrup industry, market promotion of maple products, and greater access to lands containing maple trees for maple-sugaring activities, and for other purposes; to the Committee on Agriculture.

By Mr. AKIN:

H.J. Res. 51. A joint resolution proposing an amendment to the Constitution of the United States to control Federal spending; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.J. Res. 52. A joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced; to the Committee on the Judiciary.

By Ms. ROYBAL-ALLARD:

H. Res. 187. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER:

H. Res. 188. A resolution expressing the sense of the House of Representatives regarding the regime of Mu'ammar al-Qadhaffi; to the Committee on Foreign Affairs.

By Mr. CROWLEY (for himself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS, Mr. NADLER, Mr. WEINER, Mr. TOWNS, Ms. CLARKE of New York, Ms. VELÁZQUEZ, Mr. GRIMM, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Ms. HAYWORTH, Mr. GIBSON, Mr. TONKO, Mr. HINCHEY, Mr. OWENS, Mr. HANNA, Ms. BUERKLE, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. REED):

H. Res. 190. A resolution honoring the life of Congresswoman Geraldine A. Ferraro, the first woman selected by a major political party as its candidate for Vice President; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CONYERS:

H.R. 1276. A bill for the relief of Al-Housseynou Ba; to the Committee on the Judiciary.

By Mr. FILNER:

H. Res. 191. A resolution referring the bill (H.R. 1107), entitled ''For the relief of Adrian Rodriguez'', to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

By Mr. FILNER:

H. Res. 192. A resolution referring the bill (H.R. 1108), entitled ''For the relief of Francisco Rivera and Alfonso Calderon'', to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Texas:

H.R. 1249.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of section 8 of Article I of the Constitution.

By Ms. HIRONO:

H.R. 1250.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. COSTA:

21 H.R. 1251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. COOPER:

H.R. 1252.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mrs. BIGGERT:

H.R. 1253.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DENT:

H.R. 1254.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. WOMACK:

H.R. 1255.

Congress has the power to enact this legislation pursuant to the following:

Section 2 is enacted pursuant to the rulemaking powers provided in clause 2 of section 5 of article I of the United States Constitution in furtherance of the appropriation power provided in clause 7 of section 9 of article I of the Constitution and spending power provided in clause 1 of section 8 of article I of the Constitution.

Section 3(a) is enacted pursuant to the rulemaking powers provided in clause 2 of section 5 of article I of the United States Constitution. Section 3(a) is consistent with article XXVII in that it does not vary the compensation of Members and Senators but only seeks to regulate its disbursement during certain periods.

Section 3(b) is enacted pursuant to clause 18 of section 8 of article I of the United States Constitution. Section 3(b) is consistent with clause 7 of section 1 of article II of the United States Constitution in that it does not vary the compensation of the President but only seeks to regulate its disbursement during certain periods.

By Mr. MCDERMOTT:

H.R. 1256.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution

By Mr. BARTLETT:

H.R. 1257.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1. all legislative Powers are vested in the Congress; and also Article I, Section 7: All bills for raising revenue shall originate in the House; and also Article I., Section 8: The Congress shall have the power to lay and collect funds to pay the Debts and pay for the common defense of the US; and to raise and support Armies; and provide and maintain a Navy; and Section 9 No Money shall be drawn from the Treasury, but in consequence of Appropriations made by Law AND

Article II, Section 1. The executive Power shall be vested in a POTUS; Article II, Section 2. POTUS is Commander-in-Chief; Section 3; POTUS shall recommend to Congress measures judged necessary and expedient

By Mr. BISHOP of Utah:

H.R. 1258.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BRADY of Texas:

H.R. 1259.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BRALEY of Iowa:

H.R. 1260.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. CONNOLLY of Virginia:

H.R. 1261.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CONNOLLY of Virginia:

H.R. 1262.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. FILNER:

H.R. 1263.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution

By Mr. FINCHER:

H.R. 1264.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17

Article IV, Section 3, Clausde 2.

By Mr. GERLACH:

H.R. 1265.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRIMM:

H.R. 1266.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Regulations to Effecuate Powers

Article 1, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HERGER:

H.R. 1267.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mrs. LOWEY:

H.R. 1268.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mrs. MALONEY:

H.R. 1269.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and

nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MCCAUL:

H.R. 1270.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by the United States Constitution under Article I, Section 8, ''Congress shall have the power . . . To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;''

By Mr. PAUL:

H.R. 1271.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment, which gives Congress the power to lay and collect taxes, clearly gives Congress the authority to repeal taxes on children who participate in agriculture education programs such as 4–H and Future Farmers of America.

By Mr. PETERSON:

H.R. 1272.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 9; Article 1, Clause 8, Section 18; and Article III, Section 1 of the United States Constitution.

By Mr. PIERLUISI:

H.R. 1273.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. ROYCE:

H.R. 1274.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4—The Congress shall have Power . . . To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. WELCH:

H.R. 1275.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof..

By Mr. CONYERS:

H.R. 1276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 and Amendment I, Clause 3 of the Constitution.

By Mr. AKIN:

H.J. Res. 51.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. BUCHANAN:

H.J. Res. 52.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. AUSTIN SCOTT of Georgia.

H.R. 21: Mr. CALVERT.

H.R. 27: Ms. HIRONO.

H.R. 49: Mr. HERGER, Mr. LATTA, Mrs. BLACKBURN, Mr. SESSIONS, Mr. TIPTON, Mr. CASSIDY, Mr. LATOURETTE, Mrs. HARTZLER, Mr. SMITH of Texas, and Mr. SIMPSON.

H.R. 58: Mr. ROSS of Florida, Mr. TIBERI, Mr. HELLER, Mr. CRITZ, Mr. GINGREY of Georgia, Mr. COFFMAN of Colorado, Mr. KISSELL, and Mr. TERRY.

H.R. 104: Mr. HARRIS and Mr. SCHOCK.

H.R. 110: Mr. CARNAHAN.

H.R. 115: Ms. JACKSON-LEE of Texas and Mr. GRIJALVA.

H.R. 121: Mr. CUELLAR.

H.R. 127: Mr. SAM JOHNSON of Texas.

H.R. 177: Mr. POE of Texas and Mr. PAUL.

H.R. 178: Mrs. NOEM.

H.R. 181: Mrs. MILLER of Michigan.

H.R. 198: Mr. AL GREEN of Texas and Mr. HINCHEY.

H.R. 237: Mr. COSTELLO and Mr. SARBANES.

H.R. 261: Mr. HASTINGS of Florida and Mr. MCDERMOTT.

H.R. 308: Ms. WASSERMAN SCHULTZ.

H.R. 320: Mr. GALLEGLY, Mr. DUNCAN of Tennessee, Mr. ROHRABACHER, Mr. DREIER, Mr. BARTON of Texas, Mr. WOLF, Mr. LATTA, and Mr. FILNER.

H.R. 326: Mr. KUCINICH.

H.R. 327: Mr. HUNTER and Ms. RICHARDSON.

H.R. 329: Mr. LATHAM.

H.R. 333: Mr. RUNYAN, Mr. PASCRELL, Mr. LOBIONDO, and Mr. SIMPSON.

H.R. 340: Mr. ELLISON.

H.R. 361: Mr. TERRY and Mr. OLSON.

H.R. 402: Mr. RYAN of Ohio, Mrs. MALONEY, and Ms. PINGREE of Maine.

H.R. 419: Mr. LOEBSACK.

H.R. 421: Mr. FORBES.

H.R. 452: Mr. PRICE of Georgia, Mr. BURTON of Indiana, Mr. YOUNG of Indiana, and Mr. HARRIS.

H.R. 453: Mr. LOEBSACK.

H.R. 459: Ms. JENKINS, Mr. FLAKE, and Mr. FARENTHOLD.

H.R. 470: Ms. BASS of California, Mr. BERMAN, and Mr. FLAKE.

H.R. 476: Mr. BURGESS.

H.R. 513: Mr. HALL.

H.R. 520: Mr. GEORGE MILLER of California, Mr. MORAN, Mrs. LOWEY, and Mr. MCDERMOTT.

H.R. 521: Mr. GRIJALVA and Mr. MCDERMOTT.

H.R. 529: Mr. BLUMENAUER.

H.R. 539: Ms. CASTOR of Florida, Mr. PAYNE, and Mr. JACKSON of Illinois.

H.R. 546: Mr. ADERHOLT, Ms. HERRERA BEUTLER, Mr. MCGOVERN, Mr. TIPTON, Mr. QUAYLE, Mr. TERRY, Ms. ROYBAL-ALLARD, Mr. BONNER, Mr. HOLT, Mr. PAYNE, Mr. YOUNG of Indiana, Mr. GERLACH, Ms. WILSON of Florida, Mr. FITZPATRICK, Mr. HINCHEY, Mr. MICHAUD, Mr. DESJARLAIS, Mr. DAVIS of Kentucky, Mr. DONNELLY of Indiana, Mr. HARRIS, Mr. MEEKS, Mr. CRAVAACK, and Mr. CONAWAY.

H.R. 606: Mr. JOHNSON of Illinois.

H.R. 607: Ms. JACKSON-LEE of Texas, Mrs. MCCARTHY of New York, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 615: Mr. RAHALL, Mr. KISSELL, Mr. ROSS of Florida, Mr. TERRY, Mr. CRITZ, Mr. GINGREY of Georgia, and Mr. HELLER.

H.R. 618: Mr. LOEBSACK, Mr. BRALEY of Iowa, Mr. CONNOLLY of Virginia, Mr. ELLISON, Mr. JACKSON of Illinois, Mr. RANGEL, Mr. CARSON of Indiana, and Mr. MICHAUD.

H.R. 633: Mr. CHAFFETZ.

H.R. 634: Mr. WALSH of Illinois.

H.R. 644: Mr. MORAN.

H.R. 651: Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. HOLT, Mrs. MALONEY, Ms. MATSUI, Ms. RICHARDSON, and Ms. VELÁZQUEZ.

H.R. 653: Mr. GRIJALVA.

H.R. 654: Mr. GEORGE MILLER of California, Mr. GARAMENDI, Mr. MCGOVERN, Ms. ROYBAL-ALLARD, and Mr. COHEN.

H.R. 676: Mr. HOLT and Mr. CLEAVER.

H.R. 692: Mr. MCKINLEY and Mr. ROSS of Florida.

H.R. 709: Mr. GENE GREEN of Texas.

H.R. 713: Ms. WILSON of Florida.

H.R. 716: Ms. SUTTON and Mr. MARKEY.

H.R. 718: Mr. WITTMAN, Mrs. DAVIS of California, Mr. MORAN, Mrs. LOWEY, Mr. LATHAM, Ms. NORTON, Mr. CUMMINGS, Mr. GRIJALVA, Mr. NADLER, Mr. LYNCH, and Mr. HUNTER.

H.R. 719: Mr. BLUMENAUER and Mr. STARK.

H.R. 721: Mr. WILSON of South Carolina, Mr. SIMPSON, and Mr. CHANDLER.

H.R. 733: Mr. VAN HOLLEN, Mr. NUGENT, Mr. LOEBSACK, Mr. PASCRELL, and Mr. CARNAHAN.

H.R. 735: Mr. DUNCAN of South Carolina, Mr. YOUNG of Indiana, and Mrs. LUMMIS.

H.R. 743: Mr. HANNA and Mr. COURTNEY.

H.R. 745: Mrs. BLACK, Mr. HUELSKAMP, Mr. DUNCAN of South Carolina, and Mr. LANKFORD.

H.R. 763: Mr. JONES, Mr. BARTLETT, and Ms. PINGREE of Maine.

H.R. 764: Mr. SCHOCK.

H.R. 804: Ms. BORDALLO and Ms. SUTTON.

H.R. 806: Mr. PAYNE and Mr. BACA.

H.R. 807: Mr. GRIJALVA.

H.R. 809: Mr. PAYNE, Ms. BORDALLO, and Mr. MICHAUD.

H.R. 812: Ms. CLARKE of New York.

H.R. 814: Ms. BERKLEY, Ms. BORDALLO, and Mr. BACA.

H.R. 822: Mr. HENSARLING, Mr. YOUNG of Indiana, Mr. WOLF, Mr. TERRY, Mr. FRANKS of Arizona, and Mr. HECK.

H.R. 835: Mr. CAPUANO, Mr. COSTELLO, Mrs. DAVIS of California, Mr. ISRAEL, Mr. KILDEE, Mr. LANCE, Mr. LIPINSKI, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mr. LYNCH, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. POLIS, Mr. SARBANES, Mr. VAN HOLLEN, Mr. WU, Mr. JOHNSON of Ohio, Mr. FITZPATRICK, and Mr. ROTHMAN of New Jersey.

H.R. 862: Mr. KUCINICH and Mr. FRANK of Massachusetts.

H.R. 883: Mrs. LOWEY and Mr. ELLISON.

H.R. 900: Mr. DAVIS of Illinois.

H.R. 909: Mrs. HARTZLER and Mr. SAM JOHNSON of Texas.

H.R. 912: Mr. FRANK of Massachusetts.

H.R. 923: Mr. TOWNS, Ms. WILSON of Florida, Mr. BLUMENAUER, and Mr. RUSH.

H.R. 930: Mr. TOWNS, Mr. STARK, Ms. MOORE, and Ms. SUTTON.

H.R. 931: Mr. KLINE and Mr. SMITH of Nebraska.

H.R. 932: Mr. HUNTER.

H.R. 937: Mr. BURTON of Indiana.

H.R. 938: Mr. BOSWELL and Mr. WITTMAN.

H.R. 942: Ms. RICHARDSON, Mr. HIGGINS, Mr. HERGER, and Mr. SCHOCK.

H.R. 952: Ms. BERKLEY.

H.R. 960: Mr. DAVIS of Kentucky and Mr. LUETKEMEYER.

H.R. 965: Mr. ACKERMAN, Mr. LYNCH, Mrs. LOWEY, Mr. FRANK of Massachusetts, Mrs. NAPOLITANO, Mr. HOLT, Ms. SPEIER, Mr. POLIS, Mr. ISRAEL, Mr. ROTHMAN of New Jersey, and Mr. STARK.

H.R. 972: Mr. ROONEY and Mr. KING of Iowa.

H.R. 984: Mr. OLSON and Mr. REHBERG.

H.R. 985: Mr. BOREN.

H.R. 992: Ms. HIRONO.

H.R. 993: Mr. LATTA.

H.R. 998: Mr. HIGGINS, Ms. PELOSI, Mr. FATTAH, Mr. RYAN of Ohio, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SIRES, Ms. BROWN of Florida, Ms. BASS of California, Mrs. LOWEY, and Mr. CONNOLLY of Virginia.

H.R. 1002: Mr. RAHALL, Mr. DEUTCH, Mr. MANZULLO, Mr. HIGGINS, Mr. WU, Ms. BASS of California, Mr. MCHENRY, Mr. GINGREY of Georgia, Mr. COFFMAN of Colorado, Mrs. CAPITO, Mr. HERGER, Mr. WEBSTER, Mr. FLEMING, and Mr. DAVIS of Kentucky.

H.R. 1004: Mr. HIMES.

H.R. 1025: Mr. BOSWELL, Mr. BRALEY of Iowa, Ms. BORDALLO, Mr. COURTNEY, Mr. FILNER, Mr. KIND, Mr. LAMBORN, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MICHAUD, Mr. BILBRAY, Mr. BROUN of Georgia, Mr. CONNOLLY of Virginia, Mr. GONZALEZ, Mr. KING of Iowa, Mr. LOEBSACK, Mr. ROE of Tennessee, Ms. BROWN of Florida, Mr. HOLDEN, Mr. ROSS of Arkansas, Mrs. CHRISTENSEN, Ms. ROYBAL-ALLARD, Mr. FALEOMAVAEGA, Mr. RAHALL, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Ms. SUTTON, Mrs. DAVIS of California, Mr. KLINE, Ms. HAYWORTH, Mr. BASS of New Hampshire, and Mr. CARNEY.

H.R. 1041: Mrs. BACHMANN, Mr. BARLETTA, Mr. BILIRAKIS, Mr. BOSWELL, Ms. BROWN of Florida, Mr. COBLE, Mr. CRENSHAW, Mr. DENT, Mr. HALL, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KELLY, Mr. KILDEE, Mr. KING of New York, Mr. LANCE, Mr. LATOURETTE, Mr. LUETKEMEYER, Mr. MARINO, Mr. MICHAUD, Mr. PLATTS, Mr. POSEY, Mr. RAHALL, Mr. RENACCI, Mr. ROE of Tennessee, Mr. ROTHMAN of New Jersey, Ms. SEWELL, Mr. STIVERS, Ms. SUTTON, Mr. TURNER, Mr. VISCLOSKY, Mr. WHITFIELD, Mr. DUNCAN of Tennessee, and Mr. COHEN.

H.R. 1049: Mr. CALVERT, Mr. DESJARLAIS, Mr. ROE of Tennessee, Mr. MANZULLO, Mr. LAMBORN, Mr. BENISHEK, Mr. KINGSTON, Mr. KING of Iowa, Mr. FLORES, and Mrs. BLACKBURN.

H.R. 1057: Ms. BERKLEY, Mr. LYNCH, Mr. HINCHEY, Ms. ROYBAL-ALLARD, Ms. BALDWIN, Mr. GRIJALVA, Mr. LOEBSACK, Mr. PRICE of North Carolina, Mr. BISHOP of New York, Mr. MCNERNEY, Mr. ROTHMAN of New Jersey, Ms. SLAUGHTER, and Mr. COURTNEY.

H.R. 1058: Mr. ROONEY, Mr. NEUGEBAUER, Mr. MANZULLO, Mr. DESJARLAIS, Mr. FLORES, Mrs. SCHMIDT, Ms. GRANGER, and Mrs. BACHMANN.

H.R. 1070: Mr. STIVERS.

H.R. 1081: Mr. CRITZ, Mr. BUCSHON, Mr. GOWDY, Mrs. ELLMERS, Mr. RIVERA, Mr. WOLF and Mr. TERRY.

H.R. 1085: Mr. ACKERMAN, and Mr. Gonzalez.

H.R. 1089: Mr. LUJÁN, Mr. MCGOVERN, and Mr. LATOURETTE.

H.R. 1110: Mr. BISHOP of New York.

H.R. 1111: Mr. TERY, Mr. NEUGEBAUER, Mr. FRANKS of Arizona, and Mr. DUNCAN of Tennessee.

H.R. 1113: Ms. LINDA T. SÁNCHEZ of California.

H.R. 1118: Ms. NORTON.

H.R. 1119: Mr. WU.

H.R. 1140: Mr. MANZULLO.

H.R. 1154: Mr. KING of New York, Mr. JONES, Mr. ROSS of Florida, Ms. SUTTON, Mr. LUETKEMEYER, Mr. GRIFFIN of Arkansas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BURTON of Indiana, Mr. GIBSON, and Ms. WILSON of Florida.

H.R. 1167: Mrs. BLACKBURN, Mr. MULVANEY, Mr. HUELSKAMP, Mr. MILLER of Florida, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. WALBERG, and Mr. HUIZENGA of Michigan.

H.R. 1184: Mr. GOSAR.

H.R. 1185: Mr. GOSAR.

H.R. 1186: Mr. CANSECO and Mr. MARCHANT.

H.R. 1187: Mr. FILNER.

H.R. 1193: Mr. SARBANES, Mr. RUPPERSBERGER, and Ms. WASSERMAN SCHULTZ.

H.R. 1206: Mr. PLATTS, Mr. COBLE, Mr. GINGREY of Georgia, Mr. ROGERS of Kentucky, Mr. BOUSTANY, and Mr. HUIZENGA of Michigan.

H.R. 1207: Mr. FALEOMAVAEGA.

H.R. 1211: Mr. MILLER of Florida, Mr. WEST, and Mr. POE of Texas.

H.R. 1212: Mr. STARK and Mr. CAPUANO.

4H.R. 1229: Mr. MANZULLO, Mr. STIVERS, Mrs. NOEM, Mr. TERRY, Mrs. MCMORRIS RODGERS, and Mr. LEWIS of California.

H.R. 1230: Mr. MANZULLO, Mr. STIVERS, Mrs. NOEM, Mr. TERRY, Mrs. MCMORRIS RODGERS, and Mr. LEWIS of California.

H.R. 1231: Mr. MANZULLO, Mr. STIVERS, Mrs. NOEM, Mr. TERRY, Mrs. MCMORRIS RODGERS, and Mr. LEWIS of California.

H.R. 1236: Ms. JENKINS, Mr. BOUSTANY, and Mr. PAUL.

H.J. Res. 13: Mr. PEARCE and Mr. FORTENBERRY.

H. Con. Res. 12: Mr. PAULSEN, Mr. LYNCH, and Mr. BRADY of Pennsylvania.

H. Con. Res. 25: Mr. DAVIS of Kentucky, Mr. BUCHANAN, Mr. HENSARLING, and Mr. ROGERS of Kentucky.

H. Con. Res. 29: Mr. BUCHANAN.

H. Res. 34: Mr. CAPUANO and Ms. WILSON of Florida.

H. Res. 71: Mr. FORBES.

H. Res. 81: Mrs. MCCARTHY of New York.

H. Res. 95: Mr. MARINO and Mr. BASS of New Hampshire.

H. Res. 100: Mr. ELLISON, Ms. SCHAKOWSKY, Ms. EDWARDS, Ms. CHU, Mr. AL GREEN of Texas, Mr. QUIGLEY, Mrs. LOWEY, Ms. BASS of California, Mrs. CAPPS, and Mr. HONDA.

H. Res. 111: Mr. LIPINSKI, Mr. KLINE, and Mr. MCGOVERN.

H. Res. 134: Mr. COSTELLO, Mr. POE of Texas, and Mr. PRICE of North Carolina.

H. Res. 137: Ms. MOORE, Mr. MURPHY of Pennsylvania, Mr. GALLEGLY, Mr. VISCLOSKY, and Mr. REHBERG.

H. Res. 164: Mr. LIPINSKI, Mr. KELLY, and Mr. SHULER.

H. Res. 172: Mr. CARNEY.

H. Res. 183: Mr. HUNTER and Mr. KISSELL.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. MICA

The amendment I will offer to H.R. 658, the Federal Aviation Administration Reauthorization and Reform Act of 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, WEDNESDAY, MARCH 30, 2011 No. 44

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, as we begin today's session, we ask that Your spirit would guide the deliberations of our lawmakers. Move in their hearts, directing their thoughts and intentions to noble ends. May our Senators hear Your voice and embrace Your wisdom as they seek to keep our Nation strong and lead the world into a new era of freedom.

Lord, help our Nation's leaders stand tall for righteousness. Embue them with stamina for the long days ahead. Bind them together as prayer partners as they deal with the diversity of ideas. And, Lord, bless all who labor for liberty on Capitol Hill, and their families.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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, March 30, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, there will be a period for the transaction of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the Republicans controlling the first half and the majority controlling the final half.

Following morning business, the Senate will resume consideration of S. 493, the small business jobs bill. Rollcall votes in relation to amendments to the small business jobs bill are possible today. We hope our friends on the Republican side who are blocking will allow us to move forward on this bill. There are a number of nongermane and really nonappropriate amendments on this bill. We have agreed to go ahead and work on those. Two that are the most glaring are the 1099, which we need to resolve, and the EPA controversy we have. We are being blocked on the other side from even getting votes on these amendments.

We were told earlier in the session that what the Republicans wanted was an open amendment process. That is great, except we have an open amendment process and they will not let us vote on the bills. I hope that changes. They will not let us vote on the amendments or the bills. Anyway, if the logjam is broken, we will schedule them as soon as we can.

There will be a Senators-only briefing today regarding Libya with Secretary Clinton, Secretary Gates, and Chairman of the Joint Chiefs of Staff, Admiral Mullen. That will be at 5 p.m. in the new Visitor Center.

BUDGET NEGOTIATIONS

Mr. REID. Madam President, as the country watches, we continue to work toward a bipartisan, bicameral agreement to keep the country running. Let me update the Senate on where we stand.

I want everyone to know how things looked from the beginning, but also let's talk about how they look right now from the negotiating table. Much of the criticism in this process has come from people who are not even sitting at the negotiating table. I am, and so is Speaker BOEHNER. I am glad he has returned to the conversation. It is obvious he has a difficult situation on his hands, and I do not envy him in that regard. He is getting a lot of pressure from the tea party folks to dig in his heels even if it hurts and destroys the recovery we have going now.

What is worse, the country does not care much about the tea party. There is a new CNN poll out today that says this very directly. Let's put it this way: The people who care about the tea party are a very small number—who care about them positively. Those who think about them negatively is very high, more than 50 percent. And that does not mean 50 percent favor the tea party. It does not. Fifty percent of the American people do not want anything to do with the tea party. Only a small percentage identify with the tea party. The interesting thing and I think the important thing to the country is that the tea party's unpopularity continues to grow because the American people see how unreasonable they are.

Let me reiterate my hope that the Republican leadership recognizes they cannot continue to be pulled to the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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right by the radical, unrealistic, unreasonable—I repeat, radical—and unpopular faction, the tea party. I have always said that once the economy gets better, they are going to fade out fairly quickly. It is getting better, and they are fading out. If people want to move the country forward, they cannot let the tea party call the shots.

Our proposal still stands. It is a number the Republicans were for before they were against it. We got that number by relying on reality, not ideology. I repeat, we know the answer lies in the middle. Neither party can pass a budget without the other party. We have already proven that. Neither Chamber can send it to the President without the other Chamber.

I look forward to getting this done so we can avoid the many terrible consequences that come with a shutdown. We do not want that to happen, and if it is up to us on this side of the aisle, it will not happen.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

APPROACH TO ENERGY

Mr. MCCONNELL. Madam President, later this morning, the President is expected to outline his vision for improving our Nation's energy security. But, as we frequently have seen with this administration, what it says and what it does are often two very different things. So this morning I would like to discuss some of the things the administration has actually done when it comes to energy, and then I would like to propose some things Republicans would do differently.

It should go without saying that Americans are ready for action on this issue. With average gas prices approaching $4 a gallon in most parts of the country, growing uncertainty and unrest in the Middle East, and a jobs crisis here at home, Americans want the President to outline a serious plan today which will make us less dependent, not more, on foreign sources of oil and which stimulates job creation here. Unfortunately, what they have gotten instead are more of the same halfhearted proposals Democrats have trotted out every other time Americans get squeezed at the pump. Instead of facing the problem of higher energy prices head-on, Democrats are once again paying lipservice to those concerns with fake solutions that only aim to distract people from what they are really up to.

It is my hope that the President changes that tune today, but I am not holding my breath because we have seen how this plays out many times before. Tell a Democrat in Washington that gas prices are too high, and as if on cue they will throw together a speech or a press conference to suggest that we open an underground oil reserve that was created to deal with calamities, not market pressures; they will take you on a tour of some alternative car plant that promises to have one of its $100,000 prototypes to market 25 years down the road or they will quietly release some report to the media about how energy companies really are not working hard enough to extract oil, while schizophrenically claiming American reserves are minuscule and that more production is not the solution.

This last item is a perennial favorite of our friends on the other side. The idea here is to somehow blame energy companies for not producing enough energy on their own. What Democrats don't mention, however, is that a drilling lease is nothing more than an agreement with the government that a company has a right to explore for oil and gas in a certain area, not a guarantee that they will find it. They never see fit to mention that most of the area that could be leased is off limits thanks to the redtape factory Democrats operate here in Washington. Honestly, are we supposed to believe that the same administration that declared a blanket moratorium on all offshore drilling off the gulf coast, which chased away rigs and jobs to other countries, and which established new regulations that make getting a new drilling permit virtually impossible, now believes that energy companies aren't drilling enough?

This doesn't even pass the laugh test, but it does suggest that Democrats don't even believe their own arguments about decreased production not affecting price. It is my hope that the President acknowledges as much today—that when you shut down drilling, higher prices and fewer jobs are sure to follow.

The truth is we could use a lot more honesty on this whole issue from Democrats. Despite what some on the other side might say, Republicans are as eager as Democrats to develop alternative sources of energy. But everybody knows it will take years, if not decades, to get to the point where they will be economically viable and widely used. The President's target is decades from now. But Americans should be able to expect action now, and all they get from Democrats is a pretty picture of some far-off future we have been hearing about for decades, and not a word about the things Democrats are doing to make it harder to find and use energy we already have right here.

Initial news reports about the President's speech today mention that the administration is determined to derive 80 percent of U.S. energy from clean energy sources in the year 2035. I am sure we could generate a great deal of bipartisan support for much of what the President will call for, assuming it doesn't involve Federal mandates. But what does any of this have to do with the crisis at hand—the crisis right now? The guy who is trying to make ends meet wants to know what you are going to do for him today, not 24 years from now. But, of course, the administration doesn't have anything to say to that guy because the administration's energy policy isn't aimed at him. If it were, then the administration would be locking down domestic energy sources. It wouldn't be looking to pass new regulations through the EPA that will impose a national energy tax on every business, large and small. It wouldn't be telling our allies in Brazil that while it is great that they found oil off their coast, those who want to search for oil off our coast and on our mainland can't. In other words, it is great the Brazilians are drilling offshore but not so good that we are. It wouldn't be telling job creators in the energy industry to look elsewhere.

In his remarks today, the President is also expected to call for decreasing imports of foreign oil. Yet last week he told Brazilians that he hopes America becomes a major customer of Brazilian oil. Well, which is it? Which is it, Mr. President? Clearly, on this issue, the President is telling people what he thinks they want to hear.

Over the past 2 years, the administration has undertaken what can only be described as a war on American energy. It has canceled dozens of drilling leases, it has declared a moratorium on drilling off the gulf coast, it has increased permit fees, and it has prolonged public comment periods. In short, it has done about everything it can to keep our energy sector from growing. As a result, thousands of U.S. workers have lost their jobs as companies have been forced to look elsewhere for a better business climate.

Consider this: Three of the areas we could tap in Alaska are thought to hold enough oil to replace our crude imports from the Persian Gulf for nearly 65 years. So the problem isn't that we need to look elsewhere for our energy. The problem is that Democrats don't want us to use the energy we have. It is enough to make you wonder whether anybody in the White House has driven by a gas station lately.

No, the crisis we face is immediate and it requires immediate action, and that is why Republicans have come up with two concrete proposals that will have a positive practical effect—two things we can do to give Americans relief, job creators a reason to hire, and make all of us less dependent on foreign sources of oil.

First, let's increase American energy production by cutting the redtape and opening areas that the administration has either temporarily blocked, stalled, or closed off to production.

Let's block any new regulations that will drive up production costs for energy, including the administration's proposed new EPA regulations on carbon emissions.

The first proposal is guaranteed—guaranteed—to create jobs by unlocking our energy resources. The second has been described as one of the

best proposals for growth and job creation to make it onto the Senate docket in years. Let's be clear: The alternatives being offered by the other side are nothing more than a face-saving exercise aimed at allowing Senators who aren't serious about this issue to mislead their constituents into believing they are.

But the American people have put up with distractions and face-saving exercises long enough. They have put up with near double-digit unemployment long enough. They have heard enough about the costly big government proposals Democrats envision for the future. And frankly, they have had it. It is time to address the problems right in front of us. It is time for the President to put forth a serious plan. When it comes to energy, these problems are obvious. So are the answers. It is time for lawmakers to come together and do what we know is right.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Alabama.

BUDGET ANALYSIS

Mr. SESSIONS. Madam President, I want to share some thoughts this morning and to report to our colleagues on the analysis done by the Congressional Budget Office of the President's budget he has submitted to us and asked that we adopt.

The budget has been roundly criticized as in no way getting us off this unsustainable path, and allowing the country to continue to head toward a financial abyss. Expert after expert, witness after witness before the Budget Committee—on which I am the ranking Republican Member—has testified to the danger we face and the need for us to take action. The Congressional Budget Office, in sum, concludes that the very insufficient reforms contained in the President's budget are more insufficient than the President has said, when properly analyzed. It is a very firm and severe rebuke to the President and his team of analysts who presented it to us. It is not good.

I believe it is probably the most erroneous budget ever submitted to Congress, in changing the numbers by $2.3 trillion in debt. In other words, the Congressional Budget Office says the budget submitted by the President, which was supposed to add to the debt some $13 trillion or so, is actually going to add $2 trillion more to the debt over 10 years, more than doubling the national debt. This is a very serious matter.

The budget presentation to the Congress continues a policy by this administration to minimize the danger of the debt crisis we face. It has been a sophisticated, long-term, continuous effort to not only say that cuts are too severe, too extreme—as the talking points go—and that, indeed, this President has things under control; that the debt crisis is not real, and we don't have to take firm action. The President does not look people in the eye and explain the true situation we are facing.

Indeed, this is the rhetoric they have used. The President has used this language; Jack Lew, his Director of the Office of Management and Budget, has used this language. They claim the budget they submitted calls on us to ''live within our means.'' His budget causes us to live within our means. They also have used this phrase, more than once: ''It only spends money that we have each year.'' Also they say that their budget ''does not add more to the debt.'' At a press conference about this, the press secretary to the White House was asked: Do you stand by these statements? What did he say? Absolutely. And when Budget Director Lew came before the Budget Committee, and I asked him about it, he stands by these statements. He didn't acknowledge they are in any way in error.

If we are going to have reform in America, if we are going to do something about the debt crisis this Nation faces, we have to be honest with one another. We have to deal honestly with the grave challenges we face. We can't be in denial. We can't continue to say we are living within our means and that we are not going to add more to our debt.

Why do I say that? Well, the President's own budget said the deficits would surge, would continue to be out there every single year, with the lowest single deficit in 10 years, according to his budget, to be $600 billion and going up in the outyears to almost $800 billion.

What does CBO say about all of this? This is what they told us after they analyzed the President's budget. Let me explain what happens. The President submits a budget to the Congress. We have our own Congressional Budget Office, and they analyze what the President proposes. They then give us a report on it and say what it means, if adopted; how it would impact our economy, how it would impact our debt, how it would impact the financing of our government. So what does CBO say? It says the President's debt-doubling budget adds more to the debt than the President claims. The score reveals the President's budget never once produces a deficit of less than $748 billion, and climbs to a deficit in the tenth year of $1.2 trillion—one thousand two hundred billion dollars.

I have been saying the lowest budget was $600 billion because that is what the President's own numbers said in the document he sent to us, but CBO says no. The CBO Director and his team, for the most part, were in place when the Democrats controlled both Houses of Congress. They are a nonpartisan group that tries to give honest numbers and do honest work. They are certainly not a Republican organization. They say the actual number was not going to be a $600 billion low annual deficit but that the lowest deficit would be $748 billion, increasing to $1.2 trillion.

You see, this is why the experts say we are on an unsustainable path. We cannot continue. How much is $1.2 trillion? Well, the highest deficit President Bush ever had was $450 billion, I believe, give or take. That was way too high, and he was roundly criticized for that. But this is three times that in the tenth year. This year, we are going to have a $1.6 trillion, $1.5 trillion deficit. In this fiscal year we will have, for the third consecutive time, a trillion dollar deficit. These are deficits the likes of which the Nation has never seen before and cannot sustain. It puts us on a path to financial instability and danger. It is a path we must get off. We can do so, but it is going to take some will. We are going to have to do some of the same things our cities and counties are doing.

Also, the CBO said that, using gimmicks, the President's budget concealed a total of $2.3 trillion in deficit spending and $1.7 trillion in increases of gross debt for the country. The debt to GDP reaches 116 percent in the 10th year.

Let's talk about that. Why is that important? Professors Rogoff and Reinhart, who testified before our committee, have written a very significant and highly regarded book. Their book, ''This Time It's Different,'' says that from a study of sovereign nations all over the world, when their debt reaches 100 percent of GDP, the economy is pulled down. It has a depressing effect on their economy. The economy will grow on average about 1 percent less than it would have grown otherwise, which is huge.

When you are talking about economic growth of 2, 3, 4 percent, to have a 1-percent reduction is a major drain on our economic growth, and growth is so critical for job creation and actually tax revenue to fund our government and get us out of the debt we are in. You cannot borrow your way out of debt. The deeper you get into debt, the more it pulls down the vitality and growth potential of your economy. We have to get off this path.

CBO says in the 10th year it will be 116. Senator CONRAD, the Democratic chairman of the Budget Committee, is very worried about this number. He

had a chart about it at our hearing recently. He showed that this year for the first time we will go over 100 percent of GDP in national debt. It is about 5 percent now, and we will go over 100 percent and will stay over it under the President's budget. Experts tell me this is unsustainable. Something bad will happen to us.

In addition, when Secretary of Treasury Geithner appeared before our committee, he acknowledged the Rogoff and Reinhart analysis. He acknowledged that this high level of debt will weaken the growth in our economy, and he added this: This level of debt creates a greater potential for an economic kickback, an economic catastrophe; another recession could occur as a result of these high debts.

CBO analysis reveals a number of other things that are disturbing because they are so plainly false, so plainly gimmicky, and so plainly designed to mislead the American people about the true nature of this budget that it, again, raises credibility questions about the White House and how they are explaining the situation we are in to the American people. They seem to be denying we are in a crisis.

For example, this budget submitted by the White House assumes there will be $315 billion for what we refer to as the doc fix in the final 8 years of this 10-year budget. But there is no source of income for that. They do not propose a tax increase. They do not propose any income that would be there. The CBO says: You cannot just assume money is going to appear when there is no source for this money. It is a manipulation of the numbers to try to hide the fact that there are no moneys available to pay the doctors the kind of income they need to continue to treat Medicare patients. If we do not do something, physicians will have their pay cut 20-percent-plus for treating Medicare patients. That is not healthy. It cannot be sustained. Physicians will not work with another 20 percent cut. They get paid less for Medicare than any other source of work they do unless it is the Federal Medicaid Program. CBO called them on it and said: No, you cannot score income when you show no source of that income.

What about transportation? There is a major increase proposed for spending on transportation next year, and their budget just assumes there will be a $328 billion income surge for transportation. It is called a transportation tax, but we are told it will not be a gas tax. I have referred to it as the ''not-gas-tax tax'' because all we know about this tax is they say it will not be a gas tax. They are talking about a $328 billion tax increase of some kind but no proposal where it would be, how it would be imposed, whether Congress would ever vote for it or not. They are not likely to vote for it, I have to tell you. CBO says that is phantom money. You need a better plan than that because otherwise your budget is just smoke and mirrors on that subject.

Remember, when we borrow money, we pay interest. The interest we paid last year was $200 billion. As the debt goes up and increases, although interest rates are very low now, they are going to increase some. According to CBO's analysis, with the debt more than doubling in the next 10 years under the budget the President has submitted to us, the annual interest is over $900 billion. That is about one-fourth of what the entire government spends today. We spend about $3.8 trillion. This is almost $1 trillion in interest in 1 year. Frankly, I think CBO's estimate of what the interest rates are going to be on our debt are probably low.

It is this kind of debt, where your debt is over 100 percent GDP, that puts you in a position where you could have a debt crisis kicking us back into another recession.

What we have to have—from the President and from our Democratic leadership here in the Senate—is an honest evaluation of where we are. The President needs to look the American people in the eye and say: We are not on a course that we can sustain. Federal Reserve Chairman Bernanke told us in January that we are on an unsustainable path. We have to get off it. About these numbers that project out here for 10 years, the doubling of the debt, Mr. Bernanke said: We are not going to get there because we will have a debt crisis before we get there, and there will be much, much harder times getting our finances in order than if we act today to get them in order. He said we wouldn't get there with these projections; they are too severe, too damaging to our economy.

Madam President, what time is left on this side?

The ACTING PRESIDENT pro tempore. The Republican side has 15 minutes.

Mr. SESSIONS. If some of my colleagues appear, I will be glad to yield the floor, but I will share a few more thoughts.

The President's budget does some other gimmicky things. He claims he has a 5-year freeze on nondefense discretionary spending. He told the American people that in the State of the Union Address. We have looked at those numbers, and it appears pretty clear that there is a 5-percent increase in the discretionary spending next year. How do they accomplish that? They reclassify all discretionary transportation funding as mandatory spending and say it is not discretionary. They just declare it is mandatory spending, and they say they have reduced discretionary spending by $7 billion. What kind of hokum is that? This is not worthy of the President of the United States and the Office of Management and Budget, coming here with a gimmick like that—just redefine discretionary spending and say it is there and say: I have a freeze in discretionary spending.

What else did they do? They hide another $9 billion in the reverse of that, in one-time mandatory savings. Actually, they use it in the discretionary account, but they do not count it as increased spending. That is $9 billion. And the President's proposed spending levels for next year will be even further out of whack as a freeze because this Congress is going to reduce the spending this year, hopefully by the full $61 billion the House has asked that we reduce it.

You say: Mr. SESSIONS, this is all partisan bickering. But it is not partisan bickering. We have bipartisan recognition in this Senate from Senator after Senator, Democrats as well as Republicans, who understand we are on an unsustainable course, and they know we need to get off this course. But I have to be critical about the President because he is not telling the American people the severity of the challenge we have and he is not proposing a plan that will actually fix it, but actually he is proposing a plan that will make it worse. This is a crisis. We have to confront this problem.

The President is going to have to move from denial to reality, to the real world, and help us develop a plan that contains spending in America just like is happening all over this country. Governor Cuomo is talking about substantial reductions in spending in New York, as is Governor Christie in New Jersey and Governor Brown in California.

I just saw my friend John McMillan, the head of agriculture and industry in the State of Alabama. He has 200 employees. He said they are going to have to reduce 60. That is almost one-third of the employees of his department. Do you think the department of agriculture and the industries of Alabama will cease to exist? I don't think so. I bet Mr. McMillan will figure out some way to perform most of the duties in his office. But he doesn't have the money, and when you don't have the money, you have to make tough decisions.

The American people understand this. When they don't have money, they don't spend. If they spend when they don't have money, they know they are taking a risk and they know it can't continue long. But this Congress does not get it. We are in a denial mode. We think we can just continue to spend forever, and we have the majority leader in the Senate whining about losing money for a cowboy poetry festival in Nevada. Give me a break. When you don't have money, you have to make decisions. That is just the plain fact.

What about next year's budget that the President proposes? The education budget next year is proposed to get an 11-percent increase over the past 2 years, which have had surging increases. Indeed, most Americans probably do not know that in this time of record deficits, over $1 trillion deficits, the last 3 years, the discretionary accounts—nondefense discretionary spending—increased 24 percent. And

next year? They want another 11 percent for education, another 9.5 percent for the Energy Department, another huge increase for transportation—the base, I believe, is over 10 percent but, including the phantom revenue, they will see around a 60 percent increase.

Under the President's request, the State Department is demanding and expecting to get over a 10-percent increase in spending. And inflation is 2 percent or less? How can we do this? The American people know this is not realistic. They know it is dangerous, and they want us to do something about it.

Frankly, I think that had something to do with the elections last fall. I think the American people were sending a message to a blind Congress that they expected us to do better on spending. Are we getting the message? We are proposing huge increases in spending next year, five times the rate of inflation in America, and we claim that is somehow frugal and living within our means. When the lowest single deficit over the next 10 years is projected to be $740-plus billion, that is unacceptable.

We have to be careful about what we say about our economy. We have to keep our economy moving forward. It is struggling. It is moving. We are having some good growth. We want to see that growth continue and expand.

The job situation is not good. We need to have at least 150,000 to 200,000 new jobs a month to stay level. That is about where we have been, 150,000 or 200,000 jobs. That is basically keeping us level. We need more job growth than that. It is better having some jobs being added than none, I acknowledge that, but it is not as strong as we need it to be.

One reason we are not having growth, as Professors Rogoff and Reinhart have told us, is the debt pulling down our economy. It is putting a cloud over our economy. The whole world is watching the United States. Are we going to go off the cliff or will this Congress rise up and put us on a path to sound fiscal policy that creates confidence in our financial situation; creates investment, growth, and jobs. That is the road we need to be on. It will be a tougher road. We will have to make some hard decisions about spending and which programs are going to get money and which ones aren't. Maybe all of them will have to take some sort of cut, but we can do that. We will get the country on the right track, and America is not going to fall into the ocean if we make some reductions in spending.

I will just point out that it is difficult to do that when we are in a political world, according to the New York Times, where anybody who proposes to reduce spending is called an extremist. Senator SCHUMER started that. He got caught on a phone call saying we should use the word ''extremist.'' Cut $61 billion out of $3,800 billion in expenditures; that is what the House has sent over here to us, a proposal that we reduce spending, under the continuing resolution, by September 30, by $61 billion out of a total of $3,800 billion the Federal Government spends.

This is extreme, we are told, and the government is going to sink into the ocean, and we cannot survive with these kind of reductions. So they had a meeting. They all were right on message, according to the New York Times. ''We are urging Mr. BOEHNER to abandon the extreme right wing,'' said Mrs. BOXER, urging the House to compromise on the scale of spending cuts and to drop proposed amendments that would deny funding for Planned Parenthood.

Another Senator said, referring to the House Republicans as ''right wing extremist friends''—he is a real nice Senator. He did not want to be too harsh, so he called them ''right wing extremist friends.'' That is better than not calling them friends, I suppose.

Another Senator decried Mr. BOEHNER as ''giving in to the extremes of his party.'' Another closed by speaking of the ''relatively small group of ideologues who are an anchor dragging down the budget-negotiating process.''

Give me a break. $61 billion. If we cannot do that, what does the world think about us? Did we really get a message from this election? Did we really understand that we are challenged now; that this is our time in history to face up to the facts that we are on an unsustainable fiscal course that will lead us, as Mr. Bernanke said, to economic disaster long before these projections come to a conclusion?

We cannot continue on this course. We have to get off this course. We owe it to every working American not to put this country back into another recession. The truth is, we can do these reductions in spending. This government is not going to sink into the ocean. We are going to continue to serve the American people. If we do it, we will get on the right path, and this economy can continue to grow knowing that we have gotten our fiscal house in order.

It is not that hard. I urge my colleagues to do so. Let's not give up on the $61 billion total reduction in spending the House has asked us to meet. Let's do it, and let's be proud of it. Let's know then that we have done something that will amount to a real change in the debt trajectory we are on.

We have calculated it. My budget staff has looked at the numbers. A $61 billion reduction in baseline spending—which is what they are proposing—over 10 years will save $860 billion. It will reduce the debt of America by almost $1 trillion. We need to do more of those kinds of things in the months ahead. If we do so, we can change the trajectory we are on.

So I urge my colleagues, do not leave here talking about splitting the baby and just seeing how little we can reduce spending. Let's go on and accept the House number. Let's embrace it. Let's make a decision to get our finances in order just like cities and counties and families are doing all over the country.

I yield the floor and reserve the remainder of our time.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

(The remarks of Mr. AKAKA pertaining to the introduction of S. 675 and S. 676 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. AKAKA. I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. AKAKA. I ask unanimous consent that the period for morning business be extended until 2 p.m., with the time equally divided between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. AKAKA. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SHARED SACRIFICE

Mr. SANDERS. Madam President, I wish to say a few words about the debate over the budget that is currently taking place here in Washington.

I wish to express a viewpoint that I think is shared by the vast majority of the people in our country. That is, No. 1, I think we all recognize the deficit of $1.6 trillion is an enormously serious problem, as is the case with a $14 trillion national debt. I think most Americans and virtually everybody in Congress understands this is an issue we have to deal with. However, at a time when this country is in the midst of severe recession; when real unemployment—not official unemployment—is close to 16 percent; when poverty in America is increasing and when we have the highest rate of childhood poverty of any major country on Earth; at a time when 50 million Americans have no health insurance at all and we are losing about 45,000 Americans every year because they don't get access to a doctor; at a time when many of our people are working longer hours for lower wages, I think what most Americans are saying is: Yes, we have to deal with the deficit, but we have to deal with it in a way that is fair and in a way that requires shared sacrifice.

It is absolutely wrong to be talking about balancing the budget and deficit reduction simply on the backs of working people, the middle class, low-income people, the sick, the elderly, the

most vulnerable people in this country. That is morally wrong and economically unwise. What we must be talking about is shared sacrifice where all segments of our society are participating in the effort to balance the budget and reduce our deficit.

While the middle class in this country is disappearing and while poverty is increasing, there is another reality this Senate must address, and that is that the people on top are doing phenomenally well. Many of my colleagues have seen articles which talk about corporate profits today being at all-time highs. The middle class is collapsing, poverty is increasing, and corporate profits are at an all-time high. Today, the wealthiest people in our country are doing phenomenally well. Our friends on Wall Street, who helped cause the recession we are in through their greed and their recklessness and illegal behavior, are now earning more money than they have ever earned before. Three out of the four largest banks today, before we bailed them out because they were too big to fail, are even bigger. So the guys on Wall Street are making more money than they did before we bailed them out, corporate profits are at record-breaking levels, and the wealthiest people in this country are doing phenomenally well.

In a recent 25-year period, 80 percent of all income went to the top 1 percent, and we now have a situation where the top 1 percent earn about 23 percent of all income in America more than the bottom 50 percent. So that is where we are: corporate profits soaring, wealthiest people doing phenomenally well. Then we have folks who come here and say, Well, we have to balance the budget. We have to move toward deficit reduction. The way we do it is on the backs of those people in the middle class, working class, lower income people who are already being beaten over the head because of the recession.

I would point out that the deficit reduction package passed by our Republican colleagues in the House would cut Head Start by $1.1 billion, throwing over 200,000 little children out of Head Start. There is a major childcare crisis in America today. We have to expand Head Start. They want to throw 200,000 kids off of Head Start.

With 50 million Americans having no health insurance—people can't get to a primary health care doctor; they are getting sick when they shouldn't be sick; they are ending up in the emergency room; they are ending up in the hospital—our Republican friends want to cut $1.3 billion from community health centers, denying 11 million patients access to primary health care. They are balancing the budget on the backs of little kids, low-income kids; balancing the budget on the backs of sick people who have no access to a doctor. College education costs are soaring. Middle-class families can't afford it. Our Republican friends want to reduce the Pell grant program—the major source of Federal funding for moderate and low-income families for sending their kids to college—by 17 percent, which would mean that over 9 million low-income college students would lose some or all of their Pell grants.

The Community Service Block Grant Program would be cut by $405 million, and that is the program that helps the poorest of the poor get by day by day. And on and on it goes.

I wish to introduce another aspect into this discussion. Not only have we given huge tax breaks to the richest people in this country, driving up the deficit—and I hear very little discussion about asking them to pay any more to help us toward deficit reduction—we have another scandal out there. Major corporation after major corporation, many of which have powerful lobbyists right here on Capitol Hill, not only pay nothing in taxes but in many cases get a refund from the IRS. I wish to list the 10 worst corporate tax avoiders: ExxonMobil, the largest oil company in the world, made $19 billion in profits in 2009. Exxon not only paid no Federal income taxes, it actually received a $156 million rebate from the IRS, according to SEC filings. So instead of throwing children off of Head Start or cutting back on community health centers, maybe—maybe—we want to ask ExxonMobil to actually pay taxes rather than get a refund.

Bank of America, No. 2, received a $1.9 billion tax refund from the IRS last year. Bank of America received a $1.9 billion tax refund, although it made $4.4 billion in profits. Maybe they might want to contribute a little bit more before we cut back, as the Republicans want, on the Social Security Administration.

Over the past 5 years, while General Electric made $26 billion in profits in the United States, it received a $4.1 billion refund from the IRS.

Chevron received a $19 million refund from the IRS last year after it made $10 billion in profits in 2009.

If you are a working stiff and making $30,000 to $40,000 a year, you are paying taxes, but if you are Chevron and you made $10 billion in profits in 2009, you don't have to pay any taxes; you get a $19 million refund. Yes, let's go after little kids; let's go after the elderly; let's go after the sick; let's go after the most vulnerable; but apparently in the Senate, we can't ask Chevron to pay taxes.

Boeing, which received a $30 billion contract from the Pentagon to build 179 airborne tankers, got a $124 million refund from the IRS last year. Valero Energy, the 25th largest company in America, with $68 billion in sales last year, received a $157 million tax refund check from the IRS.

Goldman Sachs, our good friends on Wall Street, in 2008 only paid 1.1 percent of its income in taxes, even though it earned a profit of $2.3 billion and received almost $800 million from the Federal Reserve and U.S. Treasury Department.

Citigroup last year made more than $4 billion in profits but paid no Federal income taxes.

ConocoPhillips, the fifth largest oil company in the United States, made $16 billion in profits from 2007 through 2009 and received $451 million in tax breaks through the oil and gas manufacturing deductions.

Over the past 5 years, Carnival Cruise Lines made more than $11 billion in profits, but its Federal income tax rates dropped during those years to 1.1 percent.

So the point is if you go out and you work for a living, you pay 10, 15 percent of your income in taxes. But if you are on Wall Street, if you are a major oil company and have lobbyists all over this place, not only can you avoid paying any taxes, in many cases you will actually get a tax refund from the IRS.

What is the point? The point is that at a time when we have a $1.6 trillion deficit, maybe we have to reduce that deficit not simply on the backs of working families, low-income people, children, the sick, the elderly; maybe—maybe—we might want to call for shared sacrifice. Maybe ExxonMobil and some of the large oil companies might be asked to pay something in taxes. Maybe General Electric might be asked to pay something in taxes. Maybe the wealthiest people in this country might be asked to pay something in taxes.

These are serious times for our country and we need serious answers. We need shared sacrifice.

Thank you, Madam President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I ask unanimous consent to speak for up to 10 minutes in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENERGY POLICY

Mr. BARRASSO. Madam President, I rise this morning to talk about jobs, the economy, and our Nation's energy.

In a few minutes the President will be speaking at Georgetown University about energy. I rise today to talk about the President's Environmental Protection Agency and his efforts to regulate our global climate by taxing, by using a backdoor method called cap and tax, a proposal that we will be debating here in the Senate and are debating today.

Folks back home recall the debate about cap and tax. It happened over the last few years. Yet the Environmental Protection Agency is trying do it through a backdoor method. Attempts to pass this massive energy tax on to the hard-working families all across the country have failed. It failed in Congress, and it failed because the American public has said we do not want new energy taxes.

Americans don't want to pay more for gasoline at the pump. Yet they are experiencing it every day. I saw it this past weekend in Wyoming. Week after week the price at the pump goes up. American families don't want to pay more for electricity to heat their homes and run their small businesses. Yet the President's Environmental Protection Agency is attempting to bypass this Congress and enact their own cap-and-tax policy through regulation.

Cap and tax is unacceptable to the American people. It was unacceptable 3 years ago, it was unacceptable 2 years ago, it was unacceptable last year, and it is still unacceptable today.

The EPA may think they know better than the American people. That is why this EPA must be stopped. There are different ways to stop the EPA's ongoing regulations. We have three proposals before us today, but only one is a solution. Of the other amendments, one is a surrender and another is a distraction. The McConnell-Inhofe amendment, the one I support, is an amendment that will block the EPA's attempt to enact the same cap-and-tax bill that has been defeated time and time again on Capitol Hill. That is the solution I will talk about shortly.

However, I wish to talk about the amendments I have concern with. One is the Baucus amendment. I do not support the Baucus amendment. To me, it is an attempt to surrender in the face of the EPA's dramatic regulatory overreach. It is the so-called ''agriculture exemption.''

When I talk to people in agriculture—the so-called agricultural exemption doesn't shield agricultural producers from increased fuel, increased energy, and increased fertilizer costs.

The factories, refineries, and powerplants that are the glue that holds the farming industry together and allows it to function will be hit with significant energy taxes under the Baucus amendment.

The aftershock will be felt by American small businesses and farmers across the West and the Midwest.

Farmers and small businesses will face higher electricity costs, higher gasoline costs, higher diesel costs, and higher fertilizer costs.

Everything from driving a tractor to shipping your produce to market will skyrocket.

Farms will close, and the cost of produce at the local grocery store will go up for all Americans.

We are not just seeing pain at the pump; people are paying more for gas, but they are also paying more for groceries these days. This will make that worse.

If you have any doubt about the impact the Baucus amendment will have on farms, talk to the American Farm Bureau because they oppose this amendment.

Another amendment dealing with the EPA is the Rockefeller amendment. It calls for a partial delay of EPA regulations for 2 years. This is not a delay, it is a distraction. The question is, does it truly delay the regulation of greenhouse gases? Not really. A couple are delayed—two of six—but four greenhouse gases are not. If that sounds like only a partial delay, you are correct, it is only partial.

Does the Rockefeller amendment put in safeguards to ensure the Environmental Protection Agency abides by the 2-year partial delay? No, it doesn't. The Rockefeller amendment does nothing to stop the EPA from stalling construction permits during the 2 years.

The Rockefeller amendment does nothing to prevent EPA from retroactively requiring costly mandates on small businesses, powerplants, and manufacturing facilities. It also does not prevent climate change nuisance suits, which are filed in court by groups opposed to fossil fuel development.

It seems to me the Rockefeller amendment only delays job growth, while giving a green light to EPA to proceed with regulations that will be costly to American families and to our American economy.

For those of us looking to protect jobs across the country and restore Congress's authority to determine our own energy future, this type of amendment can only be described as a partial delay. It is a distraction.

We don't need a surrender or a distraction; what we need is a solution.

The solution is the McConnell-Inhofe amendment. This amendment restores the Clean Air Act to its true meaning and congressional intent. Let me get back to that. This amendment restores the Clean Air Act to its true meaning and congressional intent.

The McConnell-Inhofe amendment blocks EPA's attempt to enact cap and tax. They are trying to do it in a backdoor route with cap and tax. But the McConnell amendment blocks EPA's attempt to enact cap and tax by blocking EPA's authority to regulate greenhouse gases under the Clean Air Act, by repealing the EPA's endangerment finding that says carbon dioxide is a threat to public health, by repealing the tailoring rule that says EPA can arbitrarily pick and choose which businesses they want to target, and also by applying it immediately to all greenhouse gases.

This is the amendment we must pass to rein in EPA and to protect jobs. This is the amendment that has been endorsed by the U.S. Chamber of Commerce, the Business Roundtable, the American Farm Bureau, and Americans for Prosperity. The list of supporters of this amendment is extensive.

We need to get serious about America's energy future. Congress needs the time to get this policy right. We need to make America's energy as clean as we can, as fast as we can, and do it without raising energy prices or hurting American families and jobs.

The McConnell-Inhofe amendment is the right solution.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENSIGN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

LIBYA

Mr. ENSIGN. Mr. President, I rise to speak in reaction to President Obama's speech this week outlining what he believes to be in our Nation's interest in Libya. Last week, while working in Nevada, many of my constituents asked what my thoughts were on the military action we have taken in Libya. My answer to them was simply that I did not believe the President had outlined a vital U.S.-American interest in our engagement in Libya, and that the United States cannot afford to be the police force of the world.

This week, with the President's address to the Nation, I had hoped I would hear something to change my mind or, better yet, something that would instill confidence about the President's decision, but, unfortunately, this address provided the American people with many more questions than answers. President Obama left me wondering why any vital U.S.-American interest in Libya would justify military action.

He said refugees would stream into Tunisia and Egypt, but we often aid refugees without F–15s. He said we needed to preserve the writ of the United Nations Security Council, but he did not explain why the safety of our men and women in uniform should ever be put at the service of that body. He said we needed to show dictators across the region that they cannot use violence to cling to power, but if President Obama's policy fails to get rid of Qadhafi, that is exactly the lesson they will learn.

The President left me wondering about the definition of ''military success.'' He said our military mission is limited, but how do we know when we have hit our limit? Is it when Qadhafi poses no threat to civilians? Is it when all of Qadhafi's thugs are gone, or is it when Qadhafi steps down?

This week's address from President Obama makes it clear that we may be headed for another decade-long military operation in the Middle East. Our service men and women cannot afford to be engaged in another Middle East dispute; they are stretched thin enough as it is.

This weekend, Secretary of Defense Gates said, when asked about whether Libya is in our vital interest:

> No, I don't think [Libya] is a vital interest for the United States. . . .

So what are we doing? I understand the President may sincerely want to

save lives in Libya, but our country cannot afford to be the police force for the rest of the world. We did not step in when there was genocide in Darfur. As a matter of fact, there is a story today which I ask unanimous consent to have printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From www.reuters.com, Mar. 29, 2011]

DARFURIS FEEL BETRAYED BY LIBYA NO-FLY ZONE

(By Opheera McDoom)

KHARTOUM.—People in Darfur watching how quickly a no-fly zone was imposed on Libya by the United States and its allies said they felt betrayed because U.S. President Barack Obama had broken his promise to protect them in the same way from government attacks.

The government in Khartoum is still defying a U.N. Security Council resolution by bombing rebels in Darfur.

While Darfur was a foreign policy priority for Obama during his election campaign, the festering conflict has fallen into oblivion since his election.

Sudan's President Omar Hassan al-Bashir is wanted by the International Criminal Court for genocide and war crimes in Darfur, where the United Nations estimates at least 300,000 people have died in a humanitarian crisis sparked by a brutal counter-insurgency campaign that began in 2003.

A prominent Darfuri leader said a no-fly zone would protect civilians in the isolated region.

''Right now—forget in the past—right now what is happening in Darfur is worse than in Libya,'' said Barouda Sandal of the opposition Popular Congress Party. ''The air force is bombing civilians and thousands are fleeing.''

Peacekeepers from the joint U.N.-African Union force this week confirmed aerial bombardments in areas they visited and said more than 70,000 people had fled fighting in the past few months alone, swelling miserable camps already housing more than two million people seeking refuge from the fighting.

NO-FLY ZONE

During his 2008 presidential campaign, Obama backed a no-fly zone in Sudan's west and tougher U.S. sanctions on Khartoum. But once in the White House, his special envoy eased the embargo and promised to remove Sudan from the list of state sponsors of terror.

Washington was the first capital to label Darfur's conflict genocide, infuriating Khartoum, which blames Western media for exaggerating a conflict it describes as tribal. It says 10,000 people have died in the violence.

But quick U.S. intervention in Libya on humanitarian grounds has provoked debate as to what is the standard for intervention in foreign conflicts.

''The swiftness of the international community's response to Colonel Gaddafi's bloody repression of the Libyan uprising has surprised no one more than the diplomats involved,'' journalist Rebecca Tinsley wrote in the Huffington Post.

''At the same time it has left survivors of state-sponsored massacres in Darfur, Rwanda . . . bewildered by our double standards.''

The U.S. embassy in Sudan said Washington remained engaged in Darfur, giving aid and supporting the peacekeeping mission.

''It is not inconsistent for the United States to play different roles in each vital international effort,'' it said in a written statement.

Many Darfuris believe the quick military intervention in Libya was because of its oil, rather than for humanitarian reasons.

''We are astonished that over a few weeks about 1,000 Libyans have been killed and they went in, but in Darfur they killed hundreds of thousands yet no one comes. And Darfuris are feeling very bad about this,'' said Ibrahim el-Helu, a commander from the Sudan Liberation Movement, a Darfur rebel group.

''Hundreds of Darfuris are calling me, saying let them come and drill for oil here if it means they will come and protect us too,'' he said.

Mr. ENSIGN. The headline reads:

Darfuries feel betrayed by Libya no-fly zone.

We didn't step in in Darfur. We also didn't help the people of Rwanda. The last time we did try to police a situation such as this was in Somalia, and we all know how that ended.

That is probably why we haven't intervened in the Ivory Coast, even though there are more than 1 million people who have fled their homes and hundreds of thousands have crossed into neighboring countries.

Other nations such as France wanted to take the lead on addressing the Libyan situation. I believe we should have allowed them to do so. The President's address made it clear that our military action in Libya is less about humanitarianism and more about realizing a multilateralist fantasy.

While Secretary Clinton has continued to refer to S. Res. 85 as the Senate's endorsement of the President's establishment of a no-fly zone, I would like to point out to the American people that this talking point is misleading. This is what she said:

The U.S. Senate called for a no-fly zone in a resolution that it passed, I think, on March the 1st, and that mission is on the brink of having been accomplished. And there was a lot of congressional support to do something.

This Senate resolution received the same amount of consideration that a bill to name a post office has. This legislation was hotlined. There was no debate allowed, no legislative language provided to consider. There was no vote. S. Res. 85 described a no-fly zone as a possible course of action for the U.N. Security Council's consideration. It did not instruct the U.S. Ambassador to the United Nations to take action, let alone authorize a military operation. Using the hotline process for this resolution as a congressional endorsement for the President's policy is simply not an adequate use of Congress's role in authorizing military action. The administration unilaterally developed, planned, and executed its no-fly zone policy. The President consulted with the United Nations, he consulted with NATO, he consulted with the Arab League, but he did not consult with the body that is mandated under the Constitution: the U.S. Congress. There was no congressional approval or oversight of this military commitment.

The Senate resolution simply does not authorize or endorse the use of force. It urges a multilateral body to consider a no-fly zone as a possible course of action. This is not the legal equivalent of an authorization to use force. This is not the political equivalent of that authorization. So what is it?

I believe it is a disrespectful checking of the box for congressional approval by the administration's unilateral action. As Secretary Gates has stated, there is not a vital interest for our Nation in Libya, which means now that we are engaged there, the United States is at risk of mission creep and the possibility of a ''take two'' of what happened in Somalia.

Before our military intervention, U.S. interests in Libya were minimal. Our intervention has overinflated our interests in Libya's civil war. If Qadhafi stays in power—and many believe he will—and continues to fire on innocent civilians, demands for U.S. military capabilities will go up. This sounds strikingly similar to what happened in Somalia. Furthermore, this engagement has explicitly announced our support for the rebel cause. Yet we don't even know who or what these rebels are or what their ideology is. President Obama's military strategy risks damaging our already shaky credibility in this unstable region of the world. Even with complete military success, President Obama's policy may appear to fail because he has disconnected military means—a no-fly zone—from his strategic ends—Qadhafi's removal.

The Obama administration has confused our priorities in the Middle East. Operations in Libya divert our focus from unstable situations in Syria, Yemen, and Iran, all of which are more important for U.S. interests. Operations in Libya muddle our interests and undermine our ability to lead across the region. If turmoil in Libya calls for a no-fly zone, are we prepared to make the same commitments in Syria and Iran, where we have far greater strategic interests? If not, what kind of message does this send to reformers in those countries?

Last year, when there was an uprising in Iran, the President basically said: Hands off. It is not in our interest. We can't do anything about it. What kind of a message does that send?

Some have argued that oil is the underlying reason for our engagement in Libya. Whether this is the case or not, the perception is there. Instead of lessening our dependence on dangerous foreign oil, this administration has steadfastly refused to allow the United States to tap into its own oil reserves.

In Alaska alone there are three places that would supply the United States with 65 years' worth of what we import from the Persian Gulf.

Unfortunately, as strongly as I believe in renewable energy, it is going to take us 30 to 40 years for renewable energy infrastructure to be up and running enough to start contributing significantly to our Nation's energy supply, which is why we need to act to get

more oil, natural gas, and other types of American fossil fuels into our energy supply today.

I would argue that there is a vital U.S.-American interest to harvest our own energy or we risk engaging in a military conflict every time those in an unstable Middle East cannot get along.

This is absolutely a critical debate. There are legitimate differences on both sides of the debate, but this is a debate that Congress should be willing to have: whether the President should have consulted and whether this is in our vital U.S.-American interest to go forward.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. ALEXANDER. Mr. President, I ask unanimous consent to divide equally the remaining amount of morning business time.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ALEXANDER and Mr. SCHUMER pertaining to the introduction of S. 679 and the submission of S. Res. 116 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SCHUMER. Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR FEDERAL EMPLOYEES

JOSHUA BIENFANG

Mr. WARNER. Mr. President, I come to the floor again today to once more honor another great Federal employee.

I know the Presiding Officer and I, as well as some of our colleagues, recognize that in the State of New Mexico and the Commonwealth of Virginia and here in Washington, there are countless Federal employees who do great things in terms of public service and don't often get the recognition they deserve.

As we debate the balance of this year's budget and think about the incredible issues in front of us in terms of our debt and deficit—issues that have to be confronted—we also sometimes have to remember that our actions or our failure to act has enormous consequences on the people who defend our country, protect our homeland, or make sure the basic operations of government work. It could be making sure our Federal parks are open or making sure the folks here in Washington who are Federal police are on the job. Sometimes our failure to agree or our failure to come together on particularly the predictability of the balance of this fiscal year has an effect on their lives.

That is not the subject of my purpose of rising today, but I do think it is important to bear that in mind as I continue the tradition that was started by Senator Kaufman last year of coming to the floor on a regular basis to honor Federal employees.

Time and again, I have seen how the skills and dedication of Federal workers have yielded groundbreaking benefits for our country. Today, I wish to highlight a Federal worker who is at the forefront of modern technology.

Joshua Bienfang is a physicist at the National Institute of Standards and Technology. He created a new method of transmitting encrypted messages in a 100-percent secure way by using quantum physics. I know the Presiding Officer is an expert in quantum physics. I, unfortunately, am not. But since there are so many business operations in the great State of New Mexico, I know he is very familiar with these subjects, but I still have a great deal to learn. My understanding is that in practical terms, this means that message interceptors will be unable to capture sensitive information—critically important to protecting the homeland.

Prior to Mr. Bienfang's breakthrough, quantum cryptography was thought to be a largely experimental means of transmission. But he was able to both secure messages and speed up their delivery. In fact, this technology has set world speed records in the quantum cryptographic field. I know the Presiding Officer probably knows what those speed records are. I don't know. His background in quantum physics makes him understand that, but I think it is a very remarkable achievement.

Without a doubt, Mr. Bienfang's discovery will be greatly important to our national security as well as commerce and equally important to the privacy of medical records. His work also demonstrates the diversity of our Federal workforce. While we may have our fair share of bureaucrats, there are literally hundreds, if not thousands, of scientists and researchers doing cutting-edge work within the Federal Government and applying their intellect to benefit the American people.

I hope my colleagues will join me in congratulating Joshua Bienfang as well as those at the National Institute of Standard and Technology on their success, which will no doubt aid Americans in the years to come.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the period of the quorum calls between now and 2 p.m. be equally divided between both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous consent that I be allowed to engage in a colloquy with my colleague from Texas.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. BARRASSO. I come to the floor as a physician who practiced medicine in Wyoming for a quarter of a century as an orthopaedic surgeon, taking care of families across the State, and to present a physician's second opinion on what has happened with the health care law people are dealing with. As NANCY PELOSI said 1 year ago: ''First we have to pass it before you get to find out what's in it.''

The American people are finding out what is in it and, frankly, they are not happy with it. They don't like it, they don't want to live with it, and they don't want to live under it.

One year ago, when we started this discussion, what we heard and what I believed as a physician was that what people are looking for is the care they need, from a doctor they want, at a cost they can afford.

This 2,700-page bill that is costing trillions of dollars doesn't deliver that at all. To me, it is a bill that makes it harder to create jobs. It increases the cost of care, eliminates choice, raises taxes, is locking 16 million Americans into a broken Medicaid system, and is taking $500 billion from our seniors—not to help take care of Medicare and solve that problem but to start a whole new government entitlement program.

I was visiting with one of my colleagues, Dr. Kris Keggi, an orthopedic surgeon whom I trained under in my residency program. Just the impact on

seniors alone who need hip and knee replacements—we know when we take that kind of money away from Medicare, it doesn't make it easier for seniors to get the care they need.

Two courts have ruled—one in Virginia and one in Florida—that this health care law and the mandate that everybody in the country must buy or obtain government-approved health insurance is unconstitutional. The States are at an impasse in knowing what to do. How do they react? What will the Supreme Court decide? What kind of resources must the States commit?

That is why I am delighted to be joined on the floor by Senator HUTCHISON from Texas. I think she has the right answer. She has introduced, as an amendment to the bill we are discussing on the floor, the Save our States Act. It is an amendment to suspend implementing these health care reform measures until the lawsuits have been settled and we actually get a clear understanding.

I believe this law is unconstitutional. I ask my colleague—and I note there are quite a few Senators who have cosponsored this legislation—if she would perhaps share, as part of a second opinion, her thoughts on what the States have to live under now and what rights and opportunities the States should have.

Mrs. HUTCHISON. Mr. President, I certainly appreciate what Dr./Senator BARRASSO, from Wyoming, does for us on a regular basis. As one of the few physicians in our body—he is one of the two—he tells us the things that are happening in this health care reform bill that are hurting our health care system, hurting the quality of health care in our country, at a time when we need to assure senior citizens that Medicare cuts will not take effect. We certainly want our small businesses to hire people rather than stop at 50 because then they are going to start getting fined for not giving the government-prescribed health care that is in the health care reform act that was passed last year.

What I am doing in my amendment, as one of those pending in the bill before us, is saying: Stop. We have now had two Federal courts—one from Virginia, one from Florida—that have said this law is unconstitutional. Yet the administration is continuing to implement the law, even though it has certainly now been called into question.

I am most affected by the number of States that are having to do the same thing. Most of our State legislatures are in session right now. Every one of them—actually, I think approximately 44 States out of 50—has a budget shortfall. Yet our States are having to spend hundreds of millions of dollars to implement a law that may be declared unconstitutional.

Some States have said we are not going to implement it. But if they say that, then they are going to be in jeopardy when they are not prepared, if the law is constitutional, and they will be paying late fees and fines for not implementing during this kind of time when we are in limbo. Some States are saying we are going to implement, but we have a budget shortfall and we would like not to be required to implement a law that may be void and we are spending millions of dollars when we need that money for education or Medicaid, frankly.

My amendment says we will stop any further implementation of this law until we know the final opinion has been rendered by the Supreme Court of the United States regarding whether the law is valid. That is it. It is simple and clear. We will let every State know they have a level playing field, that they do not have to spend the hundreds of millions of dollars now being spent on implementation, unless we know the Supreme Court has said the law is valid.

I have 36 cosponsors of my amendment, including the Senator from Wyoming, who is one of our two physicians in the Senate. I think we will have a large support because I am getting letters from organizations.

I got a letter from a group that has been formed to say we need to start over on this health care reform bill. These are people who represent the employers of America that want to be able to give their employees the health care coverage they can afford right now. It may not be the government-prescribed health care, but many are trying to do it.

The groups that have signed this letter supporting my amendment to say stop implementation now are: The Associated Builders and Contractors, the Associated General Contractors, the Electrical Contractors, the Foodservice Distributors Association, the International Franchises Association, the National Association of Manufacturers, the National Association of Wholesaler-Distributors, the National Retail Federation, the Small Business and Entrepreneurship Council, the U.S. Chamber of Commerce, the Independent Women's Voice, and the 60 Plus Association.

Those are the groups that are saying let's stop the upheaval this has caused in our country and wait and see what the Supreme Court says before we have the outlays of millions of dollars.

Most certainly, small businesses are not increasing employment because they are so concerned about the implications of the health care reform bill. Let me give the Senator from Wyoming an example from my home State of Texas, in Corpus Christi. A small business there has 34 employees. The cheapest option they have for their health insurance renewal is 44 percent more than their insurance just last year. They have just days to decide whether they can continue to offer their employees health insurance. This is in anticipation of the health care reform bill going into effect and causing these employers to have to meet these new mandates.

The insurance companies are already ratcheting up their insurance premiums in anticipation of this law. This is one of the key reasons we need to stop the implementation, until we know if this law is valid, so our businesses will have the freedom to provide affordable health care coverage to their employees.

I thank the Senator from Wyoming for coming in with his second opinion because we know he has unique experience in working with our health care system. I wish to make sure we don't do what the physicians' motto is—which is do no harm—when we haven't thought it through and don't have all the ramifications. First, do no harm. That is their motto. It is simple and clear.

I think we need to stop implementing this bill until the Supreme Court has ruled on its constitutionality.

Mr. BARRASSO. Mr. President, to follow up on that, I am so pleased to be an original cosponsor of the Save our States Act.

States are very concerned. As I heard my colleague from Texas say, 44 States are in the red right now. When we hear the complaints from Governors of both parties—they are all having to live under this law—they have great concerns. Some States, as my colleague notes, have actually applied for waivers so they don't have to live under the constraints of the law. The State of Maine has been given a waiver, 2½ million Americans have been given waivers by the Secretary of Health and Human Services. Many of those are union workers who actually supported the law. When they found out what the law was going to cost—as in the example the Senator has given from Corpus Christi—they said: We can't live under this.

To be forced to put out this expense and pay for it at a time of huge financial challenges for our States, it seems that the Save our States Act is a rational, logical, commonsense way to deal with this.

I will be home in Wyoming this weekend, very likely at a health fair, visiting with people from the communities. Health care fairs are ways to get low-cost health screenings. We know early prevention and early detection of problems are ways to keep down the cost of health care. Those are measures that work. We need to repeal and replace this health care law with things that are commonsense solutions that work. Of course, we can make it legal to allow people to buy insurance across State lines, give people individual incentives to stay healthy, allow people who buy individual health insurance to get the same tax breaks as big companies, and deal with the lawsuit abuse doctors will tell us impacts the way they practice and raises the cost of care.

There are so many things we need to do. That is why I come to the floor again with a doctor's second opinion on the health care law, saying it is time

to repeal and replace this health care law and replace it with something that works for the American people. This law we have passed and is now on the books is one I believe is unconstitutional and one that the Save our States Act will help our States deal with. This is a way that I think will help the health care of Americans who are struggling at this time to deal with the onerous requirements they see coming at them under the President's new health care law.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent for the period of morning business to be extended until 3 p.m., with the time equally divided between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

SBIR/STTR

Ms. LANDRIEU. Mr. President, I appreciate everyone's cooperation in trying to help us move the SBIR bill through the Senate this week. It is a very important bill. Hopefully, we can get back on that bill officially this afternoon as the leaders are negotiating about the amendments that are pending or those amendments filed against the bill. I see, at this time, the Senator from Maryland who is on the floor and wants to speak for just 1 minute about the bill and then Senator BOXER came down to speak about an amendment. Senator VITTER is also here, and I know he would like to be recognized in just a few minutes as well. Then we will alternate back and forth through morning business. There is no consent agreement at this point, but we will try to be fair to the Members, to move back and forth through the afternoon until 3 o'clock.

Mrs. BOXER. Mr. President, I ask the Senator if she will yield for a question.

Ms. LANDRIEU. The Senator would go after Senator CARDIN.

Mrs. BOXER. I wanted to clarify that.

Ms. LANDRIEU. Then Senator VITTER, if that is OK.

Mrs. BOXER. Because I have a pressing event after, I wanted be sure.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I wish to go back to the SBIR bill itself and compliment Senator LANDRIEU, the chairman, and Senator SNOWE, the ranking Republican member. This bill is an important one. I think it is important we get back to it and that we deal with amendments relevant to this legislation and move it forward. We have been on this bill for a period of time. It is time to move on. I urge my colleagues, let's take up the amendments that are relevant to the legislation and move it forward.

This is bipartisan legislation, passed out of committee by an overwhelming vote of Democrats and Republicans. It is a bill that will help create jobs in our community. We are talking about how America, as the President said, can outeducate, outinnovate and outbuild our competitors. We have to outinnovate. The SBIR bill makes it easier for small companies to innovate for America, to help this Nation grow, to help our economy grow. It is about jobs and innovation.

The SBIR Program provides funds for small-tech firms to innovate and grow and create jobs and for America to continue to lead the world in innovation. That is what this bill is about. It provides predictability so if you are going to go into a business, you know the program is going to be here to give the permanency of reauthorization. It provides a greater share of the pie for our smaller companies. Why? Because that is where we are going to get the job growth in America and that is where innovation is going to come from.

This is commonsense legislation we need to move forward. I know everybody has their particular amendment they want to get on that is not related at all to this bill. Let's do our small businesses a favor, let's do the American economy a favor, let's do something that can help not only create jobs but move America forward in innovation and let's get this bill moving for the sake of our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I need to tell the American people and my colleagues who have not been following this important debate on a very good bill, I am so grateful to the Senator from Louisiana, Ms. LANDRIEU, for this bill. Unfortunately, there has been an amendment that was attached to this bill on the very first day which would stop the Environmental Protection Agency forever from enforcing the Clean Air Act as it relates to carbon pollution.

This is a first of a kind. It has never been done. It is essentially a repeal of the Clean Air Act as it involves one particular pollutant, carbon, which has been found to be an endangerment to our people. The EPA did not wake up one day and say: We think carbon is dangerous. No; the scientists in both the Bush administration and Obama administration found out carbon is a dangerous pollutant, dangerous to the health of our families. So EPA, in what is I think a very solid way, has started to prepare to regulate carbon. They have done it in a way that has said they are not going after farms, they are not going after small business, they are going after the biggest polluters in the country.

Guess what. The friends of those polluters, right in this Senate Chamber, have decided—and they already did it in the House, the new Republican majority—they are going to stop EPA in its tracks. That is why I will ask unanimous consent to have printed in the RECORD a very good letter from the American Lung Association, the American Public Health Association, the Trust for America's Health, the Physicians for Social Responsibility, and Asthma and Allergy Foundation of America. I ask unanimous consent to have that printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 30, 2011.

DEAR SENATOR: Our organizations have written to you recently on legislation impacting the Clean Air Act. Today we write to express our opposition to the amendments that will come before the full U.S. Senate in the very near future.

We oppose:

1. Amendment No. 183 by Senator McConnell;
2. Amendment No. 215 by Senator Rockefeller;
3. Amendment No. 236 by Senator Baucus; and,
4. Amendment No. 265 by Senator Stabenow

By blocking the Environmental Protection Agency's (EPA's) authority to update clean air standards, each of the above amendments, in its own way, will weaken the Clean Air Act.

If passed by Congress, these amendments would interfere with EPA's ability to implement the Clean Air Act; a law that protects public health and reduces health care costs for all by preventing thousands of adverse health outcomes, including: cancer, asthma attacks, heart attacks, strokes, emergency department visits, hospitalizations and premature deaths.

Additionally, the public strongly opposes Congress blocking EPA's efforts to implement the Clean Air Act. A recent bipartisan survey, which was conducted for the American Lung Association by the Republican firm Ayres, McHenry & Associates and the Democratic polling firm Greenberg Quinlan Rosner Research, indicates the overwhelming view of voters:

69 percent think the EPA should update Clean Air Act standards with stricter limits on air pollution;

64 percent feel that Congress should not stop the EPA from updating carbon dioxide emission standards;

69 percent believe that EPA scientists, rather than Congress, should set pollution standards.

The above amendments would strip away sensible Clean Air Act protections that safeguard Americans and their families from air pollution. We strongly urge the Senate to support the continued implementation of this vital law.

Sincerely,

CHARLES CONNOR,
President and Chief Executive Officer, American Lung Association.

GEORGES C. BENJAMIN, MD, FACP, FACEP (E),
Executive Director, American Public Health Association.
DEAN E. SCHRAUFNAGEL MD,
President, American Thoracic Society.
BILL MCLIN,
President and CEO, Asthma and Allergy Foundation of America.
PETER WILK, MD,
Executive Director, Physicians for Social Responsibility.
JEFFREY LEVI, PHD,
Executive Director, Trust for America's Health.

Mrs. BOXER. They say we ''strongly oppose Congress blocking EPA's effort to implement the Clean Air Act.'' That is one of the things they say in the letter.

Then, I ask unanimous consent to have printed in the RECORD—by the way, these are new letters, yesterday one of them—a letter from Business for Innovative Climate + Energy Policy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUSINESS FOR INNOVATIVE CLIMATE + ENERGY POLICY,
March 28, 2011.

Re: Business Support for EPA's authority to regulate GHG emissions

DEAR SENATE MAJORITY LEADER REID AND SENATE MINORITY LEADER MCCONNELL: We are writing as major U.S. businesses to urge you to oppose all amendments or other measures that would block, delay or curtail EPA's ability to take action on the regulation of greenhouse gas emissions.

For nearly two years, our coalition, Business for Innovative Climate and Energy Policy (BICEP), has worked with Members of Congress toward passage of comprehensive climate and energy legislation, because we believe it is critical to the health of our businesses and essential for job creation and innovation in the United States.

It is important to underscore that we have always believed strongly that Congress should lead on setting climate and energy policy for the United States. However, in lieu of Congress's ability to pass a comprehensive bill, EPA's legitimate authority to regulate greenhouse gas emissions should not be constrained at this time.

We urge you and your Senate colleagues to remain focused on the vital task of passing a comprehensive climate and energy bill that will create jobs, reduce harmful emissions, encourage clean energy development and enhance national security.

Sincerely,

ANNE L. KELLY,
Director, BICEP.

Mrs. BOXER. The letter says ''Business Support for EPA's authority to regulate greenhouse gas emissions.'' It is a letter from Anne Kelly, who is director of this organization. She writes:

We are writing as major U.S. businesses to urge you to oppose all amendments or other measures that would block, delay or curtail EPA's ability to take action on the regulation of greenhouse gas emissions.

It is not business friendly. It is friendly, these terrible amendments, to the biggest polluters in America who today took out a full-page ad. I guess they can afford $20,000—maybe it is 50, I don't know what it costs—for a whole page, saying: ''Stopping EPA's job-killing greenhouse gas regulation.''

Of course, who are they? The Industrial Minerals Association, the National Mining Association, the National Petrochemical & Refiners Association, Petroleum Marketers Association of America, Society of Chemical Manufacturers, et cetera, et cetera.

I guess the question for us as a body is, Whom do we stand with, the biggest polluters in America or the American people, 69 percent of whom said in a bipartisan poll: ''EPA should update Clean Air Act standards with stricter air pollution limits.''

This group in this body, for whatever reason—and I respect their reasons, I just strongly disagree with them—are saying: Stop EPA, stop. Mr. President, 68 percent believe Congress should not stop EPA from enforcing Clean Air Act standards.

That is what these amendments do. I say show me one other thing besides we all love our mothers that would get 68 percent of the American people in a bipartisan vote.

Mr. President, 69 percent believe ''EPA scientists, not Congress, should set pollution standards.'' But we have Senators playing scientist, putting on their white coats, deciding what EPA should do, when it ought to be based on science. What is the science telling us? That it is dangerous to breathe in air pollution with lots of carbon in it.

I ask unanimous consent to have another letter printed in the RECORD from 1Sky, Center For Biological Diversity, Clean Air Task Force, Clean Water Action, Conservation Law Foundation, Defenders of Wildlife—I can't even take the time to read them all—Interfaith Power and Light, League of Women Voters, NRDC, Safe Climate Campaign, Sierra Club, Union of Concerned Scientists, Republicans for Environmental Protection—I love that one—Voices for Progress, World Wildlife Fund. I ask unanimous consent that be printed in the RECORD. It is dated March 30 of this year.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 30, 2011.

DEAR SENATOR: On behalf of the millions of members, activists, and supporters our organizations represent, we urge you to oppose all amendments to S. 493, the SBIR/STTR Reauthorization Act of 2011, that would block the Environmental Protection Agency's (EPA) ability to protect public health, including Senator McConnell's amendment (#183), Senator Rockefeller's amendment (#215), Senator Baucus's Amendment (#236), and Senator Stabenow's amendment (#265). Each of these amendments will stop the work underway to clean-up health-threatening carbon dioxide pollution, putting families across the country at risk and stifling investment in a clean energy economy.

For 40 years, the EPA has protected our health and for 40 years the Clean Air Act has been reducing dozens of different air pollutants—all while contributing to America's economic prosperity. These amendments would block the EPA's authority to do this critical job, giving big polluters a free pass to spew carbon dioxide and other pollution without limit. Stopping the EPA from doing its job now means more Americans will suffer ill health, not fewer; more clean energy jobs will be outsourced overseas, and fewer American jobs will be created here at home.

Time and again, some in industry have made dire claims in order to avoid taking responsibility for polluting our air. And time and again, the industry predictions have proven false. In fact, between 1970 and 1990 the Clean Air Act returned $42 in benefits for every dollar spent. And for every dollar spent cleaning up our air from 1990 to 2020, Americans are expected to receive 30 dollars in economic benefits. The Clean Air Act is a clear financial winner.

Medical professionals and public health organizations agree that carbon dioxide pollution is a serious public health issue. Compromising the work of the EPA means more Americans will suffer the impacts of severe asthma attacks, more children will end up in hospitals attached to respirators, and more seniors lives will be put at risk from heat waves and severe weather.

Once again, we urge you to oppose all amendments to S. 493 that would block the Environmental Protection Agency's ability to protect public health. By doing so, you will stand up for our health, our economy, and our environment. The American people deserve the cleaner air, better health, and saved lives that are made possible by the Clean Air Act.

Sincerely,

1Sky, Center for Biological Diversity, Clean Air Task Force, Clean Water Action, Conservation Law Foundation, Defenders of Wildlife, Earthjustice, Environmental Defense Fund, Environment America, Friends Committee on National Legislation.

Friends of the Earth, Interfaith Power & Light, League of Women Voters of the United States, Natural Resources Defense Council, Republicans for Environmental Protection, Safe Climate Campaign, Sierra Club, Union of Concerned Scientists, US Climate Action Network, Voces Verdes, Voices for Progress, World Wildlife Fund.

Mrs. BOXER. It says:

For 40 years the EPA has protected our health and for 40 years the Clean Air Act has been reducing dozens of different pollutants—all while contributing to America's economic prosperity.

Every single time we try to rein in pollution, special interests say: No, no, no, a thousand times no. We will stop growth. We will stop jobs. We will kill the economy. It is awful, awful, awful.

Let me give one economic fact: If you can't breathe, you can't work.

Here is a picture of a little girl suffering, struggling. I urge my colleagues who support Senator MCCONNELL to look at this. They are not here, but maybe on TV they will. Look at this picture. Is that what we want for her future?

We have another picture of a little boy. This is what is happening in this country because of the polluters who will not clean up their mess. Here is another beautiful child. We all love children. How many speeches have we had on this floor—we love children, children are our future, we will fight for our children. Do we want their future to look like this, breathing

through a device? Come on. This is clear.

You go to any school. I defy my colleagues, try this. Go to any school in your State and say: By the way, how many of you have asthma? You will see the little hands go up. Then you say: How many of you know someone with asthma? You will see half the class raise their hands. Yet what are we doing on this beautiful bill—that Senator LANDRIEU, I know, wants to have cleaned up? She doesn't want these amendments on it. Regardless of how she may feel or I may feel, we both agree we should not have these amendments on it, but so be it. We have to vote these amendments down because we are responsible for these kids. All our side is saying is very simple: The Clean Air Act has worked.

If I went up to you and I said: If you know something worked perfectly well, would you mess with it? Would you change it?

No. Why would you, if it is working well?

So let's take a look at how well the Clean Air Act is working. I know how strong the belief of the Presiding Officer is on this subject. Let's take a look at this.

In 2010, the Clean Air Act prevented 160,000 cases of premature deaths. By 2020, that number is projected to rise to 230,000 cases of premature death. So if we stay on course and we fool around with the Clean Air Act—as my Republican friends have already done in the House and I pray to God they do not succeed—we are going to see more deaths in 2020.

In 2010, the Clean Air Act prevented 1.7 million fewer asthma attacks. I showed you the picture of those children. Why do we want to mess with that? The Clean Air Act prevented 10,000 acute heart attacks. You read the stories: So-and-so went out on a heavy, bad air day, took a little jog, and collapsed.

I have to tell you, we have a success story to tell about what the Clean Air Act is doing. I will show a chart of what happened in Los Angeles. A lot of you go to my beautiful State. I know the chairman of the committee said she was just there, and it was a terrific visit to my State. We have a magnificent State. But there were times when you went to Los Angeles that you saw the air. That is not a good thing. When you see the air, that is a bad thing. The air was thick. People were told on many mornings: Do not go out unless you must. The air is so dangerous.

The Clean Air Act passed. Guess what. In 2010, we have had no mornings like that—none. We went from 166 days a year of health advisories in southern California to none in 2010. I have to say, if you show me any other law that has had this record of success, I will smile and be happy. We went from 166 days a year of smog advisories to none because of the Clean Air Act. I have already told you, we have saved lives, saved asthma attacks. We have done it all. Yet there are people in this Chamber who want to either postpone enforcing the Clean Air Act as it relates to carbon or want to stop it forever, which is the McConnell amendment and the worst amendment of them all, if I had to rate them.

I have a couple other charts to share with you and then I will close. The McConnell amendment, which is the worst of all amendments—none of them are good—they all interfere with the Environmental Protection Agency, which is supported, the EPA, by 69 percent of the people.

But the McConnell amendment is a disaster. It is the same as the Upton amendment, the Upton bill in the House, and the Inhofe bill in the Senate. The McConnell amendment—what does it do? It says that forever more, the EPA cannot do anything to regulate carbon pollution regardless of how dangerous it is, regardless of what the scientists tell us, regardless of what the physicians tell us, regardless of what the people tell us through the polls, regardless of what our communities tell us, what our States tell us, what our mayors tell us. Forever more, they are repealing the Clean Air Act as it relates to carbon pollution. Rather extreme. Outrageous. We have to beat it. We must beat it. It is so bad. It goes against the Supreme Court decision. By the way, there will be lawsuits up the wazoo if it ever becomes law, and it will not, I pray.

The Supreme Court said that if we find—scientists—that carbon pollution is dangerous, we have to regulate it. Guess what. The scientists found that carbon pollution is dangerous. They made an endangerment finding. The EPA is ready to act, I think in a judicious way. They are very mindful. They are not going after farms, they are not going after small businesses. That is not good enough for these special interests who took out this huge ad today standing against—it is a beautiful ad. It looks almost environmental, green. This is not green; it is dirty—dirty air. That is what this ad stands for—dirty air.

A lot of people did not want me to come back here because they knew I would come here and tell the truth about this. But I am here, and I am going to tell the truth every day in every way because I love my grandkids and I love everybody's grandkids. As far as I am concerned, that is why I am here—not to protect the rich polluters who make billions of dollars a year. They can clean up their act. We proved it. We proved it. We have said we do not want kids struggling for air, and we said we can do this right. We proved it. We not only proved we can clean up the air, we not only proved we can save lives, we not only proved we can save asthma attacks, we proved we can grow this economy.

I am going to close now and let my friend from Louisiana have the floor, but I have to close with this. There is a lot of talk about how this is bad for business. But the fact is, every time the polluters get up and say: Do not pass any more Clean Air Act amendments, it is going to be bad for jobs. We found out that cleaning up the environment actually creates jobs. Not only does it create jobs, it creates new technologies. Not only does it create new technologies, but those technologies are exported to the world. And I will have printed in the RECORD the number of jobs that have been created as we moved to clean up the air.

So the reason I am here—and I think it is quite a spirited discussion I am having with all of you—is because we are facing four bad amendments—four, count them, the worst being McConnell—all of which would either slow down the EPA or stop the EPA.

By the way, the McConnell amendment is so terrible that it even says EPA can no longer have anything to do with tailpipe emissions of cars, which is such an important part of the dirty air we are facing.

In closing, according to information from the Institute of Clean Air Companies—those are American companies that oppose these big polluting companies—from 1999 to 2001, the number of boilermakers in the United States increased by 6,700—a 35-percent increase—even though we said: You have to clean up the air.

The Department of Commerce shows that the U.S. environmental technology industry generated $300 billion in revenues, supported 1.7 million jobs. The air pollution control sector produced $18 billion in revenue. Small and medium-sized companies make up 99 percent of the private sector firms in this sector of the economy.

So here is what you have. You have these huge, multibillion-dollar polluters who can afford to take one-page ads, full-page ads in the Washington Post. They want to continue polluting the air, and they don't want to clean it up. And you have a whole other group of businesses that have written to us and said: Please let the EPA do its work. It saves lives, it saves our children, and it creates many jobs—new jobs, clean jobs, good jobs.

If we go down the path of the McConnell amendment and these other amendments, we are ceding our leadership in environmental clean tech to China. That is the last thing we want to do. They are already surpassing us in solar production, and we created it.

So the bill before us is a fine bill. I hope, if we have to vote for these amendments, and they do come up as part of this agreement as we move forward, we will not pass any of them and we will allow the people to have their way. Sixty-nine percent of them say: Let the EPA do its job.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Louisiana.

U.S. ENERGY PRODUCTION

Mr. VITTER. Mr. President, since President Obama took office, the price

of a gallon of gasoline at the pump has risen 96 percent—96 percent, from $1.83 to now $3.60, with absolutely no end in sight. Meanwhile, and not coincidentally, the President has virtually shut down the Gulf of Mexico, he has canceled numerous energy lease sales, he has refused to act on stalled onshore permits, he has dramatically increased environmental regulations, and he has begun regulating CO_2 by administrative fiat. All of that has helped get us to where we are.

Today, President Obama went to Georgetown University, and at least he has begun focusing on and addressing the energy situation. I guess I give him points for that. He went to Georgetown today and delivered a speech which he called a Blueprint for a Secure Energy Future. But, like a lot of Presidential speeches, this is great-sounding rah-rah, nice title but pretty disappointing, from my point of view, on substance.

First of all, let's talk about the whole premise of the speech, a Blueprint for a Secure Energy Future. I was hopeful, on hearing about the plan for this speech, that we would be seeing an unveiling of a real energy policy, including moving in the right direction in terms of domestic production, utilizing our domestic energy resources. Unfortunately, this is more of the same. In fact, the President admits freely that this is absolutely more of the same. He says:

> Today, my administration is releasing a Blueprint for a Secure Energy Future that outlines the comprehensive national energy policy we have pushed since the day I took office.

So this is simply a restatement of the last years of policy, in my opinion, clearly failed, clearly counterproductive policy that has helped get us to $3.60 at the pump and climbing.

When you look even more at the substance of the speech, it is more disappointing. The whole speech is about 51 paragraphs. Of those 51 paragraphs, I looked to see how many are about tapping our domestic traditional energy resources. Well, 6 paragraphs of 51—just a little over 10 percent. Four paragraphs were about domestic oil production, and two were about domestic natural gas production. And even those two were mostly about possibly increasing regulation on the production of natural gas from shale, making it more difficult, not accessing more of our domestic energy resources.

What is the picture on domestic oil production, those four paragraphs? Well, the President says:

> To keep reducing that reliance on imports, my administration is encouraging offshore oil exploration and production.

Really? That is a news headline to my constituents in the gulf coast because every day we live a far different reality. We live the reality of an administration that has moved in the opposite direction, making domestic oil and gas production far more difficult, not easier.

Since the tragedy of the BP disaster, we have only had 7 deepwater exploratory permits issued—7 issued—compared to a comparable period before the disaster of 68, so about 10 percent. That is encouraging offshore oil and gas exploration and production? I don't think so. Since that disaster, the working rotary rigs in the gulf have fallen dramatically, from about 55 to 25. It has been cut by more than half. That is encouraging offshore oil exploration and production? I don't think so.

We need to change the policy that is virtually shutting down the gulf and stopping domestic energy production. Seven deepwater exploratory permits is not adequate. Seven, as I said, is roughly 10 percent of the rate that existed before. Of course we need to make changes, and we have. Of course we need to learn the lessons of the Deepwater Horizon explosion, and we have. But, again, seven is roughly 10 percent of the previous rate.

We need to do far better, and if we are going to really encourage that domestic production, what about production in Alaska's Beaufort Sea? EPA is sitting on those permits, not issuing those permits. As a result, Shell Oil announced that it is abandoning efforts to produce anything there. Is that what the President is talking about, encouraging oil exploration and production?

What about the lease sales he canceled? President Obama canceled the western lease sale that was scheduled. He canceled that in May of 2010. If you are serious, are you going to reverse that decision? Also, in May of 2010, the President canceled the planned Virginia lease sale. Unfortunately, in this speech, he did not reverse that policy. He is continuing that cancellation.

What about the cancellation of offshore tracts in Alaska's Cook Inlet? The President canceled that in March of this year, this month. Unfortunately, in this speech, he did not reverse that policy.

Withdrawn leases. The President's Department of the Interior has withdrawn 77 lease sales in Utah that were planned. They withdrew those in 2009. No reversal on that policy. Is that encouraging oil exploration and production?

So time and again the President has actually worked in the opposite direction—shutting down domestic production, making it more difficult, not, as he said in his speech today, ''encouraging oil exploration and production.''

We need a new energy policy, not a restated policy, not the same-old same-old from the last 2 years. We need a policy that does many things, including harnessing and accessing our enormous abundance of energy resources in this country.

You know, we Americans are not used to thinking of ourselves as energy-rich, but we are. And nonpartisan, nonbiased sources such as the Congressional Research Service say we are the most energy-rich country in the world bar none. The only country coming close to us is Russia in terms of our vast array and amount of domestic energy resources. We are out of the habit of thinking of ourselves that way for a simple reason: The Congress and this President in particular have taken 95 percent of those abundant resources and put them off limits under Federal law. No other energy-rich country does anything like that. We continue to do it even with the price at the pump rising so dramatically.

We need to stop that. We need to access our own richness, our own resources to take care of ourselves. And that is a big part of the energy plan we need, which, unfortunately, was not part of the President's Blueprint for a Secure Energy Future unveiled today, restated today, at Georgetown.

Many colleagues will join me tomorrow in introducing a bill that lays out that new energy vision to unlock the enormous potential we have here at home. The bill is called 3–D: The Domestic Jobs, Domestic Energy and Deficit Reduction Act of 2011. I am honored to be joined by between 20 and 30 colleagues—the list is still growing—who will formally introduce that act tomorrow. This is legislation aimed at our domestic energy resources, unshackling that potential, letting us get access to that enormous potential for domestic energy and, with it, great U.S. jobs, jobs right here in this country, and deficit reduction. So many of the primary challenges we face find their nexus in energy. Again, energy independence, self-reliance we need now more than ever, particularly with the unrest in the Middle East.

Secondly, jobs. We say we are trying to do everything we can to come out of this tough recession, but we are not, because the U.S. energy sector has the potential for enormous job growth. Again, we have taken a large percentage of those resources, 95 percent, and put it off limits.

With deficit reduction, along with producing more domestic energy, would come tremendous revenue to the Federal Government. After the personal income tax, this is the top source of Federal revenue—royalties on domestic energy production—second only to the personal income tax. Again, why don't we solve all of these problems—energy independence, U.S. jobs, and deficit reduction—by fully and aggressively developing our U.S. domestic energy sector?

Specifically, the 3–D bill would do six primary things. First, it mandates Outer Continental Shelf lease sales, directing the Interior Department to conduct a lease sale in each Outer Continental Shelf planning area for which there is a commercial interest. It would also consider the 2010–2015 planning area complete.

Secondly, it would open ANWR to energy production. This is a vast source of potential energy production, job creation, and deficit reduction, again, that we have put off limits through congressional and Presidential action.

Third, it would require action on stalled onshore permits, things such as

the leases that Interior withdrew in 2009 in Utah, things such as EPA inaction, actually withdrawing a CWA permit for the Spruce No. 1 mine in West Virginia, the State Department sitting on the permit issue in terms of the Keystone XL pipeline project, the EPA not issuing permits for Shell Oil operations in offshore Alaska. It would direct action in all of those areas.

Fourth, it would properly limit timeframes for environmental and judicial review. It would not change any of those review standards. It would only change the law so that those reviews could not go on ad infinitum. It would streamline the process and properly and reasonably limit those timeframes.

Fifth, it would block regulation of CO_2 by administrative fiat. We will have a vote soon on that issue. I am hopeful it will be a majority vote in favor of this opinion to block that regulation by administrative fiat that I espouse. This is also included in the 3–D bill.

Sixth, we would actually create an alternative energy trust fund from 25 percent of the new revenue produced from ANWR. It would capture 25 percent of that brandnew revenue for alternative energy development, research, and production. That would be positive as well.

This is the sort of domestic energy focus we need. This is the movement toward real energy security as well as job creation and deficit reduction that I would have hoped the President would have at least hinted at at Georgetown today. But he did not. His speech was the same old same old, explicitly restating what he has been doing for the last 2 years.

I urge all colleagues to join in this effort and to join in similar efforts. Americans face tough times. It is not being made any easier by the price at the pump going up. Again, since President Obama took office, that price has risen 96 percent, from $1.83 per gallon to $3.60 per gallon, and there is no end in sight. We need to access our own resources. We need to put Americans to work. We need to reduce our deficit with that extra new revenue. We can do it all by accessing U.S. domestic energy resources more fully, not putting 95 percent of those resources off limits, off the table by either Presidential fiat or congressional action.

I urge all of my colleagues to join us in this effort, to join similar efforts to give Americans real relief at the pump, to increase our energy independence, to lower the deficit, and to produce good American jobs.

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 (Mr. MERKLEY). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. REID. Mr. President, for the benefit of all Senators, we have been trying in the last 24 hours or more to work our way through the amendments to get to a vote on this most important bill we are dealing with, the small business innovation bill, a bill that has already created thousands of jobs around the country. It is an extremely important bill. We need to reauthorize this bill. It is a very small amount of money. It generates a lot of jobs. But we have been stuck.

I think we have had a breakthrough that we can at least, hopefully, work toward conclusion of this extremely difficult matter. I have spoken with one Senator who had a concern about an issue that has actually been held up—it is a Republican amendment held up by a Republican—not allowing us to have a vote on it. I think we have worked our way through that. Now the floor staff is trying to come up with a consent agreement that would work toward having a vote develop the will of the Senate on the 1099, the tax reporting requirement. Also, there are a number of amendments people wish to have votes on dealing with EPA standards. I think we are at a place where we can perhaps set up some votes.

With the difficulty of all the things we have today, including a briefing by the Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs on Libya, I think realistically we will not have any votes this afternoon. Tomorrow morning we have the funeral in New York for Geraldine Ferraro. We will work very hard to set up a series of votes for tomorrow afternoon. It could be a significant number of votes. It could be 10 votes or so tomorrow afternoon, and if it has to spill over into Friday, we will have to do that. At least I think we can get the voting done tomorrow. With a little bit of good fortune, we can work with the few problems we still have outstanding and move forward with Senator LANDRIEU's bill on which she and Senator SNOWE have worked hard.

I hope this let's Senators know what we are doing. Even though it seems like nothing, there has been a lot of work that has gone into this. It is fair to say we will have no more votes today, and we will try to get something set up for tomorrow afternoon.

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. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY SUBSIDIES

Mr. GRASSLEY. Mr. President, often I come to the Senate floor to talk about alternative energy. Most of the time it is about biofuels. Sometimes it is about wind, because I am the author of the wind energy tax credit. Sometimes it is to speak about it. Hardly ever do I come to the floor to talk about it in regard to the attempt to amend a certain bill on the floor. I come for that purpose now, and I come to express my strong opposition to amendment No. 220 filed at the desk by Senator COBURN.

I don't find any fault with the issue Senator COBURN raises, only when it is raised. I sense from some of his arguments and press releases that it is raised to bring up the issue of energy and what energy should be subsidized or not subsidized, or whether any energy ought to be subsidized, and also maybe to point out some things that are wrong with the Tax Code. I can't find any fault with any of those motives. I only find fault, let's say, in the sense that it is being brought up to show that there are some things wrong with the Tax Code and the Tax Code ought to be reformed.

Yes, if anybody said the Tax Code was a perfect piece of work, you might think: Well, you have been in Washington too long or you don't exercise good judgment or you are not in the real world. So I think it is perfectly legitimate to bring up issues about the Tax Code, but in the sense of reform of the Tax Code, not as an isolated amendment to some other bill, for the simple reason that if you do that, with the complexity of our Tax Code—reforming it in that way—every Senator attempting to do that would be growing a long gray beard for the years it would take to do it piecemeal. Hopefully, we can get it done sometime in the context of tax reform and tax simplification, or flat tax or fair tax, and also with the corporation tax.

As to the motive for bringing up subsidies for energy, it is a perfectly legitimate subject to bring up, but it ought to be brought up in the context of a national energy policy. I believe Senator COBURN is like me. He feels if you are going to have a growing economy, you have to have a growth in the use of energy, except for possible conservation. If you are going to do more for more people, you are going to have to have an increase in the use of energy. So it is in that vein that I state my opposition to the Coburn amendment.

Senator COBURN's amendment would raise the tax on domestic energy production by repealing an incentive for the use of homegrown renewable ethanol. I am astonished, given our current situation, that there are some who would prefer less domestic energy production. With conflicts in the Middle East and crude oil over $100 a barrel, we should be on the same side.

I have always considered myself on the same side as Senator COBURN on energy issues. We should all be on the side of more domestically produced energy, and that would be nuclear, it could be alternative energy, and it

would be drill here and drill now. The tremendous cost of America's dependence on foreign oil has never been more clear than when you have the conflicts and the revolutions going on in oil-producing regions of the world—now in the Middle East and northern Africa.

So we have this threat, and in light of that threat, we should have an energy policy that says ''all of the above.'' You don't pick and choose. I support drilling here and drilling now. I support renewable energy. I support conservation, both what might be mandated by public policy as well as personal conservation. I think people who know me know I have a reputation for conservation for several reasons—maybe energy conservation, but also it leaves more money in your pocket. I also support nuclear energy. So I believe it is very counterproductive for Senators from big oil country to single out energy that comes from American agriculture—renewable energy, homegrown energy, not imported. I didn't pick this fight. I support energy from all sources. I support traditional oil and gas, and more of it, from here. I held 21 meetings in 20 different counties Monday through Thursday during the last recess, and there wasn't a single person at one of them who didn't say: How come we aren't making more use of our own energy? They didn't say: We import $730 million a day of oil, but I told them, and it emphasized their point.

Why ship $730 million every day overseas to parts of the world where they use the money to train terrorists to kill us? And, of course, American taxpayers—American taxpayers—with tax incentives have been supporting oil and gas for over 100 years. So the attack on homegrown energy is remarkable, isn't it? We shouldn't be fighting each other over domestic energy sources. We should be fighting OPEC and foreign dictators and oil sheiks who hold our economy hostage. You see it right now, because of the anxiety about what is going on in Libya, and raising the price of gasoline 75 or 80 cents.

The author of the amendment has argued that the production of clean homegrown ethanol is fiscally irresponsible. It is important to remember that the incentive exists to help producers of ethanol to compete with the oil industry or, as you so often hear in this town, we have to have a level playing field. Remember that the oil industry has been well supported by the Federal Treasury for more than a century. Oil was discovered in 1859. I don't know how many years later it was that there were tax incentives for the production of oil, but it has been a long time.

President Obama, in his budget request for 2012, has advocated repealing a dozen or so subsidies to big oil. He has argued that a century-old industry no longer needs tax breaks. With oil prices at $100 a barrel, and record profits being made, some could certainly question why this industry needs any taxpayer subsidy at all. President Obama's proposal would repeal $44 billion in oil and gas subsidies over a 10-year period of time.

I wish to remind my colleagues of a debate we had last summer on an amendment offered by the distinguished Senator from Vermont, Senator SANDERS. The amendment he offered would have, among other things, repealed about $35 billion of tax subsidies enjoyed by the oil and gas industry. Opponents of the Sanders amendment argued that repealing the oil and gas subsidies would reduce domestic energy production and drive up our dependence on foreign oil. Well, we don't want to do that, do we? Opponents also argued it would cost U.S. jobs. We also argued it would increase prices at the pump for consumers—something you don't want to do when you are in a recession. I tend to agree with these arguments in regard to the help that the Federal Treasury gives to oil companies. All of my Republican colleagues, and more than one-third of the Democrats, did as well. But a repeal of the ethanol tax incentive is a tax increase as well that will surely be passed on to the American consumer—no different for ethanol in your gas tank than gasoline in your gas tank. If you take subsidies off of oil, it raises the price of gasoline. If you take the incentives off of ethanol, it raises the price of ethanol.

I know that removing incentives for oil and gas will have the same impact as removing incentives for ethanol. We will get less domestically produced ethanol, it will cost U.S. jobs, it will increase our dependence upon foreign oil, and it will increase the price at the pump for the American consumer. We are already dependent upon foreign sources for more than 60 percent of our oil needs. Why do my colleagues at this time want to increase our foreign energy dependence when we can produce it right here at home—clean burning, environmentally good?

I wish to ask my colleagues who voted against repealing oil and gas subsidies but who support repealing incentives for renewable fuels why they have this inconsistency? Where are the amendments from fiscal conservatives and deficit hawks to repeal the oil and gas subsidies? The fact is it is intellectually inconsistent to say that increasing taxes on ethanol is justified but that it is irresponsible to do the very same thing on oil and gas production. If tax incentives lead to more domestic energy production and good-paying jobs, why are only incentives for oil and gas so important in accomplishing that goal?

It is even more ridiculous to claim that the 30-year-old ethanol industry is mature and, thus, no longer needs the support of the taxpayers, while the century-old oil industry still receives $35 billion in taxpayer support. Regardless, I don't believe we should be raising taxes on any type of energy production or on any individual, particularly during a weak economy.

The Senator from Oklahoma insists that because renewable fuel is required to be used, then somehow it doesn't need an incentive. But with oil prices at $100 a barrel, oil companies are doing everything they can to extract more oil from the ground. There isn't a mandate to use oil, but it has a 100-year monopoly on our transportation infrastructure, so essentially it is a mandate.

When there is little competition to oil, and it is enormously profitable—and we will see those reports next week—wouldn't the sponsor argue that the necessary incentives exist to produce it without additional taxpayer support, if we wanted to be consistent? Oil essentially does have a mandate, as I just said. The economics of oil production are clearly in favor of the producer, not the consumer. Why do they need taxpayer support?

It is also important to understand the hidden cost of our dependence upon foreign oil. We had a peer-reviewed paper published in 2010 concluding that—and let me say parenthetically, before I quote, the leeway is somewhere between $27 billion and $130 billion:

> $27 to $138 billion is spent annually by the U.S. military for protection of Middle Eastern maritime oil transit routes and oil infrastructure, with an average of $84 billion a year.

This is $84 billion in American Treasury spent on the defense of shipping lanes to quench our thirst for foreign oil. It is not reflected in the price at the pump. It is a hidden cost and the hidden cost is paid by the very same people who support the military, our Navy, the American taxpayers.

Milton Copulos, an adviser to President Ronald Reagan and a veteran of the Heritage Foundation, testified before Congress in 2006 on this very issue. He testified that the hidden cost of imported oil is equivalent to adding $8.35 to the price of a gallon of gasoline from the Persian Gulf. There is no hidden U.S. military cost attributed to homegrown ethanol.

Do you understand that? You don't have to have the Navy of the United States keeping shipping lanes open for the ethanol that you burn in your car. No subsidy of $8.35 a gallon for ethanol such as there is for oil, according to the Heritage Foundation.

Let's have a debate on ethanol, but let's debate it in the context of a comprehensive energy plan. This debate should include the subsidies for all energy production. We do not pick out one versus others. What is unique about the subsidy for ethanol? We also have subsidies for grain and for biodiesel. When is that going to come up? We had a subsidy for wind energy—I know it because I got that legislated 18 years ago—and a subsidy for solar, subsidy for biomass, subsidy for geothermal, subsidy for nuclear energy. Why just ethanol at this point?

But I said at the beginning, talking about energy subsidies—oil, alternative

energy, nuclear energy, conservation—is legitimate. But don't pick one out. What are we going to do about all the rest of them? Are we going to take a subsidy a day? Take wind tomorrow? Take solar the next day? There is a context in which to do this. We all say we need a national energy policy. These subsidies have to be discussed in the context of a national energy policy. Nearly every type of energy gets some market-distorting subsidy from the Federal Government. We can say that is not right. But do we want alternative energy or don't we want alternative energy? Do we want renewable energy or don't we want renewable energy? Do you think we would have an ethanol industry today if there had not been a tax incentive a long time ago? No.

What about all the people who say we should not be using corn or grain, a food product, for fuel, we ought to be eating it? They say we ought to use corn stover, wood chips, switchgrass, other things that have cellulose in them and get our ethanol from that. I agree 100 percent. But how in the heck do we think we would ever get to producing ethanol out of corn stover and wood chips and switchgrass, et cetera, if we had not had 30 years of engineering to make ethanol out of grain—which we did not do very efficiently 30 years ago but now we do much more efficiently today. We have to have the first generation for the second generation.

I say an honest energy policy and debate should include ethanol. It should include subsidies for oil, natural gas, nuclear, hydropower, wind, solar, biomass. How do you think we would ever get hydropower in the West if the taxpayers had not paid for the Hoover Dam? It is hypocritical to put our economic and national security at risk by targeting ethanol while disregarding the subsidies for all other energy sources.

Do you know the debate about alternative energy is a debate about our national security because, for this country, the No. 1 responsibility of the Federal Government is our national defense and just think how weak our national defense is when we have to depend upon oil coming from the volatile Middle East, where there is revolution going on right now. Wouldn't it be better for it to be domestic crude? Why do you suppose the Defense Department, and even our whole aviation industry right now, is putting some money into research to develop alternative energies, including the stuff we call renewable and even things we do not know much about yet? Ethanol from algae is an example. Because our military leaders know we should not be dependent on it.

Just think of the retired generals and admirals out here speaking everyday of why we need alternative energy and speaking very highly of ethanol. I say it is hypocritical because it has something to do with our national security and we do take an oath to uphold that Constitution and the national security is our No. 1 responsibility. We know State governments and local governments cannot protect us from foreign intervention, people who want to kill us. Only the Federal Government is qualified and has the power to do it, the constitutional power—but also to bring the resources together to get the job done.

Repealing the ethanol tax incentive will raise taxes on producers, blenders, and ultimately consumers of renewable fuel. This amendment is a gas tax increase of over 5 cents a gallon at the pump. I don't see the logic of arguing for a gas tax increase when we have so many Americans unemployed and underemployed, struggling just to barely make it from day to day. I know we all agree we cannot and should not allow job-killing tax hikes during this time of economic recession and, more important, that recession is going to stay as long as there is some economic uncertainty. Debates such as this—should we be importing more oil—lend themselves to that uncertainty. Unfortunately, those Members who have called for ending the ethanol incentive have directly contradicted this pledge of not having tax hikes because a lapse in the credit will raise taxes, will cost over 100,000 U.S. jobs at a time of near 9 percent unemployment and increase our dependence upon foreign oil.

There is a taxpayer watchdog group called Americans for Tax Reform. They consider repeal of this incentive to be a great big tax increase. Americans for Tax Reform states: ''Repealing the ethanol credit is a corporate income tax increase.''

I agree. Now is not the time to impose a gas tax hike on the American people. Now is not the time to send pink slips to ethanol-related jobs. Ethanol currently accounts for 10 percent of our transportation fuel. A study concluded that the ethanol industry contributed $8.4 billion to the Federal Treasury in 2009, $3.4 billion more than the ethanol incentive. Today, the industry supports 400,000 jobs. That is why I support a homegrown renewable fuels industry.

I conclude by asking my colleagues: If we allowed the tax incentives to lapse, from where would we import an additional 10 percent of our oil? Because there is a policy in this Congress, don't drill in the United States, import it. The President was in Brazil, last week I believe it was, saying: President of Brazil, you ought to drill off the shore of Brazil because we want to import oil from you. At the very same time we are slow at issuing permits so we can drill our own oil off our own shores, particularly in the Gulf of Mexico.

Where are we going to go? Are we going to go to the Middle Eastern oil sheiks? Send even more billions of dollars over there to give them money to train terrorists to kill us or do we want to get it from Hugo Chavez, who every day is saying something about how he hates America? He is taking the side of Qadhafi right this very day, against the revolutionaries of that country, the very people we are trying to help bring a better life to and stop genocide. I don't think we want to go to the Middle East for 10 percent more of our energy in our cars or to Hugo Chavez. I prefer, instead, that we support our renewable fuel producers based right here at home, rather than send our workers a pink slip. I would prefer to decrease our dependence on Hugo Chavez, not increase that dependence on him, and I certainly do not support raising the tax on gasoline during this weak economy.

Let me say something I said at the beginning and then I am going to yield the floor; that is, there is a context to talk about this. There is nothing illegitimate about anybody bringing up any tax incentive anytime they want to or any law that is on the books because they ought to be reviewed from time to time. But when it comes to energy policy at a time of $4 gas, at a time of anxiety about what is going on in Libya, at a time when we all know that people in this country want a national energy policy, it ought to be talked about in the context of energy legislation. We should talk about subsidy as a generic subject, not just picking out ethanol or any other one, just like some people here would like to pick out the subsidy for oil and end it—such as the President has suggested in his budget. We want to do it in the context of a national energy policy and a subsidy that is a subsidy to oil, to all renewable energies—and there are a dozen of them, I bet—to conservation, and to nuclear energy.

Let's emphasize nuclear energy. When we are talking about a subsidy, do we think we would have a single nuclear plant in the United States if 60 years ago the Federal Government, this Congress, hadn't passed the Price-Anderson Act to set up Federal support for it, indirect or direct, whatever it was. It took that to get it going. We had to reinstitute that in 2005 or we still wouldn't be considering any nuclear plants.

We do it in the context of a national energy policy. We do it in the context of subsidies on all sorts of energy, not just one of them. If we are doing it for tax reform purposes, then it has to be done in the context of overall tax reform because, as I said, we start on this little tax incentive today and that little tax incentive tomorrow and that little tax incentive the next day and we will be here until as long as Methuselah lived, in order to get it all done.

I hope there will be some consideration of this in a generic way, not in the specific way of this amendment. That is why I do not support the amendment at this time, but I want people to know I do not abhor the idea of talking about the ethanol tax credit or any other tax credit, except I want to talk about energy tax credits all together.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Kentucky.

Mr. PAUL. Has morning business concluded?

The PRESIDING OFFICER. The time for morning business has expired.

Mr. PAUL. I have a motion to present to the desk.

The PRESIDING OFFICER. We are not yet on the bill.

Mr. PAUL. Can we report the bill, please?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

SBIR/STTR REAUTHORIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 493, which the clerk will report.

Mr. GRASSLEY. I suggest the absence of a quorum.

The bill clerk read as follows:

A bill (S. 493) to reauthorize and improve the SBIR and STTR programs, and for other purposes.

Pending:

McConnell amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change.

Vitter amendment No. 178, to require the Federal Government to sell off unused Federal real property.

Inhofe (for Johanns) amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments.

Cornyn amendment No. 186, to establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending.

Paul amendment No. 199, to cut $200,000,000,000 in spending in fiscal year 2011.

Sanders amendment No. 207, to establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act.

Hutchison amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Coburn amendment No. 184, to provide a list of programs administered by every Federal department and agency.

Pryor amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns.

Landrieu amendment No. 244 (to amendment No. 183), to change the enactment date.

MOTION TO COMMIT WITH AMENDMENT NO. 276

Mr. PAUL. Madam President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] moves to commit the bill, S. 493, to the Committee on Foreign Relations with instructions to report back forthwith with an amendment numbered 276.

Mr. PAUL. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 276

At the appropriate place, insert the following:

It is the sense of the Senate, that ''The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation''.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, we are engaged in a third war at a time when our country is struggling under an enormous debt, at a time when we are engaged in two wars. Historically, our country has fought war by asking for congressional authority. This was true in Iraq. This was true in Afghanistan. The President came to Congress, and there was a vote on use of force prior to him engaging in force.

Some say: Well, this is no big deal; the President should be able to fight war whenever he wants to fight war. I beg to differ, and our Founding Fathers begged to differ. Madison said that the Constitution supposes what history demonstrates, that the executive is the branch most prone to war and most interested in it. Therefore, the Constitution has, with studied care, invested the power to declare war in the Congress.

I think this is an incredibly important debate. When we talk about sending our young men and women into harm's way, into another war, the fact that we would have a President send us to war without any debate—your people's representatives have had absolutely no debate, and we are now involved in a third war.

The language of my resolution is not unfamiliar to many. The language of this resolution is the President's words.

In 2007, Barack Obama said:

The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation.

This was very clear, what the President said. I agree with what Candidate Barack Obama said. We should not go to war without congressional authority. These are the checks and balances that give you a say, that give the people of America a say through their representatives. This allows us to say when we go to war through our Congress, not through one individual but through 535 individuals whom you elect.

I think the decision to go to war is such an important one that we should not leave it up to one person. Our Founding Fathers agreed with this.

In the 1970s, after Vietnam, we voted on something called the War Powers Act. We did give the President the right to go to war in certain circumstances. These circumstances were, one, if Congress had declared war; two, if Congress had authorized the use of military force, or three, if there was imminent danger to our country. I think all of us recognize that. If we were in imminent danger of attack, we would allow the President some latitude, but we would expect very quickly for him to come to Congress and ask for permission.

In this instance, even the Secretary of Defense has said that Libya is not in our national interest. There is no threat to our national security. Yet we are now involved in a third war. We have already spent $600 million in the first 3 days of this war. There has been no constitutional authority given to the President to be committing troops to this war.

This is such an important constitutional principle that, while I am new here in the Senate, I am appalled that the Senate has abdicated its responsibility, that the Senate has chosen not to act and to allow this power to gravitate to the President. I think that the precedent of allowing a President to continue to act or to initiate war without congressional review, without congressional votes, without the representatives of the people having any say, is a real problem.

There was an article this morning in the Washington Times by GEN Mark Kimmitt. In that, he says that there is a climate of cognitive dissonance surrounding the discussion as the military objectives seem detached from U.S. policy.

The lack of connectivity between the use of force and campaign objectives, the subordination of the military to a nondecisive purpose, turns decades of policy on the use of force on its head.

This is from General Kimmitt this morning:

Vital national interests are not threatened. . . . Nor have sanctions failed or diplomacy been exhausted. . . . We are putting the lives of our troops at risk in a nondecisive role for a mission that does not meet the threshold of a vital or national interest.

General Kimmitt goes on further:

For a military carrying the burden of three wars on its back for the foreseeable future, a policy of more frequent intervention and suboptimal use of force as an instrument of diplomacy is a mistake.

I come from a State—Kentucky—that has two military bases. I see our young men and women going to war, and I worry about their families and themselves engaged in two wars. Some of these young men and woman have been going to war for 10 years now. And the President now is going to engage us in a third war without any consultation, without any voting in Congress, and without any congressional authority.

I believe this is a very serious breach of our Constitution. It is something we should not let happen lightly. It is something that we should object strenuously to and that we should force a debate on in this body. Many debates historically have happened here, many important debates. And what is happening now is we are abdicating our duty and allowing this to be made unilaterally by one individual. I think it is a mistake, I think it is a travesty, and I think it should end.

There have been some questions about who these people are whom we will be supporting in this new war. I think there is no question that Qadhafi is a tyrant, an autocrat, and someone whom freedom-loving people would despise. However, do we know who the rebels are?

During the 1980s, we supported the Freedom Fighters in Afghanistan. Do you know who turned out to be the leader of the Freedom Fighters, or one of the leaders? Osama bin Laden—now our mortal enemy—was receiving money from the United States and support from the United States for over a decade. In fact, the State Department's stated goal in Afghanistan during the 1980s was ''radical jihad.'' We were in favor of radical jihad because we thought the Islamic radicals hated the Russians worse than us. They did until they got rid of the Russians, and now they hate us as much or more.

I think we have to be very careful in going to war. I told my constituents when I ran for office that the most important vote I would ever take would be on sending their men and women, the boys and girls, the young men and women in my State or anywhere else in the United States, to war. To me, it is amazing—amazing—that we would do this so lightly without any consideration by this august body, send our young men and women to war without any congressional approval.

There have been some reports in the media about possible ties of al-Qaida to the rebels. This morning in the Washington Post, a former leader of Libya's al-Qaida affiliate said he thinks freelance jihadists have joined the rebel forces. A NATO commander said that some of al-Qaida and Hezbollah forces are fighting Qadhafi forces. Former jihadist Noman Ben Otman estimates there are 1,000 jihadists in Libya. These are the rebels.

We have to ask ourselves, when Qadhafi is gone, who will take his place? A 2007 West Point study showed that 19 percent of foreign al-Qaida fighters in Afghanistan hailed from Libya. Libya has been supplying the second leading amount of jihadists to the war in Afghanistan. Interestingly, where do these fighters go? Do the fighters come back to Libya to haunt us? When Qadhafi is gone, will we now have an al-Qaida-supported government in Libya?

But I think most important are not the practical aspects of going to war, it is that we didn't follow the Constitution in going to war, and we should have. The Constitution says very clearly that the power to declare war is the power that was given to Congress and not to the President. James Madison in the Federalist Papers was very explicit that this was a power given to Congress and not to the President.

The President's own words are incredibly important here. The hypocrisy is amazing. In 2007, the President said:

> The President does not have the power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation.

Yet here we have a President cavalierly taking us to war. He seems to have had a lot of time to talk to people. He talked to the Arab League. They had time to get together and vote on it. He talked to the U.N. They had time to get together and vote on it. But he had utter disregard and contempt for the most important body in the United States that represents the people—the U.S. Congress. Utter contempt. He has gone to NATO. He has gone to our allies. He has gone to the U.N. He has gone to the Arab League. But he has not had one single minute of debate in Congress.

To add insult to injury, he chose to go to war while in Brazil, while Congress was not even in session. This really should not be the way we operate as a constitutional republic.

I am saddened that no one here seems to stand up and say: Why in the world would we let a President take us to war without any debate? Why in the world, when we are involved in two wars, would we get involved with a third war without having a debate in Congress?

This, to me, is a remarkable and really tragic set of events. I hope that the Congress and the Senate in particular will see fit to pass this motion which sends the bill back to committee with specific instructions. The specific instructions are the President's words, and I will be more than interested to see whether his supporters here in the Senate will support the candidate Barack Obama or now the hypocritical version that has become our President.

I think this is an important question beyond any question we will address in this year. Our fiscal problems are really a tragic problem we face now, but this really pales in comparison, to usurp the power of war, to take that power upon himself unilaterally without any debate in Congress.

I urge the passage of this motion to commit to the committee.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, in response to the Senator from Kentucky, I would like to say that he is new to the Senate. I do not question his sincerity when it comes to the enforcement of our Constitution. I share his feelings about the responsibility of Congress under that Constitution to declare war. I have held previous Presidents of both political parties to that standard and believe that this President should be held to that standard as well. I may regret some of his characterizations of our President, but I will not go into that at this moment. I will say the following:

Let's make the record clear about how we got into this situation and why we got into the situation, which the President said the other night. This was not a matter of waiting until Congress came back from its vacation; it was a matter of innocent people being killed in Libya.

It was no mistake what Qadhafi was going to do. He said pointblank: I am going to Benghazi. I am going house to house and room to room and kill people, my own people.

It should not come as any surprise because he has a history of that, not only killing his own people but killing those innocent passengers on Pan Am 103. He is a ruthless, bloody dictator, so much so that the Arab League of Nations broke precedent and called for Libya to be suspended as long as Qadhafi was in charge. His own Arab League of Nations suspended him. They then turned to the United Nations and said: Please stop him from killing his own people.

Mr. PAUL. Will the Senator yield for a question?

Mr. DURBIN. When I finish my statement, I will be happy to yield.

They then said: Go to the United Nations and create the authority, an international authority to stop him. This was done.

It was in the midst of all this that the President was leaving for South America and Congress was leaving for a 1-week scheduled recess. That is a fact. On the Friday, which is now about 10 days ago, before we left, the President had a conference call and invited all members of the leadership, Democratic and Republican, House and Senate, to listen to a briefing from the Situation Room about the exact military situation we faced and invited questions and comments from all Members of Congress who were part of that conversation. I was part of that conversation. I listened to it carefully. It became clear to me that the President had laid down certain conditions to U.S. involvement.

No. 1, the President said: No American ground troops.

No. 2, the President said: This is a war of short duration as far as the United States is concerned; in his words, ''days,'' not weeks, and he went on to say that the United States would use its unique capabilities to help those allies of the United States who wanted to stop Qadhafi's killing. He used the phrase ''unique capabilities'' several times in that conversation.

I wasn't sure what he meant. I learned later in press reports. The United States used technology on the initial air invasion for the no-fly zone that stopped the radar of the Libyans so our planes and the planes of our allies could travel across Libya and stop their planes and tanks without danger. So that was the commitment made by the President.

What does the law say? The law passed by Congress over the veto of

President Nixon, the War Powers Act, requires the President to notify Congress when he initiates this form of military action. Did he do it? He did. As a matter of fact, the President submitted a notification to Congress within 48 hours of the initiation of these operations consistent with the War Powers Resolution. So to argue that the President is circumventing Congress is not factual. He did exactly what the law requires him to do.

If this President were planning a full-scale invasion such as we had in Kuwait under President George Herbert Walker Bush, with a long period of buildup—I insisted, and President Bush complied with, a request to come to Congress for authorization. He did it. Credit should be given to President Bush. But it was a different circumstance.

What the Senator from Kentucky is suggesting is that President Obama should have waited until he could summon Congress back into session—how many days would that be—waited until Congress deliberated and voted before he took emergency action to protect our allies' planes and our planes, to stop Qadhafi from killing people. I am all in favor of constitutional powers, but I believe there are moments when a President has to have the authority to exercise that kind of military decision when he believes it is in the best interest of the United States.

I don't think it is hypocritical. I am sorry that word was used. I think what the President has said is that he is trying to redefine the role of the United States in the world, standing up for our values, fighting for peace, trying to stop the carnage in Libya, without committing tens of thousands of American soldiers for years at a time. I happen to think that is a worthy foreign policy goal. I also believe the ball is now in the court of Congress. It now is up to the Senate Foreign Relations Committee and House Foreign Affairs Committee to decide if they want to have hearings on this Libyan action, whether or not we take action in response to the President's filing this notice under the War Powers Resolution. But to argue that the President has just ignored the Constitution or ignored the law ignores the facts. The President filed the notification required by law under the War Powers Act. Now the ball is in our court. Are we going to move forward? Will we have hearings? Will we take action? It is up to Congress now. I sincerely believe there should be hearings. I hope this matter is over before we even have the requirement or necessity to have such hearings. But at this moment in time, as I see it, the President has complied with the law.

I am happy to yield to the Senator from Kentucky for a question.

Mr. PAUL. On December 7, 1941, we were attacked and the President declared war. We had a session within 24 hours. On 9/11, we were attacked by people coming from Afghanistan. We met within 3 days and had a use of force authorization. I think there is a problem with sort of saying it is OK to declare that the President can go to war after he has already done it.

In Afghanistan and Iraq, with all the complaints from many people on the different wars in which we are involved, President Bush did come to ask for the authorization of force. We have had 2 to 3 weeks of this issue. They had time to go to the U.N. They had time to go to the Arab League. They had time to go to everyone. I think the Senator from Illinois should be as insulted as I am that they never came to Congress.

The War Powers Act has specific criteria that allows the President to use force: a declared war, when he has use of authorization, or when we are in imminent danger. Which one of those meets the War Powers Act with regard to Libya?

Mr. DURBIN. The Senator is correct in his statement that not only President George Herbert Walker Bush but also President George W. Bush came to Congress and broke precedent. That had not happened in Korea or Vietnam. We went back to what I considered to be the constitutional standard. Congress deliberated on those wars and voted.

I will tell the Senator from Kentucky, since he is my friend and is new here, it is one of the most compelling votes he will ever cast. I hope he never faces it. But if he does, it is one of the votes that will keep him up at night trying to think what is best for America and what is best for the young men and women who may lose their lives in the process.

In fairness to both Presidents Bush, they did come to Congress. The lead-up to the invasion of Iraq went on for weeks if not months. The same thing was true for Afghanistan. Remember, in the situation with Afghanistan, after 9/11, we were here in this building when it happened. We knew what 9/11 was about, and we responded accordingly.

The Senator from Kentucky has the right to express his point of view and debate it on the Senate floor and the right to pursue the War Powers Act which gives Congress the authority for hearings and a decision. What I disagree with the Senator from Kentucky about is the characterization that the President did not follow the law. He did notify Congress. The circumstances moved so quickly with human life hanging in the balance, the President made that decision and now stands with the American people making a judgment as to whether it was the proper decision to make.

At this point I would like to yield the floor to the Senator from Kansas for the purpose of debate only, with the understanding that when he has completed his debate, I will suggest the absence of a quorum.

Mr. PAUL. Will the Senator yield for a further question?

Mr. DURBIN. Fine.

Mr. PAUL. I know the word ''hypocritical'' is a strong word. I don't use it lightly. But the words we are using in this resolution that we will get a chance to vote on are the words from the President. The President said: The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the Nation.

How does the Senator from Illinois square that with his actions?

Mr. DURBIN. That was the question raised by the President in his address to the American people the night before last, as to whether it is in the best interest of the United States to step forward with our unique capability—in this case, our air power, as well as our technology—to protect innocent human life. There are some who will argue that he should not have done it, and we should have just waited to see if Qadhafi would keep his word to kill all these innocent people. I think the President made the right, humane decision.

Had we made a fraction of that decision in Rwanda, it might have spared tens of thousands of people from dying. The same thing might have happened in Darfur. I think the Presidents who were in power at that time both personally regret the fact that we didn't do anything as those genocides unfolded. President Obama did not want that to occur on his watch and thought the United States, in a limited military commitment, could help spare innocent people in Libya from this carnage.

We can debate as to whether that is appropriate, and I am sure we will. I know the Senator from Kentucky has his own beliefs on the subject.

I ask unanimous consent that the Senator from Kansas, Mr. MORAN, be recognized to speak in debate only and that following his remarks, I suggest the absence of a quorum and the clerk will call the roll.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas.

FINANCIAL CHALLENGES

Mr. MORAN. Madam President, I thank the Senator from Illinois for accommodating my ability to speak on the Senate floor this afternoon on what I consider to be a very significant and important topic.

Our country is facing significant financial difficulties. In the coming weeks, the United States will reach its $14.29 trillion limit for borrowing. Unfortunately, this is the 11th time in the past decade that Congress will vote on whether to allow the country to take on even more debt. These financial challenges we face, if left unchecked, will have a disastrous impact upon our country today and upon citizens in the future.

For way too long members of both political parties have ignored this growing fiscal crisis and have allowed

our country to live well beyond its means. Delaying difficult decisions and simply increasing the debt ceiling once again should not be an option. The time to correct our failures is now.

Officials from the Obama administration warn that the failure of Congress to raise the legal debt limit would risk default. But the bigger economic threat that confronts our country is the consequences of allowing our country's pattern of spending and borrowing to continue without a serious plan to reduce that debt. Our out-of-control debt is slowing our economic growth and threatening the prosperity of future generations who will have to pay for our irresponsibility.

In the next three decades our debt very well could grow to more than three times the size of our entire economy. This level of government spending is unsustainable and cannot continue. Our Congress is engaged in a serious and significant debate now about a continuing resolution. That resolution is the result of the failure of the past Congress to pass a budget and appropriations bills to fill in the blanks of that budget. In fact, we are now dealing with the next 6 months of spending, the end of the fiscal year which ends September 30 of this year. We are having an argument about the magnitude of the reductions of spending to include in the final 6 months of this continuing resolution.

I certainly wish to participate in the debate. I admit it is an important issue, but there is more significant issues yet to come. While it is important how we resolve the next 6 months, it is even more important we adopt a budget for the next fiscal year, 2012; that we return to regular order and have an appropriations process in which we can determine levels of spending within that budget, establish our priorities, eliminate programs, decrease spending where appropriate, and move this country to a balanced budget.

In addition to a CR for the next 6 months and to next year's budget and appropriations process, there is looming the more serious consequences of so-called mandatory spending which comprise 56 percent of our entire budget. We have to get beyond the CR debate of today and get to the spending problems of 2012 and beyond and to the issue of so-called mandatory spending that consumes our budget and drives up debt now and in the future.

We need to be responsible and quickly resolve the spending bill for this year and move on to these issues that will determine the future of our country, especially the economic future for citizens today and into the future.

The President ought to consider in his budget—but he didn't—the recommendations of his National Commission on Fiscal Responsibility and Reform. We have seen, once again, the failure of the budget as proposed by this President to include any of those provisions that his own commission recommended in getting us out of our financial difficulty.

It seems to me that often, at least throughout my lifetime, we have heard the discussion here in Washington, DC—I, as an American citizen, as an observer of the politics and the policies of our Nation's capital, have heard year in and year out about the need to reduce spending, to balance the books, to quit spending so much money, to be more fiscally responsible. Our fiscal house has to be put in order. Those are words I have heard throughout my entire adult life, and yet I am fearful they have once again just become words.

We do not have the luxury of those words meaning nothing this time around. I would suggest there are those who may observe the proceedings of this Congress this year and say: Once again, there is a political debate going on. It is rhetoric between Republicans and Democrats. It is a battle between the House and the Senate, between the Congress and the President, without recognizing this debate has serious consequences to the American people today and into the future.

As I said earlier, spending beyond our means is no longer an option, and the failure of us to address these issues in a responsible manner means the standard of living American citizens enjoy today will be diminished. It means a lower standard of living for every American family. It means an increase in interest rates. It means a return of inflation. It means an increase in our imbalance of payments. It means our trade balance is exacerbated. It means we may follow the path of other countries in the world today that have failed to address these issues, and we will see the circumstances that many countries find themselves in, in which their credit ratings have diminished and their interest rates have risen.

If we fail to respond, if we fail to act as we should, if we let one more time this issue to pass for somebody else to solve because it is so difficult, we will reduce the opportunities the next generation of Americans has to pursue the American dream.

This is not an academic or a political party discussion. It is not a philosophical debate. It has true economic consequences to every American. We are not immune from the laws of economics that face every country, and by the failure to get our financial house in order and borrowing under control, interest rates will rise, our creditors may decide we are no longer creditworthy, and we will suffer the same consequence that countries in our world today are suffering that followed this path.

This is the most expected economic crisis in our lifetime, perhaps in the history of our country. We know what is going to happen if we do not act, and we would be acting so immorally and without responsibility should we look the other way because the politics of this issue are too difficult.

Americans deserve, are entitled to leadership in Washington, DC, to confront these problems and not to push them off to the next generation of Americans, and I am sorry to say that, in my view, to date the President has provided little leadership on what I consider to be this most important issue of my generation.

My interest in public service and politics is one that has lots of beginnings, but what has me committed to public service today is a belief that I and people in my generation—in fact, every American citizen—have the responsibility to pass on to the next generation of Americans the ability to pursue the American dream. Our failure to act today, our failure—to simply raise the debt ceiling one more time—means we will have abdicated our responsibilities and the burdens will fall to those who follow us. We will have lacked the morality and the courage necessary to do right.

Earlier this week, I informed the President, in correspondence to President Obama on March 22, with these words:

> Americans are looking for leadership in Washington to confront the problems of today, not push them off on future generations. To date, [Mr. President,] you have provided little or no leadership on what I believe to be the most important issue facing our nation—our national debt. With no indication that your willingness to lead will change, I [write] to inform you [, Mr. President,] I will vote ''no'' on your request to raise the debt ceiling.

I do that because I believe in the absence of serious and significant spending reductions, in the absence of serious and significant reform in the budget and spending process, in the absence of a constitutional amendment that restricts our ability to spend money we do not have, in the absence of statutory guidelines that tell us we cannot spend and borrow ad infinitum, that our country's future is in grave danger. I do this with a sense of responsibility to Americans today and a sense of responsibility for Americans to come.

I ask the President to provide that leadership, to address the issues of not only this continuing resolution and next year's spending level and the so-called mandatory spending, but also to help us create an economy in which growth can occur, in which business men and women make decisions to employ new workers, and that the American people have the opportunity, when they sit around the dining room table and discuss their future, to know they have the chance to keep the job they have or to find a job they do not have.

That will require the leadership of President Obama and Republicans and Democrats in the House and Senate. In the absence of any indication that leadership is going to be provided, and that we are going to be serious in addressing our problems of today, and resolving them for the future, I will vote ''no'' on extending the debt limit.

Mr. WHITEHOUSE. Madam President, as we continue to debate important small business legislation, I rise

today to discuss an amendment to further support investment and job creation in U.S. companies.

In particular, my amendment would bolster our domestic manufacturing industry, which has historically been the engine of growth for the American economy. The manufacturing economy has been especially important in the industrial Northeast, including my State of Rhode Island. From the Old Slater Mill in Pawtucket—one of the first water-powered textile mills in the nation—to modern submarine production at Quonset Point, the manufacturing sector has always been central to our economy.

Sadly, as American companies have faced rising production costs and increased—and often unfair—competition from foreign firms, U.S. production has plummeted. According to the Bureau of Labor Statistics, the number of manufacturing jobs declined by almost a third over the past decade from 17.2 million in 2000 to 11.7 million in 2010. This decline has been felt most sharply in old manufacturing centers like Rhode Island. In Rhode Island, the loss of manufacturing jobs over the past decade has topped 44 percent. The decline of the manufacturing sector is a primary reason why Rhode Island has had greater difficulty than most states in recovering from the recent recession.

Over and over, I have travelled around Rhode Island to meet with local manufacturers, listening to their frustrations and discussing ideas to help their businesses grow. During these visits I have heard one theme over and over again: unfair foreign competition is killing domestic industries. One Pawtucket manufacturer told me that they recently lost eight percent of their business to a Chinese competitor. It is clear to me that if we want to keep manufacturing jobs in Rhode Island, we need to level the playing field with foreign competitors.

My amendment would remove one incentive to move jobs offshore and help to make competition fairer for companies struggling to keep their factory doors open here in the United States. Based on the Offshoring Prevention Act, cosponsored by Senators LEAHY, SANDERS, BOXER, DURBIN, BROWN of Ohio, HARKIN, JOHNSON, and LEVIN, my amendment would end a costly tax incentive that rewards companies for shipping jobs overseas. Under current law, an American company that manufactures goods in Rhode Island or in the Presiding Officer's State must pay Federal income taxes on profits in the year that the profits are earned. But if that same company moves its factory to another country, however, it is permitted to defer the payment of income taxes, and declare them in a year that is more advantageous—for example, one in which the company has offsetting losses.

It makes no sense that our Tax Code allows companies to delay paying income taxes on profits made through overseas subsidiaries, and my bill will put a stop to this practice for profits earned on manufactured goods exported to the United States. To put it simply, we should not reward companies for eliminating American jobs.

In addition to ending an incentive to ship jobs overseas, my amendment would reduce the Federal deficit by $19.5 billion over the next decade. At a time when Republicans are promoting painful cuts to popular Federal programs to save similar amounts, these are savings we cannot afford to pass up. If we are going to be serious and fair about deficit reduction, we need to look at these corporate loopholes and giveaways, not just at cuts to Head Start, NPR, and Planned Parenthood.

I hope that my colleagues will show their support for American jobs and for deficit reduction by supporting my amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. REID. Madam President, I ask unanimous consent that the Senate stand in recess until 6 p.m. tonight for the purpose of the Senators-only briefing on Libya.

There being no objection, the Senate, at 4:57 p.m., recessed until 6 p.m. and reassembled when called to order by the Presiding Officer (Mr. COONS).

The PRESIDING OFFICER. The Senator from New Hampshire.

MORNING BUSINESS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

SMALL BUSINESS INNOVATION RESEARCH PROGRAM

Mrs. SHAHEEN. Mr. President, if I could begin in the spirit of morning business, I am here to talk about the importance of passing the reauthorization of the Small Business Innovation Research Program. I think it is important because our future economic prosperity depends on whether this country can continue to be a leader in science and innovation. We can't compete with India and China for those low-wage manufacturing jobs. That is not the future of America. Our future is to be the global leader in science and technology. America makes the best, most innovative products and services, and that ingenuity and excellence is our chief economic strength as a nation.

As a former small business owner, I know it is business and not government that creates jobs, but I also know government has a critical role to play in fostering a positive business climate. I believe there are a few things we need to do to unleash the innovative spirit that is so alive and well throughout this country, and particularly in my home State of New Hampshire.

To maintain the creative dominance that has allowed us to lead the world in innovation, we do need to enact a long-term reauthorization of the Small Business Innovation Research Program, or the SBIR Program.

SBIR is not just a typical grant program. Under the SBIR Program a small business is able to compete for research that Federal agencies need to accomplish their missions—agencies such as the Department of Defense. Small businesses employ about one-third of America's scientists and engineers and produce more patents than large businesses and universities. Yet small business receives only about 4 percent of Federal research and development dollars. SBIR ensures that small business gets a tiny fraction of existing Federal research dollars.

In the last few months, as we have been talking about the SBIR Program in the Small Business and Entrepreneurship Committee on which I serve, I have had the chance to visit a number of New Hampshire companies that are doing cutting-edge research and are growing their businesses because of the SBIR Program. This research has allowed them to develop new products and customers and to hire new workers. I wish to talk specifically about one of those companies because they have such a great story. It is a company called Airex, and it is in Somersworth, NH. Their story shows just how the SBIR Program encourages innovation and creates jobs.

When I visited Airex, I had a chance to see some of the impressive technologies the company has developed. Airex specializes in electromagnetic motors and components. As they explained to me, their motors don't go round and round, they go back and forth. Its employees design and produce everything from motors used to make Apple's iPad, to gyroscopic coils that are used to stabilize the artillery system on Abrams tanks. So they produce a wide divergence of products.

In the past decade Airex has more than doubled its revenues and its workforce largely because of the products it developed with the support of the SBIR Program. Jim Sedgewick, who is the President of Airex, told me SBIR was critically important for the development of the products that enabled the company to add several good-paying jobs in New Hampshire.

For example, Airex was able to compete for and win a grant to do research for the Air Force on materials needed for strategic missile defense. In order to conduct the research Airex had to develop a new electromagnetic motor. Since the motor that Airex developed had tremendous commercial potential, Airex secured a patent. Now that motor is used in the production process for the Apple iPad and, as my colleagues can imagine, sales for that motor have increased dramatically in recent years as the iPad has become so popular.

The same is true for several other products Airex developed with the help of SBIR. Airex products continue to be in high demand not just in America but across the world. Exports now account for 30 percent of Airex's revenues, so they are a great story on the export front too. Airex told me its biggest export products are the ones that were developed with the support of the SBIR Program.

If we are going to out-compete and out-innovate the rest of the world, we need to encourage the kind of innovation that has made Airex so successful. SBIR was integral to making Airex's success a reality. That is why SBIR must continue to be an important part of our strategy for staying competitive in the 21st century.

Airex is just one of many New Hampshire small businesses that have successfully competed for SBIR funding in the 28 years the program has been in existence. All across New Hampshire small businesses that otherwise wouldn't be able to compete for Federal R&D funding have won competitive grants to advance technology and science and create good jobs. In just the last 2 years New Hampshire firms have won 80 SBIR awards. In fact, despite its small size, although it is a little bigger than Delaware, as the Presiding Officer knows, New Hampshire is ranked 22nd in the Nation for total grants awarded through the Department of Defense since SBIR began.

So I know the Presiding Officer knows we need to focus on smart ways to create jobs and stay competitive. We all know small firms are where the jobs are created in the United States, and we know the future of the American economy rests with innovation. The SBIR Program must be one important part of our overall strategy to encourage the innovation that will keep the American economy strong through the 21st century.

So I am pleased to be here to support SBIR, and I encourage all of our colleagues to join me in supporting this important program.

Thank you very much, 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. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I ask unanimous consent to speak for 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OFFERING OF AMENDMENTS

Mr. COBURN. Mr. President, I am coming to the floor because we have not seen much action on the floor on this bill. We are hung up over the right of Senators to offer amendments, but the Senate works best when we have a free and open process of offering amendments. One of the amendments in particular that I was going to offer on the blending requirements for ethanol I now plan, at this time, not to offer. I have made that known to the majority leader but have still not been able to get an agreement to offer other amendments.

Our country is in a pickle. I have $20 billion worth of cuts that the vast majority of the Members of the Senate would vote for. Yet I can't get those amendments up because people don't want to take the difficult votes. I understand that. Senator REID has been more than gracious in working with me. I understand his problem, but the problems are a lot bigger than the problems of the Senate. The problems facing our country are tremendous. They are not only tremendous, they are also urgent.

Here we have a small business bill, where we are trying to create jobs, and one of the ways we create jobs is making sure we are not sending money out of here that doesn't create jobs. So I come to the floor somewhat worried about our process and not critical of Senator REID in any way. I wouldn't have his job. Being the majority leader is the toughest job in Washington. But it is somewhat worrisome, and yet amusing, that we will not take a vote to eliminate unemployment payments to millionaires. That is amazing to me. We can save $20 million starting tomorrow by not cutting unemployment checks to people who make $1 million a year through their investments but who are unemployed. I mean, $20 million. We could do that.

We could put a garnishee on the $1 billion owed by Senate employees and Federal employees in back taxes, where it has already been adjudicated they haven't paid, but we can't get an amendment up to do that. Isn't that strange?

Here we are, running $1.67 trillion deficit, and yet we can't go about solving our problems $1 billion at a time to help get rid of that. We can't have the right to offer an amendment to that effect.

How about the fact the GAO, 3 weeks ago, issued a report on duplication, and, according to my calculations, there is at least $100 billion in savings in that. I have an amendment that would save us $5 billion over the rest of this year on the easiest part of the elimination to carry out. I can't get that amendment up. We can't vote on it. We can't do the things that will start getting us out of our problems. Even though I have withdrawn the amendment on ethanol that is so controversial, I still can't get my amendments called up.

Covered bridges—$8.5 million. It is a good thing to do, if we had the money. But we shouldn't be spending $8.5 million right now on old bridges that are of historical significance, because we are borrowing the money to do it.

I have an amendment to identify and disclose every Federal program, one of the things the GAO report said would be very helpful to them to have—if every department would give, every year, a list of all their programs. There is only one government agency that does that today, and it is the Department of Education. The rest of them don't know all their programs. Isn't that interesting; they do not even know their programs? Yet we can't get an amendment up that will help us solve some of the problems with duplication and inefficiencies.

So I come to the floor tonight to ask: What is the deal? This is the Senate. We are expected to make tough votes. If Senators want to continue to pay millionaires unemployment, then vote against the amendment, but don't keep that amendment from coming to the floor that would save us $20 million. If you think Federal employees shouldn't pay their back taxes, then vote against it, but we can collect $1 billion—$1 billion that we wouldn't have to borrow. Vote against it, but don't block the amendments from coming up.

I have an amendment that I understand is controversial. I don't think there is a role anymore for us in funding the Corporation for Public Broadcasting to the tune of $½ billion a year. You may not like it, you may not agree with me but vote against it. Don't say you can't have the amendment. Because what goes around comes around, and we don't want to get into the dysfunctional state where because somebody can't have an amendment today, somebody else isn't going to have an amendment later. That is what we are going to degrade into, and it will not be because we would not want to vote on them. So what happens is the Senate gets paralyzed.

The unfortunate thing is that I have $20 billion worth of cuts we can make. Yet we are not allowed, under Senate tradition, to offer an amendment, even though, on the most controversial one I have, I have said: OK. I won't offer it at this time. Still, I can't offer an amendment. To me, I think that tells the American people what they already know; that we don't care about what the real problems are, we care about the politics.

We no longer have the pleasure or the time to worry about political outcomes. We need to be worrying about what the outcome is of the future of

this country. When a sitting Senator can't offer $20 billion worth of cuts in a $3.7 trillion budget on a bill that is related to business—and this $20 billion will be money we will not be competing with against them for the capital to create jobs in this country—it strikes me that we have lost balance; that we need to reright the ship.

Everybody in this body wants to vote on the 1099. We know it was a mistake. I think there will be very few Senators who will vote against that. There is a controversial amendment—the Inhofe amendment—but this is the Senate. Let's vote on it. Whatever way it turns out, let's let the body do its work, rather than not allowing the body to work. So my hat is off to Senator REID. He has been cooperative. But we can't run the Senate this way, saying people don't have a right to offer amendments.

I will never forget when I first came to the Senate 7 years ago and I had an objection to an amendment that was offered, another Senator from the other party came and said: You can't do that. This is the Senate. We debate amendments. We vote on amendments.

Somebody on the other side of the aisle defended the process of the Senate. The fact is, we are in tough times. We are going to be taking a lot of tough votes—if not now, a year from now. But they are going to get tougher every year we take them because the writing is on the wall for America in terms of its spending and its debt.

If you look at what has happened to interest rates on our T bonds the last 2 days in a row, T bonds are strong, interest rates are going up. What does that mean to us? Our historical average interest rate on our debt is about 6.07 percent. We paid 1.97 percent last year. For every 1 percent that rises, that is $140 billion additional that does not help the first American. We ought to be about getting rid of things that we can get rid of that will survive OK on their own, that are not duplicating things we should be duplicating. The Senator from Alaska and I put in an amendment on the FAA bill getting rid of old earmarks, money that is parked. It will save us $1 billion. The fact is, we can do this if we will stand up and do the job we were hired to do. The job we were hired to do is to make the difficult decisions. My hope is that things will break loose and we will revert to the best of the tradition of the Senate, which is having real debate about real amendments, taking the tough votes, and defending them on principle. Take the political calculus out of it. It is not popular for me, in Oklahoma, to eliminate the blenders' credit on ethanol. We have a lot of corn farmers. But the fact is the very people who get this—British Petroleum, Valero, ExxonMobil, Chevron—do not want it. I have a letter from them saying they don't want the blenders' credit. That is who gets it. Only 16 percent of the ethanol is produced by farmer cooperative ethanol plants; 84 percent is not. It is produced by the big boys and they are saying they don't want it.

Why don't we save $5 billion between now and the end of the year, because we are going to borrow 47 percent of it? Why would we do that to our children? So I relented on that. We will have a vote on it. I will have to have a 67-vote threshold to do it but we are going to vote on it. Senator REID knows we are eventually going to vote on it. We ought to be about being grown up and going back to the best traditions of the Senate and taking the tough votes. Our country is in tough times. Families are having tough times. Why would we want to duck making tough decisions? The only reason we would want to do that is political. It is so somebody can gain a political advantage rather than do the best, right thing for our country.

I call on my colleagues, whoever it is who is objecting to commonsense amendments, who does not want to fulfill their obligation to their own constituents by casting a vote, to look at what you are doing to the Senate. There is no reason we should get into this conflict—because I can't offer amendments I am eventually not going to let other people offer amendments? Why would we go to the childish resolution of this rather than the adult resolution? The adult resolution is to give people their votes, vote on them and go down the road and if you don't agree with them, defend it; if you do agree with it, vote for it. But don't duck on taking a position. That is belying the oath you have being a Senator.

Those who are objecting to cutting $20 billion out of this government, out of a $3.6 trillion budget, wake up. You are going to be cutting this money in the next 2 years, whether you cut it today or tomorrow. It is coming. Let's do it now, because every day we do it earlier saves us money. But it also preserves and enhances the future for our kids.

I will not harp on this other than to say I am disappointed because we had started this year out pretty well in terms of going to amendments. The leaders, both leaders, have worked hard to make sure that could happen. Now that we have tough votes people want to revert to childish behavior and not honor the reason they were sent here in the first place. Not voting on something is the chicken's way out. It is the coward's way out. Voting on something and defending your vote is honorable. You do not have to agree with me but don't say you cannot have an amendment and you cannot have a vote, because I assure you I know the parliamentary procedures to get a vote on every amendment I will ever offer. We will get votes on these amendments. The question is, if you are trying to duck, not having to vote on an amendment because you don't like the political choices, you are going to get a vote anyway, so why degrade the Senate into childish behavior because you want to duck a vote? We are not going to duck these votes. We are going to have them. I promise you, we are going to have every one of these votes eventually. I am talking over a short period of time. Or we are not going to do anything. We are going to live up to the tradition of the Senate or we are not going to function at all.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I ask unanimous consent to be allowed to engage in a colloquy with the Senator from Oklahoma.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

Mr. MCCAIN. I have a couple of questions for the Senator from Oklahoma. My understanding is that he seeks to have an amendment considered that would eliminate the subsidies which are $4 billion?

Mr. COBURN. We do not seek to eliminate any subsidies. We seek to eliminate a blenders' credit that the very people who receive the credit do not want, and it is $4.9 billion between now and the end of the year.

Mr. MCCAIN. It is $4.9 billion and the recipients themselves want it reversed?

Mr. COBURN. Yes. I have a letter from the refiners. I actually have it here and I will introduce it to the RECORD if we need to, that says they don't want it, they don't need it.

Mr. MCCAIN. So the recipients of this government largesse would want it eliminated. What is the basis, if I may ask, of the opposition to the amendment?

Mr. COBURN. I think I can clarify it. The opposition is we are doing it abruptly rather than over a period of time and not allowing people to plan for the elimination of this. Those are the arguments I hear. The fact is, this is just one of a series of things we do for ethanol.

I am not going after ethanol. I am going after saving money for our country that is being spent. We have a mandate that says the country has to buy a specific amount of ethanol. Before we had that mandate, a blenders' credit was a smart thing to do if you believed that ethanol was a way to solve our problems. But the fact is, we now have a mandate that they have to produce it. It is going to 15 billion gallons a year. I can give you the exact numbers in terms of what we produce. But because we have a blenders' credit, last year we produced 397 million gallons more and we exported it to Europe. So the American people subsidized $200 million worth of ethanol consumption in Europe through these blenders' credits.

We are not going after all the other loans, the loan programs, all the other energy grants and everything else. We are not doing any of that. All we are saying is here is a simple thing that is no longer needed; 86 percent of the ethanol production is by majors, not small ethanol plants. They do not want this money, they do not need this money to blend ethanol because there is already a mandate there requiring it. I have already withdrawn—I have agreed that we will not vote this amendment until after cloture and I will file a motion to suspend the rules and then we will have a 67-vote threshold which we will not win. But the American people are going to lose. The American people are going to lose $4.9 billion.

Mr. MCCAIN. If the argument is that maybe we ought to eliminate this but not abruptly, wasn't the message of last November 2 that they wanted a lot of things done abruptly?

Mr. COBURN. I think the message of the American people is they want the spending cut. They want it cut now. They want us to quit spending money we don't have on things we don't need, and this is a ideal program—just like the other portion of it. I have $20 billion worth of amendments. None of them can come to the floor because there is an objection to having votes on $20 billion worth of cuts.

Mr. MCCAIN. That was my understanding, that as part of the beginning of the new session of Congress, the 112th Congress, there were going to be amendments allowed; that there would be kind of a different environment where it would not be bringing up a bill, filing cloture and shutting out Members from offering amendments. That is apparently not the case?

Mr. COBURN. I think it is the case, but to be fair, there is bipartisan opposition to this amendment. I understand it. It is from the corn-producing States. They are worried that this might have an effect on ethanol production and corn processors. Actually, CBO estimates that the maximum impact of this amendment on the price of corn will be less than 35 cents a bushel. Corn is near $7—record high.

Mr. MCCAIN. Near an all-time high.

Mr. COBURN. Yes, so this might have an effect of 35 cents on the price. But let me carry that out for a minute. Corn is the primary feed source for cattle, hogs, chickens—the whole range of the things we eat. So what we have done, through just this portion of it, is we are raising the cost because 40 percent of our corn production this next year is going to go for ethanol.

It is not just that we have raised the tax because we have given $5 billion or $6 billion annually in credit to the blenders; we have also raised the costs for everybody else's food. But do you know what we have also done? We have increased the cost of our Food Stamp Program because we have raised the cost of food. So we are paying for it twice. It is not just the fact—it comes back to the point that is this is not an attack on the ethanol industry. I actually met with the ethanol industry yesterday in my office. I think Americans ought to be able to buy whatever they want, E–85 or 10 percent—I think they ought to be able to buy it. But what they should know is when you go buy a gallon of gasoline today, accounting for all the credits and incentives and everything else in there, there is $1.78 in your taxes in every gallon that you buy. So when you buy blended ethanol gasoline, you are not paying $3.50, you are paying $5.35.

Mr. MCCAIN. I understand this amendment has been objected to by some ''conservative organizations'' that want us not to increase taxes in any way, shape, or form, something that has characterized the voting record of the Senator from Oklahoma and myself. But now you are being attacked for being a tax increaser?

Mr. COBURN. I would not worry about that so much.

Mr. MCCAIN. What is the argument?

Mr. COBURN. The argument is they do not agree with the blenders' credit, but if in fact you take it away you need to give somebody else a tax break. I think the American people know, for us to get out of the problems we are in we are going to have to do a lot on both sides of the balance sheet. One of the ways—we have $1.3 trillion worth of tax expenditures in this country. A large portion of them—not a large portion, a significant amount of money is in programs such as this that are directing people to do things that they are going to be doing anyway and we are paying them to do it. So it is a tax expenditure. It is cutting spending is what it is. It is a true credit, so they get it. The more they blend, the more money we pay.

So if they blend beyond what the mandate is, they cannot sell it. Then we ship it to Europe or wherever else will consume it, but yet we are subsidizing. First of all, it hurts our own energy usage because we are taking a lot of oil and a lot of water to do it. But we are helping the Europeans with our own subsidy in terms of shipping this over.

So I do not care about the debate outside of the Senate. What I care about is that the American people ought to have a shot at saving $4.9 billion through the rest of this year.

Mr. MCCAIN. And it seems to me that this issue has some complexities to it——

Mr. COBURN. It does.

Mr. MCCAIN. That the average citizen would not understand. But I think they understand $4.9 billion and that those savings would accrue to them, along with the reduction in inflation and the costs of the products of corn.

So it is a very interesting situation. So when I go back home and some of my constituents are skeptical about whether we are really serious about taking on some of the sacred cows—and certainly ethanol has been a sacred cow around here—maybe there is some justification for their skepticism.

Mr. COBURN. Well, since we started the blenders' credit, the American people have spent $32 billion on it. And it is fine for us to look for alternatives, and I think it is great. I would like for them to convert corn to butanol instead of ethanol because it burns a whole lot better, it is more efficient, it does not pollute as much, it burns like regular gasoline, and it is not water-soluble, so it can be transported like other petroleum products. I would like to see them go there, and I think they are eventually going to go there.

But the fact is, markets work, and we are playing with markets—and the reason we have such an objection to this is because we probably have the votes to win it and they know it. So I have pulled it out.

But, more importantly, there is another $15 billion of amendments I would like to offer that are common sense, that a good portion of the American would absolutely agree with, and we do not have people who want to have a vote on that. They do not want to stand up and do their jobs.

I will read into the RECORD a letter from Charles Drevna, president of the National Petrochemical and Refiners Association.

Senator Coburn. NPRA, the National Petrochemical and Refiners Association, writes today in support of your efforts to end the Volumetric Ethanol Excise Tax Credit through both amendment number 220 to S. 493, the SBIR reauthorization bill, and the bill you recently introduced with Senator CARDIN, S. 520. The Association has a long history of opposing mandates and subsidies and this opposition extends to the VEETC. The VEETC is an unnecessary subsidy, particularly given the federal Renewable Fuels Standards requirement to bring 36 billion gallons of biofuel into the fuel supply by 2022.

So here are the people who are receiving the credit saying they do not want it.

Mr. MCCAIN. Well, I think the Senator has made a strong point. I just wanted to have a clarification, and I hope that perhaps we can also start addressing the issue of sugar subsidies, which I think is probably one of the really great ripoffs in America today, again, causing the cost of any confection or anything that contains sugar to rise, and then, of course, the American consumers pay for it, and preventing sugar from other countries from coming into this country at a lower price.

Mr. COBURN. You know, the real issue is that we have spent 3 days this week not doing anything on this bill. We have borrowed $12 billion. I have amendments, if we could pass, that would save us $20 billion.

Every day that we don't take hard votes is a day we don't fulfill the responsibility given to us, the privilege given to us as U.S. Senators. No matter what your philosophy, the fact is we ought to be taking hard votes, and people who don't want to do that, their constituency ought to ask the question: Why are you there? Why are you afraid to defend what you believe to be

right rather than disallow somebody else to make a point and a position with an amendment?

The Senator didn't hear my speech prior to coming in——

Mr. MCCAIN. I was watching.

Mr. COBURN. These are the worst tendencies of the Senate. I want us to go back to the best tradition. I am not always going to be right, and I certainly hardly ever win, but the fact is, the issues in front of this country are so great that we don't have time for this anymore. And every day we do not work on this small business job-creation bill because people do not want to take tough votes is a day we are not fulfilling the obligations we have as Senators.

Mr. MCCAIN. But if you believe in our great Nation and the democracy and the representative government that it is, over time, you will succeed. It requires tenacity. I do not think the Senator will be elected Mr. Congeniality this year again, either, but I appreciate his efforts on this issue and many others. I look forward to continuing to join him in the fight and following his leadership.

I yield the floor.

PIKEVILLE COLLEGE BEARS

Mr. MCCONNELL. Mr. President, I rise to congratulate a national championship team that makes its home in Pikeville, KY. This March 22, the Pikeville College Bears men's basketball team triumphed over the West Virginia Mountain State University Cougars in overtime, 83 to 76, to win the school's first NAIA men's basketball championship.

It has been a thrilling season for the Bears, who finish the year with a school-best 30–7 record. They tied for third place in the Mid-South Conference and entered the tournament unseeded and with something to prove. They certainly did that, becoming the first unseeded team in tournament history to defeat five seeded teams on the way to the championship.

The Bears beat defending national champ Oklahoma Baptist, defending national runner-up Azusa Pacific, and top-seeded Robert Morris to get to the semifinals. Facing No. 3-seed Martin Methodist College in the semifinals, the Bears clawed their way out of a 15-point deficit to win by 11 points.

Then it all came down to the final game, played in Municipal Auditorium in Kansas City, MO, against the Cougars from West Virginia. The Bears trailed for most of the way, but by the end of the night it was ''My Old Kentucky Home'' being played as the Bears cut down the nets.

Trevor Setty of Maysville, KY, tied a career high for scoring in the game with 32 points, grabbed 17 rebounds and was named the tournament's Most Valuable Player. And Head Coach Kelly Wells was named NAIA National Coach of the Year.

The students and faculty of Pikeville College and the people of Pikeville, eastern Kentucky, and the whole Commonwealth couldn't be prouder of this winning team. They represent the very best of what the Bluegrass State has to offer, and we are honored for them to represent us to basketball fans from across the Nation. I know my colleagues join me in congratulating the Pikeville College Bears men's basketball team for their exciting victory.

Mr. President, the Lexington Herald-Leader recently published an article about the Pikeville College Bears' championship season and what it meant for the school and for eastern Kentucky. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Kentucky.com, Mar. 24, 2011]

PIKEVILLE FANS HAPPY TO LOSE VOICES CHEERING TEAM'S NAIA WIN

(By Dori Hjalmarson)

PIKEVILLE.—As the NAIA Division I Tournament championship game inched to a close Tuesday night, the 200 spectators at a viewing party on the floor of Pikeville's Expo Center rose to their feet. They swelled and deflated with each basket, chanting for ''defense'' and waving their fingers for free-throws as their team fought for the win more than 580 miles away at Municipal Auditorium in Kansas City, Mo.

Ear-splitting screams rang through the hall as the game went into overtime, and students crowded toward the big screen.

After a slow first half on Tuesday, Pikeville's fans based their hopes on Monday night's game, when the unseeded Pikeville College Bears overcame a 15-point deficit to oust its semifinal opponent, No. 3 seed Martin Methodist College.

''We're down. but (Monday) night proves we're not out of it,'' said Ravin Fields, director of the dorm that houses the basketball and baseball teams.

And the Bears certainty weren't out of it, battling into overtime for an 83–76 win over West Virginia's Mountain State University and Pikeville College's first NAIA men's basketball championship. The victory created a surge of excitement throughout the crowd in Pikeville.

''I lost my voice cheering,'' communications professor Chandra Messner said. ''We're so proud of those boys.''

Said Massner's daughter, Amanda Arts: ''Amazing. Unbelievable.''

The celebration on campus lasted until 4 a.m., Residence Life Director Kayla Bandy said. On Wednesday. a caravan was planned starting at 8 p.m., from the Mountain Arts Center in Prestonsburg to the college gym, where a rally would welcome the team home. A parade in downtown Pikeville was planned for 4 p.m. Thursday.

''I hope a lot of people come out to support them.'' Bandy said as she painted signs and hung streamers in the men's locker room. She knows what she's talking about: Bandy was on the 2008 national champion bowling team, the school's only other title-winning sport. Now an assistant coach, she wears her championship ring daily.

''It's such a big deal for these guys,'' Bandy said. ''From the kids texting from Kansas City it was not like anything they were expecting.''

REMEMBERING CONGRESSWOMAN GERALDINE A. FERRARO

Ms. LANDRIEU. On March 26, 2011, after 12 years of battling multiple myeloma, our country lost one of history's political trailblazers, the Honorable Geraldine Anne Ferraro. Ferraro served as a Congresswoman for the 9th District of New York from 1979–1985. At a time when less than two dozen women served in Congress, Geraldine Ferraro was a consistent voice for equality and unrelenting advocate for women's rights.

In 1984—64 years after passage of the 19th amendment granted women the right to vote—Ferraro made history as the first female Vice Presidential candidate from a major U.S. political party, running alongside Walter Mondale. I vividly remember her words as I watched her speak during the 1984 Democratic National Convention in San Francisco, ''If we can do this, we can do anything.'' Millions of women and girls watched that speech, inspired by the fact that a woman was one step away from holding the second highest office in America. Although the Mondale-Ferraro ticket did not win the White House, Ferraro's words, leadership and courageous spirit would forever change the way women were viewed in American politics. Her candidacy had successfully shattered the glass ceiling for the office of the Vice Presidency. Two decades later, a Congresswoman from the same city where Ferraro accepted the Vice Presidential nomination would go on to become the first female Speaker of the United States House of Representatives. Geraldine Ferraro's journey to the precipice of the Vice Presidency helped pave the way for Congresswoman NANCY PELOSI's historic achievement. In addition, her nomination would help pave the way for Hillary Clinton's historic bid for the Democratic Presidential nomination.

Geraldine Ferraro will always be remembered for her passion and dedication to women's issues. The daughter of Italian immigrants, Ferraro began her career as a prosecutor for New York City focusing on sex crimes, child abuse, and domestic violence. Ferraro carried that passion with her to the U.S. House of Representatives, quickly becoming a leader among her congressional colleagues. During her three terms as a Congresswoman, she served on a number of committees including: the Select Committee on Aging, the Public Works and Transportation Committee and eventually the House Budget Committee.

In addition to her work in Congress, Ferraro remained a devoted wife and loving mother to three children. After leaving public office, she remained in the field of public policy serving as a fellow at the John F. Kennedy School of Government at Harvard University's Institute of Politics from 1988–1992 and as a U.S. Ambassador to the United Nations Commission on Human Rights during the Clinton administration from 1993–1996. She also authored three autobiographical books about her political career. She once again entered the

world of politics in 2008, serving on Hillary Rodham Clinton's Presidential campaign.

The life and accomplishments of Geraldine Ferraro opened the doors of American politics and the hearts and minds of thousands of women seeking to make a difference. She was an inspiration to me and thousands of women considering the challenge of a future in politics and government. Our country will always be grateful for her leadership. She will surely be remembered for her unique leadership, and her belief that, ''America is the land where dreams can come true for all of us.''

1-YEAR ANNIVERSARY OF HEALTH REFORM LAW

Mr. JOHNSON of South Dakota. Mr. President, as we pass the 1-year anniversary since health care reform was signed into law, I rise to recognize how much it has benefitted thousands in my State. South Dakotans now have a fair shake when it comes to buying health coverage and increased protections from some of the worst abuses of the health insurance industry.

I have heard from far too many who thought they were protected by their health insurance, only to find they faced arbitrary annual or lifetime limits on benefits. Some were even dropped entirely from their coverage when they needed it the most. Health reform has already put an end to these practices, and is giving hard-working Americans the security of reliable coverage.

Commonsense changes that had been supported by Republicans and Democrats in Congress for years are also now in effect. Children are no longer at risk for being denied coverage due to a preexisting condition like asthma or diabetes. Young adults are now able to stay on their parent's health care plan until age 26, extending coverage as many transition from education to the workforce.

Over 129,000 South Dakota seniors are already seeing improvements to Medicare, including eliminated copayments for preventive care like immunizations and annual wellness visits. Last year over 11,945 Medicare beneficiaries in our State reached the gap in prescription drug coverage, known as the donut hole, and received a one-time $250 rebate to help pay for prescriptions. These beneficiaries will continue to receive deep discounts until the donut hole is completely closed in the years ahead.

Health reform also expands Medicare beneficiaries' access to care by providing a 10-percent Medicare bonus payment for primary care providers and for general surgeons practicing in health professional shortage areas. It also puts in place important changes to our health care delivery system to ensure we are paying for the quality of patient care and health outcomes, rather than quantity of tests and procedures performed.

Not only has this law benefited South Dakotans, but these improvements have taken place without harming our economic recovery. Since the President signed the Affordable Care Act into law a year ago, the economy has grown at an average rate of 2.7 percent, and nearly 1.4 million private sector jobs have been created.

As Congress looks for ways to get our deficit in line, the nonpartisan Congressional Budget Office recently estimated that reform will reduce the deficit by a total of $210 billion over the next 10 years and by more than $1 trillion over the next 20 years.

We must be realistic about this law in that it cannot fix all the problems with our health care delivery system overnight. But I supported reform to give our Nation the best chance at improving the system while reigning in costs. There is room for improvements, and if there is a good idea out there, I want to hear it.

What we cannot afford, however, is to turn back the clock on all the improvements the American people have seen in the last year, and will continue to experience as this law is fully implemented in the coming years.

REMEMBERING JOE ANTONIO SILVERSMITH

Mr. UDALL of New Mexico. Mr. President, the Navajo Code Talkers were a small group of marines who contributed to the American victory in the Pacific during World War II. Their language and their bravery made victory possible and helped save Allied soldiers' lives.

These Navajo warriors have one less man among their ranks today. My home State of New Mexico and the Navajo Nation lost a great man on February 28, 2011, when Joe Antonio Silversmith passed away at the age of 86. I would like to take a few moments to honor Mr. Silversmith's memory and his service to our country.

In 1943, as a young man of only 18, Mr. Silversmith heeded the call of duty and enlisted in the 297th Marine Platoon. He served in the South Pacific until 1946.

Mr. Silversmith and the 45,000 other Native Americans who enlisted to serve our country in World War II had only been recognized as citizens of the United States for 17 years when World War II began. Approximately 400 of these men, including Mr. Silversmith, served as Code Talkers—turning their native language into a powerful code, unbreakable by the Japanese.

In 2001, Mr. Silversmith finally received the recognition he deserved for his heroic World War II service when he and his fellow Code Talkers received the Congressional Gold Medal.

For Mr. Silversmith, his service to others did not end with his military career. A man of strong personal faith, he eventually became a full-time minister after returning to New Mexico.

For those who knew him, Mr. Silversmith's devotion to his flocks—demonstrated through his dedication to his congregation and, more literally, his love of herding of sheep—will be remembered fondly.

A man of courage, a hero to his family and the American people, and a role model to young Navajos, Mr. Silversmith stood up for his ideals. He encouraged those he knew to pursue their dreams, but to never forget their roots.

We owe a debt of gratitude to Mr. Silversmith, his fellow Code Talkers, and all those who have sacrificed in service to our country. Let's honor Mr. Silversmith by heeding his advice to keep our roots close to our hearts while striving to achieve our own lofty goals for the widest influence of good.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF WESTMINSTER, COLORADO

• Mr. BENNET. Mr. President, today I wish to recognize the 100th anniversary of the city of Westminster that lies along Colorado's Front Range. The city of Westminster will observe this significant milestone on April 4, 2011.

Westminster is the seventh most populous city in the State of Colorado. It has had a rich history since the first homesteaders arrived in 1870, shortly after the discovery of gold in the South Platte River Valley. The Land Act of 1862 encouraged many settlers to make Colorado their home instead of heading on to California.

The population of the town gradually increased over several decades, and by 1910, public services such as water access were needed to support the community. The village of Harris, named after C.J. Harris, was incorporated as the town of Westminster, CO, on April 4, 1911, by a citizen vote of 29 in favor and 6 opposed. The town was named for Westminster University, which was built in the 1890s on Crown Point.

The town of Westminster continued to grow and soon became the center for some of the largest apple and cherry orchards in the country. Northwest of Denver, Westminster remained a quiet rural town until the 1950s when the Colorado State Highway Department constructed the Denver-Boulder Turnpike, bisecting Westminster and contributing to the town's growth.

A 21-member charter Westminster convention was elected to draft and review a new charter, which was approved by voters in January of 1958.

Providing a safe and adequate water supply has been at the forefront of Westminster's growth since incorporation. The town took a proactive approach to dealing with the community's rapid growth by creating the Growth Management Plan in 1977 that called for allocating service commitments as a method to manage water and other key resources.

Westminster has balanced growth with the establishment of an open space program. In 1986, the town sought

to implement this approach and preserve and protect natural areas and beautiful vistas that contribute to the unique character of the city. Today, 32 percent of its land is open space and green space and the town has created more than 83 miles of multi-use trails.

Westminster's first 100 years are rich in history with monumental milestones that have made it the community it is today. I want to congratulate the city of Westminster as it celebrates its centennial anniversary. I look forward to helping Westminster continue to thrive as it sets out to make history in the next 100 years.●

40TH ANNIVERSARY OF OGLALA LAKOTA COLLEGE

● Mr. JOHNSON of South Dakota. Mr. President, I wish to speak today to honor the 40th anniversary of the founding of the Oglala Lakota College. In a society where education has been the cornerstone for generations, the Oglala Lakota College has been providing students with a high quality education in Indian Country for decades. Graduates have gone on to be extraordinary community and professional leaders working to improve the lives of all those around them.

The Oglala Lakota College, headquartered in Kyle, SD, first opened its doors in 1971 with the goal of bringing hope to the people on the Pine Ridge Indian Reservation—home of the Oglala Sioux Tribe. This small college was a great risk when it began, as it was one of the first tribally owned and operated colleges in the United States, but the founders believed in the importance of bringing education to Indian country. Although the name of the school has changed, throughout the years the idea that the benefit of higher education is of vital importance to the community has stayed constant. Since its inception, the Oglala Lakota College has expanded course offerings to establish online courses and satellite classes, providing easier accessibility to students.

From the very beginning, the Oglala Lakota College faced challenges: The faculty and students worked and studied in old building basements, worked around kitchen tables, and used old trailers as makeshift classrooms. The college finally moved to a group of government surplus buildings. Despite an environment ill-suited for education, the students and professors triumphed under the challenging circumstances, and today provide hope for the future of the students.

In 1991, after years of educators striving to provide an education in a difficult learning environment, the school began a 10-year capital campaign to construct new buildings for the students.

In 2005 and 2009, the Oglala Lakota College received grants from the Labor, Health Human Services and Education Appropriations Subcommittee to assist funding recruitment, curriculum development, and program infrastructure for the nursing degree offered by the Oglala Lakota College. More than 40 percent of graduates work at Indian Health Services hospitals, making the Oglala Lakota College the primary tribal college producer of health care providers for the Indian Health Service. In addition, in the past decade, Oglala Lakota College has received several grants to improve the learning environment on its campuses.

The Oglala Lakota College has grown considerably since starting as a small community college. Today it is a thriving campus offering baccalaureate degrees—including a master's degree in Lakota leadership. Under the guidance of my good friend, President Tom Shortbull, the Oglala Lakota College increased its enrollment to 1,400 students, a record number of students focusing on their goal to further their education.

I congratulate the great legacy and triumphs over adversity of the Oglala Lakota College on the occasion of its 40th anniversary and commend the work and commitment, past and present, of the administrators, faculty, alumni and students. I wish them well in the upcoming year of observances and celebrations.●

REMEMBERING JUDGE M. BLANE MICHAEL

● Mr. ROCKEFELLER. Mr. President, today I wish to pay tribute to a West Virginian who was an exacting and thoughtful judge, a committed father, and a treasured friend. Blane Michael, a Federal judge for the U.S. Court of Appeals for the Fourth Circuit, passed away over the weekend.

There are some people whose lives transcend biographies and are so richly varied and important that trying to capture their essence in a few brief remarks is impossible. Blane Michael was that kind of person. And although I am unlikely to do his life justice with these short remarks, I felt it was important for the Senate to hear about this great individual.

Honest and humble to his core, Blane committed himself to public service. Born February 17, 1943, in Charleston, SC, he grew up on a pastoral farm in Grant County, WV—a quiet spot tucked away in the mountains of the State that he left for the first time when he went to law school.

A 1965 graduate of West Virginia University and a 1968 graduate of New York University School of Law, Blane worked for a time at a New York law firm, and then as an assistant U.S. attorney for the Southern District of New York. But like many young people who have left our State to pursue education, employment or other opportunities, he heard the call to return home and give back to his State, and the people who helped form his foundation for public service.

In 1972, he returned to West Virginia with his glorious wife Mary Anne, who grew up in Shinnston, WV. After working as a special assistant U.S. attorney for the Northern District of West Virginia and later opening a private practice, his path first crossed mine—and my life is forever better because of it.

From 1977 to 1980, Blane served as special counsel during my first term as Governor of West Virginia. He was a young lawyer at the time, in his early thirties, but he was intelligent, ethical, and extraordinarily hardworking. Most importantly, he understood the importance of using his legal skills in service to, and for the betterment of, his fellow citizens. During those years, I came to know quickly that his sight was transfixed on the common good—and for that reason, his judgment and wisdom were something I valued immensely and sought out often, well beyond my years as Governor.

In 1981, Blane returned to private practice where he continued to solidify his reputation as a skilled lawyer and a person of intellectual and moral depth. I was fortunate during that time that he was willing to serve as manager for two of my campaigns for United States Senate. Always true to his work ethic, he continued to maintain a full-time legal practice while performing campaign duties during his lunch breaks and on the weekends.

He was nominated by President Bill Clinton for a seat on the U.S. Court of Appeals for the Fourth Circuit on August 6, 1993, and was confirmed by the Senate on September 30, 1993. As an appeals court judge, he later said that he was lucky to have the one job he had wanted from the time he was a young attorney.

During his 17 years on the Federal bench, he was a formidable presence whose record of service speaks to who he was as a person—tough when he had to be, and always fair and honest. With a moral and intellectual compass set hard for justice, Blane was a brilliant judge who never took for granted the power and the responsibility of deciding the cases that impacted people's lives. Time and again, he spoke for those without a voice and protected the rights that we as Americans hold so dear.

He artfully interwove the complexity of the law with the practical results of his decisions always taking cases at their face value. And, when the issue required it, Blane acted as a counterweight to some of the most conservative judges in the country—judges who also would come to respect and admire him and, on certain cases that called for righting serious wrongs, join him.

Blane Michael's death is a tremendous loss to our Nation, our State, and anyone whose life he touched. For me, his was the kind of deep, easy companionship that helps sustain you and remains with you always.

His contributions were immense, his dedication to justice and doing what is right was unmatched, and for that, he will be sorely missed. My prayers are

with his wife Mary Anne and their daughter Cora; and my lasting thoughts are with my dearest and closely held friend.●

REMEMBERING WILLIE JONES

● Mr. SESSIONS. Mr. President, I would like to bring to the attention of the Senate today the noble service of a great American from the State of Alabama. It is with sadness that I speak about Willie Jones, the director of the Cleveland Avenue YMCA, who passed away suddenly last week in Montgomery, AL. Willie was 55 years of age.

Willie was a true leader in the Montgomery community. As a teenager, he began working with the Cleveland Avenue YMCA as an aquatic instructor. He worked his way up to senior vice-president of the organization in Montgomery. Make no mistake, the Montgomery YMCA is one of the greatest ''Y's'' in the country and has been for many years.

He served on the Montgomery Housing Authority Board of Directors and the Montgomery County Recreation Commission. He was a man of deep religious faith, being active with the Mount Zion African Methodist Episcopal Zion Church. This faith, I believe, was the key factor in his positive outlook on life and his love for his fellow man.

Willie Jones loved people and they loved him. His constant motive was to help others and the primary vehicle for his life of service was the ''Y.'' Few people were better known in Montgomery—from the poor young person needing a chance to the city's top executives and political leaders. They all knew him, admired him, and loved him.

For more than 40 years, Willie devoted his life to public service, leaving a positive imprint on the lives of countless Alabama youths.

I know how valuable the programs he worked so hard for have been for the young people of Montgomery. Time and time again, lives have been directed on a course to success as a result of the personal relationships and care demonstrated by Willie and his team.

It was a tremendous joy seeing Willie work with kids. He gave them opportunities at the YMCA, instilling in them a sense of hope and the knowledge that they could make a difference, both in their own lives and in the lives of others.

Willie was often quoted as saying ''This isn't about Willie Jones; it's about the kids at the YMCA.'' Indeed he was an inspiration.

I had the great privilege to know Willie personally. He visited my office here in Washington many times over the years. I witnessed Willie in action—he was a man with a giant heart, and it showed on the expressions of folks who would light up when he entered a room.

Willie touched the lives of so many, and he will be sorely missed. Mary and I extend our deepest sympathies to his wife, the Jones family, and to the Montgomery community. He was too young to leave us. There was more to do. But, his life was full and complete. He fulfilled his mission with purity and purpose, in accord with the will of his Lord. His life honored his Maker. Would that we all could live so well. May his life be an example for those of us who continue to serve in public office.●

REMEMBERING DON MARKWELL

● Mr. SESSIONS. Mr. President, it is appropriate that we take a moment to honor the man who was heard on the airwaves in Montgomery, AL, for decades. A friend and longtime radio host, Don Markwell, passed away last Friday. Don was born in Island, KY, and began his career in radio as a disc jockey for WNES AM in 1956. He and his family moved to Montgomery in the late 1950s. Don created Alabama's very first talk show on WCOV in 1959.

In 1967, Don Markwell began the program he would later become famous for, ''Viewpoint.'' Talk radio was a new concept in the 1960s, and Don had the foresight to see its potential and popularity.

Some people criticize the talk show format and the hosts. But it is an open forum. People could call Don and disagree, but they better be prepared. Listeners knew the drill. They filter the honest and dishonest, the fair and unfair. Indeed, talk radio is the modern day town hall.

I was delighted to be Don's guest on numerous occasions. He never had a problem asking the tough questions—something I very much admired in him and try to emulate. For some years, I took to calling him ''Dean Don,'' dubbing him the dean of talk show hosts. He was that indeed. No one in Alabama and few, if any elsewhere, had such a record—he liked that, I think.

When I first ran for office, attorney general of Alabama in 1994, Don was aware of many problems associated with my incumbent opponent. He brought those issues out, gave me and my record a chance to become known by his Montgomery audience. Don offered my opponent a chance to appear, but he declined. Radio talk shows provide lesser known and lesser funded candidates a chance to be known by the public. I know my talk show appearances, as a little known challenger, helped voters to know about my position on the issues.

Don spent more than half a century working in the radio industry, 30 of those years hosting ''Viewpoint'' and never lacking in enthusiasm and controversy. He was fearless and principled.

His persona was libertarian. He was not happy with Republicans or Democrats. His problem with Republicans was that he expected more of them. He could spot a phony a mile—or 1,000 miles—away. Sometimes he spotted phonies that weren't phonies, but that was not often. June of 2006, Don celebrated 50 years in broadcasting. In 2008, he retired from WACV-AM 1170 and said goodbye to the radio world. When Dan Morris took over Don Markwell's time slot on WACV, Dan kept the name ''Viewpoint'' and has continued Don's tradition of covering local and national issues during drive time.

As anyone in Montgomery, AL, will tell you, Don is a legend and a pioneer in talk radio. His accomplishments and outstanding service to both the broadcasting industry and the public are surely worthy of commendation. And what a voice—rich and deep—it was instantly recognizable.

My thoughts and prayers go out to Nell and the Markwell family in their time of grief. I, like many others, am grateful to have called Don a friend, and he will be dearly missed.●

REMEMBERING CHARLES F. JAMES

● Mr. UDALL of New Mexico. Mr. President my home State of New Mexico lost a great man on March 13, 2011.

Charlie F. James, a World War II veteran and survivor of the Bataan Death March, passed away at the age of 89. He was the last survivor of the Bataan Death March living in Eddy County and I would like to take a moment to honor his memory.

Mr. James enlisted in the National Guard while still a young man in high school and was called to active duty service in January 1941, less than a year after graduating and just 3 days after getting married.

In September, Mr. James and the rest of 2nd Battalion/F–Battery were shipped off to Manila in the Philippines. The Japanese attack on the Philippines in December of 1941, mere hours after Pearl Harbor, led to 4 months of intense combat with very little in the way of supplies. His unit only had one functioning 37mm antiaircraft gun left when allied troops at Bataan were ordered to surrender in April 1942.

While those 4 months of fighting were difficult for Mr. James and his fellow soldiers, the next 3½ years were even more horrific. Mr. James survived the Bataan Death March to then face ghastly conditions in Japanese prisons, and forced labor in Japan.

Mr. James was liberated on September 2, 1945, and honorably discharged. He was the recipient of many awards for his service, including a Purple Heart and Bronze Star. Mr. James became a member of numerous veterans groups and he maintained close relationships with many of his comrades, including many who were held as prisoners of war.

After being discharged, Mr. James returned to New Mexico and to the two loves in his life: his wife, Lucille, and ranching. Having grown up in Carlsbad, his passion for his cattle ran deep in his roots. Those who knew Mr. James

hold many fond memories of him surrounded by his land and tending to his cattle.

Let us honor this man who was the last of a generation, one of an ever dwindling number of men who gave up years of their youth to protect our Nation, and thank Mr. James for his bravery, patriotism, and service.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:28 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 839. An act to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis.

ENROLLED BILL SIGNED

At 5:25 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. 1079. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 839. An act to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis; to the Committee on Banking, Housing, and Urban Affairs.

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–1036. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Changes in Disease Status of the Brazilian State of Santa Catarina with Regard to Certain Ruminant and Swine Diseases; Technical Amendment'' ((RIN0579–AD12) (Docket No. APHIS–2009–0034)) as received during adjournment of the Senate in the Office of the President of the Senate on March 21, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1037. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National Poultry Improvement Plan and Auxiliary Provisions'' ((RIN0579–AD21) (Docket No. APHIS–2009–0031)) as received during adjournment of the Senate in the Office of the President of the Senate on March 22, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1038. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Horses From Contagious Equine Metritis-Affected Countries'' ((RIN0579–AD31) (Docket No. APHIS–2008 0112)) as received during adjournment of the Senate in the Office of the President of the Senate on March 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1039. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting four legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC–1040. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting a legislative proposal relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC–1041. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, an annual report on the actions taken by the Commission relative to the Fair Debt Collection Practices Act during 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–1042. 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 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC–1043. 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 Hong Kong, China.; to the Committee on Banking, Housing, and Urban Affairs.

EC–1044. A communication from the Paralegal Specialist, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Clean Fuels Grant Program'' (RIN2132–AA91) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–1045. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Prohibited Service at Savings and Loan Holding Companies; Reinstitution of Expiration Date of Temporary Exemption'' (RIN1550–AC14) received during adjournment of the Senate in the Office of the President of the Senate on March 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–1046. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–8173)) received during adjournment of the Senate in the Office of the President of the Senate on March 22, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–1047. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the decision to authorize a noncompetitive extension of up to five years to the Department's contract with the Board of Trustees for Leland Stanford Junior University (Stanford) for the management and operation of the SLAC National Accelerator Laboratory; to the Committee on Energy and Natural Resources.

EC–1048. A communication from the Secretary of Energy, transmitting, pursuant to law, a report concerning operations at the Naval Petroleum Reserves for fiscal year 2009; to the Committee on Energy and Natural Resources.

EC–1049. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations of the National Park Service; National Capital Region Correction, Address Change for the National Mall and Memorial Parks, Park Programs Office'' (RIN1024–AD96) as received during adjournment of the Senate in the Office of the President of the Senate on March 22, 2011; to the Committee on Energy and Natural Resources.

EC–1050. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Evaluation of the Rural Hospice Demonstration''; to the Committee on Finance.

EC–1051. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Technical Correction for Neurological Listing Cross-Reference'' (RIN0960–AH33) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Finance.

EC–1052. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Procedure: Safe Harbors for Sections 143 and 25'' (Rev. Proc. 2011–23) received in the Office of the President of the Senate on March 28, 2011; to the Committee on Finance.

EC–1053. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''LB&I Alert-Cases Forwarded to Appeals That Involve a Section 965 Issue and a Transfer Pricing Adjustment under Section 482'' (LBandI–4–1110–034) received in the Office of the President of the Senate on March 28, 2011; to the Committee on Finance.

EC–1054. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance for Phase II of the Qualifying Advanced Coal Program under Section 48A and the Qualifying Gasification Program under Section 48B'' (Notice 2011–24) received in the Office of the President of the Senate on March 28, 2011; to the Committee on Finance.

EC–1055. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fringe Benefits Aircraft Valuation Formula'' (Rev. Rul. 2011–8) received in the Office of the President of the Senate on March 28, 2011; to the Committee on Finance.

EC–1056. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a proposed amendment to Part 123 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–1057. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles, including technical data, or defense services to Japan in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–1058. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2011–0029–2011–0040); to the Committee on Foreign Relations.

EC–1059. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Children and Families; to the Committee on Health, Education, Labor, and Pensions.

EC–1060. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Investigational New Drug Applications and Abbreviated New Drug Applications; Technical Amendment'' (Docket No. FDA–2011–N–0130) received during adjournment of the Senate in the Office of the President of the Senate on March 25, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1061. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–34 ''Balanced Budget Holiday Furlough Temporary Act of 2011''; to the Committee on Homeland Security and Governmental Affairs.

EC–1062. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–35 ''Processing Sales Tax Clarification Temporary Amendment Act of 2011''; to the Committee on Homeland Security and Governmental Affairs.

EC–1063. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–36 ''One City and Response Training Temporary Act of 2011''; to the Committee on Homeland Security and Governmental Affairs.

EC–1064. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–37 ''Howard Theatre Redevelopment Project Great Streets Initiative Tax Increment Financing Temporary Amendment Act of 2011''; to the Committee on Homeland Security and Governmental Affairs.

EC–1065. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–38 ''Fiscal Year 2011 Office of Public Education Facilities Modernization Funding Revised Temporary Act of 2011''; to the Committee on Homeland Security and Governmental Affairs.

EC–1066. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–39 ''Reinstated Government Employee Review Temporary Act of 2011''; to the Committee on Homeland Security and Governmental Affairs.

EC–1067. A communication from the Secretary of the Senate, transmitting, pursuant to law, a report relative to the Advisory Committee on the Records of Congress; to the Committee on Homeland Security and Governmental Affairs.

EC–1068. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, an annual report relative to the Board's compliance with the Sunshine Act during calendar year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–1069. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a report relative to four legislative recommendations; to the Committee on Rules and Administration.

EC–1070. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Pelagic Fisheries; Hawaii-Based Shallow-set Longline Fishery; Court Order'' (RIN0648–BA19) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1071. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XA276) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1072. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure'' (RIN0648–XA229) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1073. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure'' (RIN0648–XA228) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1074. A communication from the Acting Director, Office of Sustainable Fisheries, 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–XA277) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1075. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XA271) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1076. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction'' (RIN0648–XA263) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1077. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands'' (RIN0648–XA262) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1078. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XA260) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1079. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Groundfish Fisheries of the Exclusive Economic Zone Off Alaska; American Fisheries Act; Recordkeeping and Reporting'' (RIN0648–AY84) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1080. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications'' (RIN0648–XA109) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1081. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 17B; Correction'' (RIN0648–AY11) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1082. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report relative to the regulatory status of each recommendation on the National Transportation Safety Board's Most Wanted List; to the Committee on Commerce, Science, and Transportation.

EC–1083. A communication from the Secretary of Transportation, transmitting, the Department's Annual Performance Report for Fiscal Year 2010; to the Committee on Commerce, Science, and Transportation.

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–6. A concurrent resolution adopted by the Legislature of the State of West Virginia urging the United States Congress to oppose any action to reduce funding for Community Service Block Grants; to the Committee on Banking, Housing, and Urban Affairs.

SENATE CONCURRENT RESOLUTION NO. 37

Whereas, Community Service Block Grants (CSBG) are a critical source of funding for Community Action Agencies across the country; and

Whereas, Community Action Agencies provide housing, nutrition, health care, education and weatherization programs to low-income families, equipping them with the tools they need to become successful members of society; and

Whereas, West Virginia has sixteen Community Action Agencies that employ 2,180 individuals; and

Whereas, our sixteen Community Action Agencies serve all of West Virginia's fifty-five counties; and

Whereas, in 2009 close to 112,000 West Virginians, over 55,000 families, received services through Community Action Agencies; and

Whereas, Community Action Agencies are an essential component of economic recovery, as their main objective is the elimination of poverty; and

Whereas, in 2009, West Virginia Community Action Agencies leveraged $18,194,807 in Community Service Block Grants into more than $90 million in additional resources for anti-poverty efforts in West Virginia; and

Whereas, President Obama has proposed a fifty percent reduction of Community Service Block Grants funding and made the remaining funds competitive instead of continuing the current allocation formula; Therefore, be it

Resolved by the Legislature of West Virginia: That the Legislature hereby urges the members of the West Virginia Delegation to the United States Congress to oppose any action by Congress or the President to reduce funding for Community Service Block Grants; and, be it, further

Resolved, That the Clerk of Senate is hereby directed o forward a certified copy of this resolution to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, members of the West Virginia Congressional Delegation and the President of the United States.

POM–7. A joint resolution adopted by the House of Representatives of the State of Colorado recognizing the bravery and sacrifice of the crew of the U.S.S. Pueblo and designating January 23rd each year as ''U.S.S. Pueblo Day''; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 11–1005

Whereas, the U.S.S. Pueblo was originally launched as a United States Army cargo ship in 1944 but was transferred to the United States Navy and renamed the U.S.S. Pueblo in 1966; and

Whereas, the U.S.S. Pueblo was named for the city of Pueblo, Colorado, and the county of Pueblo, Colorado, and was the third ship in the naval fleet to bear the name Pueblo; and

Whereas, after leaving Japan in early January 1968 on an intelligence mission, the U.S.S. Pueblo was attacked by the North Korean military on January 23, 1968; and

Whereas, according to United States Naval authorities and the crew of the U.S.S. Pueblo, the ship was in international waters at the time of the attack; and

Whereas, one crew member of the U.S.S. Pueblo was killed during the attack, and eighty crew members and two civilian oceanographers were captured and held for eleven months by the North Korean government; and

Whereas, this year marks the forty-third anniversary of North Korea's attack on the U.S.S. Pueblo and her crew; and

Whereas, the U.S.S. Pueblo is still in commission in the United States Navy, but continues to be held by the North Korean government and is currently a museum in Pyongyang, North Korea; Now, therefore, be it

Resolved by the House of Representatives of the Sixty-eighth General Assembly of the State of Colorado, the Senate concurring herein:

(1) That we, the members of the General Assembly, recognize the bravery and sacrifice of the crew of the U.S.S. Pueblo; and

(2) That we take pride in the fact that the U.S.S. Pueblo bears the name of a city and a county in Colorado, and, therefore, the citizens of Colorado should be aware of the incident that occurred with the U.S.S. Pueblo forty-three years ago; and

(3) That we hereby designate January 23 each year as ''U.S.S. Pueblo Day'' as a day to remember and honor the brave crew of the U.S.S. Pueblo; be it further

Resolved, That copies of this Joint Resolution be sent to President Barack Obama, Governor John W. Hickenlooper, President Pro Tempore of the United States Senate Daniel K. Inouye, Speaker of the United States House of Representatives John Boehner, and the members of Colorado's congressional delegation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COBURN (for himself and Mr. KOHL):

S. 674. A bill to amend chapter 9 of title 44, United States Code, to limit the printing of the Congressional Record, and for other purposes; to the Committee on Rules and Administration.

By Mr. AKAKA (for himself, Mr. INOUYE, Mr. BEGICH, and Ms. MURKOWSKI):

S. 675. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to the Committee on Indian Affairs.

By Mr. AKAKA (for himself, Mr. CONRAD, Mr. FRANKEN, Mr. INOUYE, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. TESTER, and Mr. UDALL of New Mexico):

S. 676. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Indian Affairs.

By Mr. HATCH:

S. 677. A bill to amend title 13, United States Code, to provide for the more accurate and complete enumeration of certain overseas Americans in the decennial census, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KOHL (for himself, Mr. WHITEHOUSE, and Mr. COONS):

S. 678. A bill to increase the penalties for economic espionage; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr. ALEXANDER, Mr. REID, Mr. MCCONNELL, Mr. LIEBERMAN, Ms. COLLINS, Mr. BROWN of Massachusetts, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. DURBIN, Mr. JOHANNS, Mr. LUGAR, Mr. REED, Mr. WHITEHOUSE, Mr. CARPER, and Mr. KYL):

S. 679. A bill to reduce the number of executive positions subject to Senate confirmation; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Mrs. BOXER, Mrs. HUTCHISON, Mrs. MURRAY, Ms. SNOWE, Ms. LANDRIEU, Ms. STABENOW, Ms. CANTWELL, Ms. MURKOWSKI, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. LIEBERMAN, Mr. AKAKA, Mr. PRYOR, Mr. MERKLEY, Mr. BEGICH, Mrs. FEINSTEIN, and Ms. AYOTTE):

S. 680. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 681. A bill to provide greater accountability in the Small Business Lending Fund; to the Committee on Small Business and Entrepreneurship.

By Mr. CASEY:

S. 682. A bill to provide for reliquidation of certain entries of medium density fiberboard; to the Committee on Finance.

By Mr. LEE:

S. 683. A bill to provide for the conveyance of certain parcels of land to the town of Mantua, Utah; to the Committee on Energy and Natural Resources.

By Mr. LEE:

S. 684. A bill to provide for the conveyance of certain parcels of land to the town of Alta, Utah; to the Committee on Energy and Natural Resources.

By Mr. LUGAR (for himself and Mr. PAUL):

S. 685. A bill to repeal the Federal sugar program; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. LANDRIEU (for herself, Mr. BENNET, Mr. CARPER, Mr. COONS, Mr. DURBIN, Mrs. HAGAN, and Mr. LIEBERMAN):

S. 686. A bill to amend the Elementary and Secondary Education Act of 1965 to improve

public charter schooling by addressing quality issues; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CONRAD (for himself, Mr. CORNYN, Mr. VITTER, Mrs. HUTCHISON, Mr. CRAPO, Mr. WICKER, Mr. INHOFE, and Ms. SNOWE):

S. 687. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. KERRY, Mrs. GILLIBRAND, Mr. SCHUMER, and Mr. BINGAMAN):

S. 688. A bill to amend title XVIII of the Social Security Act to apply the additional Medicare HITECH payment provisions to hospitals in Puerto Rico; to the Committee on Finance.

By Mr. MERKLEY (for himself and Ms. SNOWE):

S. 689. A bill to promote the oil independence of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself, Ms. SNOWE, Mr. MENENDEZ, Mr. ROCKEFELLER, Mr. DURBIN, Mr. SANDERS, Mr. BROWN of Ohio, Mrs. SHAHEEN, Mr. LAUTENBERG, Mr. LEAHY, Mr. REED, Mr. MERKLEY, and Mrs. MURRAY):

S. 690. A bill to establish the Office of the Homeowner Advocate; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 691. A bill to support State and tribal government efforts to promote research and education related to maple syrup production, natural resource sustainability in the maple syrup industry, market promotion of maple products, and greater access to lands containing maple trees for maple-sugaring activities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida:

S. 692. A bill to improve hurricane preparedness by establishing the National Hurricane Research Initiative, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TESTER (for himself and Mr. BURR):

S. Res. 115. A resolution designating July 8, 2011, as ''Collector Car Appreciation Day'' and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr. ALEXANDER, Mr. REID, Mr. MCCONNELL, Mr. LIEBERMAN, Ms. COLLINS, Mr. BINGAMAN, Mr. LUGAR, Mr. DURBIN, Mr. JOHANNS, Mr. REED, Mr. BROWN of Massachusetts, Mr. CARPER, Mr. WHITEHOUSE, and Mr. KYL):

S. Res. 116. A resolution to provide for expedited Senate consideration of certain nominations subject to advice and consent; to the Committee on Rules and Administration.

By Ms. STABENOW (for herself, Mr. BEGICH, Mr. BROWN of Ohio, Mr. LEVIN, Mr. COCHRAN, Ms. LANDRIEU, Mr. SANDERS, and Mr. JOHNSON of South Dakota):

S. Res. 117. A resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. BURR):

S. Res. 118. A resolution designating April 2011 as ''National 9–1–1 Education Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 13

At the request of Mr. CHAMBLISS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 13, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 206

At the request of Mr. LIEBERMAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 206, a bill to reauthorize the DC Opportunity Scholarship Program, and for other purposes.

S. 210

At the request of Mr. COBURN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 210, a bill to amend title 44, United States Code, to eliminate the mandatory printing of bills and resolutions for the use of offices of Members of Congress.

S. 244

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 244, a bill to enable States to opt out of certain provisions of the Patient Protection and Affordable Care Act.

S. 325

At the request of Mrs. MURRAY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 325, a bill to amend title 10, United States Code, to require the provision of behavioral health services to members of the reserve components of the Armed Forces necessary to meet pre-deployment and post-deployment readiness and fitness standards, and for other purposes.

S. 395

At the request of Mr. ENZI, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 395, a bill to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 431

At the request of Mr. PRYOR, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 504

At the request of Mr. DEMINT, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 504, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 520

At the request of Mr. COBURN, the names of the Senator from North Carolina (Mr. BURR), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 520, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 545

At the request of Mr. UDALL of Colorado, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 545, a bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to strengthen the quality control measures in place for part B lung disease claims and part E processes with independent reviews.

S. 554

At the request of Mr. GRAHAM, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 554, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks.

S. 555

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 555, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 560

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 560, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program.

S. 567

At the request of Mr. CONRAD, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 567, a bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 570

At the request of Mr. TESTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 600

At the request of Mr. MENENDEZ, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 600, a bill to promote the diligent development of Federal oil and gas leases, and for other purposes.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 646

At the request of Mrs. BOXER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 646, a bill to reauthorize Federal natural hazards reduction programs, and for other purposes.

S. 671

At the request of Mr. SESSIONS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 671, a bill to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders.

S. RES. 99

At the request of Mr. DEMINT, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. Res. 99, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AMENDMENT NO. 197

At the request of Mrs. HUTCHISON, the names of the Senator from Idaho (Mr. RISCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Arkansas (Mr. BOOZMAN), the Senator from South Carolina (Mr. DEMINT), the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CORNYN), the Senator from Kentucky (Mr. MCCONNELL), the Senator from South Carolina (Mr. GRAHAM), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Alabama (Mr. SESSIONS), the Senator from Florida (Mr. RUBIO), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Illinois (Mr. KIRK) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 197 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 220

At the request of Mr. COBURN, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from North Carolina (Mr. BURR), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of amendment No. 220 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 241

At the request of Mr. RISCH, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 241 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 267

At the request of Mr. TESTER, the names of the Senator from Delaware (Mr. COONS), the Senator from South Dakota (Mr. THUNE) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of amendment No. 267 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. INOUYE, Mr. BEGICH, and Ms. MURKOWSKI):

S. 675. a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to the Committee on Indian Affairs.

Mr. AKAKA. Mr. President, today I rise to introduce legislation of great importance to my state, the Native Hawaiian Government Reorganization Act of 2011. This bill would ensure parity in federal policy as it relates to the Native Hawaiian people. It would put them on equal footing with American Indians and Alaska Natives. I have sponsored this common-sense legislation since the 106th Congress.

Last December, I spoke here on the Senate floor to reaffirm my commitment to enact this legislation. I made it clear then to my colleagues and my constituents that I would be reintroducing this legislation in the 112th Congress. I am moving forward with the legislation that was reported out of the Senate Committee on Indian Affairs in the 111th Congress.

Throughout my Senate career, I have been a member of the Committee on Indian Affairs. I have worked diligently with my colleagues on the Committee to champion legislation to improve conditions for our Native communities across the United States. At the beginning of the 112th Congress, I became the Chairman of this Committee. I look forward to working on the many pressing issues for American Indians, Alaska Natives, and Native Hawaiians. Reconciliation between the United States and the Native Hawaiian people will be a top priority.

In 1993, I sponsored a measure commonly known as the Apology Resolution. This resolution was signed into law by President Bill Clinton. It outlined the history—prior to—and following the overthrow of the Kingdom of Hawaii, including the involvement in the overthrow by agents of the United States. In the resolution, the United States apologized for its involvement—and acknowledged the ramifications of the overthrow. It committed to support reconciliation efforts between the United States and the Native Hawaiian people.

However, additional Congressional action is needed.

My legislation allows us to take the necessary next step in the reconciliation process. The bill does three things. First, it authorizes an office in the Department of the Interior to serve as a liaison between Native Hawaiians and the United States. Second, it forms an interagency task force chaired by the Departments of Justice and Interior, and composed of officials from federal agencies that administer programs and services impacting Native Hawaiians. Third, it authorizes a process for the reorganization of the Native Hawaiian government for the purposes of a federally-recognized government-to-government relationship. Once the Native Hawaiian government is recognized, an inclusive democratic negotiations process representing both Native Hawaiians and non-Native Hawaiians would be established. There are many checks and balances in this process. Any agreements reached would still require the legislative approval of the State and Federal governments.

Opponents have spread misinformation about the bill. Let me be clear on some things that this bill does not do. My bill will not allow for gaming. It does not allow for Hawaii to secede from the United States. It does not allow for private land to be taken. It does not create a reservation in Hawaii.

What this bill does do is allow the people of Hawaii to come together and address issues arising from the overthrow of the Kingdom of Hawaii more than 118 years ago.

It is time to move forward with this legislation. To date, there have been a total of 12 Congressional hearings, including 5 joint hearings in Hawaii held by the Senate Committee on Indian Affairs and the House Natural Resources Committee. Our colleagues in the House have passed versions of this bill three times. We, however, have never had the opportunity to openly debate this bill on its merits in the Senate. We have a strong bill that is supported by Native communities across the United States, by the State of Hawaii, and by the Obama Administration.

Last week, I met with officials and community leaders in the state of Hawaii to share my intention to reintroduce this legislation. I received widespread support. This support was not surprising. A poll conducted by the Honolulu Advertiser in May of last year reported that 66 percent of the people of Hawaii support Federal recognition for Native Hawaiians. And 82 percent of Native Hawaiians polled support Federal recognition.

My efforts have the support of the National Congress of American Indians, the Alaska Federation of Natives, and groups throughout the Native Hawaiian community including the Association of Hawaiian Civic Clubs, the Native Hawaiian Bar Association, the Council for Native Hawaiian Advancement, and two state agencies which represent the interests of the Native Hawaiian people, the Office of Hawaiian Affairs and the Department of Hawaiian Home Lands. I have also received support from national organizations such as the American Bar Association, and from President Obama, the Department of Justice, and the Department of Interior.

I encourage all of my colleagues to stand with me and support this legislation. I welcome any of my colleagues with concerns to speak with me so I can explain how important this bill is for the people of Hawaii. The people of Hawaii have waited for far too long. America has a history of righting past wrongs. The United States has federally recognized government-to-government relationships with 565 tribes across our country. It is time to extend this policy to the Native Hawaiians.

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. 675

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 ''Native Hawaiian Government Reorganization Act of 2011''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Constitution vests Congress with the authority to address the conditions of the indigenous, native people of the United States and the Supreme Court has held that under the Indian Commerce, Treaty, Supremacy, and Property Clauses, and the War Powers, Congress may exercise that power to rationally promote the welfare of the native peoples of the United States so long as the native people are a ''distinctly native community'';

(2) Native Hawaiians, the native people of the Hawaiian archipelago that is now part of the United States, are 1 of the indigenous, native peoples of the United States, and the Native Hawaiian people are a distinctly native community;

(3) the United States has a special political and legal relationship with, and has long enacted legislation to promote the welfare of, the native peoples of the United States, including the Native Hawaiian people;

(4) under the authority of the Constitution, the United States concluded a number of treaties with the Kingdom of Hawaii, and from 1826 until 1893, the United States—

(A) recognized the sovereignty of the Kingdom of Hawaii as a nation;

(B) accorded full diplomatic recognition to the Kingdom of Hawaii; and

(C) entered into treaties and conventions of peace, friendship and commerce with the Kingdom of Hawaii to govern trade, commerce, and navigation in 1826, 1842, 1849, 1875, and 1887;

(5) pursuant to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), the United States set aside approximately 203,500 acres of land in trust to better address the conditions of Native Hawaiians in the Federal territory that later became the State of Hawaii and in enacting the Hawaiian Homes Commission Act, 1920, Congress acknowledged the Native Hawaiian people as a native people of the United States, as evidenced by the Committee Report, which notes that Congress relied on the Indian affairs power and the War Powers, including the power to make peace;

(6) by setting aside 203,500 acres of land in trust for Native Hawaiian homesteads and farms, the Hawaiian Homes Commission Act, 1920, assists the members of the Native Hawaiian community in maintaining distinctly native communities throughout the State of Hawaii;

(7) approximately 9,800 Native Hawaiian families reside on the Hawaiian Home Lands, and approximately 25,000 Native Hawaiians who are eligible to reside on the Hawaiian Home Lands are on a waiting list to receive assignments of Hawaiian Home Lands;

(8)(A) in 1959, as part of the compact with the United States admitting Hawaii into the Union, Congress delegated the authority and responsibility to administer the Hawaiian Homes Commission Act, 1920, lands in trust for Native Hawaiians and established a new public trust (commonly known as the ''ceded lands trust''), for 5 purposes, 1 of which is the betterment of the conditions of Native Hawaiians, and Congress thereby reaffirmed its recognition of the Native Hawaiians as a distinctly native community with a direct lineal and historical succession to the aboriginal, indigenous people of Hawaii;

(B) the public trust consists of lands, including submerged lands, natural resources, and the revenues derived from the lands; and

(C) the assets of this public trust have never been completely inventoried or segregated;

(9) Native Hawaiians have continuously sought access to the ceded lands in order to establish and maintain native settlements and distinct native communities throughout the State;

(10) the Hawaiian Home Lands and other ceded lands provide important native land reserves and resources for the Native Hawaiian community to maintain the practice of Native Hawaiian culture, language, and traditions, and for the continuity, survival, and economic self-sufficiency of the Native Hawaiian people as a distinctly native political community;

(11) Native Hawaiians continue to maintain other distinctly native areas in Hawaii, including native lands that date back to the ali'i and kuleana lands reserved under the Kingdom of Hawaii;

(12) through the Sovereign Council of Hawaiian Homelands Assembly, Native Hawaiian civic associations, charitable trusts established by the Native Hawaiian ali'i, nonprofit native service providers and other community associations, the Native Hawaiian people have actively maintained native traditions and customary usages throughout the Native Hawaiian community and the Federal and State courts have continuously recognized the right of the Native Hawaiian people to engage in certain customary practices and usages on public lands;

(13) on November 23, 1993, Public Law 103–150 (107 Stat. 1510) (commonly known as the ''Apology Resolution'') was enacted into law, extending an apology on behalf of the United States to the native people of Hawaii for the United States' role in the overthrow of the Kingdom of Hawaii;

(14) the Apology Resolution acknowledges that the overthrow of the Kingdom of Hawaii occurred with the active participation of agents and citizens of the United States, and further acknowledges that the Native Hawaiian people never directly relinquished to the United States their claims to their inherent sovereignty as a people over their national lands, either through the Kingdom of Hawaii or through a plebiscite or referendum;

(15)(A) the Apology Resolution expresses the commitment of Congress and the President—

(i) to acknowledge the ramifications of the overthrow of the Kingdom of Hawaii; and

(ii) to support reconciliation efforts between the United States and Native Hawaiians;

(B) Congress established the Office of Hawaiian Relations within the Department of the Interior with 1 of its purposes being to consult with Native Hawaiians on the reconciliation process; and

(C) the United States has the duty to reconcile and reaffirm its friendship with the Native Hawaiian people because, among other things, the United States Minister and United States naval forces participated in the overthrow of the Kingdom of Hawaii;

(16)(A) despite the overthrow of the Government of the Kingdom of Hawaii, Native Hawaiians have continued to maintain their separate identity as a single distinctly native political community through cultural, social, and political institutions, and to give expression to their rights as native people to self-determination, self-governance, and economic self-sufficiency; and

(B) there is clear continuity between the aboriginal, indigenous, native people of the Kingdom of Hawaii and their successors, the Native Hawaiian people today;

(17) Native Hawaiians have also given expression to their rights as native people to self-determination, self-governance, and economic self-sufficiency—

(A) through the provision of governmental services to Native Hawaiians, including the provision of—

(i) health care services;

(ii) educational programs;

(iii) employment and training programs;

(iv) economic development assistance programs;

(v) children's services;

(vi) conservation programs;

(vii) fish and wildlife protection;

(viii) agricultural programs;

(ix) native language immersion programs;

(x) native language immersion schools from kindergarten through high school;

(xi) college and master's degree programs in native language immersion instruction; and

(xii) traditional justice programs; and

(B) by continuing their efforts to enhance Native Hawaiian self-determination and local control;

(18) Native Hawaiian people are actively engaged in Native Hawaiian cultural practices, traditional agricultural methods, fishing and subsistence practices, maintenance of cultural use areas and sacred sites, protection of burial sites, and the exercise of their traditional rights to gather medicinal plants and herbs, and food sources;

(19) the Native Hawaiian people wish to preserve, develop, and transmit to future generations of Native Hawaiians their lands and Native Hawaiian political and cultural identity in accordance with their traditions, beliefs, customs and practices, language, and social and political institutions, to control and manage their own lands, including ceded lands, and to achieve greater self-determination over their own affairs;

(20) this Act provides a process within the framework of Federal law for the Native Hawaiian people to exercise their inherent rights as a distinct, indigenous, native community to reorganize a single unified Native Hawaiian governing entity for the purpose of giving expression to their rights as a native people to self-determination and self-governance;

(21) Congress—

(A) has declared that the United States has a special political and legal relationship for the welfare of the native peoples of the United States, including Native Hawaiians;

(B) has identified Native Hawaiians as an indigenous, distinctly native people of the United States within the scope of its authority under the Constitution, and has enacted scores of statutes on their behalf; and

(C) has delegated broad authority to the State of Hawaii to administer some of the United States' responsibilities as they relate to the Native Hawaiian people and their lands;

(22) the United States has recognized and reaffirmed the special political and legal relationship with the Native Hawaiian people through the enactment of the Act entitled, ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4), by—

(A) ceding to the State of Hawaii title to the public lands formerly held by the United States, and mandating that those lands be held as a public trust for 5 purposes, 1 of which is for the betterment of the conditions of Native Hawaiians; and

(B) transferring the United States responsibility for the administration of the Hawaiian Home Lands to the State of Hawaii, but retaining the exclusive right of the United States to consent to any actions affecting the lands included in the trust and any amendments to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), that are enacted by the legislature of the State of Hawaii affecting the beneficiaries under the Act;

(23) the United States has continually recognized and reaffirmed that—

(A) Native Hawaiians have a direct genealogical, cultural, historic, and land-based connection to their forebears, the aboriginal, indigenous, native people who exercised original sovereignty over the Hawaiian Islands;

(B) Native Hawaiians have never relinquished their claims to sovereignty or their sovereign lands;

(C) the United States extends services to Native Hawaiians because of their unique status as the native people of a prior-sovereign nation with whom the United States has a special political and legal relationship; and

(D) the special relationship of American Indians, Alaska Natives, and Native Hawaiians to the United States arises out of their status as aboriginal, indigenous, native people of the United States; and

(24) the State of Hawaii supports the reaffirmation of the special political and legal relationship between the Native Hawaiian governing entity and the United States, as evidenced by 2 unanimous resolutions enacted by the Hawaii State Legislature in the 2000 and 2001 sessions of the Legislature and by the testimony of the Governor of the State of Hawaii before the Committee on Indian Affairs of the Senate on February 25, 2003, and March 1, 2005.

SEC. 3. DEFINITIONS.

In this Act:

(1) ABORIGINAL, INDIGENOUS, NATIVE PEOPLE.—The term ''aboriginal, indigenous, native people'' means a people whom Congress has recognized as the original inhabitants of the lands that later became part of the United States and who exercised sovereignty in the areas that later became part of the United States.

(2) APOLOGY RESOLUTION.—The term ''Apology Resolution'' means Public Law 103–150 (107 Stat. 1510), a Joint Resolution extending an apology to Native Hawaiians on behalf of the United States for the participation of agents of the United States in the January 17, 1893, overthrow of the Kingdom of Hawaii.

(3) COMMISSION.—The term ''Commission'' means the Commission established under section 8(b).

(4) COUNCIL.—The term ''Council'' means the Native Hawaiian Interim Governing Council established under section 8(c)(2).

(5) INDIAN PROGRAM OR SERVICE.—

(A) IN GENERAL.—The term ''Indian program or service'' means any federally funded or authorized program or service provided to an Indian tribe (or member of an Indian tribe) because of the status of the members of the Indian tribe as Indians.

(B) INCLUSIONS.—The term ''Indian program or service'' includes a program or service provided by the Bureau of Indian Affairs, the Indian Health Service, or any other Federal agency.

(6) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(7) INDIGENOUS, NATIVE PEOPLE.—The term ''indigenous, native people'' means the lineal descendants of the aboriginal, indigenous, native people of the United States.

(8) INTERAGENCY COORDINATING GROUP.—The term ''Interagency Coordinating Group'' means the Native Hawaiian Interagency Coordinating Group established under section 6.

(9) NATIVE HAWAIIAN GOVERNING ENTITY.—The term ''Native Hawaiian governing entity'' means the governing entity organized pursuant to this Act by the qualified Native Hawaiian constituents.

(10) NATIVE HAWAIIAN MEMBERSHIP ORGANIZATION.—The term ''Native Hawaiian Membership Organization'' means an organization that—

(A) serves and represents the interests of Native Hawaiians, has as a primary and stated purpose the provision of services to Native Hawaiians, and has expertise in Native Hawaiian affairs;

(B) has leaders who are elected democratically, or selected through traditional Native leadership practices, by members of the Native Hawaiian community;

(C) advances the cause of Native Hawaiians culturally, socially, economically, or politically;

(D) is a membership organization or association; and

(E) has an accurate and reliable list of Native Hawaiian members.

(11) OFFICE.—The term ''Office'' means the United States Office for Native Hawaiian Relations established by section 5(a).

(12) QUALIFIED NATIVE HAWAIIAN CONSTITUENT.—For the purposes of establishing the roll authorized under section 8, and prior to the recognition by the United States of the Native Hawaiian governing entity, the term ''qualified Native Hawaiian constituent'' means an individual who the Commission determines has satisfied the following criteria and who makes a written statement certifying that he or she—

(A) is—

(i) an individual who is 1 of the indigenous, native people of Hawaii and who is a direct lineal descendant of the aboriginal, indigenous, native people who—

(I) resided in the islands that now comprise the State of Hawaii on or before January 1, 1893; and

(II) occupied and exercised sovereignty in the Hawaiian archipelago, including the area that now constitutes the State of Hawaii; or

(ii) an individual who is 1 of the indigenous, native people of Hawaii and who was eligible in 1921 for the programs authorized by the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), or a direct lineal descendant of that individual;

(B) wishes to participate in the reorganization of the Native Hawaiian governing entity;

(C) is 18 years of age or older;

(D) is a citizen of the United States; and

(E) maintains a significant cultural, social, or civic connection to the Native Hawaiian community, as evidenced by satisfying 2 or more of the following 10 criteria:

(i) Resides in the State of Hawaii.

(ii) Resides outside the State of Hawaii and—

(I)(aa) currently serves or served as (or has a parent or spouse who currently serves or served as) a member of the Armed Forces or as an employee of the Federal Government; and

(bb) resided in the State of Hawaii prior to the time he or she (or such parent or spouse) left the State of Hawaii to serve as a member of the Armed Forces or as an employee of the Federal Government; or

(II)(aa) currently is or was enrolled (or has a parent or spouse who currently is or was enrolled) in an accredited institution of higher education outside the State of Hawaii; and

(bb) resided in the State of Hawaii prior to the time he or she (or such parent or spouse) left the State of Hawaii to attend such institution.

(iii)(I) Is or was eligible to be a beneficiary of the programs authorized by the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), and resides or resided on land set aside as ''Hawaiian home lands'', as defined in such Act; or

(II) Is a child or grandchild of an individual who is or was eligible to be a beneficiary of the programs authorized by such Act and who resides or resided on land set aside as ''Hawaiian home lands'', as defined in such Act.

(iv) Is or was eligible to be a beneficiary of the programs authorized by the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42).

(v) Is a child or grandchild of an individual who is or was eligible to be a beneficiary of the programs authorized by the Hawaiian

Homes Commission Act, 1920 (42 Stat. 108, chapter 42).

(vi) Resides on or has an ownership interest in, or has a parent or grandparent who resides on or has an ownership interest in, ''kuleana land'' that is owned in whole or in part by a person who, according to a genealogy verification by the Office of Hawaiian Affairs or by court order, is a lineal descendant of the person or persons who received the original title to such ''kuleana land'', defined as lands granted to native tenants pursuant to Haw. L. 1850, p. 202, entitled ''An Act Confirming Certain Resolutions of the King and Privy Council Passed on the 21st day of December, A.D. 1849, Granting to the Common People Allodial Titles for Their Own Lands and House Lots, and Certain Other Privileges'', as amended by Haw. L. 1851, p. 98, entitled ''An Act to Amend An Act Granting to the Common People Allodial Titles for Their Own Lands and House Lots, and Certain Other Privileges'' and as further amended by any subsequent legislation.

(vii) Is, or is the child or grandchild of, an individual who has been or was a student for at least 1 school year at a school or program taught through the medium of the Hawaiian language under section 302H–6, Hawaii Revised Statutes, or at a school founded and operated primarily or exclusively for the benefit of Native Hawaiians.

(viii) Has been a member since September 30, 2009, of at least 1 Native Hawaiian Membership Organization.

(ix) Has been a member since September 30, 2009, of at least 2 Native Hawaiian Membership Organizations.

(x) Is regarded as a Native Hawaiian and whose mother or father is (or if deceased, was) regarded as Native Hawaiian by the Native Hawaiian community, as evidenced by sworn affidavits from two or more qualified Native Hawaiian constituents certified by the Commission as possessing expertise in the social, cultural, and civic affairs of the Native Hawaiian community.

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

(14) SPECIAL POLITICAL AND LEGAL RELATIONSHIP.—The term ''special political and legal relationship'' shall refer, except where differences are specifically indicated elsewhere in the Act, to the type of and nature of relationship the United States has with the several federally recognized Indian tribes.

SEC. 4. UNITED STATES POLICY AND PURPOSE.

(a) POLICY.—The United States reaffirms that—

(1) Native Hawaiians are a unique and distinct, indigenous, native people with whom the United States has a special political and legal relationship;

(2) the United States has a special political and legal relationship with the Native Hawaiian people, which includes promoting the welfare of Native Hawaiians;

(3)(A) Congress possesses and hereby exercises the authority under the Constitution, including but not limited to Article I, Section 8, Clause 3, to enact legislation to better the conditions of Native Hawaiians and has exercised this authority through the enactment of—

(i) the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42);

(ii) the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4); and

(iii) more than 150 other Federal laws addressing the conditions of Native Hawaiians;

(B) other sources of authority under the Constitution for legislation on behalf of the indigenous, native peoples of the United States, including Native Hawaiians, include but are not limited to the Property, Treaty, and Supremacy Clauses, War Powers, and the Fourteenth Amendment, and Congress hereby relies on those powers in enacting this legislation; and

(C) the Constitution's original Apportionment Clause and the 14th Amendment Citizenship and amended Apportionment Clauses also acknowledge the propriety of legislation on behalf of the native peoples of the United States, including Native Hawaiians;

(4) Native Hawaiians have—

(A) an inherent right to autonomy in their internal affairs;

(B) an inherent right of self-determination and self-governance;

(C) the right to reorganize a Native Hawaiian governing entity; and

(D) the right to become economically self-sufficient; and

(5) the United States shall continue to engage in a process of reconciliation and political relations with the Native Hawaiian people.

(b) PURPOSE.—The purpose of this Act is to provide a process for the reorganization of the single Native Hawaiian governing entity and the reaffirmation of the special political and legal relationship between the United States and that Native Hawaiian governing entity for purposes of continuing a government-to-government relationship.

SEC. 5. UNITED STATES OFFICE FOR NATIVE HAWAIIAN RELATIONS.

(a) ESTABLISHMENT.—There is established within the Office of the Secretary the United States Office for Native Hawaiian Relations.

(b) DUTIES.—The Office shall—

(1) continue the process of reconciliation with the Native Hawaiian people in furtherance of the Apology Resolution;

(2) upon the reaffirmation of the government-to-government relationship between the single Native Hawaiian governing entity and the United States, effectuate and coordinate the special political and legal relationship between the Native Hawaiian governing entity and the United States through the Secretary, and with all other Federal agencies;

(3) provide timely notice to, and consult with, the Native Hawaiian governing entity before taking any actions that may have the potential to significantly affect Native Hawaiian resources, rights, or lands;

(4) work with the Interagency Coordinating Group, other Federal agencies, and the State of Hawaii on policies, practices, and proposed actions affecting Native Hawaiian resources, rights, or lands; and

(5) prepare and submit to the Committee on Indian Affairs and the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives an annual report detailing the activities of the Interagency Coordinating Group that are undertaken with respect to the continuing process of reconciliation and to effect meaningful consultation with the Native Hawaiian governing entity and may provide recommendations for any necessary changes to Federal law or regulations promulgated under the authority of Federal law.

(c) APPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall have no applicability to the Department of Defense or to any agency or component of the Department of Defense, but the Secretary of Defense may designate 1 or more officials as liaison to the Office.

SEC. 6. NATIVE HAWAIIAN INTERAGENCY COORDINATING GROUP.

(a) ESTABLISHMENT.—In recognition that Federal programs authorized to address the conditions of Native Hawaiians are largely administered by Federal agencies other than the Department of the Interior, there is established an interagency coordinating group, to be known as the ''Native Hawaiian Interagency Coordinating Group''.

(b) COMPOSITION.—The Interagency Coordinating Group shall be composed of officials, to be designated by the President, from—

(1) each Federal agency whose actions may significantly or uniquely impact Native Hawaiian programs, resources, rights, or lands; and

(2) the Office.

(c) LEAD AGENCY.—

(1) IN GENERAL.—The Department of the Interior and the White House Office of Intergovernmental Affairs shall serve as the leaders of the Interagency Coordinating Group.

(2) MEETINGS.—The Secretary shall convene meetings of the Interagency Coordinating Group.

(d) DUTIES.—The Interagency Coordinating Group shall—

(1) coordinate Federal programs and policies that affect Native Hawaiians or actions by any agency or agencies of the Federal Government that may significantly or uniquely affect Native Hawaiian resources, rights, or lands;

(2) consult with the Native Hawaiian governing entity, through the coordination referred to in paragraph (1), but the consultation obligation established in this provision shall apply only after the satisfaction of all of the conditions referred to in section 8(c)(8); and

(3) ensure the participation of each Federal agency in the development of the report to Congress authorized in section 5(b)(5).

(e) APPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall have no applicability to the Department of Defense or to any agency or component of the Department of Defense, but the Secretary of Defense may designate 1 or more officials as liaison to the Interagency Coordinating Group.

SEC. 7. DESIGNATION OF DEPARTMENT OF JUSTICE REPRESENTATIVE.

The Attorney General shall designate an appropriate official within the Department of Justice to assist the Office in the implementation and protection of the rights of Native Hawaiians and their political and legal relationship with the United States, and upon the recognition of the Native Hawaiian governing entity as provided for in section 8, in the implementation and protection of the rights of the Native Hawaiian governing entity and its political and legal relationship with the United States.

SEC. 8. PROCESS FOR REORGANIZATION OF NATIVE HAWAIIAN GOVERNING ENTITY AND REAFFIRMATION OF SPECIAL POLITICAL AND LEGAL RELATIONSHIP BETWEEN UNITED STATES AND NATIVE HAWAIIAN GOVERNING ENTITY.

(a) RECOGNITION OF NATIVE HAWAIIAN GOVERNING ENTITY.—The right of the qualified Native Hawaiian constituents to reorganize the single Native Hawaiian governing entity to provide for their common welfare and to adopt appropriate organic governing documents is recognized by the United States.

(b) COMMISSION.—

(1) IN GENERAL.—There is authorized to be established a Commission to be composed of 9 members for the purposes of—

(A) preparing and maintaining a roll of qualified Native Hawaiian constituents; and

(B) certifying that the individuals on the roll of qualified Native Hawaiian constituents meet the definition of qualified Native Hawaiian constituent set forth in section 3.

(2) MEMBERSHIP.—

(A) APPOINTMENT.—

(i) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall appoint the members of the

Commission in accordance with subparagraph (B).

(ii) CONSIDERATION.—In making an appointment under clause (i), the Secretary may take into consideration a recommendation made by any Native Hawaiian Membership Organization.

(B) REQUIREMENTS.—Each member of the Commission shall demonstrate, as determined by the Secretary—

(i) not less than 10 years of experience in the study and determination of Native Hawaiian genealogy (traditional cultural experience shall be given due consideration); and

(ii) an ability to read and translate into English documents written in the Hawaiian language.

(C) VACANCIES.—A vacancy on the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment.

(3) EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(4) DUTIES.—The Commission shall—

(A) prepare and maintain a roll of qualified Native Hawaiian constituents as set forth in subsection (c); and

(B) certify that the individuals on the roll of qualified Native Hawaiian constituents meet the definition of that term as set forth in section 3.

(5) STAFF.—

(A) IN GENERAL.—The Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(B) COMPENSATION.—

(i) IN GENERAL.—Except as provided in clause (ii), the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(ii) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(6) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(7) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(8) EXPIRATION.—The Secretary shall dissolve the Commission upon the reaffirmation of the special political and legal relationship between the Native Hawaiian governing entity and the United States.

(c) PROCESS FOR REORGANIZATION OF NATIVE HAWAIIAN GOVERNING ENTITY.—

(1) ROLL.—

(A) CONTENTS.—The roll shall include the names of the qualified Native Hawaiian constituents who are certified by the Commission to be qualified Native Hawaiian constituents, as defined in section 3.

(B) FORMATION OF ROLL.—Each individual claiming to be a qualified Native Hawaiian constituent shall submit to the Commission documentation in the form established by the Commission that is sufficient to enable the Commission to determine whether the individual meets the definition set forth in section 3; *Provided*, That an individual presenting evidence that he or she satisfies the definition in section 2 of Public Law 103–150 shall be presumed to meet the requirement of section 3(12)(A)(i).

(C) DOCUMENTATION.—The Commission shall—

(i)(I) identify the types of documentation that may be submitted to the Commission that would enable the Commission to determine whether an individual meets the definition of qualified Native Hawaiian constituent set forth in section 3;

(II) recognize an individual's identification of lineal ancestors on the 1890 Census by the Kingdom of Hawaii as a reliable indicia of lineal descent from the aboriginal, indigenous, native people who resided in the islands that now comprise the State of Hawaii on or before January 1, 1893; and

(III) permit elderly Native Hawaiians and other Native Hawaiians lacking birth certificates or other documentation due to birth on Hawaiian Home Lands or other similar circumstances to establish lineal descent by sworn affidavits from 2 or more qualified Native Hawaiian constituents;

(ii) establish a standard format for the submission of documentation and a process to ensure veracity; and

(iii) publish information related to clauses (i) and (ii) in the Federal Register.

(D) CONSULTATION.—In making determinations that each individual proposed for inclusion on the roll of qualified Native Hawaiian constituents meets the definition of qualified Native Hawaiian constituent in section 3, the Commission may consult with Native Hawaiian Membership Organizations, agencies of the State of Hawaii including but not limited to the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and the State Department of Health, and other entities with expertise and experience in the determination of Native Hawaiian ancestry and lineal descendancy.

(E) NOTIFICATION.—The Commission shall—

(i) inform an individual whether they have been deemed by the Commission a qualified Native Hawaiian constituent; and

(ii) inform an individual of a right to appeal the decision if deemed not to be a qualified Native Hawaiian constituent.

(F) CERTIFICATION AND SUBMITTAL OF ROLL TO SECRETARY.—The Commission shall—

(i) submit the roll containing the names of those individuals who meet the definition of qualified Native Hawaiian constituent in section 3 to the Secretary within 2 years from the date on which the Commission is fully composed; and

(ii) certify to the Secretary that each of the qualified Native Hawaiian constituents proposed for inclusion on the roll meets the definition set forth in section 3.

(G) PUBLICATION.—Upon certification by the Commission to the Secretary that those listed on the roll meet the definition of qualified Native Hawaiian constituent set forth in section 3, the Commission shall publish the notice of the certification of the roll in the Federal Register, notwithstanding pending appeals pursuant to subparagraph (H).

(H) APPEAL.—The Secretary, in consultation with the Commission, shall establish a mechanism for an administrative appeal for any person whose name is excluded from the roll who claims to meet the definition of qualified Native Hawaiian constituent in section 3.

(I) PUBLICATION; UPDATE.—The Commission shall—

(i) publish the notice of the certification of the roll regardless of whether appeals are pending;

(ii) update the roll and provide notice of the updated roll on the final disposition of any appeal;

(iii) update the roll to include any person who has been certified by the Commission as meeting the definition of qualified Native Hawaiian constituent in section 3 after the initial publication of the roll or after any subsequent publications of the roll; and

(iv) provide a copy of the roll and any updated rolls to the Council.

(J) EFFECT OF PUBLICATION.—The publication of the initial and updated roll shall serve as the basis for the eligibility of qualified Native Hawaiian constituents whose names are listed on those rolls to participate in the reorganization of the Native Hawaiian governing entity.

(2) ORGANIZATION OF COUNCIL.—

(A) ORGANIZATION.—The Commission, in consultation with the Secretary, shall hold a minimum of 3 meetings and each meeting shall be at least 2 working days of the qualified Native Hawaiian constituents listed on the roll established under this section—

(i) to develop criteria for candidates to be elected to serve on the Council;

(ii) to determine the structure of the Council, including the number of Council members; and

(iii) to elect members from individuals listed on the roll established under this subsection to the Council.

(B) POWERS.—

(i) IN GENERAL.—The Council—

(I) shall represent those listed on the roll established under this section in the implementation of this Act; and

(II) shall have no powers other than powers given to the Council under this Act.

(ii) FUNDING.—The Council may enter into a contract with, or obtain a grant from, any Federal or State agency to carry out clause (iii).

(iii) ACTIVITIES.—

(I) IN GENERAL.—The Council shall conduct, among the qualified Native Hawaiian constituents listed on the roll established under this subsection, a referendum for the purpose of determining the proposed elements of the organic governing documents of the Native Hawaiian governing entity, including but not limited to—

(aa) the proposed criteria for future membership in the Native Hawaiian governing entity;

(bb) the proposed powers and authorities to be exercised by the Native Hawaiian governing entity, as well as the proposed privileges and immunities of the Native Hawaiian governing entity;

(cc) the proposed civil rights and protection of the rights of the citizens of the Native Hawaiian governing entity and all persons affected by the exercise of governmental powers and authorities of the Native Hawaiian governing entity; and

(dd) other issues determined appropriate by the Council.

(II) DEVELOPMENT OF ORGANIC GOVERNING DOCUMENTS.—Based on the referendum, the Council shall develop proposed organic governing documents for the Native Hawaiian governing entity and may seek technical assistance from the Secretary on the draft organic governing documents to ensure that the draft organic governing documents comply with this Act and other Federal law.

(III) DISTRIBUTION.—The Council shall publish to all qualified Native Hawaiian constituents of the Native Hawaiian governing entity listed on the roll published under this subsection notice of the availability of—

(aa) a copy of the proposed organic governing documents, as drafted by the Council; and

(bb) a brief impartial description of the proposed organic governing documents;

(IV) ELECTIONS.—

(aa) IN GENERAL.—Not sooner than 180 days after the proposed organic governing documents are drafted and distributed, the Council, with the assistance of the Secretary, shall hold elections for the purpose of ratifying the proposed organic governing documents.

(bb) PURPOSE.—The Council, with the assistance of the Secretary, shall hold the election for the purpose of ratifying the proposed organic governing documents 60 days after publishing notice of an election.

(cc) OFFICERS.—On certification of the organic governing documents by the Secretary in accordance with paragraph (4), the Council, with the assistance of the Secretary, shall hold elections of the officers of the Native Hawaiian governing entity pursuant to paragraph (5).

(3) SUBMITTAL OF ORGANIC GOVERNING DOCUMENTS.—Following the reorganization of the Native Hawaiian governing entity and the adoption of organic governing documents, the Council shall submit the organic governing documents of the Native Hawaiian governing entity to the Secretary.

(4) CERTIFICATIONS.—

(A) IN GENERAL.—Within the context of the future negotiations to be conducted under the authority of section 9(b)(1), and the subsequent actions by the Congress and the State of Hawaii to enact legislation to implement the agreements of the 3 governments, not later than 180 days, which may be extended an additional 90 days if the Secretary deems necessary, after the date on which the Council submits the organic governing documents to the Secretary, the Secretary shall certify or decline to certify that the organic governing documents—

(i) establish the criteria for membership in the Native Hawaiian governing entity;

(ii) were adopted by a majority vote of those qualified Native Hawaiian constituents whose names are listed on the roll published by the Secretary and who voted in the election;

(iii) provide authority for the Native Hawaiian governing entity to negotiate with Federal, State, and local governments, and other entities;

(iv) provide for the exercise of inherent and other appropriate governmental authorities by the Native Hawaiian governing entity;

(v) prevent the sale, disposition, lease, or encumbrance of lands, interests in lands, or other assets of the Native Hawaiian governing entity without the consent of the Native Hawaiian governing entity;

(vi) provide for the protection of the civil rights of the citizens of the Native Hawaiian governing entity and all persons affected by the exercise of governmental powers and authorities by the Native Hawaiian governing entity; and

(vii) are consistent with applicable Federal law.

(B) RESUBMISSION IN CASE OF NONCOMPLIANCE.—

(i) RESUBMISSION BY THE SECRETARY.—If the Secretary determines that the organic governing documents, or any part of the documents, do not meet all of the requirements set forth in subparagraph (A), the Secretary shall resubmit the organic governing documents to the Council, along with a justification for each of the Secretary's findings as to why the provisions are not in full compliance.

(ii) AMENDMENT AND RESUBMISSION OF ORGANIC GOVERNING DOCUMENTS.—If the organic governing documents are resubmitted to the Council by the Secretary under clause (i), the Council shall—

(I) amend the organic governing documents to ensure that the documents meet all the requirements set forth in subparagraph (A); and

(II) resubmit the amended organic governing documents to the Secretary for certification in accordance with this paragraph.

(C) CERTIFICATIONS DEEMED MADE.—The certifications under this paragraph shall be deemed to have been made if the Secretary has not acted within 180 days after the date on which the Council has submitted the organic governing documents of the Native Hawaiian governing entity to the Secretary.

(5) ELECTIONS.—On completion of the certifications by the Secretary under paragraph (4), the Council, with the assistance of the Secretary, shall hold elections of the officers of the Native Hawaiian governing entity.

(6) PROVISION OF ROLL.—The Council shall provide a copy of the roll of qualified Native Hawaiian constituents to the governing body of the Native Hawaiian governing entity.

(7) TERMINATION.—The Council shall cease to exist and shall have no power or authority under this Act after the officers of the governing body who are elected as provided in paragraph (5) are installed.

(8) REAFFIRMATION.—Notwithstanding any other provision of law, the special political and legal relationship between the United States and the Native Hawaiian people is hereby reaffirmed and the United States extends Federal recognition to the Native Hawaiian governing entity as the representative sovereign governing body of the Native Hawaiian people after—

(A) the approval of the organic governing documents by the Secretary under subparagraph (A) or (C) of paragraph (4); and

(B) the officers of the Native Hawaiian governing entity elected under paragraph (5) have been installed.

SEC. 9. REAFFIRMATION OF DELEGATION OF FEDERAL AUTHORITY TO STATE OF HAWAII; NEGOTIATIONS; CLAIMS.

(a) REAFFIRMATION.—The delegation by the United States of authority to the State of Hawaii to address the conditions of the indigenous, native people of Hawaii contained in the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4), is reaffirmed.

(b) NEGOTIATIONS.—

(1) IN GENERAL.—Upon the reaffirmation of the special political and legal relationship between the United States and the Native Hawaiian governing entity, the United States and the State of Hawaii may enter into negotiations with the Native Hawaiian governing entity designed to lead to an agreement or agreements addressing such matters as—

(A) the transfer of State of Hawaii lands and surplus Federal lands, natural resources, and other assets, and the protection of existing rights related to such lands or resources;

(B) the exercise of governmental authority over any transferred lands, natural resources, and other assets, including land use;

(C) the exercise of civil and criminal jurisdiction;

(D) the exercise of other powers and authorities that are recognized by the United States as powers and authorities typically exercised by governments representing indigenous, native people of the United States;

(E) any residual responsibilities of the United States and the State of Hawaii; and

(F) grievances regarding assertions of historical wrongs committed against Native Hawaiians by the United States or by the State of Hawaii.

(2) AMENDMENTS TO EXISTING LAWS.—Upon agreement on any matter or matters negotiated with the United States or the State of Hawaii, and the Native Hawaiian governing entity, the parties may submit—

(A) to the Committee on Indian Affairs of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives recommendations for proposed amendments to Federal law that will enable the implementation of agreements reached between the governments; and

(B) to the Governor and the legislature of the State of Hawaii, recommendations for proposed amendments to State law that will enable the implementation of agreements reached between the governments.

(3) GOVERNMENTAL AUTHORITY AND POWER.—The Native Hawaiian governing entity shall be vested with the inherent powers and privileges of self-government of a native government under existing law, except as set forth in section 10(a). Said powers and privileges may be modified by agreement between the Native Hawaiian governing entity, the United States, and the State pursuant to paragraph (1), subject to the limit described by section 10(a). Unless so agreed, nothing in this Act shall preempt Federal or State authority over Native Hawaiians or their property under existing law or authorize the State to tax or regulate the Native Hawaiian governing entity.

(4) MEMBERSHIP.—Once the United States extends Federal recognition to the Native Hawaiian governing entity, the United States will recognize and affirm the Native Hawaiian governing entity's inherent power and authority to determine its own membership criteria, to determine its own membership, and to grant, deny, revoke, or qualify membership without regard to whether any person was or was not deemed to be a qualified Native Hawaiian constituent under this Act.

(c) CLAIMS.—Nothing in this Act—

(1) alters existing law, including case law, regarding obligations of the United States or the State of Hawaii relating to events or actions that occurred prior to recognition of the Native Hawaiian governing entity;

(2) creates, enlarges, revives, modifies, diminishes, extinguishes, waives, or otherwise alters any claim or cause of action against the United States or its officers or the State of Hawaii or its officers, or any defense (including the defense of statute of limitations) to any such claim or cause of action; or

(3) amends section 2409a of title 28, United States Code (commonly known as the ''Quiet Title Act''), chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), section 1491 of title 28, United States Code (commonly known as the ''Tucker Act''), section 1505 of title 28, United States Code (commonly known as the ''Indian Tucker Act''), the Hawaii Organic Act (31 Stat. 141), or any other Federal statute, except as expressly amended by this Act.

SEC. 10. APPLICABILITY OF CERTAIN FEDERAL LAWS.

(a) INDIAN GAMING REGULATORY ACT.—

(1) IN GENERAL.—The Native Hawaiian governing entity and Native Hawaiians may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

(2) APPLICABILITY.—The prohibition contained in paragraph (1) regarding the use of Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and inherent authority to game applies regardless of whether gaming by Native Hawaiians or the Native Hawaiian governing entity would be located on land within the State of Hawaii or within any other State or territory of the United States.

(b) SINGLE GOVERNING ENTITY.—This Act will result in the recognition of the single Native Hawaiian governing entity. Additional Native Hawaiian groups shall not be eligible for acknowledgment pursuant to the Federal Acknowledgment Process set forth in part 83 of title 25, Code of Federal Regulations, or any other administrative acknowledgment or recognition process.

(c) INDIAN CIVIL RIGHTS ACT OF 1968.—The Council and the subsequent governing entity recognized under this Act shall be an Indian tribe, as defined in section 201 of the Indian Civil Rights Act of 1968 (25 U.S.C. 1301) for purposes of sections 201 through 203 of that Act (25 U.S.C. 1301–1303).

(d) INDIAN PROGRAMS, SERVICES, AND LAWS.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, nothing in this Act extends eligibility for any Indian program or service to the Native Hawaiian governing entity or its members unless a statute governing such a program or service expressly provides that Native Hawaiians or the Native Hawaiian governing entity is eligible for such program or service. Nothing in this Act affects the eligibility of any person for any program or service under any statute or law in effect before the date of enactment of this Act.

(2) APPLICABILITY OF OTHER TERMS.—In Federal statutes or regulations in force prior to the United States' recognition of the Native Hawaiian governing entity, the terms ''Indian'' and ''Native American'', and references to Indian tribes, bands, nations, pueblos, villages, or other organized groups or communities, shall not apply to the Native Hawaiian governing entity or its members, unless the Federal statute or regulation expressly applies to Native Hawaiians or the Native Hawaiian governing entity.

(e) REAL PROPERTY TRANSFERS.—Section 2116 of the Revised Statutes (commonly known as the ''Indian Trade and Intercourse Act'') (25 U.S.C. 177) does not apply to any purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from Native Hawaiians, Native Hawaiian entities, or the Kingdom of Hawaii that occurred prior to the date of the United States' recognition of the Native Hawaiian governing entity.

SEC. 11. SEVERABILITY.

If any section or provision of this Act is held invalid, it is the intent of Congress that the remaining sections or provisions shall continue in full force and effect.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

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

By Mr. AKAKA (for himself, Mr. CONRAD, Mr. FRANKEN, Mr. INOUYE, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. TESTER, and Mr. UDALL of New Mexico):

S. 676. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Indian Affairs.

Mr. AKAKA. Mr. President, I rise today to introduce a technical amendment to the Act of June 18, 1934, the Indian Reorganization Act.

Trust land is essential to a tribe's ability to exercise their inherent sovereignty. It allows Tribal Nations to protect their historic, cultural and religious ties to the lands where their ancestors lived. Trust lands are also vital to tribal economic development and self-government as tribes provide a wide range of governmental services to their members including, running schools, community centers, health clinics, law enforcement and numerous other social and governmental services.

Federal Indian policy regarding tribal lands has not always been favorable to the Tribal governments and individuals. The General Allotment Act of 1887 led to land losses of more than 100 million acres of tribal homelands. Those land losses had a devastating effect on the tribal communities, institutions and economies that relied on their homelands. Seeking to address the consequences of that ill-advised policy, Congress enacted the Indian Reorganization Act in 1934.

This act was intended to reverse the prior federal policy of allotment. By passing the Indian Reorganization Act, Congress recognized that a land base was essential for the economic advancement and self-support of Indian communities. The IRA allowed tribes to restore their homelands and to rehabilitate their economies and communities. Restoration of land to tribal ownership was central to the overall purposes of the Indian Reorganization Act.

Unfortunately, a recent Supreme Court decision has brought uncertainty to 75 years interpretation regarding trust land acquisition under the Indian Reorganization Act. On February 24, 2009, the Supreme Court issued its decision in the Carcieri v. Salazar case. In that decision the Supreme Court held that the Secretary of the Interior exceeded his authority in taking land into trust for a tribe that was not under Federal jurisdiction at the time the Indian Reorganization Act was enacted in 1934. The Supreme Court decided that the act only applied to tribes who were ''under federal jurisdiction'' when it was passed in 1934.

The legislation I am introducing today is necessary to clarify the continuing authority of the Secretary of the Interior, under the Indian Reorganization Act of 1934, to take land into trust for all Indian tribes that are federally recognized on the date the land is placed into trust. The legislation also ratifies the prior trust acquisitions of the Secretary, who for the past 75 years has been exercising his authority to take lands into trust, as intended by the Indian Reorganization Act.

Inaction by Congress on the Carcieri decision will create two classes of tribes—those who are considered ''under federal jurisdiction'' and can have lands taken into trust and those who cannot. Creating two classes of tribes is unacceptable and runs counter to federal Indian policy, the Indian Reorganization Act, and subsequent Congressional Acts intended to ensure that all tribes are treated equally and have the same sovereign rights. The decision will also significantly impact planned development projects on Indian trust lands, such as housing, schools, community, and health centers, and result in a loss of jobs in an already challenging economic environment.

I want to thank Senators CONRAD, FRANKEN, INOUYE, JOHNSON, KERRY, TESTER and UDALL for their support on this critical legislation. My cosponsors are well aware of the negative impact this decision has already had, and would continue to have on our Native American communities. Affected tribes deserve our timely consideration of this bill. I urge my colleagues to join me in supporting the passage of this legislation.

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. 676

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

SECTION 1. MODIFICATION OF DEFINITION.

(a) MODIFICATION.—

(1) IN GENERAL.—The first sentence of section 19 of the Act of June 18, 1934 (commonly known as the ''Indian Reorganization Act'') (25 U.S.C. 479), is amended—

(A) by striking ''The term'' and inserting ''Effective beginning on June 18, 1934, the term''; and

(B) by striking ''any recognized Indian tribe now under Federal jurisdiction'' and inserting ''any federally recognized Indian tribe''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the Act of June 18, 1934 (commonly known as the ''Indian Reorganization Act'') (25 U.S.C. 479), on the date of enactment of that Act.

(b) RATIFICATION AND CONFIRMATION OF PRIOR ACTIONS.—Any action taken by the Secretary of the Interior pursuant to the Act of June 18, 1934, (commonly known as the ''Indian Reorganization Act'') (25 U.S.C. 461 et seq.) for any Indian tribe that was federally recognized on the date of that action is ratified and confirmed, to the extent that the action is challenged based on the question of whether the Indian tribe was federally recognized or under Federal jurisdiction on June 18, 1934, as if the action had, by prior act of Congress, been specifically authorized and directed.

(c) EFFECT ON OTHER LAWS.—

(1) IN GENERAL.—Nothing in this Act or the amendments made by this Act affects—

(A) the application or effect of any Federal law other than the Act of June 18, 1934 (25 U.S.C. 461 et seq.) (as amended by subsection (a)); or

(B) any limitation on the authority of the Secretary of the Interior under any Federal law or regulation other than the Act of June 18, 1934 (25 U.S.C. 461 et seq.) (as so amended).

(2) REFERENCES IN OTHER LAWS.—An express reference to the Act of June 18, 1934 (25 U.S.C. 461 et seq.) contained in any other

Federal law shall be considered to be a reference to that Act as amended by subsection (a).

By Mr. KOHL (for himself, Mr. WHITEHOUSE, and Mr. COONS):

S. 678. A bill to increase the penalties for economic espionage; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, the ability of American companies to out innovate and better compete with their global competitors is more important today than ever. Yet, the FBI estimates that U.S. companies lose billions of dollars each year to criminals who steal their trade secrets—their innovative ideas, formulas, designs and other proprietary information. For example, last year, a Chinese national working for an American automobile manufacturer was convicted of stealing trade secrets for a Chinese competitor. His actions were estimated to cost the American company between $50 and $100 million.

That is why I rise today with Senators WHITEHOUSE and COONS to introduce the Economic Espionage Penalty Enhancement Act of 2011. This bill is simple and straightforward—it increases the maximum penalties for stealing a trade secret to benefit a foreign company. The measures in this bill were recommended to Congress by the U.S. Intellectual Property Enforcement Coordinator, in conjunction with the Departments of Commerce, Homeland Security, Justice and State, and the U.S. Trade Representative. The Economic Espionage Act Penalty Enhancement Act, while a modest bill, is intended to be a starting point for a larger discussion about the implementation of the Economic Espionage Act, EEA, and whether additional updates and improvements are needed in light of the global economy and advances in technology.

In 1996, Congress enacted the EEA, making it a federal crime to steal a trade secret. Nearly fifteen years later, trade secret theft and economic espionage continue to pose a threat to U.S. companies to the tune of billions of dollars a year. As we reexamine the law, we will be looking at how we can help prosecutors bring more of these criminals to justice and companies better protect their trade secrets. Among the issues we will look at are whether additional protections are needed for trade secrets as part of EEA prosecutions, whether whistleblower protections should be added, and whether we need a federal civil private right of action.

Businesses spend every resource at their disposal to develop proprietary economic information including their customer lists, pricing schedules, business agreements, and manufacturing processes, to name a few. This information is literally a business's lifeblood. Stealing it can be the death knell for a company. The chief executive of GM recently said that industrial espionage is a major threat to the company and that he worries about it ''every day.'' But these thefts have a much greater impact beyond the American company that falls victim to an economic spy. The economic strength, competitiveness, and security of our country rely upon the ability of industry to compete without unfair interference from foreign governments and from their own domestic competitors. Without freedom from economic sabotage, our companies lose their hard-earned advantages and their competitive edge.

This problem is not new, but it has grown and evolved in the fifteen years since the Economic Espionage Act became law. U.S. corporations face intense competition at home and abroad. As much as 80 percent of the assets of today's companies are intangible trade secrets. They must be able to protect their trade secrets to remain competitive and keep our economy strong. Advances in technology make the protection of trade secrets more difficult and more critical than ever. Trade secrets can simply be downloaded from a company's computer, uploaded to the Internet, and transferred anywhere in the world in a matter of minutes. Within a matter of days, a U.S. corporation can lose complete control over its trade secrets. Unfortunately, we have many examples of the risk and harm posed by economic espionage. In 2009, a Chinese-born engineer who had been employed by a leading aerospace company was convicted of economic espionage and sentenced to fifteen years in prison for collecting sensitive information about the U.S. space shuttle that he intended to share with the Chinese government. Prior to his sentencing, the district court judge said that although we do not know how much information he shared with China, we do know that he hurt not only his former employer but also the national security of the United States.

Domestic economic espionage, known as industrial espionage, can be just as threatening to American companies. For example, just this month a former computer programmer for a Wall Street bank was sentenced to eight years in prison for stealing secret code used in the bank's valuable high-frequency trading system. The trading system earned the bank $300 million in 2009 alone. He took a job at a startup company that was planning to directly compete with the Wall Street bank, and gave that company the stolen code.

In my home State of Wisconsin a disgruntled employee of a company that manufactures aftermarket airplane parts was prosecuted under the economic espionage statute and sentenced to thirty months in prison for attempting to sell trade secrets to competitors. The trade secret—details and measurements of particular airplane parts—took years and hundreds of thousands of dollars for the manufacturer to create, test and gain Federal Aviation Administration approval. Fortunately, the perpetrator was caught before he sold the trade secrets, but had he been successful the manufacturer would likely have been forced out of business.

The examples above illustrate the seriousness of these crimes. The legislation that we introduce today will increase the maximum sentence for economic espionage from 15 years to 20 years and to direct the Sentencing Commission to consider increasing the penalty range for theft of trade secrets and economic espionage. This is a first step in our efforts to do more to stem the flow of valuable business information out of our country. We must definitively punish anyone who steals information from American companies. Over the coming months, this measure will provide a framework for our discussions about how we can do more to solve this problem. I look forward to working with my colleagues on this critical problem.

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. 678

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 ''Economic Espionage Penalty Enhancement Act''.

SEC. 2. AMENDMENT TO TITLE 18.

Section 1831(a) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''20 years''.

SEC. 3. DIRECTIVE TO SENTENCING COMMISSION.

Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall—

(1) review its guidelines and policy relating to a two-level enhancement for economic espionage; and

(2) as a part of such review consider amending such guidelines to—

(A) apply the two-level enhancement to the simple misappropriation of a trade secret;

(B) apply an additional two-level enhancement if the defendant transmits or attempts to transmit the stolen trade secret outside of the United States and an additional three-level enhancement if the defendant instead commits economic espionage (i.e., he/she knew or intended that the offense would benefit a foreign government, foreign instrumentality, or foreign agent); and

(C) provide when a defendant transmits trade secrets outside of the United States or commits economic espionage, that the defendant should face a minimum offense level.

By Mr. SCHUMER (for himself, Mr. ALEXANDER, Mr. REID, Mr. MCCONNELL, Mr. LIEBERMAN, Ms. COLLINS, Mr. BROWN of Massachusetts, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. DURBIN, Mr. JOHANNS, Mr. LUGAR, Mr. REED, Mr. WHITEHOUSE, Mr. CARPER, and Mr. KYL):

S. 679. A bill to reduce the number of executive positions subject to Senate confirmation; to the Committee on Homeland Security and Governmental Affairs.

Mr. ALEXANDER. Mr. President, the Senator from New York and I are on the Senate floor today to introduce

legislation that will help make the Senate a more effective place to deal with the big issues facing our country, such as the debt, our national defense, and other issues.

This is the result of discussions we have had over the last several months with many Members of the Senate on both sides of the aisle. It began with some reforms in Senate rules, which included eliminating the so-called secret hold and doing other steps. It is the culmination of work by a number of Senators on both sides of the aisle—including Senator LIEBERMAN; Senator COLLINS; the leaders, Senator REID and Senator MCCONNELL, when they were whips; Senator SCHUMER and I; and others. We had bipartisan breakfasts on these reforms a couple years ago, and it came down to the questions: How many confirmations should the Senate have? How many confirmations are enough confirmations? Is it in the public interest to allow a new President, whether Democratic or Republican, to staff the government promptly? And is it in the public interest to get rid of this syndrome that is established in Washington, which I call ''innocent until nominated,'' where we invite a distinguished person to come in and run that person through a gauntlet that makes him or her out to be a criminal for making some mistake in the process of being confirmed?

We have worked together, and we have come up with legislation that Senator SCHUMER is introducing on behalf of both of us—on behalf of the leaders, Senator REID and Senator MCCONNELL, and on behalf of Senator LIEBERMAN and Senator COLLINS.

This legislation would answer the question, how many confirmations are enough confirmations, by reducing or streamlining the nomination process for about 450 nominees—out of a total of about 1,400 nominations. Over 1,000 Senate confirmed nominations will remain unchanged. Just to put that into perspective, that is still more confirmations than existed when President Clinton was President of the United States. It is almost four times as many confirmations as existed when President Kennedy was President of the United States. In other words, like many things in government, the number of confirmations has grown over time.

We have ended up confirming people we have no business confirming—people who are public relations officers, people who are financial information people—and we have made it difficult for the government to be staffed.

Is it in our interest, and the citizens', to staff the government promptly? Yes, I think it is. We have created this phenomenon where Administrations are slow to get staffed up. For example, when President Obama came in, Secretary Geithner, the Treasury Secretary, was sitting over at Treasury almost home alone during the middle of the worst recession since the Great Depression. According to news accounts, he did not have much help. The key vacant positions in Treasury were Assistant Secretary for Tax Policy, the Deputy Assistant Secretary for Tax Policy, the Deputy Assistant Secretary for Tax Analysis, Deputy Assistant Secretary for Tax, Trade, and Tariff Policy, and a variety of others. That situation was not helping any of us. Whether we agreed with President Obama or Secretary Geithner or not, after an election a President should be able to promptly staff the government, and we in the Senate should have procedures to give us a chance to review those nominees and offer our advice and consent and confirm or reject those nominees in a reasonable period of time.

If we are spending our time dealing with junior officials or PR officers, we are spending less time dealing with the Assistant Secretary for Tax Policy, on whom we should be focusing a lot of time, and to whom we should be asking a lot of questions.

Then, there is this business of what I call ''innocent until nominated''—all of us know this exists. It really exists by sloppiness on our part, both in the legislative branch and the executive branch. If you are asked to serve in the Federal Government—and I know this because I was asked by the first President Bush—you fill out forms. Well, there are many forms. There are many forms in the executive branch. They have different definitions; for example, the definition of ''income.'' If you were to carelessly fill out the same definition of ''income'' on one form as another form, you might have been incorrect on one of the forms, and then someone might say you were telling a lie and were not fit to serve. That has been called by others, including me, as being ''innocent until nominated.''

I remember when Ron Kirk, the former mayor of Dallas, was nominated by President Obama to be the Trade Representative. There was some issue about whether he had properly reported a speech fee he gave to charity. What difference did it make in terms of his overall fitness to serve? It held him up. It embarrassed him. It was not relevant to the inquiry.

So the legislation we have will do the following: It proposes eliminating the need for Senate confirmation or streamlining over 450 positions. About 200 of these nominations will be eliminated as Senate confirmations. These are the ones the Senate does not need to spend time on. The other half will come directly to the desk. Then, unless an individual Senator says: Send it on to committee to go through the regular order, it will be expedited. That still leaves us with 1,000 Senate confirmations that we can have—1,000 hostages we can take. That is more hostages than we could take under Bill Clinton. That is almost four times as many hostages than the Senate could take under President Kennedy. That ought to be plenty of hostages for any Senator to make his or her point if that is what we seek to do.

Second, the legislation would set up a process whereby an executive branch working group would review the various forms that nominees are expected to fill out, and try to have a single smart form in the executive branch. The working group will consult with committees of Congress. It might make sense to see if we can do the same thing with our forms, and make it possible that we can get all the information we want without unnecessarily subjecting nominees to harassment or trickery just because they are not wise enough to fill out different forms with different definitions.

I think this is a substantial step forward. It may not sound like much to those watching the Senate, but let me just say that both of our leaders, REID and MCCONNELL, have said they tried this and could not get it done. Senator LIEBERMAN and Senator COLLINS have tried, and they could not get it done. I worked with Senator LIEBERMAN 2 years ago and we could not get it done.

What has happened this time is a result of the discussion we had earlier in the year about making the Senate a more effective place to work—with the full support of the leaders, REID and MCCONNELL; with the full support of Senator LIEBERMAN and Senator COLLINS; and with the good work of Senator SCHUMER. We have come up with a consensus piece of legislation which has broad bipartisan support from both sides of the aisle, including chairmen and ranking members of the committees you would think might be the first ones to object. This legislation would still leave the Senate with the prerogatives it ought to have in terms of reviewing Presidential nominees and separates out those who take our time away from the more important things we ought to be doing.

I thank the Senator from New York for the way he has worked on this issue. He has been constructive and direct and helpful. I thank the leaders for their support. I hope the committees will rapidly consider the legislation Senator SCHUMER is introducing on our behalf, and I hope it will show we can take another small step in making the Senate a more effective place to work.

Mr. President, I ask unanimous consent to have printed in the RECORD a document entitled ''List of Presidential Appointments No Longer Requiring Senate Confirmation''—there are about 200 of those—and a document entitled ''Privileged Nominations.'' Those are the ones that will be expedited, unless a single Senator decides he or she wants to have this nominee sent to committee, and that is about another 240.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LIST OF PRESIDENTIAL APPOINTMENTS NO LONGER REQUIRING SENATE CONFIRMATION

Agriculture (11): Assistant Secretary for Congressional Relations, Department of Agriculture; Chief Financial Officer, Department of Agriculture; Assistant Secretary for

Administration, Department of Agriculture; Rural Utilities Service Administrator; Directors (7), Commodity Credit Corporation.

Armed Services (12): Assistant Secretary of Defense (Networks and Information Integration); Assistant Secretary of Defense (Public Affairs); Assistant Secretary of Defense (Legislative Affairs); Assistant Secretary of the Air Force (Comptroller); Assistant Secretary of the Army (Comptroller); Assistant Secretary of Navy (Comptroller); Members (6), National Security Education Board.

Banking (8): Assistant Secretary for Administration, Human Capital Officer, HUD; Chief Financial Officer, HUD; Assistant Secretary for Congressional and Intergovernmental Relations, HUD; Assistant Secretary for Public Affairs, HUD; Director of the Mint, Department of the Treasury; Members (2), Council of Economic Advisers; Administrator, Community Development Financial Institution Fund.

Budget (0).

Commerce (14 regular positions and 319 NOAA Officer Corps positions): Assistant Secretary for Legislative Affairs, Department of Commerce; Assistant Secretary for Administration and Chief Financial Officer, Department of Commerce; Assistant Secretary for Communication and Information, Department of Commerce; Chief Scientist, NOAA; Assistant Secretary for Budget and Programs—CFO, Department of Transportation; Assistant Secretary for Government Affairs, Department of Transportation; Deputy Administrator, Federal Aviation Administration (FAA); Chief Financial Officer, NASA; Associate Director, Office of Science and Technology Policy; Associate Director, Office of Science and Technology Policy; Associate Director, Science, Office of Science and Technology Policy; Associate Director, Technology, Office of Science and Technology Policy; Administrator, St. Lawrence Seaway Development Corporation; Federal Coordinator, Alaska Natural Gas Transportation Project; Officer Corps of NOAA (319 additional positions).

Energy (2): Chief Financial Officer, Department of Energy; Assistant Secretary for Congressional and Intergovernmental Affairs, Department of Energy.

Environment and Public Works (9): Alternate Federal Co-Chairman, Appalachian Regional Commission; Chief Financial Officer, EPA; Commissioners (7), Mississippi River Corporation.

Finance (4): Deputy Under Secretary/Assistant Secretary for Legislative Affairs, Department of Treasury; Assistant Secretary for Public Affairs and Director of Policy Planning, Department of Treasury; Assistant Secretary for Management and Chief Financial Officer, Department of Treasury; Treasurer of the United States.

Foreign Relations (14): Assistant Secretary for Legislative and Intergovernmental Affairs, Department of State; Assistant Secretary for Public Affairs, Department of State; Assistant Secretary for Administration, Department of State; Chief Financial Officer, Department of State; Assistant Administrator for Legislative and Public Affairs, USAID; Assistant Administrator for Management, USAID; Governor, African Development Bank; Alternate Governor, African Development Bank; Governor, Asian Development Bank; Alternate Governor, Asian Development Bank; Governor, International Monetary Fund and International Bank for Reconstruction and Development; Alternate Governor, International Monetary Fund and International Bank for Reconstruction and Development; Governor, African Development Fund; Alternate Governor, African Development Fund.

HELP (101 regular positions and 2,536 Public Health Service Officer Corps positions): Chief Financial Officer, Department of Education; Assistant Secretary for Management, Department of Education; Assistant Secretary for Legislation and Congressional Affairs, Department of Education; Commissioner—Rehabilitation Services Administration; Commissioner—Education Statistics; Assistant Secretary for Resources and Technology/CFO, Department of HHS; Assistant Secretary for Public Affairs, Department of HHS; Assistant Secretary for Legislation, Department of HHS; Commissioner, Administration for Children, Youth, Families; Commissioner, Administration for Native Americans; Assistant Secretary for Administration and Management, Department of Labor; Chief Financial Officer, Department of Labor; Assistant Secretary for Congressional Affairs, Department of Labor; Assistant Secretary for Public Affairs, Department of Labor; Director of the Women's Bureau, Department of Labor; Chairperson, National Council on Disability; Vice Chairperson (2), National Council on Disability; Members (12), National Council on Disability; Members (24), National Science Foundation; Managing Directors (2), Corporation on National and Community Service; Members (15), National Board of Education Sciences; Members (20), National Museum and Library Services Board; Members (10), National Institute for Literary Advisory Board; Public Health Services Corps (2,536 additional positions).

HSGAC (6): Chief Financial Officer, Department of Homeland Security; Controller, Office of Federal Financial Management, OMB; Director, Office of Counternarcotics Enforcement, DHS; Assistant Secretary for Health Affairs Chief Medical Officer, DHS; Administrator, U.S. Fire Administration, Department of Homeland Security; Assistant Administrator, Grants, FEMA.

Indian Affairs (14): Commissioner, Navajo and Hopi Relocation; Members (13), Board of Trustees, Institute of American Indian and Alaska Native Culture.

Intelligence (0).

Judiciary (10): Assistant Attorney General—Legislative Affairs, Department of Justice; Director, Bureau of Justice Statistics; Director, Bureau of Justice Assistance; Director, National Institute of Justice; Administrator, Office of Juvenile Justice and Delinquency Prevention; Director, Office for Victims of Crime; Deputy Director, National Drug Control Policy; Deputy Director, Demand Reduction, National Drug Control Policy; Deputy Director, State and Local Affairs, National Drug Control Policy; Deputy Director, Supply Reduction, National Drug Control Policy.

Rules (0).

Small Business (0).

Veterans Affairs (5): Assistant Secretary for Management, Department of Veterans Affairs; Assistant Secretary for Human Resources and Administration, Department of Veterans Affairs; Assistant Secretary for Public and Intergovernmental Affairs, Department of Veterans Affairs; Assistant Secretary for Congressional and Legislative Affairs, Department of Veterans Affairs; Assistant Secretary for Information and Technology, Department of Veterans Affairs.

*Does not include NOAA Officer Corps and Public Health Services Officer Corps.

PRIVILEGED NOMINATIONS

Agriculture (5): Members (5), Board of Directors, Federal Agricultural Mortgage.

Armed Services (0).

Banking (23): Members (15), Board of Directors, National Institute of Building Sciences; Members (3), Board of Directors, National Consumer Cooperative Bank; Directors (5), Securities Investors Protection Corporations.

Budget (0).

Commerce (8): Members (3), Board of Directors, Metropolitan Washington Airport Authority; Members (5), St. Lawrence Seaway Development Corporation.

Energy (0).

Environment and Public Works (9): Members (9), Board of Trustees, Morris K. Udall Scholarship and Excellence in National; Environmental Policy Foundation.

Finance (16): Member (7), IRS Oversight; Members (2), Board of Trustees, Federal Hospital Insurance Trust Fund; Member (2), Board of Trustees, Federal Old Age and Survivors Fund; Members (2), Board of Trustees, Federal Supplemental Insurance Trust Fund; Members (3), Social Secretary Advisory Board.

Foreign Relations (59): Chairman, Advisory Board for Cuba Broadcasting; Members (8), Advisory Board for Cuba Broadcasting; Members (4), Millennium Challenge Corporation Board of Directors; Board Members (8), Overseas Private Investment Corporation; Members (15), National Peace Corps Advisory Council; Commissioners (7), Commission on Public Diplomacy; Members (9), Board of Directors, Inter-American Foundation; Members (7), Board of Directors, African Development Foundation.

HELP (104): Members (15), Corporation on National and Community Service; Members (26), National Council on the Humanities; Chairman, Board of Directors, US Institute of Peace; Vice Chairman, Board of Directors, US Institute of Peace; Members (10), Board of Directors, US Institute of Peace; Members (8), Board of Trustees, Goldwater Scholarship; Members (8), Board of Trustees, Truman Scholarship; Members (6), Board of Trustees, Madison Fellowship; Members (11), Board of Directors, Legal Services Corporation; Members (18), National Council on the Arts.

HSGAC (5): Members (5), Federal Retirement Thrift Investment Board.

Intelligence (0).

Judiciary (13): Members (2), Foreign Claims Settlement Commission; Members (11), Board of Directors, State Justice Institute.

Rules (0).

Small Business (0).

Veterans Affairs (0).

Mr. ALEXANDER. I thank the Presiding Officer, and I notice that the Senator from New York is also on the Senate floor. I thank him for his work on this issue.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first, I thank my colleague from Tennessee. He has been a great partner in this effort. In fact, I would say it was his impetus that brought us here. He had thought about this long and hard and worked on it previously. As usual, it has been a pleasure to work with Senator ALEXANDER on the Rules Committee or anywhere else, and I thank him for spearheading this effort.

I also want to thank the two leaders, Senator REID, of course, my friend—and I am so proud to work under his leadership—and Senator MCCONNELL. I have to say this: Senator MCCONNELL and I have our differences, but on all of these issues of moving the Senate forward he has been operating in good faith, and his support of this legislation has allowed us to get here.

Also, the committee chair, Senator LIEBERMAN, as well as Ranking Member

COLLINS, have been equal partners in this legislation, and it will go through their committee.

Finally, I thank all the committee chairs. They have been very understanding of the need to do this. Obviously, committee chairs might say: I want to have before my committee every single person, but ultimately they have realized it slows down the Senate.

While we are introducing the legislation today, a number of committee chairs on our side—probably with the consent of their ranking members—have come to me and said there might be other positions they want to add to the list. That would be a good idea. We have tried to be careful. We do not want to step on any toes or prerogatives. In the past, when this legislation was attempted, people said: Well, just, I don't want this one; I don't want that one. So we were fairly minimal. It will have a real effect on the Senate. It is close to one-third of the appointments. But there may be different committees that say: I don't need to approve this. In my committee, the committee on which I am the chair, the committee on which I am the ranking member, we do not need to approve these five or six more. Add them to your list.

We would hope our committee chairs would do that before the bill is considered because it will be considered by Senator LIEBERMAN's committee, and there they could make such additions.

So let me say this about the process: One of the most important duties of the Senate is the constitutional advice-and-consent power. We were careful to balance this interest with the importance of making the confirmation process more efficient—not only for the benefit of the Senate but as well for the benefit of the administration, its agencies, and, as Senator ALEXANDER so aptly pointed out, for those individuals who are nominated as well.

The Senate was designed to be a thoughtful and deliberative body, but the confirmation process has often become dangerously close to being gridlocked. The American public is harmed when we are not able to get qualified people confirmed to positions in a timely manner. All of the positions covered in this proposal tend to be noncontroversial and more closely resemble appointments that are currently made without Senate approval.

This legislation consists of a stand-alone bill, the Presidential Appointment Efficiency and Streamlining Act, and a resolution. Senator ALEXANDER touched on the stand-alone bill, which will eliminate from Senate confirmation over 200 executive nomination positions and nearly 3,000 additional officer corps positions. The resolution will create a standing order that will streamline approval of almost 250 part-time board members.

We intend to move both of these pieces together in an effort to reform this process. Together, these two pieces will remove or streamline, as I mentioned, nearly one-third of currently confirmable Senate appointments.

The act will remove the need for confirmation for several categories of positions, including legislative and public affairs positions, chief financial officers, information technology administrators, internal management and administrative positions, and deputies or non-policy-related assistant secretaries who report to individuals who are Senate-confirmed. Removing these positions from Senate confirmation will allow a new administration to be set up with more efficiency and speed, thus making government work better for the people.

In addition, we have removed thousands of positions from the Public Health Service officers corps and the National Oceanic and Atmospheric Administration officer corps in the process. They are noncontroversial, and their removal will help prevent the possibility of further gridlock.

This act will also create a working group—because this is a work in progress, and Senator ALEXANDER has been working on it longer than I have or most of us in this body—that will provide recommendations on the process to further streamline the appointment and confirmation process. The group will make recommendations to the President and the Senate about streamlining the paperwork process for nominees by creating a single, searchable, electronic ''smart form'' and will also conduct a review of the current background investigation requirements.

Senators LIEBERMAN and COLLINS held a hearing on the confirmations process last month in the Homeland Security and Governmental Affairs Committee, which will have jurisdiction over this piece of the package. The hearing was extremely helpful to our working group efforts and further highlighted the fact that our system of dealing with executive nominations needs reform.

The resolution piece of the package will create a streamlined process for part-time positions on boards or commissions. A majority of these boards require political balance—a certain number of Democrats and a certain number of Republicans. We are doing this rather than eliminating Senate consideration in its entirety in order to ensure that these politically balanced boards remain bipartisan. This was actually a recommendation, I believe, by Senator MCCONNELL, and I think it is an apt one.

The resolution creates a standing order that will provide for an expedited process for this class of ''privileged nominations'' by creating new pages on the Executive Calendar. When the Senate receives a nomination from the President, it will be placed on a new section on the Executive Calendar called ''Privileged Nomination—Information Requested'' while the nominee submits paperwork to the committee of jurisdiction. When the chair of that committee certifies that all committee questionnaires have been received from the nominee, the nomination will be placed on the ''Privileged Nomination—Information Received'' section of the Executive Calendar.

As Senator ALEXANDER mentioned, after 10 session days, the nomination is placed on the full Executive Calendar and will await action by the full Senate, with the presumption that these positions will be passed by unanimous consent. So any single Senator can object, although we doubt in almost every case that any will.

From the beginning of the process until the expiration of 10 session days, any Member can request on his or her own behalf or on behalf of any identified Member that the nomination be referred to committee. We think that incorporating this safeguard is in line with our elimination of secret holds earlier this year.

The presumption for these part-time positions is, as I said, that they will be approved by unanimous consent and not be held up as part of other battles or leverage or whatever else.

This resolution would come before the Rules Committee, which Senator ALEXANDER and I lead, and we hope to take action on it very soon. We are confident this package will eliminate many of the delays in the current confirmation process. These delays are very detrimental to the efficient operation of government and to the efforts to recruit the most qualified people to these Federal jobs.

The package we propose today is the first step in protecting the American people's interests in having a newly elected President move quickly and efficiently to set up a government.

Before I yield the floor, I note that the Senator from New Mexico, Mr. UDALL, in his impetus to reform the Senate, can claim some credit for this move as well.

We are introducing this bipartisan legislation—Senator ALEXANDER and myself, along with Senators REID, MCCONNELL, COLLINS, LIEBERMAN, and I think about eight or nine other cosponsors as well—this afternoon.

Mr. LIEBERMAN. Mr. President, I rise today in support of legislation offered by Senators SCHUMER and ALEXANDER to streamline the nomination process so incoming Presidents can get their teams in place more quickly and put them to work doing the people's business.

On August 5, 1789, the Senate took up and confirmed 102 executive nominations that had been sent up by President Washington just 2 days earlier—rejecting only one nominee.

Our first President, in a letter to the Senate, complained about the one he didn't get. If the Senate ever doubted the fitness of one of his nominees it should—and I quote ''communicate that circumstance to me, and thereby avail yourselves of the information which led me to make them and which I would with pleasure lay before you.''

Modern Presidents of both parties would sigh over this bit of history because nowadays the process by which a person is selected, vetted, nominated, and then considered and confirmed by the Senate has become—in the words of one scholar—''nasty and brutish, without being short.''

One hundred days into President Obama's administration, only 14 percent of the Senate-confirmed positions in his administration had been filled. After 18 months, 25 percent of these positions were still vacant. This is not an aberration or anomaly. The timetables for putting in place a leadership team across the government has been pretty much the same each of the last three times there has been a change of occupant in the White House.

We have known about this problem a long time, but failed to act.

In 2001, the then Governmental Affairs Committee under former Chairman Fred Thompson, held hearings titled the State of the Presidential Appointment Process and recommended legislation, which did not pass.

In 2003, a bipartisan commission headed by Paul Volker recommended ways to speed up the nominations process. That got nowhere.

In 2004, the 9–11 Commission said the delays in getting a new government up and running actually pose a threat to our national security and in its report it also recommended ways to speed up the process.

Well after years of talk, it may be that we now finally have bipartisan support for change, although as the saying goes: ''It ain't over til it's over.''

In January, Majority Leader REID and Minority Leader MCCONNELL established a working group on executive nominations and appointed Senators SCHUMER and ALEXANDER—chairman and ranking member, respectively, of the Rules Committee—to lead it.

Senator COLLINS and I—as chairman and ranking member of the Homeland Security and Governmental Affairs Committee—have been part of this working group and the bill being introduced today has my full support.

In fact, we held a hearing earlier this month on the need for nomination reform and the numbers showed just how compelling the case for reform is.

A study by the Congressional Research Service says that delay occurs not so much at the Cabinet level positions. Presidents Reagan, George W. Bush, Clinton, and Obama all were able to get the vast majority of their nominees for Cabinet Secretaries in place on or shortly after Inauguration Day.

Where the delay is most pronounced, according to CRS, is in the sub-cabinet level positions. Under President Reagan, nominees averaged 114 days from the President's election to final confirmation. Under Clinton, George W. Bush, and Obama those numbers jumped to 185, 198, and 195 respectively.

Part of the problem is that the number of positions requiring confirmation has grown over time.

When President Reagan took office, he had 295 key policy positions requiring confirmation. By the time President Obama was inaugurated, that number had grown to 422 key positions, plus another nearly 800 lesser positions that also required Senate confirmation.

These numbers do not include foreign service officers, or public health officials who also require Senate confirmation.

The legislation Senators SCHUMER and ALEXANDER are introducing recommends eliminating Senate confirmation for approximately 200 presidential appointments to positions in the Executive Branch, including for legislative and public affairs positions, chief information officers, and internal management positions at or below the Assistant Secretary level.

This will free the Senate to concentrate on the more important policymaking nominees.

The bill also calls for a working group to simplify, standardize and centralize the forms and documentation required by both the White House and Senate so a nominee isn't burdened with duplicative paperwork and information requests.

Senators SCHUMER and ALEXANDER are also introducing a standing order this morning that would streamline the confirmation process for approximately 200 other Presidential appointments that receive Senate confirmation. Under the standing order, some nominees to part-time boards and commissions could have their nominations expedited by being held at the desk for a certain number of days and then placed directly onto the Executive Calendar rather than being referred to a Senate committee. I would also like to express my support for the standing order.

In the past, nominations reform legislation has stalled because of the perceived fears of some of our colleagues, particularly committee chairs and ranking members, that they would be giving up some of their jurisdiction and authority. But the simple truth is that some of these nominations shouldn't require Senate confirmation and, frankly, take up valuable time that should be used for more important work.

Nothing in the legislation we offer today will weaken in any way the Senate's important Constitutional role of ''advice and consent'' or our delicate system of checks and balances.

But if we don't fix what is broken in this system, I fear we risk discouraging some of our nation's most talented individuals from accepting nominations, thus leaving important positions unfilled.

If I may end with a little history, as Governeur Morris, one of the architects of the Constitution, said when speaking in favor of the ''advice and consent'' clause: ''As the President was to nominate, there would be responsibility. As the Senate was to concur, there would be security.''

Those founding principals will be unaffected by the kinds of modest changes this bill calls for, and I believe and hope we can get it done this year.

I call on my fellow chairmen, ranking members, and colleagues on both sides of the aisle to work with us on addressing this challenge so the next new administration, regardless of party, can recruit the best candidates and then put them to work quickly addressing the many challenges our Nation faces.

Ms. COLLINS. Mr. President, I rise today to support the Presidential Appointment Efficiency and Streamlining Act of 2011, as well as the Senate resolution to create an expedited confirmation process for some part-time boards and commissions.

I want to commend Senators SCHUMER and ALEXANDER for their work on this issue and to express my appreciation for all the members of the nomination reform working group—Senators REID, MCCONNELL, and LIEBERMAN. I was pleased to be a part of what has truly been a bipartisan effort.

The Constitution, in the Appointments Clause, makes the appointment of senior Federal executive officers a joint responsibility of the President and the Senate. The President determines who, in his view, is the best qualified to serve in the most senior and critical positions across the executive branch of our Government. It also requires that we, the Senate, exercise our independent judgment and experience to determine if nominees have the necessary qualifications and character to serve our Nation in these important positions of public trust.

The confirmation process must be thorough enough for the Senate to fulfill its Constitutional duty, but it should not be so onerous as to deter qualified people from public service.

National security reasons also compel attention to this problem. The National Journal has noted that ''[p]eriods of political transition are, by their very nature, chaotic'' and that ''terrorists strike when they believe governments will be caught off guard.''

Both the 1993 bombing of the World Trade Center and the attacks on September 11th, 2001, occurred within eight months of a change in presidential administrations. And in March 2004, just three days before Spain's national elections, al Qaeda-linked terrorists bombed Madrid commuter trains.

The 9/11 Commission found that ''[a]t the sub-cabinet level, there were significant delays in the confirmation of key officials, particularly at the Department of Defense,'' in 2001. It was not until six months after President Bush took office that he had his national security team in place.

Countless studies have been written and many experts have opined on how to improve the nomination and confirmation process—from the Brownlow Commission in 1937 to the 9/11 Commission in 2004.

This is also an issue that the Committee on Homeland Security and Governmental Affairs has been working to address for a long time. For example, in 2001, when Senator Fred Thompson chaired the Committee, we held two hearings focusing on the state of the Presidential appointment process. As a result of these hearings, the Committee reported out legislation to address concerns that were raised. A few of the provisions of this bill would later be included in the Intelligence Reform and Terrorism Prevention Act of 2004.

But more work remains to be done. On March 2nd of this year, the Committee held another hearing to review the nomination process. The witnesses echoed the concerns that have been raised over the years by the many commissions and that still remain unaddressed.

Based upon our review, there are a few areas in particular where improvements should be made. The first is to reduce the sheer number of positions subject to Senate confirmation.

In this regard, the National Commission on the Public Service, commonly known as the Volcker Commission, gathered some very illuminating statistics. When President Kennedy came to office, he had 286 positions to fill with the titles of Secretary, Deputy Secretary, Under Secretary, Assistant Secretary, and Administrator. By the end of the Clinton Administration, there were 914 positions with these titles.

Today, according to the Congressional Research Service, CRS, there are more than 1,200 positions appointed by the President that require the advice and consent of the Senate.

The large number of positions requiring confirmation leads to long delays in selecting, vetting, and nominating these appointees. Consequently, administrations can go for months without key officials in many agencies. And when political appointees are finally in place, their median tenure is only about two and a half years.

A second area ripe for reform is to develop a consistent, common form for the nominees to complete in order to streamline the process, save time, and increase accuracy. This also would reduce the cost and burden on nominees.

The White House, Office of Government Ethics, and the Senate need to work together to reconcile the various questions that are asked of nominees. Currently, nominees will often find themselves repeating variations of, or even the exact same, response over and over.

In this regard, I believe Clay Johnson, the former head of Presidential Personnel from 2001 to 2003, made an excellent point. He noted that there is a thick file in the White House ''with every possible piece of relevant information on that person and yet none of that is made available to the Senate.''

A consistent, common form, which a nominee can respond to online, would help to facilitate the flow of information so the Senate can begin its review of the nomination earlier.

Finally, the executive branch also needs to review its own role and responsibilities in the process.

Specifically, the White House should review its background investigation requirements. The extent of the investigation should be tailored to the position. A person nominated to a non-national security-related position should not have to undergo the same detailed FBI background investigation as a nominee to a national security-related position, such as the Secretary of Homeland Security. In addition, the process should make some allowance for people who already have undergone the FBI full-field investigation for a different Senate-confirmed position. Reform of this process would help speed up the review of nominees and aid in the task of recruiting talented people for public service.

It also is the White House's responsibility to ensure that the Office of Presidential Personnel has the appropriate staffing level to meet the demands of a new administration.

As Mr. Johnson noted at our March 2nd hearing, ''[a] new administration has never had the capacity in the first six months to nominate persons for more than 250 cabinet and subcabinet positions, let alone 400 positions, which government reform individuals and groups suggest a new administration should be able to do.''

If these areas can be reformed, substantial time will be saved, and key leadership posts at our federal agencies will not be vacant for nearly as long.

Now, during this mid-term period, two years away from a Presidential election, we have the opportunity to streamline the executive branch nominations process. This can help ensure that the next presidential transition will be as smooth as possible, thwarting the terrorists' belief that they will be able to ''catch us off guard.''

The Schumer-Alexander bill and Senate Resolution go a long way to addressing the concerns that I have highlighted.

The bill will make more than 200 positions direct Presidential Appointments that would no longer require Senate confirmation. Many of these positions have little or no policy role, such as the Assistant Secretary for Legislative Affairs at the Department of Commerce, or are internal management or administrative positions, such as chief financial officers or assistant secretaries for public affairs.

By not requiring Senate confirmation, it will allow these positions be filled at a much faster pace and free up Senate resources to focus on more significant nominees.

The Senate resolution proposes that more than 240 positions on part-time boards or commissions go through a new ''expedited'' confirmation process. These positions will still require the nominee to respond to all committee questionnaires and still provide for the opportunity for closer scrutiny of the nominee, if warranted.

This retains the authority of the Senate over these positions, but streamlines the process, lessening the burden on the Senate for routine, noncontroversial nominations and providing for a faster road to confirmation as well.

While we must deliver on our duty to provide advice and consent, reforms are needed to improve the effective operation of government. We all want the most qualified people to serve the President and the Nation. We should, therefore, ensure that the process is not unnecessarily burdensome and that key leadership posts do not go unfilled for long stretches of time. Most of all, we need to reform the process so that good people, whose talents and energy we need, do not become so discouraged that they give up their goal of serving the public.

I am pleased to join Senators SCHUMER and ALEXANDER as a cosponsor of this legislation and the Senate resolution, both of which will help us attract well-qualified people to public service.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Mrs. BOXER, Mrs. HUTCHISON, Mrs. MURRAY, Ms. SNOWE, Ms. LANDRIEU, Ms. STABENOW, Ms. CANTWELL, Ms. MURKOWSKI, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. LIEBERMAN, Mr. AKAKA, Mr. PRYOR, Mr. MERKLEY, Mr. BEGICH, Mrs. FEINSTEIN, and Ms. AYOTTE).

S. 680. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, I rise to introduce the National Women's History Museum Act of 2011, a bill that would clear the way to locate a long-overdue historical and educational resource in our nation's capital city. I appreciate the co-sponsorship today from 16 of my colleagues: Senators MIKULSKI, BOXER, HUTCHISON, MURRAY, SNOWE, LANDRIEU, STABENOW, CANTWELL, MURKOWSKI, SHAHEEN, GILLIBRAND, LIEBERMAN, AKAKA, PRYOR, MERKLEY, and BEGICH.

American women have made invaluable contributions to our country in such diverse fields as government, business, medicine, law, literature, sports, entertainment, the arts, and the military. A museum recognizing the contributions of American women is long overdue.

A Presidential commission on commemorating women in American history concluded that, ''Efforts to implement an appropriate celebration of women's history in the next millennium should include the designation of a focal point for women's history in our Nation's capital.''

That report was issued in 1999. Over a decade later, although Congress has made commendable provisions for the National Museum for African American History and Culture, the National Law Enforcement Museum, and the National Museum of the American Indian, there is still no institution in the capital region dedicated to women's roles in our country's history.

It is important to note that taxpayers will not shoulder the funding of this project. The proposed legislation calls for no new federal program and no new claims on the budget. The bill would simply direct the General Services Administration to negotiate and enter into an occupancy agreement with the National Women's History Museum, Inc. to establish a museum on a tract of land near the Smithsonian Museums located at 12th Street, SW., and Independence Avenue, SW.

In fact, the Museum would be putting dollars in the federal government's pocket in order to occupy this space because the transaction would be at a fair-market value for the land. This bill would be a win-win for the taxpayers and the Museum.

The National Women's History Museum is a non-profit, non-partisan, educational institution based in the District of Columbia. Its mission is to research and present the historic contributions that women have made to all aspects of human endeavor, and to present the contributions that women have made to the nation in their various roles in family, the economy, and society.

This museum would help ensure that future generations understand what we owe to the many generations of American women who have helped build, sustain, and advance our society. They deserve a building to present the stories of pioneering women like abolitionist Harriet Tubman, founder of the Girl Scouts Juliette Gordon Low, Supreme Court Justice Sandra Day O'Connor, and astronaut Sally Ride.

That women's roll of honor would also include a legendary predecessor in the Senate seat I now hold: the late Senator Margaret Chase Smith, the first woman nominated for President of the United States by a major political party, and the first woman elected to both houses of Congress. Senator Smith began representing Maine in the U.S. House of Representatives in 1940, won election to the Senate in 1948, and enjoyed bipartisan respect over her long career for her independence, integrity, wisdom, and courage. She remains my role model and, through the example of her public service, an exemplar of the virtues that would be honored in the National Women's History Museum.

Again, I thank my colleagues for their past support of this effort, and urge them to renew that support for this bill.

By Ms. SNOWE:

S. 681. A bill to provide greater accountability in the Small Business Lending Fund; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. 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. 681

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 ''Greater Accountability in the Lending Fund Act of 2011''.

SEC. 2. REPAYMENT DEADLINE UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.

(a) IN GENERAL.—Section 4103(d)(5)(H) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''; or'' and inserting a period;

(B) by striking subclause (II); and

(C) by striking ''will—'' and all that follows through ''be repaid'' and inserting ''will be repaid'';

(2) by striking clause (ii); and

(3) by striking ''that—'' and all that follows through ''includes,'' and inserting ''that includes,''.

(b) EFFECTIVE DATE; APPLICABILITY; SAVINGS CLAUSE.—

(1) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to any investment made by the Secretary of the Treasury under the Small Business Lending Fund Program established under section 4103(a)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) (in this subsection referred to as the ''Program'') on or after the date of enactment of this Act.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by this section, an investment made by the Secretary of the Treasury under the Program before the date of enactment of this Act shall remain in full force and effect under the terms and conditions under the investment.

SEC. 3. SMALL BUSINESS LENDING FUND SUNSET.

Section 4109 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in subsection (b), by inserting ''and shall be limited by the termination date in subsection (c)'' before the period at the end; and

(2) by adding at the end the following:

''(c) TERMINATION OF PROGRAM.—

''(1) INVESTMENTS.—On and after the date that is 15 years after the date of enactment of this Act, the Federal Government may not own any preferred stock or other financial instrument purchased under this subtitle or otherwise maintain any capital investment in an eligible institution made under this subtitle.

''(2) AUTHORITIES.—Except as provided in subsection (a), all the authorities provided under this subtitle shall terminate 15 years after the date of enactment of this Act.''.

SEC. 4. SMALL BUSINESS LENDING FUND TRIGGER.

Section 4109 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note), as amended by section 3, is amended by adding at the end the following:

''(d) FDIC RECEIVERSHIP.—The Secretary may not make any purchases, including commitments to purchase, under this subtitle if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of the number of eligible institutions that receive a capital investment under the Program.''.

SEC. 5. SMALL BUSINESS LENDING FUND LIMITATION.

(a) IN GENERAL.—Section 4103(d) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) by striking '', less the amount of any CDCI investment and any CPP investment'' each place it appears;

(2) by striking paragraph (7);

(3) by redesignating paragraphs (8), (9), and (10) as paragraphs (7), (8), and (9), respectively; and

(4) by adding at the end the following:

''(10) PROHIBITION ON TARP PARTICIPANTS PARTICIPATING IN THE PROGRAM.—An institution in which the Secretary made a investment under the CPP, the CDCI, or any other program established by the Secretary under the Troubled Asset Relief Program established under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.) shall not be eligible to participate in the Program.''.

(b) EFFECTIVE DATE; APPLICABILITY; SAVINGS CLAUSE.—

(1) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to any investment made by the Secretary of the Treasury under the Small Business Lending Fund Program established under section 4103(a)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) (in this subsection referred to as the ''Program'') on or after the date of enactment of this Act.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by this section, an investment made by the Secretary of the Treasury under the Program before the date of enactment of this Act shall remain in full force and effect under the terms and conditions under the investment.

SEC. 6. PRIVATE INVESTMENTS UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.

Section 4103(d)(3) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in the paragraph heading, by striking ''MATCHED''; and

(2) in subparagraph (B)(i), by striking ''both under the Program and''.

SEC. 7. APPROVAL OF REGULATORS.

(a) IN GENERAL.—Section 4103(d)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in the paragraph heading, by striking ''CONSULTATION WITH'' and inserting ''APPROVAL OF'';

(2) in the matter preceding subparagraph (A), by striking ''the Secretary shall'' and inserting ''the Secretary may not make a purchase under this subtitle unless'';

(3) in subparagraph (A)—

(A) by striking ''consult with''; and

(B) by striking ''to determine whether the eligible institution may receive'' and inserting ''determines that, based on the financial condition of the eligible institution, the eligible institution should receive'';

(4) in subparagraph (B)—

(A) by striking ''consider any views received from''; and

(B) by striking ''regarding the financial condition of the eligible institution'' and inserting ''determines that, based on the financial condition of the eligible institution, the eligible institution should receive such capital investment''; and

(5) in subparagraph (C)—

(A) by striking ''consult with''; and

(B) by inserting ''determines that, based on the financial condition of the eligible institution, the eligible institution should receive such capital investment'' before the period at the end.

(b) CONFORMING AMENDMENTS.—Section 4103(d)(3)(A) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) by striking ''to be consulted under paragraph (2) would not otherwise recommend'' and inserting ''required to make a determination under paragraph (2) does not approve'';

(2) by striking ''to be so consulted''; and

(3) by striking ''to be consulted would recommend'' and insert ''would approve''.

SEC. 8. BENCHMARK FOR SMALL BUSINESS LENDING.

Section 4103(d)(5)(A)(ii) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended by striking ''for the 4 full quarters immediately preceding the date of enactment of this Act'' and inserting ''during calendar year 2007''.

By Mr. NELSON of Florida:

S. 692. A bill to improve hurricane preparedness by establishing the National Hurricane Research Initiative, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, I rise today to introduce legislation on a subject that is never far from the minds of citizens in my home State of Florida, folks along the Gulf Coast, or on the Atlantic seaboard: the threat of hurricanes, and the devastation that these storms leave in their wake. This threat is ever nearer as we approach the 2011 hurricane season.

Hurricane damage is certainly not new to Florida. On September 1926, the Great Miami Hurricane was a harbinger of things to come. Two years later, a category four hurricane caused Lake Okeechobee to flood its banks killing 2500 out of South Florida's 50,000 residents. In August 1992, Hurricane Andrew struck South Florida causing an estimated $26 billion in damage to the United States. And we all when in August of 2005, Hurricane Katrina ripped through New Orleans and the Gulf Coast region, causing more than $91 billion in economic losses, forcing more than 770,000 people from their homes, and killing an estimated 1833 people.

According to the Insurance Information Institute, insurance companies had estimated losses of $40.6 billion on 1.7 million claims in 6 States from Hurricane Katrina, the largest loss in the history of insurance. Insured losses are predicted to double every decade as development along the Gulf and Atlantic Coasts increases.

The sheer magnitude of this loss is staggering and underscores the need for increased funding for hurricane research and improved forecasting. But hurricanes do not just affect those living along the coasts. These extreme events have national consequences with increased fuel prices and severe inland flooding.

U.S. Census data indicates that more than 35 million people live in areas that are most vulnerable to hurricanes. Emergency managers need to know exactly where a hurricane will strike and how hard it will strike before they can issue an evacuation warning.

Improvements in track and intensity forecasts will translate into better preparedness for coastal and inland communities, saving lives and reducing devastating impacts.

The impacts felt in the wake of Hurricane Katrina—despite a good meteorological forecast of the hurricane—emphasize the need for additional research and development in these areas.

I am committed to the protection of life and property. Hurricanes pose a serious threat to the Nation, and losses are growing. So today I am introducing the National Hurricane Research Initiative. This bill calls for prudent investments that will protect lives and prevent economic devastation, reducing our vulnerability to hurricanes.

The National Hurricane Research Initiative will dramatically expand the scope of fundamental research on hurricanes, including enhanced data collection and analysis in critical research areas, and the translation of research results into improved forecasts and planning. Specifically, the National Hurricane Research Initiative will improve our understanding and prediction of hurricanes and other tropical cyclones, including, storm tracking and prediction, storm surge modeling, and inland flood modeling. This research will expand our understanding of the impacts of hurricanes on and response of society and help us to develop infrastructure that is resilient to the forces associated with hurricanes.

We never know when the next big storm will hit. This type of research is urgently needed, and that research needs to be well coordinated. I look forward to working with Chairman ROCKEFELLER and the members of the Senate Committee on Commerce, Science, and Transportation on this important legislation.

Mr. President, I ask unanimous consent that 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. 692

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 Hurricane Research Initiative Act of 2011''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ELIGIBLE ENTITIES.—The term ''eligible entities'' means Federal, State, regional, and local government agencies and departments, tribal governments, universities, research institutes, for-profit entities, and nongovernmental organizations.

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(3) INITIATIVE.—The term ''Initiative'' means the National Hurricane Research Initiative established under section 3(a)(1).

(4) STATE.—The term ''State'' means any State of the United States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

(5) TRIBAL GOVERNMENT.—The term ''tribal government'' means the governing body of an Indian tribe.

(6) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary for Oceans and Atmosphere.

SEC. 3. NATIONAL HURRICANE RESEARCH INITIATIVE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Under Secretary shall establish an initiative to be known as the ''National Hurricane Research Initiative'' for the purposes described in paragraph (2). The Initiative shall consist of—

(A) the activities carried out under this section; and

(B) the research carried out under section 4.

(2) PURPOSES.—The purposes described in this paragraph are as follows:

(A) To conduct research, incorporating to the maximum extent practicable the needs of eligible entities, to enable the following:

(i) Improvement of the understanding and prediction of hurricanes and other tropical storms, including—

(I) storm tracking and prediction;

(II) forecasting of storm formation, intensity, and wind and rain patterns, both within the tropics and as the storms move poleward;

(III) storm surge modeling, inland flood modeling, and coastal erosion;

(IV) the interaction with and impacts of storms with the natural and built environment; and

(V) the impacts to and response of society to destructive storms, including the socioeconomic impacts requiring emergency management, response, and recovery.

(ii) Development of infrastructure that is resilient to the forces associated with hurricanes and other tropical storms.

(iii) Mitigation of the impacts of hurricanes on coastal populations, the coastal built environment, and natural resources, including—

(I) coral reefs;

(II) mangroves;

(III) wetlands; and

(IV) other natural systems that can reduce hurricane wind and flood forces.

(iv) Improvement of communication with the public about hurricane forecasts and risks associated with hurricanes to reduce the harmful impacts of hurricanes and improve the response of society to destructive storms.

(B) To provide training for the next generation of hurricane researchers and forecasters.

(b) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Under Secretary shall, in coordination with the Director of the National Science Foundation, develop a detailed, 5-year implementation plan for the Initiative that—

(A) incorporates the priorities for Federal science and technology investments set forth in the June 2005 publication, ''Grand Challenges for Disaster Reduction'', and in related 2008 implementation plans for hurricane and coastal inundation hazards of the Subcommittee on Disaster Reduction of the Committee on Environment and Natural Resources of the National Science and Technology Council;

(B) to the extent practicable and as appropriate, establishes strategic goals, benchmarks, milestones, and a set of systematic criteria and performance metrics by which the overall effectiveness of the Initiative

may be evaluated on a periodic basis, including evaluation of mechanisms for the effective transition of research to operations and the application of research results for reducing hurricane losses and related public benefits; and

(C) identifies opportunities to leverage the results of the research carried out under section 4 with other Federal and non-Federal hurricane research, coordination, and loss-reduction initiatives, such as—

(i) the National Windstorm Impact Reduction Program established by section 204(a) of the National Windstorm Impact Reduction Act of 2004 (15 U.S.C. 15703);

(ii) the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.);

(iii) the initiatives of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(iv) wind hazard mitigation initiatives carried out by a State;

(v) the Science Advisory Board, Social Science Working Group, and Hurricane Forecast Improvement Project of the National Oceanic and Atmospheric Administration; and

(vi) the Working Group for Tropical Cyclone Research of the Office of the Federal Coordinator for Meteorological Services and Supporting Research.

(2) REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Under Secretary shall make the implementation plan required by paragraph (1) available for review by the following:

(A) The Director of the National Science Foundation.

(B) The Secretary of Homeland Security.

(C) The Director of the National Institute for Standards and Technology.

(D) The Commanding General of the U.S. Army Corps of Engineers.

(E) The Commander of the Naval Meteorology and Oceanography Command.

(F) The Associate Administrator for Science Mission Directorate of the National Aeronautics and Space Administration.

(G) The Director of the U.S. Geological Survey.

(H) The Director of the Office of Science and Technology Policy.

(I) The Director of the National Economic Council.

(3) REVISIONS.—The Under Secretary shall revise the implementation plan required by paragraph (1) not less frequently than once every 5 years.

(c) RESEARCH.—

(1) ESTABLISHMENT OF RESEARCH OBJECTIVES.—The Under Secretary shall, in consultation with the Director of the National Science Foundation, establish objectives for research carried out pursuant to section 4 that are—

(A) consistent with the purposes described in subsection (a)(2); and

(B) based on the findings of the expert assessments and strategies published in the following:

(i) The June 2005 publication entitled, ''Grand Challenges for Disaster Reduction'', and the related 2008 implementation plans for hurricane and coastal inundation hazards of the Subcommittee on Disaster Reduction of the Committee on Environment and Natural Resources of the National Science and Technology Council.

(ii) The January 2007 report by the National Science Board entitled, ''Hurricane Warning: The Critical Need for a National Hurricane Initiative''.

(iii) The February 2007 report by the Office of the Federal Coordinator for Meteorological Services and Supporting Research entitled, ''Interagency Strategic Research Plan for Tropical Cyclones: The Way Ahead''.

(iv) Reports from the Hurricane Intensity Working Group of the National Science Advisory Board of the National Oceanic and Atmospheric Administration.

(2) AREAS OF CONCENTRATION.—The objectives required by paragraph (1) shall provide for 3 areas of concentration as follows:

(A) Fundamental hurricane research, which may include research to support continued development and maintenance of community weather research and forecast models, including advanced methods of observing storm structure and assimilating observations into the models, in which the agency or institution hosting the models ensures broad access and use of the model by the civilian research community.

(B) Technology assessment and development.

(C) Research on integration, transition, and application of research results.

(d) NATIONAL WORKSHOPS AND CONFERENCES.—The Under Secretary may, in coordination with the Director of the National Science Foundation, carry out a series of national workshops and conferences that assemble a broad collection of scientific disciplines—

(1) to address hurricane-related research questions; and

(2) to encourage researchers to work collaboratively to carry out the purposes described in subsection (a)(2).

(e) PUBLIC INTERNET WEBSITE.—The Under Secretary shall facilitate the establishment of a public Internet website for the Initiative—

(1) to foster collaboration and interactive dialogues among the Under Secretary, the Director of the National Science Foundation, and the public;

(2) to enhance public access to Initiative documents and products, including—

(A) reports and publications of the Initiative;

(B) the most recent 5-year implementation plan developed under subsection (b); and

(C) each annual cross-cut budget and report submitted to Congress under subsection (f); and

(3) that includes a publicly accessible clearinghouse of Federal research and development centers engaged in research and development efforts that are complementary to the Initiative.

(f) ANNUAL CROSS-CUT BUDGET AND REPORT.—

(1) REQUIREMENT FOR ANNUAL CROSS-CUT BUDGET AND REPORT.—Beginning with the first fiscal year beginning after the date the Under Secretary completes the implementation plan required by subsection (b), the Director of the Office of Science and Technology Policy shall, in conjunction with the Under Secretary, the Director of the National Science Foundation, and the Director of the Office of Management and Budget, submit to Congress each year, together with documents submitted to Congress in support of the budget of the President for the fiscal year beginning in such year (as submitted pursuant to section 1105 of title 31, United States Code)—

(A) a coordinated annual report for the Initiative for the last fiscal year ending before the date on which the report is submitted; and

(B) a cross-cut budget for the Initiative for the first fiscal year beginning after the date on which the report is submitted.

(2) CONTENTS.—The report required by paragraph (1)(A) shall—

(A) document the grants and contracts awarded to eligible entities under section 4;

(B) for each eligible entity that receives a grant or contract under section 4, identify what major activities were undertaken with such funds, grants, and contracts; and

(C) for each research activity or group of activities in an area of concentration described in subsection (c)(2), as appropriate, identify any accomplishments, which may include full or partial achievement of any strategic goals, benchmarks, milestones, or systematic criteria and performance metrics established for the implementation plan under subsection (b)(1)(B).

SEC. 4. NATIONAL HURRICANE RESEARCH.

(a) NATIONAL SCIENCE FOUNDATION COMPETITIVE GRANT RESEARCH PROGRAM.—

(1) IN GENERAL.—The Director of the National Science Foundation shall, in coordination with the Under Secretary, establish a program to award grants to eligible entities to carry out research that is consistent with the research objectives established under section 3(c)(1).

(2) SELECTION.—The National Science Foundation shall select grant recipients under this section through its merit review process.

(b) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION RESEARCH PROGRAM.—

(1) IN GENERAL.—The Under Secretary shall, in coordination with the Director of the National Science Foundation, carry out a program of research that is consistent with the research objectives established under section 3(c)(1).

(2) RESEARCH ACTIVITIES.—Research carried out under paragraph (1) may be carried out through—

(A) intramural research;

(B) awarding grants to eligible entities to carry out research;

(C) contracting with eligible entities to carry out research; or

(D) entering into cooperative agreements to carry out research.

(3) DEMONSTRATION PROJECTS AUTHORIZED.—Research carried out under this subsection may include demonstration projects.

(c) COLLABORATION.—To the maximum extent practicable, each entity carrying out research under this section shall collaborate with existing Federal and Federally funded research centers operating in related fields, for-profit organizations, and international, regional, State, local, and tribal governments—

(1) to gather and share experiential information; and

(2) to advance scientific and engineering knowledge, technology transfer, and technology commercialization in the course of conduct of hurricane-related research and its application to mitigating the impacts of hurricanes and other tropical storms on society.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 115—DESIGNATING JULY 8, 2011, AS ''COLLECTOR CAR APPRECIATION DAY'' AND RECOGNIZING THAT THE COLLECTION AND RESTORATION OF HISTORIC AND CLASSIC CARS IS AN IMPORTANT PART OF PRESERVING THE TECHNOLOGICAL ACHIEVEMENTS AND CULTURAL HERITAGE OF THE UNITED STATES

Mr. TESTER (for himself and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 115

Whereas many people in the United States maintain classic automobiles as a pastime

and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the Nation and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of this Nation by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now therefore, be it

Resolved, That the Senate—

(1) designates July 8, 2011, as ''Collector Car Appreciation Day'';

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States;

(3) encourages the Department of Education, the Department of Transportation, and other Federal agencies to support events and commemorations of ''Collector Car Appreciation Day'', including exhibitions and educational and cultural activities for young people; and

(4) encourages the people of the United States to engage in events and commemorations of ''Collector Car Appreciation Day'' that create opportunities for collector car owners to educate young people on the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

SENATE RESOLUTION 116—TO PROVIDE FOR EXPEDITED SENATE CONSIDERATION OF CERTAIN NOMINATIONS SUBJECT TO ADVICE AND CONSENT

Mr. SCHUMER (for himself, Mr. ALEXANDER, Mr. REID of Nevada, Mr. MCCONNELL, Mr. LIEBERMAN, Ms. COLLINS, Mr. BINGAMAN, Mr. LUGAR, Mr. DURBIN, Mr. JOHANNS, Mr. REED of Rhode Island, Mr. BROWN of Massachusetts, Mr. CARPER, Mr. WHITEHOUSE, and Mr. KYL) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 116

Resolved,

SECTION 1. PROCEDURE FOR CONSIDERATION.

(a) PRIVILEGED NOMINATIONS; INFORMATION REQUESTED.—Upon receipt by the Senate of a nomination described in section 2, the nomination shall—

(1) be placed on the Executive Calendar under the heading ''Privileged Nominations – Information Requested''; and

(2) remain on the Executive Calendar under such heading until the Executive Clerk receives a written certification from the Chairman of the committee of jurisdiction under subsection (b).

(b) QUESTIONNAIRES.—The Chairman of the committee of jurisdiction shall notify the Executive Clerk in writing when the appropriate biographical and financial questionnaires have been received from an individual nominated for a position described in section 2.

(c) PRIVILEGED NOMINATIONS; INFORMATION RECEIVED.—Upon receipt of the certification under subsection (b), the nomination shall—

(1) be placed on the Executive Calendar under the heading ''Privileged Nomination—Information Received'' and remain on the Executive Calendar under such heading for 10 session days; and

(2) after the expiration of the period referred to in paragraph (1), be placed on the ''Nominations'' section of the Executive Calendar.

(d) REFERRAL TO COMMITTEE OF JURISDICTION.—During the period when a nomination described in subsection (a) is listed under the ''Privileged Nomination—Information Requested'' section of the Executive Calendar described in section (a)(1) or the ''Privileged Nomination—Information Received'' section of the Executive Calendar described in section (c)(1)—

(1) any Senator may request on his or her own behalf, or on the behalf of any identified Senator that the nomination be referred to the appropriate committee of jurisdiction; and

(2) if a Senator makes a request described in paragraph (1), the nomination shall be referred to the appropriate committee of jurisdiction.

SEC. 2. NOMINATIONS COVERED.

The following nominations for the positions described (including total number of individuals to be appointed for the position) shall be considered under the provisions of this resolution:

(1) The Chairman and the Members of the Advisory Board for Cuba Broadcasting (9 Members including Chairman).

(2) The Chairman and the Members of the Corporation for National and Community Service (15 Members including Chairman).

(3) The Chairman and the Members of the Federal Retirement Thrift Investment Boards (5 Members including Chairman).

(4) The Members of the Internal Revenue Service Oversight Board (7 Members).

(5) The Members of the Board of the Millennium Challenge Corporation (4 Members).

(6) The Members of the National Council on the Arts (18 Members).

(7) The Members of the National Council for the Humanities (26 Members).

(8) The Members of the Board of Directors of the Overseas Private Investment Corporation (8 Members).

(9) The Members of the Peace Corps. National Advisory Council (15 Members).

(10) The Chairman, Vice Chairman, and the Members of the Board of Directors for the United States Institute of Peace (12 Members including Chairman and Vice Chairman).

(11) The Members of the Board of Directors of the Federal Agricultural Mortgage Corporation (5 Members).

(12) The Members of the Board of Directors of the National Consumer Cooperative Bank (3 Members).

(13) The Members of the Board of Directors of the National Institute of Building Sciences (15 to 21 Members).

(14) The Members of the Board of Directors of the Securities Investor Protection Corporation (5 Members).

(15) The Members of the Board of Directors of the Metropolitan Washington Airport Authority (3 Members).

(16) The Members of the Saint Lawrence Seaway Development Corporation Advisory Board (5 Members).

(17) The Members of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation (9 Members).

(18) The Members the Board of Trustees of the Federal Hospital Insurance Trust Fund (2 Members).

(19) The Members of the Board of Trustees of the Federal Old Age and Survivors Trust Fund and Disability Insurance Trust Fund (2 Members).

(20) The Members of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund (2 Members).

(21) The Members of the Social Security Advisory Board (3 Members).

(22) The Members of the Board of Directors of the African Development Foundation (7 Members).

(23) The Members of the Board of Directors of the Inter American Foundation (9 Members).

(24) The Commissioners of the United States Advisory Commission on Public Diplomacy (7 Members).

(25) The Members of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation (8 Members).

(26) The Members of the Board of Trustees of the Harry Truman Scholarship Foundation (8 Members).

(27) The Members of the Board of Trustees of the James Madison Memorial Fellowship Foundation (6 Members).

(28) The Members of the Board of Directors of the Legal Services Corporation (11 Members).

(29) The Members of the Foreign Claims Settlement Commission (2 Members).

(30) The Members of the Board of Directors of the State Justice Institute (11 Members).

SEC. 3. EXECUTIVE CALENDAR.

The Secretary of the Senate shall create the appropriate sections on the Executive Calendar to reflect and effectuate the requirements of this resolution.

SEC. 4. EFFECTIVE DATE.

This resolution shall take effect 60 days after the date of adoption of this resolution.

SENATE RESOLUTION 117—SUPPORTING THE GOALS AND IDEALS OF PROFESSIONAL SOCIAL WORK MONTH AND WORLD SOCIAL WORK DAY

Ms. STABENOW (for herself, Mr. BEGICH, Mr. BROWN of Ohio, Mr. LEVIN, Mr. COCHRAN, Ms. LANDRIEU, Mr. SANDERS, and Mr. JOHNSON of South Dakota) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 117

Whereas social work is a profession of hope, grounded in practical problem-solving expertise;

Whereas social workers are positive change agents who dedicate their careers to helping people transform their lives and improving environments to make that transformation possible;

Whereas more than 640,000 trained social work professionals in the United States work tirelessly to provide resources and guidance that support social functioning in agencies, hospitals, hospices, schools, universities, legislatures, private practices, corporations, and the military;

Whereas social workers have education and experience to guide individuals, families, and communities through complex issues and choices;

Whereas social workers stand up for others to make sure that everyone has access to the

same basic rights, protections, and opportunities;

Whereas social workers have been an important force behind several significant social movements in the United States;

Whereas social workers are on the frontlines, responding to such human needs as homelessness, poverty, family breakups, mental illness, physical and mental disability, substance abuse, domestic violence, and many other issues;

Whereas Professional Social Work Month and World Social Work Day, which is March 15, 2011, build awareness of the role that professional social workers play in the community and the wide range of contributions social workers make throughout their careers; and

Whereas the 2011 Professional Social Work Month theme, ''Social Workers Change Futures'', showcases the expertise and dedication of professional social workers in helping to improve lives: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Professional Social Work Month and World Social Work Day;

(2) acknowledges the diligent efforts of individuals and groups who promote the importance of social work and observe Professional Social Work Month and World Social Work Day;

(3) encourages the people of the United States to engage in appropriate ceremonies and activities to promote further awareness of the life-changing role which social workers play; and

(4) recognizes with gratitude the contributions of the millions of caring individuals who have chosen to serve their communities through social work.

SENATE RESOLUTION 118—DESIGNATING APRIL 2011 AS ''NATIONAL 9-1-1 EDUCATION MONTH''

Ms. KLOBUCHAR (for herself and Mr. BURR) submitted the following resolution; which was considered and agreed to:

S. RES. 118

Whereas 9-1-1 is nationally recognized as the number to call in an emergency to receive immediate help from police, fire, emergency medical services, or other appropriate emergency response entities;

Whereas in 1967, the President's Commission on Law Enforcement and Administration of Justice recommended that ''a single number should be established'' nationwide for reporting emergency situations, and other Federal Government agencies and various governmental officials also supported and encouraged the recommendation;

Whereas in 1968 the American Telephone and Telegraph Company (AT&T) announced that it would establish the digits 9-1-1 as the emergency code throughout the United States;

Whereas 9-1-1 was designated by Congress as the national emergency call number under the Wireless Communications and Public Safety Act of 1999 (Public Law 106-81);

Whereas section 102 of the ENHANCE 911 Act of 2004 (47 U.S.C. 942 note) declared an enhanced 9-1-1 system to be ''a high national priority'' and part of ''our Nation's homeland security and public safety'';

Whereas it is important that policy makers at all levels of government understand the importance of 9-1-1, how the system works today, and the steps that are needed to modernize the 9-1-1 system;

Whereas the 9-1-1 system is the connection between the public and the emergency response system in the United States and is often the first place emergencies of all magnitudes are reported, making 9-1-1 a significant homeland security asset;

Whereas more than 6,000 9-1-1 public safety answering points serve more than 3,000 counties and parishes throughout the United States;

Whereas dispatchers at public safety answering points answer more than 200,000,000 9-1-1 calls each year in the United States;

Whereas a growing number of 9-1-1 calls are made using wireless and Internet Protocol-based communications services;

Whereas a growing segment of the population, including the deaf, hard of hearing, deaf-blind, and individuals with speech disabilities are increasingly communicating with nontraditional text, video, and instant messaging communications services and expect those services to be able to connect directly to 9-1-1;

Whereas the growth and variety of means of communication, including mobile and Internet Protocol-based systems, impose challenges for accessing 9-1-1 and implementing an enhanced 9-1-1 system and require increased education and awareness about the capabilities of different means of communication;

Whereas the ability to communicate through voice, text, data, and video conferencing provides an opportunity for the Nation's 9-1-1 system to adopt next generation applications and services, greatly enhancing the capabilities of 9-1-1 services;

Whereas numerous other ''N-1-1'' and 800 number services exist for non-emergency situations, including 2-1-1, 3-1-1, 5-1-1, 7-1-1, 8-1-1, poison control centers, and mental health hotlines, and the public needs to be educated about when to use such services in addition to, or instead of, 9-1-1;

Whereas international visitors and immigrants make up an increasing percentage of the population of the United States each year, and visitors and immigrants may have limited knowledge of our emergency calling system;

Whereas people of all ages use 9-1-1 and it is critical to educate people on the proper use of 9-1-1;

Whereas senior citizens are at high risk for needing to call 9-1-1 and many senior citizens are learning to use new technology;

Whereas thousands of 9-1-1 calls are made each year by children who are properly trained in the use of 9-1-1, which saves lives and underscores the critical importance of training children about 9-1-1 early in life;

Whereas the 9-1-1 system is often misused, such as through the placement of prank and non-emergency calls;

Whereas misuse of the 9-1-1 system results in costly and inefficient use of 9-1-1 and emergency response resources, and such misuse needs to be reduced;

Whereas parents, teachers, and caregivers must be educated about 9-1-1 in order to play an active role in 9-1-1 education for children;

Whereas there are many avenues for 9-1-1 public education, including safety fairs, school presentations, libraries, churches, businesses, public safety answering point tours or open houses, civic organizations, and senior citizen centers;

Whereas parents, teachers, and the National Parent Teacher Association contribute significantly to the goal of educating children about the importance of 9-1-1 through targeted outreach efforts to public and private schools;

Whereas the United States should strive to host at least 1 annual educational event regarding the proper use of 9-1-1 in every school in the Nation;

Whereas the people of the United States deserve the best education regarding the use of 9-1-1; and

Whereas programs to promote proper use of 9-1-1 during ''National 9-1-1 Education Month'' may include—

(1) public awareness events, such as conferences and media outreach;

(2) training activities for businesses, parents, teachers, school administrators, and other caregivers;

(3) educational events in schools and other appropriate venues; and

(4) production and distribution of information about the 9-1-1 system, designed to educate people of all ages on the importance and proper use of 9-1-1: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2011 as ''National 9-1-1 Education Month''; and

(2) urges Government officials, parents, teachers, school administrators, caregivers, businesses, nonprofit organizations, and the people of the United States to observe ''National 9-1-1 Education Month'' with appropriate ceremonies, training events, and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 268. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 269. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 270. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 271. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 272. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 273. Mr. COBURN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 274. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 275. Ms. SNOWE (for herself, Mr. THUNE, Mr. RUBIO, Mr. MORAN, Mr. BROWN of Massachusetts, Mr. ENZI, and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 276. Mr. PAUL proposed an amendment to the bill S. 493, supra.

SA 277. Ms. STABENOW (for herself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 268. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 7 and 8 and insert the following:

(ee) owned and controlled by service-disabled veterans, veterans recently separated, discharged, or released from service in the

Armed Forces, or members of a reserve component of the Armed Forces;

SA 269. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. 8(a) PROGRAM.

(a) AMENDMENT TO DEFINITION OF INDIAN TRIBE.—Section 8(a)(13) of the Small Business Act (15 U.S.C. 637(a)(13)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(2) by striking ''the term 'Indian tribe' means'' and inserting the following: ''the term 'Indian tribe'—

''(A) means'';

(3) by striking '', including any Alaska Native village or regional or village corporation (within the meaning of the Alaska Native Claims Settlement Act)'';

(4) in subparagraph (A)(i), as so designated, by striking '', or'' and inserting ''; or'';

(5) by striking the period at the end and inserting ''; and''; and

(6) by adding at the end the following:

''(B) does not include an Alaska Native Corporation or Alaska Native Village.''.

(b) SOCIAL AND ECONOMIC DISADVANTAGE.—

(1) IN GENERAL.—Section 29(e) of the Alaska Native Claims Settlement Act (43 U.S.C. 1626(e)) is amended—

(A) in paragraph (1), by striking ''For all purposes of'' and inserting ''Except as provided in paragraph (5), for all purposes of'';

(B) in paragraph (2), by striking ''For all purposes of'' and inserting ''Except as provided in paragraph (5), for all purposes of''; and

(C) by adding at the end the following:

''(5) For purposes of sections 7(j)(10) and 8(a) of the Small Business Act (15 U.S.C. 636(j)(10) and 637(a)), whether a Native Corporation or Native village or a direct and indirect subsidiary corporation, joint venture, or partnership of a Native Corporation or Native village is socially or economically disadvantaged shall be determined in accordance with paragraph (5) or (6), respectively, of section 8(a) of the Small Business Act.''.

(2) STANDARDS.—Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) in subclause (II), by striking ''or'' at the end; and

(bb) by adding at the end the following:

''(IV) a socially and economically disadvantaged Alaska Native Corporation or Alaska Native Village, or''; and

(II) in clause (ii)—

(aa) in subclause (II), by striking ''or'' at the end;

(bb) in subclause (III), by striking the period at the end and inserting '', or''; and

(cc) by adding at the end the following:

''(IV) a socially and economically disadvantaged Alaska Native Corporation or Alaska Native Village.'';

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''or'' at the end;

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

(III) by adding at the end the following:

''(iv) members of a socially and economically disadvantaged Alaska Native Corporation or Alaska Native Village described in subparagraph (A)(i)(IV) or subparagraph (A)(ii)(IV).''; and

(iii) by adding at the end the following:

''(D) The Administrator may not waive the requirement under this paragraph that the management and daily business operations of a business concern participating in the program under this subsection are controlled by one or more socially and economically disadvantaged individuals for a business concern owned by an Alaska Native Corporation or Alaska Native Village.'';

(B) in paragraph (5)—

(i) by inserting ''(A)'' after ''(5)''; and

(ii) by adding at the end the following:

''(B) For purposes of this subsection and section 7(j)(10), the Administrator shall determine whether an Alaska Native Corporation or Alaska Native Village is, as an entity, socially disadvantaged in accordance with the factors described in subparagraph (A).''; and

(C) in paragraph (6), by adding at the end the following:

''(F) For purposes of this subsection and section 7(j)(10), the Administrator shall annually determine whether an Alaska Native Corporation or Alaska Native Village is economically disadvantaged in the same manner as for an applicant for or participant in the program under this subsection that is a Native Hawaiian organization.''.

(c) AFFILIATION.—Section 7(j)(10)(J)(ii)(II) of the Small Business Act (15 U.S.C. 636(j)(10)(J)(ii)(II)) is amended by inserting '', as defined in section 8(a)(13)'' after ''Indian tribe''.

(d) SOLE SOURCE CONTRACTING DOLLAR LIMITS.—

(1) COMPETITIVE THRESHOLDS.—Not later than 270 days after the date of enactment of this Act, the Administrator shall amend the regulations issued under sections 7(j)(10) and 8(a) of the Small Business Act (15 U.S.C. 636(j)(10) and 637(a)) in accordance with this section and the amendments made by this section to apply to small business concerns owned by an Alaska Native Corporation or Alaska Native Village the competitive thresholds for awarding sole source contracts under section 8(a)(1)(D) of the Small Business Act (15 U.S.C. 637(a)(1)(D)) that are applicable to small business concerns that are owned by a socially and economically disadvantaged individual.

(2) MAXIMUM TOTAL DOLLAR AMOUNT.—Section 8(a)(1)(D) of the Small Business Act (15 U.S.C. 637(a)(1)(D)) is amended by adding at the end the following:

''(iii) For purposes of eligibility for the award of a contract on the basis of restricted competition under this subparagraph, the Administrator may not establish a maximum total dollar amount of such awards during the period of Program Participation for participants that are owned by an Alaska Native Corporation or Alaska Native Village that is different from the amount for Program Participants that are owned by a socially and economically disadvantaged individual.''.

(e) ONE TIME ELIGIBILITY.—Section 7(j)(11)(B)(iii) of the Small Business Act (15 U.S.C. 636(j)(11)(B)(iii)) is amended in the matter preceding subclause (I) by inserting ''(as defined in section 8(a)(13))'' after ''Indian tribe''.

(f) GRADUATION.—

(1) IN GENERAL.—Section 7(j)(15) of the Small Business Act (15 U.S.C. 636(j)(15)) is amended—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) by inserting ''(A)'' after ''(15)''; and

(C) by adding at the end the following:

''(B) The Administrator may not extend or waive the time limitations under this paragraph for a business concern owned by an Alaska Native Corporation or Alaska Native Village.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(A) in section 7(j) (15 U.S.C. 636(j))—

(i) in paragraph (10)(E)(ii), by striking ''paragraph (15)'' and inserting ''paragraph (15)(A)''; and

(ii) in paragraph (11)(D), by striking ''paragraph (15)'' and inserting ''paragraph (15)(A)''; and

(B) in section 8(a)(1)(C) (15 U.S.C. 637(a)(1)(C)), in the matter preceding clause (i), by striking ''section 7(j)(15)'' and inserting ''section 7(j)(15)(A)''.

(g) REPORTING.—Section 8(a)(6)(B) of the Small Business Act (15 U.S.C. 637(a)(6)(B)) is amended—

(1) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively;

(2) by inserting ''(i)'' after ''(B)''; and

(3) by adding at the end the following:

''(ii) The annual report submitted under clause (i) by a Program Participant that is an Alaska Native Corporation or Alaska Native Village shall include, for the period addressed by the report—

''(I) the total revenue of the Alaska Native Corporation or Alaska Native Village;

''(II) the revenue of the Alaska Native Corporation or Alaska Native Village attributable to the participation of the Alaska Native Corporation or Alaska Native Village in the program under this subsection; and

''(III) the total amount of benefits paid to shareholders of the Alaska Native Corporation or Alaska Native Village.''.

(h) REGULATIONS.—Not later than 270 days after the date of enactment of this Act, the Administrator shall amend the regulations issued under sections 7(j)(10) and 8(a) of the Small Business Act (15 U.S.C. 636(j)(10) and 637(a)) in accordance with this section and the amendments made by this section, which shall include—

(1) establishing criteria for determining whether an Alaska Native Corporation or Alaska Native Village is, as a group, socially disadvantaged, in accordance with the factors described in section 8(a)(5)(A) of the Small Business Act, as so designated by this section;

(2) establishing criteria for determining whether an Alaska Native Corporation, Alaska Native Village, or Native Hawaiian Organization is economically disadvantaged;

(3) repealing the provision that excludes certain affiliates of an Alaska Native Corporation or Alaska Native Village in determining whether a business is a small business concern;

(4) repealing the waiver for Alaska Native Corporations and Alaska Native Villages of the requirement that the management and daily business operations of a business concern participating in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) are controlled by one or more socially and economically disadvantaged individuals;

(5) applying to small business concerns owned by an Alaska Native Corporation or Alaska Native Village the limitation on eligibility for a sole source award under section 8(a)(1)(D) of the Small Business Act (15 U.S.C. 637(a)(1)(D)) based on the maximum total amount of competitive and sole source awards under such section 8(a) that are applicable to small business concerns that are owned by a socially and economically disadvantaged individual;

(6) prohibiting a single Alaska Native Corporation or Alaska Native Village from conferring eligibility to participate in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) on more than 1 small business concern at any one time; and

(7) applying to small business concerns owned by an Alaska Native Corporation or

Alaska Native Village the limitation on ownership of other firms participating in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) that is applicable to small business concerns that are owned by a socially and economically disadvantaged individual.

(i) DEFINITIONS.—In this section—

(1) the terms ''Alaska Native Corporation'' and ''Alaska Native Village'' have the meanings given those terms in section 3(p)(6) of the Small Business Act (15 U.S.C. 632(p)(6)); and

(2) the term ''Native Hawaiian Organization'' has the meaning given that term in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

SA 270. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. TEAMING ARRANGEMENTS AND AGENCY CONTRACTING GOALS.

Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended by adding at the end the following:

''(3) TEAMING ARRANGEMENTS AND AGENCY CONTRACTING GOALS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'covered small business concern' means—

''(I) a small business concern owned and controlled by service-disabled veterans;

''(II) a small business concern owned and controlled by socially and economically disadvantaged individuals, as defined in section 8(d)(3)(C);

''(III) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D); or

''(IV) a qualified HUBZone small business concern; and

''(ii) the term 'teaming arrangement entity' means a prime contractor under a contractor team arrangement, as defined in section 9.601 of the Federal Acquisition Regulation, as in effect on October 1, 2009.

''(B) CONTRACTING GOALS.—If a covered small business concern performs the obligations of a teaming arrangement entity under a contract between the teaming arrangement entity and a Federal agency, the head of the Federal agency may deem the contract to be a contract awarded to the covered small business concern for purposes of determining whether the Federal agency has met the goals established by the head of the Federal agency under paragraph (2).''.

SA 271. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. IDENTIFICATION OF QUALIFIED CENSUS TRACTS BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

(a) DESIGNATION OF QUALIFIED CENSUS TRACTS.—Not later than 2 weeks after the date on which the Secretary of Housing and Urban Development receives from the Census Bureau the data obtained from each decennial census relating to census tracts, the Secretary of Housing and Urban Development shall identify census tracts that meet the requirements of section 42(d)(5)(B)(ii) of the Internal Revenue Code of 1986 (determined without regard to Secretarial designation) and shall deem such census tracts to be qualified census tracts (as defined in such section) solely for purposes of determining which areas qualify as HUBZones under section 3(p)(1)(A) of the Small Business Act (15 U.S.C. 632(p)(1)(A)).

(b) DETERMINATION BY ADMINISTRATOR.—Not later than 3 months after the date on which the Secretary of Housing and Urban Development identifies qualified census tracts under subsection (a), the Administrator shall determine which areas qualify as HUBZones under section 3(p)(1)(A) of the Small Business Act (15 U.S.C. 632(p)(1)(A)).

(c) APPLICATIONS FOR CERTIFICATION AS QUALIFIED HUBZONE SMALL BUSINESS CONCERN.—

(1) APPLICATION.—During a period beginning on a date on which the Secretary of Housing and Urban Development identifies qualified census tracts under subsection (a) and ending on the date the Administrator determines which areas qualify as HUBZones, a small business concern located in an area identified as a qualified census tract under subsection (a) may submit to the Administrator an application for certification as a qualified HUBZone small business concern.

(2) CERTIFICATION.—The Administrator may not certify a small business concern that submits an application under paragraph (1) as a qualified HUBZone small business concern before the date on which the Administrator determines which areas qualify as HUBZones.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the date on which a census tract is designated as a qualified census tract for purposes of section 42 of the Internal Revenue Code of 1986.

SA 272. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, line 16, strike ''and''.

On page 49, between lines 18 and 19, insert the following:

(C) in subparagraph (C), by striking ''and'' at the end;

(D) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(E) developing and manufacturing in the United States new commercial products and processes resulting from such projects.'';

On page 78, line 2, strike ''or''.

On page 78, line 4, strike ''and'' and insert ''or''.

On page 78, between lines 4 and 5, insert the following:

''(viii)(I) has a product, process, technology, or service that received funding under the SBIR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

''(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States; and

On page 80, line 5, strike ''or''.

On page 80, line 15, strike ''and'' and insert ''or''.

On page 80, between lines 15 and 16, insert the following:

''(viii)(I) has a product, process, technology, or service that received funding under the STTR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

''(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States; and

On page 81, line 24, strike ''or''.

On page 82, strike line 5 and insert the following:

(20 U.S.C. 1001); or

''(vi)(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

''(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States.''.

On page 83, line 15, strike ''and''.

On page 83, strike line 22 and insert the following:

program; and

''(ix) whether the small business concern—

''(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of a Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

''(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States;'';

On page 90, line 10, strike ''and''.

On page 90, strike line 13 and insert the following:

STTR program of the agency; and

''(D) estimate, to the extent practicable, the amount of production and manufacturing in the United States that resulted from awards under the SBIR program or STTR program of the agency; and

''(E) make recommendations, if any, for changes to the SBIR program or STTR program of the agency that would increase production and manufacturing in the United States.

On page 91, line 20, strike ''and'' at the end.

On page 91, strike line 22 and insert the following:

award; and

''(4) whether the small business concern or individual receiving the Phase III award is developing, testing, producing, or manufacturing the product or service that is the subject of the Phase III award in the United States.''.

On page 105, line 2, strike ''and''.

On page 105, between lines 6 and 7, insert the following:

(C) ways for Federal agencies to create incentives for recipients of awards under the SBIR program and the STTR program to carry out research, development, testing, production, and manufacturing in the United States; and

On page 115, line 8, insert after ''programs'' the following: '', including the impact on production and manufacturing in the United States''.

At the end, add the following:

SEC. 504. REQUIREMENT TO PERFORM RESEARCH AND RESEARCH AND DEVELOPMENT WORK IN THE UNITED STATES.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

''(nn) REQUIREMENT TO PERFORM RESEARCH AND RESEARCH AND DEVELOPMENT WORK IN THE UNITED STATES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a small business concern that receives a Phase I or Phase II award under an SBIR program or STTR program (including an award under a pilot program under subsection (ff)) shall perform or obtain the research or research and development work required under the award in the United States.

''(2) EXCEPTION.—A Federal agency that makes an award under the SBIR program or STTR program may approve a specific portion of research or research and development work under the award to be performed or obtained outside the United States if—

''(A) a rare or unique circumstance, including a supply, material, or other item that is not available in the United States, requires the portion of the work to be performed or obtained outside the United States; and

''(B) the Federal agency makes the approval in writing.''.

SA 273. Mr. COBURN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC.____. CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.

Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant department and agencies to—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled ''Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue'' (GAO–11–318SP) and apply the savings towards deficit reduction;

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled ''Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue'' (GAO–11–318SP);

(3) determine the total cost savings that shall result to each agency, office, and department from the actions described in subsection (1); and

(4) rescind from the appropriate accounts the amount greater of—

(A) $5,000,000,000; or

(B) the total amount of cost savings estimated by paragraph (3).

SA 274. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STIR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC.____. TERMINATING LEFTOVER CONGRESSIONAL EARMARK ACCOUNTS.

(a) IN GENERAL.—Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated after Fiscal Year 2010.

(b) DEFINITION.—For purposes of this section, the term ''earmark'' means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV.

(c) REDUCTION REQUIRED.—Any funds appropriated in fiscal year 2011 to any program shall be reduced by the total amount of congressional earmarks or congressionally directed spending items contained within a committee report or joint explanatory statement accompanying such an Act that provided appropriations to the program in fiscal year 2010.

(d) RESCISSION.—The amounts reduced by subsection (c) are rescinded and returned to the Treasury for the purpose of deficit reduction.

(e) PRIOR LAW.—Subsections (c) and (d) shall not apply to any programs or accounts that were reduced in the same manner by Public Law 112–4 or any other bill that takes effect prior to date of enactment of this Act.

SA 275. Ms. SNOWE (for herself, Mr. THUNE, Mr. RUBIO, Mr. MORAN, Mr. BROWN of Massachusetts, Mr. ENZI, and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. USE OF STIMULUS FUNDS TO OFFSET.

Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116), $150,000,000 is rescinded on a pro rata basis, by account, from unobligated amounts appropriated or made available under division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116) (other than under title X of division A of such Act) in order to offset the cost under this Act, and the amendments made by this Act, relating to the SBIR program or the STTR program. The Director of the Office of Management and Budget shall report to each congressional committee the amounts rescinded under this subsection within the jurisdiction of such committee.

SA 276. Mr. PAUL proposed an amendment to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the appropriate place, insert the following:

It is the sense of the Senate, that ''The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation''.

SA 277. Ms. STABENOW (for herself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

SEC. 504. SUSPENSION OF STATIONARY SOURCE GREENHOUSE GAS REGULATIONS.

(a) DEFINED TERM.—In this section, the term ''greenhouse gas'' means—

(1) water vapor;

(2) carbon dioxide;

(3) methane;

(4) nitrous oxide;

(5) sulfur hexafluoride;

(6) hydrofluorocarbons;

(7) perfluorocarbons; and

(8) any other substance subject to, or proposed to be subject to, any regulation, action, or consideration under the Clean Air Act (42 U.S.C. 7401 et seq.) to address climate change.

(b) IN GENERAL.—Except as provided in subsection (d), and notwithstanding any provision of the Clean Air Act (42 U.S.C. 7401 et seq.), any requirement, restriction, or limitation under such Act relating to a greenhouse gas that is designed to address climate change, including any permitting requirement or requirement under section 111 of such Act (42 U.S.C. 7411), for any source other than a new motor vehicle or a new motor vehicle engine (as described in section 202(a) of such Act (42 U.S.C. 7521(a)), shall not be legally effective during the 2-year period beginning on the date of the enactment of this Act.

(c) TREATMENT.—Notwithstanding any other provision of law, any action by the Administrator of the Environmental Protection Agency before the end of the 2-year period described in subsection (b) that causes greenhouse gases to be pollutants subject to regulation under the Clean Air Act (42 U.S.C. 7401 et seq.), except for purposes other than addressing climate change, shall not be legally effective with respect to any source other than a new motor vehicle or a new motor vehicle engine (as described in section 202 of such Act).

(d) EXCEPTIONS.—Subsections (b) and (c) shall not apply to—

(1) the implementation and enforcement of the rule entitled ''Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards'' (75 Fed. Reg. 25324 (May 7, 2010) and without further revision);

(2) the finalization, implementation, enforcement, and revision of the proposed rule entitled ''Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles'' published at 75 Fed. Reg. 74152 (November 30, 2010);

(3) any action relating to the preparation of a report or the enforcement of a reporting requirement; or

(4) any action relating to the provision of technical support at the request of a State.

SEC. 505. GREENHOUSE GAS EMISSIONS FROM AGRICULTURAL SOURCES.

In calculating the emissions or potential emissions of a source or facility, emissions of greenhouse gases that are subject to regulation under title III of the Clean Air Act (42 U.S.C. 7601 et seq.) solely on the basis of the effect of the gases on global climate change shall be excluded if the emissions are from—

(1) changes in land use;

(2) the growing of commodities, biomass, fruits, vegetables, or other crops;

(3) the raising of stock, dairy, poultry, or fur-bearing animals; or

(4) farms, forests, plantations, ranches, nurseries, ranges, orchards, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities.

SEC. 506. EXTENSION OF THE ADVANCED ENERGY PROJECT CREDIT.

(a) IN GENERAL.—Subsection (d) of section 48C of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) ADDITIONAL 2011 ALLOCATIONS.—

''(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this paragraph, the Secretary, in consultation with the Secretary of Energy, shall establish a program to consider and award certifications for qualified investments eligible for credits under this section to qualifying advanced energy project sponsors with respect to applications received on or after the date of the enactment of this paragraph.

''(B) LIMITATION.—The total amount of credits that may be allocated under the program described in subparagraph (A) shall not

exceed the 2011 allocation amount reduced by so much of the 2011 allocation amount as is taken into account as an increase in the limitation described in paragraph (1)(B).

''(C) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (2), (3), (4), and (5) shall apply for purposes of the program described in subparagraph (A), except that—

''(i) CERTIFICATION.—Applicants shall have 2 years from the date that the Secretary establishes such program to submit applications.

''(ii) SELECTION CRITERIA.—For purposes of paragraph (3)(B)(i), the term 'domestic job creation (both direct and indirect)' means the creation of direct jobs in the United States producing the property manufactured at the manufacturing facility described under subsection (c)(1)(A)(i), and the creation of indirect jobs in the manufacturing supply chain for such property in the United States.

''(iii) REVIEW AND REDISTRIBUTION.—The Secretary shall conduct a separate review and redistribution under paragraph (5) with respect to such program not later than 4 years after the date of the enactment of this paragraph.

''(D) 2011 ALLOCATION AMOUNT.—For purposes of this subsection, the term '2011 allocation amount' means $5,000,000,000.

''(E) DIRECT PAYMENTS.—In lieu of any qualifying advanced energy project credit which would otherwise be determined under this section with respect to an allocation to a taxpayer under this paragraph, the Secretary shall, upon the election of the taxpayer, make a grant to the taxpayer in the amount of such credit as so determined. Rules similar to the rules of section 50 shall apply with respect to any grant made under this subparagraph.''.

(b) PORTION OF 2011 ALLOCATION ALLOCATED TOWARD PENDING APPLICATIONS UNDER ORIGINAL PROGRAM.—Subparagraph (B) of section 48C(d)(1) of such Code is amended by inserting ''(increased by so much of the 2011 allocation amount (not in excess of $1,500,000,000) as the Secretary determines necessary to make allocations to qualified investments with respect to which qualifying applications were submitted before the date of the enactment of paragraph (6))'' after ''$2,300,000,000''.

(c) CONFORMING AMENDMENT.—Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ''48C(d)(6)(E),'' after ''36C,''.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 7, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct an oversight hearing entitled ''Promise Fulfilled: The Role of the SBA 8(a) Program in Enhancing Economic Development in Indian Country.''

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on March 30, 2011, at 10:30 p.m. in SR 328A.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 30, 2011, at 10 a.m. in Dirksen 406.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 30, 2011, at 10 a.m. in 215 Dirksen Senate Office Building, to conduct a hearing entitled ''How Do Complexity, Uncertainty and Other Factors Impact Responses to Tax Incentives?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. 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 March 30, 2011, at 10 a.m. to conduct a hearing entitled ''Ten Years After 9/11: A Report From the 9/11 Commission Chairmen.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. 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 March 30, 2011, at 2:30 p.m. to conduct a hearing entitled ''Securing the Border: Building on the Progress Made.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 30, 2011, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Federal Bureau of Investigation.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 30, 2011, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 30, 2011. The Committee will meet in room SD–106 in the Dirksen Senate Office Building beginning at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate on March 30, 2011, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on March 30, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY, AND SECURITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 30, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIRTHDAY WISHES

Mr. REID. Mr. President, happy birthday.

The PRESIDING OFFICER. Thank you.

CONGRATULATING THE PENNSYLVANIA STATE UNIVERSITY IFC/PANHELLENIC DANCE MARATHON

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 112, and the Senate now proceed to its 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. 112) congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (''THON'') on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be

agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 112) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 112

Whereas the Pennsylvania State IFC/Panhellenic Dance Marathon (referred to in this preamble as ''THON'') is the largest student-run philanthropy in the world, with 700 dancers, more than 300 supporting organizations, and more than 15,000 volunteers involved in the annual event;

Whereas student volunteers at the Pennsylvania State University annually collect money and dance for 46 hours straight at the Bryce Jordan Center for THON, bringing energy and excitement to campus for a mission to conquer cancer and awareness about the disease to thousands of individuals;

Whereas all THON activities support the mission of the Four Diamonds Fund at Penn State Hershey Children's Hospital, which provides financial and emotional support to pediatric cancer patients and their families and funds cancer research;

Whereas each year, THON is the single largest donor to the Four Diamonds Fund at Penn State Hershey Children's Hospital, having raised more than $69,000,000 since 1977, when the 2 organizations first became affiliated;

Whereas in 2011, THON set a new fundraising record of $9,563,016.09, besting the previous record of $7,838,054.36, which was set in 2010;

Whereas THON has helped more than 2,000 families through the Four Diamonds Fund, is currently helping to build a new Pediatric Cancer Pavilion at Penn State Hershey Children's Hospital, and has helped support pediatric cancer research that has caused some pediatric cancer survival rates to increase to nearly 90 percent; and

Whereas THON has inspired similar events and organizations across the United States, including at high schools and institutions of higher education, and continues to encourage students across the United States to volunteer and stay involved in great charitable causes in their community: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pennsylvania State University IFC/Panhellenic Dance Marathon (''THON'') on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; and

(2) commends the Pennsylvania State University students, volunteers, and supporting organizations for their hard work putting together another recordbreaking THON.

NATIONAL 9-1-1 EDUCATION MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 118.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 118) designating April 2011 as ''National 9-1-1 Education Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 118) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 118

Whereas 9-1-1 is nationally recognized as the number to call in an emergency to receive immediate help from police, fire, emergency medical services, or other appropriate emergency response entities;

Whereas in 1967, the President's Commission on Law Enforcement and Administration of Justice recommended that ''a single number should be established'' nationwide for reporting emergency situations, and other Federal Government agencies and various governmental officials also supported and encouraged the recommendation;

Whereas in 1968 the American Telephone and Telegraph Company (AT&T) announced that it would establish the digits 9-1-1 as the emergency code throughout the United States;

Whereas 9-1-1 was designated by Congress as the national emergency call number under the Wireless Communications and Public Safety Act of 1999 (Public Law 106-81);

Whereas section 102 of the ENHANCE 911 Act of 2004 (47 U.S.C. 942 note) declared an enhanced 9-1-1 system to be ''a high national priority'' and part of ''our Nation's homeland security and public safety'';

Whereas it is important that policy makers at all levels of government understand the importance of 9-1-1, how the system works today, and the steps that are needed to modernize the 9-1-1 system;

Whereas the 9-1-1 system is the connection between the public and the emergency response system in the United States and is often the first place emergencies of all magnitudes are reported, making 9-1-1 a significant homeland security asset;

Whereas more than 6,000 9-1-1 public safety answering points serve more than 3,000 counties and parishes throughout the United States;

Whereas dispatchers at public safety answering points answer more than 200,000,000 9-1-1 calls each year in the United States;

Whereas a growing number of 9-1-1 calls are made using wireless and Internet Protocol-based communications services;

Whereas a growing segment of the population, including the deaf, hard of hearing, deaf-blind, and individuals with speech disabilities are increasingly communicating with nontraditional text, video, and instant messaging communications services and expect those services to be able to connect directly to 9-1-1;

Whereas the growth and variety of means of communication, including mobile and Internet Protocol-based systems, impose challenges for accessing 9-1-1 and implementing an enhanced 9-1-1 system and require increased education and awareness about the capabilities of different means of communication;

Whereas the ability to communicate through voice, text, data, and video conferencing provides an opportunity for the Nation's 9-1-1 system to adopt next generation applications and services, greatly enhancing the capabilities of 9-1-1 services;

Whereas numerous other ''N-1-1'' and 800 number services exist for non-emergency situations, including 2-1-1, 3-1-1, 5-1-1, 7-1-1, 8-1-1, poison control centers, and mental health hotlines, and the public needs to be educated about when to use such services in addition to, or instead of, 9-1-1;

Whereas international visitors and immigrants make up an increasing percentage of the population of the United States each year, and visitors and immigrants may have limited knowledge of our emergency calling system;

Whereas people of all ages use 9-1-1 and it is critical to educate people on the proper use of 9-1-1;

Whereas senior citizens are at high risk for needing to call 9-1-1 and many senior citizens are learning to use new technology;

Whereas thousands of 9-1-1 calls are made each year by children who are properly trained in the use of 9-1-1, which saves lives and underscores the critical importance of training children about 9-1-1 early in life;

Whereas the 9-1-1 system is often misused, such as through the placement of prank and non-emergency calls;

Whereas misuse of the 9-1-1 system results in costly and inefficient use of 9-1-1 and emergency response resources, and such misuse needs to be reduced;

Whereas parents, teachers, and caregivers must be educated about 9-1-1 in order to play an active role in 9-1-1 education for children;

Whereas there are many avenues for 9-1-1 public education, including safety fairs, school presentations, libraries, churches, businesses, public safety answering point tours or open houses, civic organizations, and senior citizen centers;

Whereas parents, teachers, and the National Parent Teacher Association contribute significantly to the goal of educating children about the importance of 9-1-1 through targeted outreach efforts to public and private schools;

Whereas the United States should strive to host at least 1 annual educational event regarding the proper use of 9-1-1 in every school in the Nation;

Whereas the people of the United States deserve the best education regarding the use of 9-1-1; and

Whereas programs to promote proper use of 9-1-1 during ''National 9-1-1 Education Month'' may include—

(1) public awareness events, such as conferences and media outreach;

(2) training activities for businesses, parents, teachers, school administrators, and other caregivers;

(3) educational events in schools and other appropriate venues; and

(4) production and distribution of information about the 9-1-1 system, designed to educate people of all ages on the importance and proper use of 9-1-1: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2011 as ''National 9-1-1 Education Month''; and

(2) urges Government officials, parents, teachers, school administrators, caregivers, businesses, nonprofit organizations, and the people of the United States to observe ''National 9-1-1 Education Month'' with appropriate ceremonies, training events, and activities.

ORDERS FOR THURSDAY, MARCH 31, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday,

March 31; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, I apologize to everyone, including the Presiding Officer, for having to wait, but there was an important meeting with a number of Senators going on in the Vice President's office, and I had to have those Senators there before I could determine that we were not to do anything more tonight. So I apologize to everyone for the downtime.

Mr. President, we are working to reach an agreement regarding amendments to the small business jobs bill. Senators will be notified when votes are scheduled. I spoke to Senator MCCONNELL earlier today. We know we have some problems to work through, and we will continue to try to do that tomorrow.

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 7:43 p.m., adjourned until Thursday, March 31, 2011, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

HENRY S. ENSHER, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA.

KENNETH J. FAIRFAX, OF KENTUCKY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KAZAKHSTAN.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DEEPA GUPTA, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016. (NEW POSITION)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

TRAVIS R. ADAMS
MATTHEW D. ALBRIGHT
LISA M. BADER
KENNETH J. BARON
CHRISTIE L. BARTON
BRETT L. BISHOP
JULIE A. BLAKEMAN
BRIAN G. BLALOCK
SAMANTHA E. BLANCHARD
JOHN C. BOWERS, JR.
MATT J. COWAN
CHRISTOPHER M. CUTLER
ROBERT M. ENINGER
VINCENT D. FALLS
MICHAEL J. FEA
FRANK M. FISCHER
CELENE A. FYFFE
TIMOTHY A. GAMEROS
NISARA SUTHUN GRANADO
JULIE V. GUILL
MICHAEL R. HOBSON
FREEMAN HOLIFIELD, JR.
ANGELA M. HUDSON
BRIDGET M. JACKSONOAKLEY
ANTHONY J. JARECKE
RODNEY M. JORSTAD
GLENN L. LAIRD
JASON J. LENNEN
MICHELLE R. LOPER
DANIEL J. LOVELESS
ALICIA A. MATTESON
SHANNON S. MCDONALD
TROY E. MCGILL
DEANNA S. MEDINA
ROBIN E. MITCHELL
HEATHER A. NELSON
RENA A. NICHOLAS
PAMELA L. NOVY
ROBERT K. POHL, JR.
PATRICK A. POHLE
MARK A. POMERINKE
DAVID L. PUGH
GERARDO RAMOS
STANLEY M. SEARCY
JESSICA R. SPITLER
BERNADETTE M. STEELE
DAVID A. TORRES
WENDY J. TRAVIS
ROBERT J. VANECEK
DAVID G. WATSON
KEITH R. WILSON
ILAINA M. WINGLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

FREDERICK C. ABAN
MICHAEL B. AKINS
JENNIFER L. BAKER
SARAH B. BAKER
REN E. BEDELL
RICARDO M. BENAVIDES
BRIAN R. BLANCHARD
LETICIA BLAND
BRYAN W. BOVITZ
JENNIFER L. BRADLEY
MAJELLA G. BROWN
RYAN L. BUHITE
MICHAEL P. CALNICEAN
ALICIA M. CAPPS
MICHAEL J. CERANOWSKI
KERRY L. CIOLEK
WILLIAM P. CLARKSON II
MATTHEW A. CLUGSTON
CHERYL L. CONAT
MARY J. CRUMLEY
PATRICK A. CUTTER
JARED H. DAHLE
LUANNE DANES
RYAN C. DANLEY
TIMOTHY J. DAVIS
MONA DIONISIONELSON
ALFRED E. DOBY III
CHRISTINA V. ENCINA
EMILY F. ESCHBACHER
KEVIN R. FISCHER
KENDRA S. FLETCHER
TRINETTE FLOWERSTORRES
JOEL T. FOSTER
JONATHAN D. FRANK
SAUL J. FREEDMAN
MARCUS T. GRANT
ERIC A. GREEN
SARAH K. GREEN
JOSHUA M. HANEY
JAMES E. HAY
GRETCHEN L. HAYWOOD
THOMAS J. HEIER
CHUCK HENDERSON
KIMBERLY M. HIGHLAND
DOREEN M. HINSZ
CRAIG A. HOLDER
MICHAEL W. HORENZIAK
PHILLIP M. HOWELL
LISA M. HOYT
DAVID R. JARNOT
JENNIFER N. JOHNSON
KATHRYN E. KANZLER
VICTORIA M. KEITH
JUDY C. KELLY
TODD J. KUHNWALD
AARON W. LAMBERT
DONNA M. LAULO
WON HEE T. LEE
RHIANNON MARIE LEUTNER
TAK L. LI
TODD A. LIGMAN
GLENN M. LITTLE, JR.
LANCE M. MABRY
KYLIE C. MACLELLAN
ISAIAH D. MANIGAULT
TRACY L. MARKLE
SCOTT C. MARTIN
EMILY M. MAYFIELD
JULIE M. MEEK
JESSICA M. MELCHIOR
DANIEL B. MICHEL
JEREMY M. MINITER
SIDDIG A. MIRGHANI
LISA J. MULL
ANTHONY V. MURPHY
BRIANNE D. NEWMAN
ROBERT V. NIEWOONDER
JOAQUIN C. OROZCO
KRIS A. OSTROWSKI
CHRISTINA PEACE
ALEJANDRO RAMOS
RICHARD V. RAY
JASON RAY ROGERS
JEFFREY RAYMOND M. SABIDO
SHARON SAMAYOA
STEVEN J. SAMSON
MICHAEL T. SAPP
ERNEST L. SCOTT
ISSAM SEBAIHI
CHARNELL E. SMITH
EDWARD L. SMITH
SHAUNA G. SPERRY
NICOLE L. STEINERPAPPALARDO
CARLA A. STEPHANYCOX
MARC P. SYLVANDER
APRIL J. TAYLOR
SAMUEL B. TOBLER
ETHEL D. TOMASI
ROBERT E. TONER III
THO N. TRAN
JOSEPH M. UZPEN
ANDREW J. WAGNER
JEFFREY D. WALKER
WESLEY W. WALKER
EDWARD B. WALTERS
DAVID A. WELCH
DORIAN R. WILLIAMS
HEATH S. WOOCKMAN
CATHERINE L. WYNN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JAY O. AANRUD
JAMES M. ABATTI
DEREK A. ABEYTA
EDWARD T. ACKERMAN
TODD E. ACKERMAN
CLOYCE J. ADAMS
MICHAEL E. ADDERLEY
CRAIG ALLTON
DAVID S. ANDRUS
SCOTT A. ARCURI
JASON R. ARMAGOST
RUSSELL L. ARMSTRONG
CHARLES F. ARNOLD, JR.
JOSEPH ATKINS
ELISABETH S. AULD
DAVID E. BACOT
KENNETH W. BAILEY
PETER K. BAILEY
THOMAS E. BAILEY
JOHN P. BAKER
WARREN P. BARLOW
CHRISTOPHER C. BARNETT
PAUL K. BARNEY
GREG A. BARNHART
FRANK BATTISTELLI
BRIEN J. BAUDE
KRIS A. BAUMAN
EUGENE V. BECKER
KELI A. BEDICS
ROBERT L. BEHNKEN
CHERYL J. BEINEKE
ALMARAH K. BELK
JAMES BELL
LANE M. BENEFIELD
MIKE BENSON
PETER M. BILODEAU
ROBERT K. BLAGG
DANIEL E. BLAKE, JR.
FREDERICK H. BOEHM
BRIAN C. BOHANNON
DAVID B. BOSKO
GENTRY W. BOSWELL
JOEL D. BOSWELL
MARK E. BOWEN
KENNETH B. BOWLING
NANCY M. BOZZER
NOEL D. BRADFORD
MARK P. BRAISTED
MIKE M. BRANTLEY
ANDRE J. BRIERE
RAYMOND E. BRIGGS, JR.
ROBERT A. BRISSON
CHRISTOPHER D. BROOKS
CHARLES E. BROWN, JR.
JASON M. BROWN
MARK A. BROWN
DAVID W. BRUCE
ROBERT J. BRUST
HAROLD D. BUGADO
DAVID S. BUNZ
HEATHER L. BUONO
STEVEN C. BURGH
LLOYD A. BUZZELL
DAVID M. CADE
STEVEN E. CAHANIN
JOHN T. CAIRNEY
MICHAEL E. CALTA
SHAWN D. CAMERON
BRYAN H. CANNADY

HOUSTON R. CANTWELL
WILLIAM J. CARLE
MICHAEL E. CARTER
BRENDA P. CARTIER
BENJAMIN M. CASON
VINCENT R. CASSARA
GLENN S. CHADWICK
DAVID B. CHISENHALL, JR.
RAYMOND E. CHUVALA, JR.
ANTON W. CIHAK II
JOHN D. CLINE
DEAN A. CLOTHIER
JAMES R. CLUFF
TAMMY S. COBB
PAMELA D. COLEMAN
JEFFREY G. COMPTON
JOSEPH E. COOGAN
BARRY W. COOK
JOHN J. COOPER
TODD M. COPELAND
DOUGLAS S. COPPINGER
DAVID B. COX
ADRIANE B. CRAIG
JEFFREY E. CREHAN
KEVIN P. CULLEN
CASE A. CUNNINGHAM
SCOTT M. CURTIN
NORMAN W. CZUBAJ, JR.
MARK T. DALEY
WALTER C. DANIELS II
KAREN M. DARNELL
BENJIMAN W. DAVIS
HARRY A. DAVIS, JR.
JOSEPH C. DAVISSON
MICHAEL A. DAY
DOUGLAS C. DELAMATER
DAVID A. DELMONACO
MARCELINO E. DELROSARIO, JR.
JAVIER A. DELUCCA
RICHARD A. DENNERY
SEAN M. DEWITT
DAVID W. DIEHL
THOMAS W. DOBBS
PATRICK H. DONLEY
MARK J. DORIA
TODD A. DOZIER
ERNEST S. DRAKE
JAMES D. DRYJANSKI
BRIAN A. DUDAS
DOUGLAS S. DUDLEY
CHRISTOPHER G. DUFFY
MICHAEL B. DUFFY
JONATHAN M. DUNCAN
JOHN J. DUNKS
TROY E. DUNN
LIONEL F. EARL, JR.
MICHELE C. EDMONDSON
WILLIAM A. EGER III
ELIZABETH A. EIDAL
VIKKI L. ELLISON
GREGORY L. ENDRIS
ROBERT W. ERICKSON
STEVEN E. ERICKSON
TODD C. ERICSON
PHILIP C. EVERITTE
SHAWN C. FAIRHURST
ERIC V. FAISON
SCOTT R. FARRAR
SEAN M. FARRELL
VINCENT R. FISHER
ALBERT H. FITTS
MICHAEL T. FITZGERALD
MICHAEL R. FLORIO
RICHARD W. FOGG
SAROYA I. FOLLENDER
JAMES M. FORAND
PETER S. FORD
STEVEN E. FOSS
ROBERT J. FOURNIER
BRIAN A. FOX
SCOTT A. FOY
ANTHONY A. FRANZESE
JOHN A. FREY
DANIEL J. FRITZ
FREDERICK H. FROSTIC
TIMOTHY L. FULLER
JENNIFER M. FULLMER
CRAIG S. GADDIS
SEAN T. GALLAGHER
LUIS S. GALLEGOS
MARK A. GAUBERT
KEVIN J. GAUDETTE
JAMES M. GIFFORD, JR.
DANIEL M. GILLESPIE
CHRISTOPHER W. GILMORE
JOHN W. GLOYSTEIN III
JAMES D. GOLDEN
KRISTIN E. GOODWIN
DAVID B. GOSSETT
WILLIAM L. GOULD
THOMAS J. GOULTER, JR.
CARMEN S. GOYETTE
DAVID E. GRAFF
WILLIAM J. GRAY, JR.
ANDREW W. GREEN
JASON D. GREEN
BRIAN S. GREENROAD
STEVEN C. GREGG
BRENT M. GRIFFIN
JOSE E. GUILLEN, JR.
QUINN A. GUMMEL
GARY B. GUY
OTTO D. HABEDANK
MARK W. HABERICHTER
GARY D. HAINES
ROBERT M. HAINES
CARLOS HALCOMB
DAVID T. HAMM
JOHN HAMUKA
THOMAS E. HANCOCK
FORREST B. HARE
BRENDAN M. HARRIS
BRYAN L. HARRIS
MATTHEW C. HARRIS
RUSSELL J. HART, JR.
LAWRENCE B. HAVIRD
ANDREW D. HEALY
CHARLES R. HENDERSON
RONALD L. HENRY
GARY F. HERMANN
DUANE L. HIEBSCH
CALMA C. HOBSON
ROBERT A. HOFF
CHARLES E. HOGAN II
DONALD WAYNE HOLLOWAY
JOHN O. HOLM
THERESA STOCKDALE HOMAN
CHARLES M. HOWARD
KEVIN A. HOWARD
JAMES M. HUMES
LANE R. HUMPHREYS
MATTHEW M. HURLEY
RONALD E. HUZZARD
PAUL H. ISSLER
RONALD L. JACKSON, JR.
BRANDON A. JAEGER
EDWARD M. JAKES
STEVEN P. JAMES
RICHARD F. JANOSO
RONALD S. JOBO
DONALD A. JOHNSON
JAMES L. JOHNSON
MARCUS JOHNSON
PAUL L. JOHNSON
DIANE M. JONES
ROBERT W. JONES, JR.
STEPHEN F. JOST
TODD S. JOYNER
PAUL J. KASUDA
LANCE K. KAWANE
JEFFREY S. KECKLEY
JENNIFER L. KILBOURN
LANCE A. KILDRON
JEFFREY R. KING
MICHAEL J. KING
MIKLOS C. KISS, JR.
DAVID A. KIVIOJA
JOHN M. KLEIN, JR.
GREGG A. KLINE
JAMES F. KLINGMEYER
TIMOTHY S. KLOPFER
THOMAS G. KLOPOTEK
ANDRA VAN POPPEL KNIEP
ANDREW J. KNOEDLER
JAMES S. KOCKLER
EDWARD J. KOHARIK III
STEPHEN O. KORNITZER
ALEXANDER L. KOVEN
STEPHEN M. KRAVITSKY
GARY B. KUBAT
JAMES D. KUEHN
THOMAS E. KUNKEL
DAVID W. LAIR
JOHN D. LAMONTAGNE
DEBORAH A. LANDRY
HARRY J. LANE, JR.
LARRY H. LANG
ELIZABETH S. LARSON
LEAH G. LAUDERBACK
CHERYL L. LAW
CARMELLA V. LAWSON
DOUGLAS J. LEE
PETER F. LEHEW
EDWARD J. LENGEL
THOMAS J. LENNON, JR.
MARK T. LEONARD
ROBERT S. LEPPER, JR.
JOHN R. LEWIS
DANIEL LIGGINS
JOE L. LINDSEY
DANIEL R. LOCKERT
MICHAEL J. LOGAR
EDWARD A. LOMBARD
JEFFREY C. LOUIE
MICHAEL A. LOVE
ROBERT R. LOY
VERNON K. LUCAS
CLARENCE W. LUKES, JR.
DAVID A. LUNGER
GARRY W. LUNSFORD
TIMOTHY B. MACGREGOR
SCOTT R. MAETHNER
DAVID A. MAHER
ROBERT A. MALLETS
RUSSELL W. MAMMOSER
EDWARD MARTIGNETTI
MICHAEL E. MARTIN
ANTHONY J. MASTALIR
JOHN C. MATEER IV
PAUL T. MATIER
BRIAN G. MAY
WILLIAM P. MAZZENO
HOWARD G. MCARTHUR
PAUL B. MCARTHUR
MARK H. MCCLOUD
GREGORY L. MCCLURE
LISA R. MCCOLGAN
GERALD R. MCCRAY
CHARLES B. MCDANIEL
PATRICK D. MCEVOY
JOSEPH D. MCFALL
CURTIS D. MCGIFFIN
SHAUN R. MCGRATH
WILLIAM A. MCGUFFEY
THOMAS G. MCGUIRE
BRIAN P. MCLAUGHLIN
FRED A. MCNEIL
MICHAEL A. MCNERNEY
MICHAEL A. MENDOZA
JOHN J. MENOZZI
LEIGH E. METHOD
ALEXIS MEZYNSKI
MELANIE J. MILBURN
MICHAEL D. MILLEN
ALBERT G. MILLER
DAVID N. MILLER, JR.
JASON E. MILLER
RODNEY L. MILLER
PETER J. MILOHNIC
TROY P. MOLENDYKE
TIMOTHY S. MOLNAR
ROBERT B. MONROE
LEANNE C. MOORE
VICTOR H. MORA
BRENT P. MORAN
MICHAEL A. MORREALE
ANNA MARIE MORRIS
DOUGLAS B. MORRIS
SCOTT A. MORRIS
DAVID F. MORRISSEY
MARION D. MOXLEY
MATTHEW P. MURDOUGH
DAVID W. MURPHY
JENNIFER J. MURPHY
DARRYL F. NEAL
RICHARD D. NEAL, JR.
MICHAEL R. NEEMAN
ROBERT J. NELSON
CHARLES S. NESEMEIER
ROGER L. NEUMANN
JOHN P. NEWBERRY
TODD A. NICHOLSON
LAWRENCE A. NIXON
SEAN B. OBRIEN
EDWIN J. OFFUTT
LESTER S. OGAWA
MARK L. OLAUGHLIN
ANDREW D. ONEEL
DANIEL S. ORMSBY
KEVIN P. OROURKE
ROBERT J. ORRIS
CARLOS H. ORTIZ
WILLIAM R. OTTER
GREGORY R. OTTOMAN
THOMAS E. PAINTER, JR.
GERALD J. PARISH
DAVID PASTORE
GREGORY M. PATSCHKE
ROBERT J. PAVELKO
GREGORY J. PAYNE
KEVIN M. PAYNE
BRETT D. PENNINGTON
DANIEL A. PEPPER
CHARLES D. PERHAM
MARC A. PETERSON
JEFFREY D. PHILIPPART
JOSEPH F. PIASECKI
JEFFREY G. PIERCE
MASON B. PIGUE
LANSING R. PILCH
STEPHEN C. PLATT
WILLIAM E. POLAKOWSKI
BRIAN G. POLSER
PATRICK D. POON
MICHAEL D. PORT
CHRISTOPHER J. POSSEHL
CHRISTOPHER S. POVAK
ROBERT R. POWELL
WILLIAM P. POWER
JOHN F. PRICE, JR.
JAMES A. QUINN
ANTHONY R. RAMAGE
STEVEN E. RAMER
MURIEL RAMIREZSALAS
ROBERT L. RAMSDEN
BILLY M. RASNAKE
CHRISTOPHER R. RATE
WILLIAM F. RATLEDGE
JAMES R. RAY
KEVIN J. RAYBINE
BROOKS B. REESE
THOMAS A. REPPART
GEORGE M. REYNOLDS
JONATHAN C. RICE IV
LARRY G. RICE, JR.
MICHAEL G. RICKARD
STEPHEN P. RITTER
WILLIAM RITTERSHAUS
JOSEPH M. RIZZUTO
WILLIAM P. ROBERTS
REGINALD O. ROBINSON
KABRENA E. RODDA
DEBRA K. ROSE
MICHAEL D. ROSS, SR.
WILLIAM J. ROWELL
CHRISTOPHER S. SAGE
ROBERT D. SAGRAVES
ASHLEY D. SALTER
KEVIN L. SAMPELS
GREGORY P. SARAKATSANNIS
DENNIS G. SCARBOROUGH
JOHN J. SCHAEFER III
GREGORY SCHECHTMAN
DOUGLAS A. SCHIESS
MARTIN K. SCHLACTER
CHARLES F. SCHLEGEL
ROBERT J. SCHLEGEL
THOMAS L. SCHMIDT
JAIME M. SCHOFIELD
PAUL L. SCHOLL
TODD J. SCHOLLARS

CARL J. SCHULER, JR.
MARK A. SCHULER
MARCUS R. SCHULTHESS
LOUIS P. SELIQUINI, JR.
CHRISTOPHER L. SETLIFF
MICHAEL J. SHEA
MICHAEL J. SHEPHERD
JAMES S. SHIGEKANE
STEVEN L. SHINKEL
DAVID A. SIKORA
JILL E. SINGLETON
TIMOTHY M. SIPOWICZ
ERIN A. SKOWRAN
JEREMY T. SLOANE
AARON M. SMITH
LESLIE T. SMITH, JR.
RUSSELL J. SMITH
DAVID W. SNODDY
JENNIFER P. SOVADA
JUSTIN J. SPEEGLE
STEVEN G. STAATS
MICHAEL B. B. STARR
DARRELL C. STEELE
DAVID R. STEELE
MATTHEW A. STEVENS
MICHAEL S. STEVENSON
DAVID R. STEWART
DAVID A. STONE
ROBERT H. STONEMARK
MARIA LIZA R. STRUCK
MICHAEL S. STRUNK
SHAUN R. STUGER
JONATHAN A. SUTHERLAND
ARAS P. SUZIEDELIS
MARK F. SWENTKOFSKE
ANDREW G. SZMEREKOVSKY
PAUL E. SZOSTAK
ALBERT Z. TALAMANTEZ, JR.
DANIEL B. TALATI
ANTHONY T. TAYLOR
SHAWN E. TEAGAN
ERNEST J. TEICHERT III
KEITH L. THIBODEAUX
JORDAN K. THOMAS
MARK E. THOMPSON
RODNEY F. TODARO
GEORGE W. TOMBE IV
MARY D. TOOHEY
LAWRENCE O. TORRES
ERIC J. TRYCHON
TIMOTHY R. UECKER
JEFFREY R. ULLMANN
JERRY J. UPDEGRAFF
EDWARD J. VAN GHEEM
HARRY W. VANDERBACH
REX S. VANDERWOOD
ROBERT H. VANHOOSE
JONATHAN R. VANNOORD
DAVID M. VARDAMAN
DAVID S. VAUGHN
TODD M. B. VICIAN
MARK W. VISCONI
MARK A. VIVIANS
JAMES R. VOGEL
BRENT R. VOSSELLER
ANDREW M. WALLACE
GINGER L. WALLACE
SCOTT A. WARNER
JAMES L. WARNKE
DANIEL L. WATERS
JEFFREY J. WATERS
GORDON K. WATTS
WILLIAM C. WAYNICK II
ANDREW H. WEAVER
CHARLES W. WEBB, JR.
MARK D. WEBER
MICHAEL R. WEHMEYER
TODD J. WEYERSTRASS
CHRISTOPHER L. WHEELER
STEVEN P. WHITNEY
ROBERT S. WIDMANN
PHILIP W. WIELHOUWER
DAVID A. WIESNER
GARY WILEY, JR.
CURTIS L. WILKEN
JAMES B. WILKIE
BERNARD M. WILLI
GREG A. WILLIAMS
JOHN H. WILSON
ROBERT P. WINKLER
ERIC P. WOHLRAB, JR.
MARK A. WOOTAN
CHRISTOPHER A. WORLEY
ZEV YORK
WILLIAM E. YOUNG, JR.
SCOTT C. ZIPPWALD

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MICHAEL G. POND
THERESA L. RAYMOND
WILLIAM M. STEPHENS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CARROLL J. CONNELLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

SAMUEL H. CARRASCO

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

MEDRINA B. GILLIAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PAUL E. SCHOENBUCHER, JR.

EXTENSIONS OF REMARKS

IN HONOR OF SARA STEINHAUER

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Sara Steinhauer of Douglassville, Berks County, Pennsylvania in recognition of her 105th birthday.

Born near Skippack, Montgomery County on March 25th, 1906, Sara grew up on a farm in Skippack Township and attended public school through 10th grade in a one-room schoolhouse. When she turned 19, Sara moved to Perkasie, Pennsylvania to begin her career as a seamstress with Wemen's Apparel, developing skills in ladies' fashion. She was later promoted to the position of floor lady which she maintained until her retirement in 1968.

The eighth of thirteen children, Sara was blessed with twelve brothers and sisters. Her husband, George D. Steinhauer, passed in 1984 after 57 happy years of marriage. Before moving to the distinctive retirement community of Villa at Morlatton, Sara lived in Telford, Pennsylvania for many of her retirement years and then an apartment in Pottstown, Pennsylvania near her nephew Leroy Fitzgerald.

Mr. Speaker, I ask my colleagues to join me today in congratulating Sara Steinhauer on the occasion of her 105th birthday and extending her best wishes for continued health and happiness.

PERSONAL EXPLANATION

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. SPEIER. Mr. Speaker, I was unfortunately unable to cast votes on the evening of March 29, 2011.

On rollcall 194, I would have voted no.

On rollcall 195 I would have voted aye.

On rollcall 196 I would have voted aye.

On rollcall 197, the motion to recommit, I would have voted aye.

On rollcall 198, final passage, I would have voted aye.

The Making Home Affordable Program simply has not protected homeowners from foreclosure, or ensured that mortgage servicers work with homeowners in good faith to achieve loss mitigation that works for homeowners, investors and our communities. Despite clear and repeated calls for reform of the program from the Congressional Oversight Panel, the Special Inspector General for the TARP, and the GAO, changes to the program have been too little and too late. While my constituents and homeowners across the country continue to struggle through good faith efforts to keep their homes, banks are again making record profits and paying large bonuses to their executives and employees.

Despite well documented abuses of homeowners by mortgage servicers participating in the HAMP, no servicers have been sanctioned or fined for violations of HAMP program requirements, despite clear authority to do so. I do not take this position lightly, particularly in light of the fact that no alternative program to help homeowners is offered. However I simply cannot continue to offer support for a program that has protected banks and servicers at the expense of my constituents.

PERSONAL EXPLANATION

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. PENCE. Mr. Speaker, I was absent from the House floor during rollcall votes 192 and 193. Had I been present, I would have voted "yea" on rollcall 192 and "no" on rollcall 193.

A BILL OF RIGHTS FOR WOMEN VETERANS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. FILNER. Mr. Speaker, I recently introduced important legislation to establish a women veterans bill of rights, H.R. 809.

There are now 1.8 million women veterans, and the number of these women turning to the U.S. Department of Veterans Affairs for treatment and services is increasing every day. In fact, current VA estimates project that the percentage of women among the total number of veterans enrolled in the VA health care system will have risen to 10 percent by 2018, up from 7.7 percent now.

Mr. Speaker, men have long been the dominant stakeholder within VA, but it is past time that VA recognizes women veterans as an equally important stakeholder.

During hearings and roundtables over the past Congresses, the Committee on Veterans' Affairs has asked women veterans to come forward with their own stories about their experiences with VA. From their accounts, it is clear that while VA has made some strides in caring for women, significant gaps remain.

The veterans testifying before the Committee have told us of an unwelcoming culture within some VA facilities that makes women veterans feel alienated, disrespected, and reluctant to pursue the benefits and services that they have earned with their sacrifices.

VA must recognize and be equipped to treat the unique medical concerns that women veterans have. They must respect privacy concerns and eliminate cultural insensitivity that may otherwise bar women from accessing VA health care and they must ensure that women and male veterans are always treated equally in their ability to secure quality VA benefits and services.

This legislation would take us closer to achieving that long overdue standard.

H.R. 809 would require VA to display in all of their facilities, 24 fundamental principles governing their treatment of women veterans. Veterans who may have felt isolated and unwelcome in VA facilities before will be able to read these principles and understand VA's responsibility to them.

The principles lay out women veterans' right to state-of-the-art medical technologies and procedures for treating their unique medical concerns, VA's responsibility to provide vigorous outreach to inform women of the VA benefits and services they are entitled to, and other important guidelines for what women veterans can and should expect of VA.

Above all, the principles make clear that VA must always treat women veterans as they should treat any veteran, with sensitivity to their unique concerns and the dignity that their service to this country demands.

CONGRATULATIONS TO KEENAN MONKS

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. BARLETTA. Mr. Speaker, today I wish to acknowledge the accomplishments of Keenan Monks of Hazleton, who recently placed sixth in the 2011 Intel Science Talent Search, a national competition for high school seniors with exceptional promise in math and science.

To earn sixth place, Keenan conducted research on a math equation that can help improve Internet security and cryptography. His work distinguished him from most of the 1,744 high school seniors who entered the talent search. In January, he was named one of 300 semifinalists, then he was chosen to be a finalist and compete here in Washington just a few weeks ago.

Keenan is a 17-year-old student at Hazleton Area High School. He is captain of the cross-country and track and field teams. Keenan has been playing the piano for 12 years. He has won several piano competitions, has performed at Carnegie Hall, and enjoys sequencing music. Keenan has volunteered with the Great Pennsylvania Cleanup, helping remove trash from community roadways. Keenan also coauthored a paper published in Discrete Mathematics.

Mr. Speaker, Keenan Monks is an extraordinary young man. He is a hard worker. He has an innovative mind and an eager spirit. He will no doubt continue to be a bright star in our community. Mr. Speaker, today, I ask my colleagues to join me in congratulating Mr. Keenan Monks of Hazleton for winning sixth place in this year's Intel Science Talent Search.

IN RECOGNITION OF MARC CATALANO

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. SPEIER. Mr. Speaker, I rise to honor Police Commander Marc Catalano for 31 years of service to the City of San Bruno.

He joined the San Bruno Police Department on June 1, 1979 and spent his first two years as a community service officer. He served as a patrol officer from 1981 to 1984, a detective from 1984 to 1985, a field training officer from 1985 to 1997, an acting sergeant from 1990 to 1991 and again a detective from 1991 to 1994. In 1994 he became involved with D.A.R.E., the Drug Abuse Resistance Education, and was instrumental in expanding that program from elementary schools to middle schools and high schools.

In 1997 Mr. Catalano was promoted to the rank of Sergeant and four years later to the rank of Lieutenant Sergeant. In 2001 he received his final promotion to Commander.

Marc Catalano is a true Bay Area native, born in San Francisco and raised in San Bruno and Burlingame. He graduated from Mills High School and received an Associate Degree from the College of San Mateo. At Notre Dame de Namur University he earned his Baccalaureate Degree in Human Services.

Commander Catalano is anything but complacent; he always thrives to learn more and better himself. He attained advanced supervisory and management certificates from the State of California, the Commission on Peace Officer Standards and Training, and awards from the San Mateo County Trial Lawyers Association and from MADD, Mothers Against Drunk Driving.

In addition to a law enforcement career, Marc Catalano is the loving husband to his wife Laurie, his wife of 26 years. The couple has two daughters Danielle and Lindsay.

Mr. Speaker, it is right to honor Commander Catalano for his 31 years of service to the San Bruno Police Department on December 27, 2010, the day of his retirement.

HONORING FORMER GUAM COMMISSIONER JOSE ESPINSOA SANTOS

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to honor the life and service of Jose Espinosa Santos, former Commissioner of the Guam villages of Mongmong-Toto-Maite. Mr. Santos passed away at the age of 77 on March 9, 2011 at Parkview Community Hospital in Riverside, California.

Mr. Santos was born in Guam on June 23, 1933 to Tomas Taitano and Joaquina Mata Espinosa Santos. In 1973, he was elected to serve as Commissioner for the villages of Mongmong-Toto-Maite, in Guam. After serving for four years as Commissioner, Mr. Santos continued to serve Guam in several capacities within the Mayors' Council of Guam, including Special Assistant to the Chief Commissioner, Deputy Chief Executive Officer, Chief Executive Officer, and Executive Director. In addition to his public service, Mr. Espinosa was also active in the Catholic Community as an ordained Deacon for the Archdiocese of Agana at the Dulce Nombre De Maria Cathedral-Basilica.

I join our community in mourning the loss of Jose Espinosa Santos, and I offer my condolences to his wife, Pilar Rosario Cepeda Santos, his 10 children, 27 grandchildren, 2 great grandchildren, and his many families, friends, and loved ones. May God bless the family and friends of Jose Espinosa Santos, God bless Guam, and God bless the United States of America.

RECOGNIZING MS. MELANIE PETERS AS THE 2011 HURLBURT AFA CHAPTER 398 ELEMENTARY SCHOOL TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Ms. Melanie Peters as the 2011 Hurlburt AFA Chapter 398 Elementary School Teacher of the Year. Ms. Peters is an inspiration to her students and colleagues, and I am honored to recognize her achievements.

Successfully getting a class of kindergarteners to construct and fly Styrofoam planes to test Bernoulli's Principle is an accomplishment worthy of recognition in itself. Ms. Peters surpassed this feat and also taught her five- and six-year olds about rocket propulsion using balloons.

Her creative techniques coupled with her passion for flight continues to provide an enjoyable and unique learning experience for her fourth graders. In her classroom, also known as TOP FUN, Ms. Peters incorporates math, science, and technology into her student's curriculum by utilizing her knowledge of aviation. TOP FUN's doors open into a world where students learn that living and learning coexist as a combined adventure.

Through her hard work and dedication, Melanie Peters continues to provide her students a solid foundation, upon which her students are able to grow, as their love for learning continues to soar. Teaching, a love Melanie credits to her mother, comes naturally to her, and is evidenced in the positive impact she has made on the lives of her students.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize Ms. Peters for this great achievement and her commitment to excellence. Ms. Peters has earned the title of Elementary School Teacher of the Year. My wife Vicki joins me in congratulating Melanie Peters, and we wish her continued success.

THE HAMP TERMINATION ACT OF 2011

SPEECH OF

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis:

Mr. GUTIERREZ. Mr. Chair, I rise today in strong opposition to the HAMP Termination Act, or H.R. 839, a bill to eliminate the Home Affordable Modification Program (HAMP). This is just another attempt by my Republican colleagues to do away with important and necessary programs that help our struggling families and communities cope with the devastation of the housing crisis. Our families are dealing with real emergencies and they want real solutions, yet the Republicans offer no meaningful replacement to help families during this housing and foreclosure epidemic.

The Home Affordable Modification Program was put in place by the Obama Administration to provide critical assistance to American homeowners who are working tirelessly to save their homes. While it wasn't meant to save every home on the brink of foreclosure, this program has helped over 600,000 homeowners since it was first launched. This means that because of HAMP, over 600,000 families were given an opportunity they otherwise wouldn't have had to save their home. Approximately 30,000 homeowners are assisted through HAMP each month. If we eliminate this program now, we would be doing a great disservice to these homeowners and to the recovery of our fragile housing market.

The ineptitude and noncompliance of banks and mortgage servicers have created a laundry list of mistakes and missteps in handling homeowner mortgages that led us into this devastating housing situation. HAMP has been criticized by all parties because it did not meet its initial projected goals. This is partly because HAMP sets strict requirements for homeowners to qualify for a modification to ensure that American taxpayer dollars are not wasted or misused. Modifications that continue to be made outside of HAMP are done by servicers who avoid meeting the strict requirements and rules under this program which are put in place to protect homeowners. We have a responsibility to our constituents and we can't simply leave the fate of homeowners and struggling families to the banks and mortgage servicers when their bad mortgage lending practices contributed to our nation's housing crisis in the first place.

HAMP is not perfect, but there is no question that HAMP has provided critical assistance to homeowners facing avoidable foreclosures. The HAMP program has set affordability standards and, more importantly, this program has created a framework for the private sector to provide assistance. The political theater put together by my Republican colleagues to eliminate HAMP and other valuable housing programs and replace them with nothing, doesn't do anything to alleviate the dire circumstances hundreds of thousands of American families are facing today.

Mr. Chair, ending HAMP now would undoubtedly hamper our nation's economic recovery efforts. Many of my colleagues have mentioned throughout this debate something we all know to be true: not a single witness—including the Government Accountability Office and the Special Inspector General for the

Troubled Asset Relief Program—who was invited by Republicans at the hearing we held earlier this month in the Housing Subcommittee, over which I serve as Ranking Member, supported shutting down any of the housing programs Republicans propose to terminate, including HAMP.

Eliminating HAMP would leave American homeowners with fewer options for coping with the worst housing crisis of our generation and would leave our fragile housing market in worse condition than when we started. I urge my colleagues to support American homeowners and vote no on this bill.

LEGALITY FOR THE USE OF FORCE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. CONYERS. Mr. Speaker, I would like to submit the following article:

IS BUSH'S WAR ILLEGAL?—LET US COUNT THE WAYS

(By Francis Boyle)

THE ''BLOWHARD ZONE''

On September 13, 2001 I got a call from FOX News asking me to go on the O'Reilly Factor program that night, two days after the tragic events of September 11, to debate O'Reilly on War v. Peace. It is pretty clear where I stood and where he stood. I had been on this program before. I knew what I was getting in to. But I felt it would be important for one lawyer to get up there in front of a national audience and argue against a war and for the application of domestic and international law enforcement, international procedures, and constitutional protections, which I did.

Unfortunately, O'Reilly has the highest ranked TV news program in the country. I thought someone should be on there on September 13. I think most people agree that I beat O'Reilly. By the end of the show he was agreeing with me. But the next night he was saying that we should bomb five different Arab countries and kill all their people. But let me review for you briefly some of the international law arguments that I have been making almost full time since September 13. They are set forth in the introduction in my new book, The Criminality of Nuclear Deterrence.

TERRORISM V. WAR

First, right after September 11 President Bush called these attacks an act of terrorism, which they were under the United States domestic law definition at that time. However, there is no generally accepted definition of an act of terrorism under international law, for reasons I explain in my book. Soon thereafter however and apparently after consultations with Secretary of State Powell, he proceeded to call these an act of war, ratcheting up the rhetoric and the legal and constitutional issues at stake here. They were not an act of war as traditional! defined. An act of war is a military attack by one state against another state. There is so far no evidence produced that the state of Afghanistan, at the time, either attacked the United States or authorized or approved such an attack. Indeed, just recently FBI Director Mueller and the deputy director of the CIA publically admitted that they have found no evidence in Afghanistan linked to the September 11 attacks. If you believe the government's account of what happened, which I think is highly questionable, 15 of these 19 people alleged to have committed these attacks were from Saudi Arabia and yet we went to war against Afghanistan. It does not really add up in my opinion.

But in any event this was not an act of war. Clearly these were acts of terrorism as defined by United States domestic law at the time, but not an act of war. Normally terrorism is dealt with as a matter of international and domestic law enforcement. Indeed there was a treaty directly on point at that time, the Montreal Sabotage Convention to which both the United States and Afghanistan were parties. It has an entire regime to deal with all issues in dispute here, including access to the International Court of Justice to resolve international disputes arising under the Treaty such as the extradition of Bin Laden. The Bush administration completely ignored this treaty, jettisoned it, set it aside, never even mentioned it. They paid no attention to this treaty or any of the other 12 international treaties dealing with acts of terrorism that could have been applied to handle this manner in a peaceful, lawful way.

WAR OF AGGRESSION AGAINST AFGHANISTAN

Bush, Jr. instead went to the United National Security Council to get a resolution authorizing the use of military force against Afghanistan and Al Qaeda. He failed. You have to remember that. This war has never been authorized by the United Nations Security Council. If you read the two resolutions that he got, it is very clear that what Bush, Jr. tried to do was to get the exact same type of language that Bush, Sr. got from the U.N. Security Council in the late fall of 1990 to authorize a war against Iraq to produce its expulsion from Kuwait. It is very clear if you read these resolutions, Bush, Jr. tried to get the exact same language twice and they failed. Indeed the first Security Council resolution refused to call what happened on September 11 an ''armed attack''—that is by one state against another state. Rather they called it ''terrorist attacks.'' But the critical point here is that this war has never been approved by the U.N. Security Council so technically it is illegal under international law. It constitutes an act and a war of aggression by the United States against Afghanistan.

NO DECLARATION OF WAR

Now in addition Bush, Jr. then went to Congress to get authorization to to go to war. It appears that Bush, Jr. tried to get a formal declaration of war along the lines of December 8, 1941 after the Day of Infamy like FDR got on Pearl Harbor. Bush then began to use the rhetoric of Pearl Harbor. If he had gotten this declaration of war Bush and his lawyers knew full well he would have been a Constitutional Dictator. And I refer you here to the book by my late friend Professor Miller of George Washington University Law School, Presidential Power, that with a formal declaration of war the president becomes a Constitutional Dictator. He failed to get a declaration of war. Despite all the rhetoric we have heard by the Bush, Jr. administration Congress never declared war against Afghanistan or against anyone. There is technically no state of war today against anyone as a matter of constitutional law as formally declared.

BUSH, SR. V. BUSH, JR.

Now what Bush, Jr. did get was a War Powers Resolution authorization. Very similar to what Bush, Sr. got. Again the game plan was the same here. Follow the path already pioneered by Bush, Sr. in his war against Iraq. So he did get from Congress a War Powers Resolution authorization. This is what law professors call an imperfect declaration of war. It does not have the constitutional significance of a formal declaration of war. It authorizes the use of military force in specified, limited circumstances.

That is what Bush, Sr. got in 1991. It was to carry out the Security Council resolution that he had gotten a month and one-half before to expel Iraq from Kuwait. But that is all the authority he had—either from the Security Council or from Congress. And that is what he did. I am not here to approve of what Bush, Sr. did. I do not and I did not at the time. But just to compare Bush, Jr. with Bush, Sr. So Bush, Jr. got a War Powers Resolution, which is not a declaration of war.

Indeed, Senator Byrd, the Dean of the Senate, clearly said this is only a War Powers authorization and we will give authority to the president to use military force subject to the requirements of the War Powers Resolution, which means they must inform us, there is Congressional oversight, in theory, (I do not think they are doing much of it), controlled funding, and ultimately we decide, not the Executive branch of the government—we are the ones who gave the authorization to use force.

Again very similar to what Bush, Sr. got except the Bush, Jr. War Powers Resolution is far more dangerous because it basically gives him a blank check to use military force against any state that he says was somehow involved in the attack on September 11. And as you know that list has now gone up to 60 states. So it is quite dangerous, which led me to say in interviews I gave at the time this is worse that the Tonkin Gulf Resolution. Better from our perspective than a formal Declaration of War, but worse constitutionally and politically than the Tonkin Gulf resolution. But still subject to the control of Congress and the terms of the War Powers Resolution. Indeed you might be able to use that War Powers Resolution and the authorization in litigation that might come up. Keep that in mind.

NO WAR AGAINST IRAQ!

For example, on Iraq. Right now they cannot use that War Powers Resolution to justify a war against Iraq. There is no evidence that Iraq was involved in the events on September 11. So they are fishing around for some other justification to go to war with Iraq. They have come up now with this doctrine of preemptive attack. Quite interesting that argument, doctrine was rejected by the Nuremberg Tribunal when the lawyers for the Nazi defendants made it at Nuremberg. They rejected any doctrine of preemptive attack.

NAZI SELF-DEFENSE

Then what happened after failing to get any formal authorization from the Security Council, the U.S. Ambassador Negroponte—who has the blood of about 35,000 people in Nicaragua on his hands when he was U.S. Ambassador down in Honduras—sent a letter to the Security Council asserting Article 51 of the U.N. Charter to justify the war against Afghanistan. And basically saying that we reserve the right to use force in self-defense against any state we say is somehow involved in the events of September 11. Well, the San Francisco Chronicle interviewed me on that and asked what is the precedent for this? I said that the precedent again goes back to the Nuremberg Judgment of 1946 when the lawyers for the Nazi defendants argued that we, the Nazi government had a right to go to war in self-defense as we saw it, and no one could tell us any differently. Of course that preposterous argument was rejected by Nuremberg. It is very distressing to see some of the highest level of officials of our country making legal arguments that were rejected by the Nuremberg Tribunal.

KANGAROO COURTS

Now let me say a few words about the so-called military commissions. I have a little handout out there called ''Kangaroo Courts.'' It would take me a whole law review article to go through all the problems with military commissions. I have been interviewed quite extensively. I have some comments on it in my book. Professor Jordan Paust, a friend and colleague of mine at the University of Houston, just published an article in the Michigan Journal of International Law which I would encourage you to read. It goes through the major problems. But basically there are two treaties on point here that are being violated at a minimum.

First, the Third Geneva Convention of 1949. I will not go through all of the arguments here but it is clear that just about everyone down in Guantanamo (not counting the guys who were picked up in Bosnia and basically kidnapped) but all those apprehended over in Afghanistan and Pakistan would qualify as prisoners of war within the meaning of the Third Geneva Convention of 1949, and therefore have all the rights of prisoners of war within the meaning of that convention. Right now however, as you know, all those rights are being denied. This is a serious war crime. And unfortunately President Bush, Jr. himself has incriminated himself under the Third Geneva Convention by signing the order setting up these military commissions. Not only has he incriminated himself under the Third Geneva Convention, but he has incriminated himself under the U.S. War Crimes Act of 1996 or so, signed into law by President Clinton and making it a serious felony for any United States citizen either to violate or order the violation of the Four Geneva Conventions of 1949.

THE FEDERALIST SOCIETY CABAL

I am not personally criticizing President Bush. He is not a lawyer. He was terribly advised, criminally mis-advised, by the cabal of Federalist Society lawyers that the Bush administration has assembled at the White House and the Department of Injustice under Ashcroft. President Bush, Jr., by signing this order, has opened himself up to prosecution anywhere in the world for violating the Third Geneva Convention, and certainly if there is evidence to believe that any of these individuals have been tortured, which is grave breach, let alone at the end of the day executed. So this is a very serious matter.

I did not vote for President Bush, Jr. But I certainly think it is a tragedy that these Federalist Society lawyers got the President of the United States of America, who is not a lawyer, to sign the order that would incriminate him under the Geneva Conventions and United States Domestic Criminal Law. This is what happened.

JEOPARDIZING U.S. ARMED FORCES

Moreover, by us stating we will not apply the Third Geneva Convention to these people we opened up United States armed forces to be denied protection under the Third Geneva Convention. And as you know, we now have U.S. armed forces in operation in Afghanistan, Georgia, the Philippines, in Yemen and perhaps in Iraq. Basically Bush's position will be jeopardizing their ability to claim prisoner of war status. All that has to happen is our adversaries say they are unlawful combatants and we will not give you prisoner of war status. The Third Geneva Convention is one of the few protections U.S. armed forces have when they go into battle. Bush, Jr. and his Federalist Society lawyers just pulled the rug out from under them.

U.S. POLICE STATE

In addition the International Covenant on Civil and Political Rights clearly applies down in Guantanamo. It applies any time individuals are under the jurisdiction of the United States of America. Guantanamo is a colonial enclave, I will not go through its status any further. But clearly those individuals are subject to our jurisdiction and have the rights set forth therein—which are currently being denied.

If and when many of these Bush, Ashcroft, Gonzalez police state practices make their way to the U.S. Supreme Court, we have to consider that a five to four majority of the Supreme Court gave the presidency to Bush, Jr. What is going to stop that same five to four majority from giving Bush, Jr. a police state? The only thing that is going to stop it is the people in this room.

RECOGNIZING WATERFORD OUR LADY OF THE LAKES HIGH SCHOOL

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to acknowledge the Michigan Class D State Champion Girls' Basketball team from Waterford Our Lady of the Lakes High School. On March 19, 2011, the Lakers sealed a 53–35 victory over the Bark-River Harris Broncos, clinching their second consecutive Class D State Championship under Head Coach Steve Robak.

After winning the East Division of the Detroit Catholic High School League and claiming their third consecutive CHSL C–D Division Championship, the Lakers began district play by crushing West Bloomfield Frankel Jewish Academy's Jaguars 72–4. Our Lady of the Lakes rolled over the Clarkston Everest Collegiate Lady Mountaineers in the district final, 64–20.

Moving on to regional match-ups, Our Lady of the Lakes slipped by Marine City Cardinal Mooney by a score of 43–41. The Lakers shut down Southfield Christian, 51–43 in the regional final to move on to state quarterfinals where they defeated the Bay City All Saints Cougars 61–36. The Trojans of Central Lake fell to the Blue and White 52–41 on March 17 to clear the Lakers path to the Class D Final. Facing Bark-Harris in the final game of the season, the Our Lady of the Lakes press held the Broncos in check giving the Lakers the right to raise high the Class D State Championship trophy.

Mr. Speaker, with a season record of 23–5–0, the 2011 Waterford Our Lady of the Lakes Girls' Basketball team deserves to be recognized for their determination, achievement, spirit and effort. I ask my colleagues to join me in congratulating the Lakers for obtaining this spectacular title and in honoring their devotion to our community and country.

HONORING COUNCIL MEMBER HAL MALKIN

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize Hal Malkin and his 17 years of public service to the people of La Mirada, California. Hal and his wife Barbara have called La Mirada home since 1972. Hal began the first of his five terms on the La Mirada City Council in 1994.

Since taking office in 1994, Hal has worked tirelessly to ensure La Mirada remains safe for its residents and economically vibrant for its business community. Under his tenure, La Mirada has seen the creation of various city resources such as the Frontier Community Building, the La Mirada Resource Center, and the widely popular SPLASH! Complex. While many cities throughout Southern California have felt the impact of a struggling economy, La Mirada has remained fiscally sound without sacrificing important community services, due in large part to Hal's foresight. It's frankly no surprise La Mirada was listed by CNN and others as one of the ''Best Place to Live'' in 2007.

Over the years, Hal's civic involvement has extended into his community where he proudly served as Chairman of the Board of Directors of the Rio Hondo Chapter of the American Red Cross and as a member of the Executive Committee for 9 years.

As an active leader in his community, Hal has received several awards including Outstanding Faculty Member, Cerritos College 2002–2003; Member of the Year, La Mirada Chamber of Commerce; and the Parent-Teacher Association Honorary Service Award.

Hal has continuously demonstrated his dedication to his profession, community, and family. Today, Hal continues to open the doors of the educational opportunity to local youth as an Associate Professor and Department Chair of the Pharmacy Technology Program at Cerritos College.

Mr. Speaker and distinguished colleagues, please join me in honoring Councilmember Hal Malkin for his many years of service and dedication to the City of La Mirada and the community. Let us wish him and his family the very best in retirement.

PERSONAL EXPLANATION

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. WILSON of Florida. Mr. Speaker, on rollcall No. 194, had I been present, I would have voted ''no.''

IN RECOGNITION OF THE 2011 BLUE AND GOLD BANQUET FOR CUB SCOUT PACK 976

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the 2011 Blue and Gold Banquet for Cub Scout Pack 976.

The Boy Scouts were founded in the United States on February 8, 1910 by William D. Boyce when he incorporated the Boy Scouts of America. The following year, the BSA adopted the Scout Oath and the Scout Law. After over one hundred years of scouting, these founding principles have guided over

one hundred million BSA youth members to be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent.

Each year, Cub Scout packs commemorate scouting and its enduring principles with a Blue and Gold Banquet. The pack celebrates scouts, pack leaders and other adults who have contributed to the pack's health and vibrancy. I would like to extend my personal congratulations to the following Cub Scouts in Pack 976 who will be recognized at the 2011 Blue and Gold Banquet for advancing to the next level of scouting.

The Order of the Arrow is awarded to scouts that best exemplify the Scout Oath and Law in their daily lives. The following individuals are being awarded the Order of the Arrow this evening.

Chris Arcangeli, John Cheng, Hank Reinhardt, Cyrus Robinson, Holden Snyder, Nicolas Bocock, Nicholas Baltas, Jack Heerink, Charlie McGarry, Noah Strike, Danny Flood, Austin Gillmore, Salim Roustom.

Mr. Speaker, I ask that my colleagues join me in celebrating the Boy Scouts of America, their one hundred year anniversary and the 2011 Blue and Gold Banquet for Cub Scout Pack 976. The BSA sets a high standard for integrity and strength of character. I admire all scouts who seek to uphold the BSA core principles, and extend my sincere best wishes to the Cub Scouts of Pack 976 as they strive to realize their scouting potential.

HONORING MR. RAYMON P. DONES

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary life of one of the nation's first and greatest African-American construction project developers, Mr. Raymon P. Dones. A loving husband, father, grandfather, great-grandfather, great great-grandfather and friend, Mr. Dones was also a talented entrepreneur, businessman, inventor and civil rights trailblazer. With Mr. Dones' passing at the age of 92, we are reminded of his life's journey and the joyful legacy he inspired.

Born in 1918, Mr. Dones learned the electrical and plumbing trades while working as a Pullman car porter in Denver, Colorado. After earning his electrical contracting license, he founded Dones Electric, which later became incorporated as Aladdin Electric in Oakland, California. Mr. Dones' broad interests also included inventing. He received a U.S. patent for the design of a loud speaker enclosure in 1964.

In the mid-1960s, Mr. Dones became a leading force in advocating for minority contractors and their employees. Working with Joe Debro and Frank Poole, he helped found a group to fight for increased opportunities for minority contractors, which later became the National Association of Minority Contractors (NAMC). In 1969, Mr. Dones was elected NAMC president and Mr. Debro became executive director.

Today the nonprofit trade association boasts chapters in 49 states, as well as England, South Africa and the Virgin Islands. Mr. Dones was also instrumental in establishing Project Upgrade, one of the first construction trades apprenticeship training programs in the United States. In the Bay Area, Mr. Dones participated in building or subcontracting a considerable part of Oakland's landscape, including the MORH and Acorn housing developments in West Oakland, the West Oakland Health Center and the early construction of Oakland City Center.

Even into his late 80s, Mr. Dones continued to volunteer in the community and work with his son, my good friend Alan, who followed his footsteps as a leader in minority contracting and development. A recipient of many accolades throughout his career, Mr. Dones was named one of the most influential people in the construction industry by Engineering New-Record Magazine in 1999.

Ray was a Renaissance Man. As a Capitol Hill staffer for former Congressman and Mayor Ron Dellums during the 70s and 80s, I remember how Ray came to Washington, D.C. to educate staff regarding the importance of minority business participation. He was a tireless advocate and knew how to influence public policy on behalf of minority contractors. We became close friends and Ray and his beloved late wife, Inez, also became some of my longstanding supporters as an elected official. His smile and kind words of support always gave me encouragement and inspiration to continue the fight. I will miss this great warrior tremendously.

In addition to his notable career and influence, Mr. Dones was a proud husband to the late Inez Dones, and father to their extensive family. The couple both came to their union with three children from prior relationships, and had two more children together. Mr. Dones will be deeply missed by his surviving children, and a host of grandchildren, loved ones and friends.

Today, California's 9th Congressional District salutes and honors a great human being, Mr. Raymon P. Dones. The contributions he made to others throughout his life are countless and precious. My thoughts and prayers are with his loved ones. May his soul rest in peace.

IN TRIBUTE TO CSC(SW) OSCAR FLORES ON THE OCCASION OF HIS RETIREMENT

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. WEINER. Mr. Speaker, I rise to recognize Chief Culinary Specialist (Surface Warfare) Oscar Flores in honor of his retirement from the United States Navy. Chief Culinary Specialist Oscar Flores has provided 23 years of faithful and devoted service to the United States Navy and to the citizens of our country.

Since 1988, Chief Culinary Specialist Flores has been dedicated to the U.S. Navy and their mission to protect the United States and her citizens. He started as a Mess Management Specialist, and as Chief Culinary Specialist Flores always went above and beyond the line of duty, he rose through the ranks to Chief Petty Officer. With his talents and exceptional culinary skills, Chief Culinary Specialist Flores has provided outstanding service to the Clinton family. His energy and dedication have been a tribute to the first family and his country.

Additionally, Chief Culinary Specialist Flores earned the dignified title of the Commanding Officer's Chef while aboard the USS *Fort Fisher* (LSD 40) as Galley Watch Captain and aboard the USS *Essex* (LHD 2) as Wardroom Supervisor. On shore, Chief Culinary Specialist Flores has proven his loyal leadership as Petty Officer in charge of BEQ/BOQ Operations at Naval Submarine Base Point Loma, CA. I also recognize Chief Culinary Specialist Flores for his many decorations and awards including the Presidential Service Badge, Navy and Marine Corps Achievement Medal, Joint Meritorious Unit Award, and numerous individual, unit and campaign ribbons.

Chief Culinary Specialist Flores represents the best of what our Nation has to offer and has demonstrated exemplary and laudable service while on the Presidential Food Service Staff at the White House as Chef and Personal Enlisted Aide to the President.

Chief Culinary Specialist Flores' tireless work ethic will be missed by the U.S. Navy, though his strong commitment continues as a Personal Chef, Personal Aide, and Director of Operations at the Clinton Residence.

I am honored to congratulate Chief Culinary Specialist Flores on the occasion of his retirement and further extend my gratitude for his many faithful years of service to the United States Navy.

COMMEMORATING THE 50TH ANNIVERSARY OF THE 23RD AMENDMENT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. NORTON. Mr. Speaker, today I rise to commemorate the 50th anniversary of the ratification of the 23rd Amendment to the United States Constitution, which granted the citizens of the District of Columbia the right to vote for President and Vice President. This victory fifty years ago was one of the early victories in the long and continuing struggle of District of Columbia residents for equal rights as American citizens. The 23rd Amendment provided the District of Columbia with three electors for President and Vice President, allowing D.C. residents to vote for the nation's highest offices for the first time since the city was created as the nation's capital.

Only two Members of Congress, Representative JOHN DINGELL and Senator DANIEL INOUYE, remain in office from the period of introduction and ratification of the 23rd Amendment, when both were members of the House of Representatives. I was away at college then, but it was clear that an important catalyst for the amendment was the birth of the civil rights movement with the Birmingham bus boycott. The civil rights movement was key in moving Congress to afford the presidential and vice presidential votes to the citizens of the nation's capital, which had become a majority African American city at that time.

The original joint resolution, H.J. Res. 757, was reported favorably by the House Committee on the Judiciary on June 9, 1960. The accompanying report made clear that the

amendment "would not make the District of Columbia a state" and did not grant "home-rule" to the District. Home rule, a milestone allowing for democratic self-government, did not come until 1973. Originally paired with a number of unrelated amendments in the Senate, what became the 23rd Amendment passed the House by voice vote on June 14, 1960 and the Senate agreed to the bill two days later. Fifty years ago today, March 29, 1961, Ohio became the 38th state to ratify the amendment, and it was officially declared to have been ratified as the 23rd Amendment five days later.

Unfortunately, the District of Columbia today remains the only capital in a democratic nation where citizens are denied a vote in the nation's representative body of government. Today, we can only hope that the decision of Congress to support the presidential and vice presidential votes for D.C. citizens will lead the way to votes in the Congress of the United States itself.

HONORING THE ST. PAUL BRANCH OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN ON THE OCCASION OF ITS 100TH ANNIVERSARY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. McCOLLUM. Mr. Speaker, I rise today to congratulate the Saint Paul Branch of the American Association of University Women (AAUW) on the occasion of its 100th anniversary. For the past century, the St. Paul Branch of the AAUW has fulfilled a noble mission to advance equity for women and girls through advocacy, education, philanthropy and research.

As a non-profit education advocacy organization, one of its major successes has been the creation of a trust providing college scholarships to young women. Each year, the trust awards approximately $60,000 in scholarships to deserving high school graduates, and one-time scholarship funds to women returning to college to complete a degree. Scholarship recipients reflect the growing ethnic, religious and racial diversity of our community.

Through its Scholarship Trust and nationwide network affiliation with the AAUW, the St. Paul Branch has made a positive impact for many young women and girls by advancing social, economic and education equity. More women and girls are being empowered to seize opportunities that otherwise would have been impossible.

The work of AAWU St. Paul Branch is commendable and it deserves to be celebrated. In honor of its 100th Anniversary and its mission to provide education opportunity for young women and girls, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

A TRIBUTE IN HONOR OF ONEIDA ''MOTHER'' BRANCH

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. ESHOO. Mr. Speaker, I rise today to honor the long and loving life of Oneida "Mother" Branch, the heart and soul of the East Palo Alto, California, community, who died in her home on March 22, 2011. For 92 years, Mother Branch put the "active" in activist, devoting her life to her family, her church, and her community.

Born in New Orleans, Mother Branch moved to East Palo Alto half a century ago to start a church with her late husband, the Reverend James Branch. After helping to start St. John Missionary Baptist Church, Mother Branch taught Sunday school and founded a sewing club, attending services until just a month before she died. Widely known and respected for her prodigious knowledge of church history and her willingness to help others, Mother Branch was a deeply religious woman who was revered by the entire community.

But Mother Branch's charity was not confined to church. "Mother was a little lady with a massive heart," Paul Nyberg, Publisher of the Los Altos Town Crier, once said. "She was an unabashed Christian reaching out to help everyone in need." In the 1970's, Mother Branch established the East Palo Alto Community Center to provide food, comfort, and support to those in need. For decades, she dispensed canned food, blankets, and clothing—as well as uproarious stories and sage advice—to the people of East Palo Alto, working especially hard to promote education and the dignity of women.

Even while she performed her good works, Mother Branch experienced a series of difficult setbacks. The first Community Center office burned down just before Thanksgiving of 1977, and a flood later destroyed her second office. Mother Branch kept aiding her community, spending what little money she had on temporary storage units and continuing to distribute supplies from her own home—which burned down as well. Motivated by a heroic desire to help, even as a stroke at the age of 86 kept her in the hospital for only two days, she went back to work. "No one should suffer," she would say.

A constant whirlwind of wisdom and affection, Mother Branch always seemed younger than her years . . . which was in fact the opposite. Over the course of resolving a mortgage issue in 2007, Mother Branch discovered that she was actually three years older than she'd thought. But the aid she gave was ageless, touching generations of East Palo Alto residents. Over the years, she would proudly observe, "I have seen people stand on their own feet." This was perhaps her greatest quality, her ability to strengthen and sustain the lives of those around her. She lived her faith daily, and recognized the godliness in every human being.

Mr. Speaker, I ask my colleagues to join me in extending our deepest condolences to Mother Branch's children: Erwin Babney, Whitney Babney, and Nate Branch, her grandchildren, and great-grandchildren, as well as all the residents of East Palo Alto. Mother Branch was deeply rooted in her community, nourishing everyone she met with her light, love, and laughter. I'm proud to have known such a caring and extraordinary matriarch and distinguished citizen of our community and our country.

RECOGNIZING MR. JAMES BISHIR AS THE 2011 HURLBURT AFA CHAPTER 398 MIDDLE SCHOOL TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mr. James Bishir as the 2011 Hurlburt AFA Chapter 398 Middle School Teacher of the Year.

Mr. Bishir, an Integrated Science teacher at Woodham Middle School, began teaching nine years ago. His dedication and professionalism are exemplified by his efforts leading extracurricular activities aimed at developing the skills to ensure that students are prepared to succeed after graduation. All of Mr. Bishir's students benefit greatly from his assiduous work ethic and his dedication to teaching them before, during and after school.

Three years ago, Mr. Bishir began heading Woodham's robotics program. Through countless hours of hard work, he and his robotics team of 58 members designed and built a robot. This year, their robot qualified, for the second time in three years, to compete at a national robotics championship at Auburn University. At the championship event, his team was the second highest ranking middle school. In just a short three-year period, he has shown students that not only can learning come in any form, but that their hard work and effort yield positive results.

In his capacity as the Project Based Learning Group Facilitator, Mr. Bishir serves as a mentor for eight other instructors at Woodham Middle School. Through his leadership, Mr. Bishir assists the group in using technology to incorporate project based learning in the classroom. Mr. Bishir goes above and beyond the call of duty to engage his students and work with his colleagues to facilitate innovative learning projects. His commitment to excellence leads to success in and out of the classroom and has earned him recognition as the 2011 Hurlburt AFA Chapter 398 Middle School Teacher of the Year.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize Mr. Bishir for his accomplishments. My wife Vicki joins me in congratulating Mr. James Bishir, and we wish him all the best.

HONORING REVEREND LUCIUS WALKER, JR.

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. LEE . Mr. Speaker, I rise today to honor the extraordinary life of Rev. Lucius Walker, Jr. The founding director of the new Interreligious Foundation for Community Organization (IFCO), and a steadfast advocate for civil

rights, peace and justice throughout his life, Rev. Walker followed a spiritual call to serve and empower vulnerable communities. With his passing on September 7, 2010, we look to Rev. Walker's personal legacy of faith, the joy he inspired, and the outstanding quality of his life's work.

Born August 3, 1930, in Roselle, New Jersey, Rev. Walker was one of 10 children. As a teenager, he garnered recognition as a skilled preacher at Pentecostal revival meetings. He majored in English at Shaw University, a historically black institution in Raleigh, North Carolina, and later earned a second degree in divinity from Andover Newton Theological School in Massachusetts. He also earned a master's degree in social work from the University of Wisconsin, and was ordained in 1958.

In 1967, a group of progressive religious leaders and community activists called upon Rev. Walker to be the founding executive director of IFCO, an organization that linked mainstream Protestant, Catholic and Jewish denominations and congregations to empower community organizers in troubled areas. For more than four decades, Rev. Walker led the IFCO in assisting the poor and disenfranchised to develop and sustain community organizations that fight for human and civil rights around the world.

As the first and largest foundation in the country led and directed by people of color, IFCO's first major accomplishment was the historic National Black Economic Development Conference in 1969, chaired by Rev. Walker. The conference resulted in the presentation of the Black Manifesto, which asked for $500 million in reparations to the Black community. In the 1970s, Rev. Walker and IFCO were instrumental in working to organize the National Anti-Klan Network (now known as the Center for Democratic Renewal), which continues to be a watchdog for racist violence and hate crimes. Moreover, Rev. Walker founded Salvation Baptist Church in Brooklyn, New York, and was also one of the strategists and founders of the National Black United Fund.

In 1988, Rev. Walker suffered a gun shot wound at the hands of Nicaraguan contras while leading an international delegation to raise awareness about U.S. policy in Central America. This harrowing experience strengthened his resolve to form a new IFCO program called Pastors for Peace. Through his work, the program has had a key role in the American Indian Movement, the national farm labor movement, the Puerto Rican struggle for independence, and opposition to the U.S. blockade of Cuba. It has organized more than 40 caravans carrying material aid to Mexico, Central America, Haiti, New Orleans, and more than 3,200 tons of aid to Cuba, flouting the U.S. blockade.

One of Rev. Walker's proudest accomplishments was his decade-long organization of a groundbreaking medical exchange program for low-income American youth from communities of color to earn full scholarships at the Latin American School of Medicine in Cuba and return to the U.S. to provide medical care to the underserved. It was an honor and a magnificent experience to work with him in establishing a process for American students to attend this school. He said, ''Yes, we can'' in spite of the odds. We owe Rev. Walker a debt of gratitude for his bold efforts.

Lucius was an international leader. I personally witnessed the respect and love people had for him throughout the world. He epitomized the slogan, ''think locally, act globally.'' I miss his advice and counsel, but most importantly, I miss his friendship.

Today, California's 9th Congressional District salutes and honors a great humanitarian, Rev. Lucius Walker, Jr. The contributions he made to others throughout his life are countless and precious. My thoughts and prayers are with his family, as well as his extended group of loved ones and friends. He was a man of bold integrity who is deeply missed. May his soul rest in peace.

IN RECOGNITION OF THE SERVICE OF COMMAND SERGEANT MAJOR VICTOR ANGRY AND IN APPRECIATION OF MILITARY FAMILIES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Command Sergeant Major Victor Angry on the occasion of his retirement following more than 23 years of service in our United States Army National Guard. SGT. MAJ. Angry joined the Army National Guard in 1987, following in the footsteps of his brothers who also served our country in uniform. SGT. MAJ. Angry was just 19 years of age when he enlisted. Raised in an urban and poor environment, SGT. MAJ. Angry found himself with few dreams, little passion, and deflated hopes, and thought that he was just ''taking a job'' for four years. That ''job'' became an extraordinarily successful career in which SGT. MAJ. Angry has become a part of history.

Attaining the rank Command Sergeant Major is the epitome of success in the Army National Guard. It is the highest rank possible, with the exception of Sergeant Major of the Army, for enlisted soldiers and there is no greater honor. SGT. MAJ. Victor Angry was the very first African American to achieve this rank and he has become a role model and inspiration for other young men and women, especially those who face personal challenges.

SGT. MAJ. Angry has a role model of his own—his wife Michelle. The life of a servicemember can be very difficult, especially on his family. Frequent moves or deployments, becoming re-established in a new community, guiding your children through the pain of leaving old friends and trying to fit in yet again are just a few of the issues that are faced. Michelle has not only guided her family through these changes, she has aided so many other children along the way. Michelle has been instrumental in the development and success of the Fort Belvoir Family Childcare Program where her nurture, patience, and intelligence have contributed immeasurably to the growth and security of the children of our soldiers. Michelle has become a ''Star Provider'' and has rightfully earned the praise of so many including Evelyn Flores, Family Child Care Director, Fort Belvoir, Virginia.

I believe that SGT. MAJ. Angry would agree that without the unconditional love and support of his wife Michelle and his children Dominique and Alexxyus, his professional success in the U.S. Army Guard would not have been possible.

Mr. Speaker, I ask my colleagues to join me in congratulating Command Sergeant Angry on the occasion of his retirement and in thanking him for his service to our country. I also commend Michelle Angry and all military spouses and families throughout our country. They are truly the unsung heroes. Our armed services would suffer greatly without the eternal support of their families, and I thank Michelle and all military families for their sacrifices.

RECOGNIZING FROZEN FOOD MONTH

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to recognize Frozen Food Month and to thank the thousands of individuals who work in the frozen food industry who help hard-working families have access to healthy foods.

Few other food choices provide consumers with the benefits and flexibility offered by frozen foods. Today, frozen entrees are healthier—using less sodium, less fat and including more whole grains. Frozen fruits and vegetables can be nutritionally superior to their fresh counterparts, particularly over time.

Frozen foods have also played a key role in helping nourish Americans and feed the world. According to the U.S. Department of Agriculture, U.S. exports of frozen food hit an all-time high in 2010 at $11 billion, an increase of more than 50 percent since 2006.

The industry is also a key job producer. With almost 700 facilities located nationwide, it employs nearly 100,000 Americans. In the state of Washington alone, more than 7,400 jobs come from the frozen food industry.

This makes sense. One of Washington state's top advantages is its reliable production of high quality crops. There are more than 300 crops commercially produced, which can be turned into a diverse range of quality frozen food products for American consumers and growing markets in Asia. Potatoes, apples, grapes, and berries are just some of the crops that are processed and frozen.

I would be remiss if I didn't take this opportunity to commemorate the accomplishments of some in the industry who have made a difference. Clarence Birdseye—an all American inventor—who ushered in a food revolution in 1930 when his line of frozen foods first hit grocery stores, introducing America to affordable foods that were easy to make.

William McCaffray Sr. founded the National Frozen Food headquartered in Seattle, Washington. Mr. McCaffray started freezing one-pound cups of strawberries in 1928—some of the earliest frozen retail packaging in the world. The impact that these two gentlemen had on the industry and the impact that the industry has had on this nation are immeasurable. There is no doubt that the innovations and contributions of this vital American industry will continue to shape the future success of our country.

THE HAMP TERMINATION ACT OF 2011

SPEECH OF

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis:

Mr. CANTOR. Mr. Chair, last November, voters sent an unambiguous message in opposition to the surge in government spending.

Today, House Republicans are fighting to provide a surge protector.

In three short months, we have changed the conversation in Washington from increasing spending to cutting spending and by how much. We have made significant strides toward returning spending to more reasonable 2008 levels, and we are taking the scalpel to excessive regulation that is smothering the economy.

By lifting the ominous fiscal cloud that hangs over our businesses and job creators, we are laying the foundation for lasting growth.

Today, through our YouCut program, the American public has put another wasteful spending initiative on the chopping block.

In February 2009, the administration earmarked $30 billion in TARP money to implement the Home Affordable Modification Program. This effort was intended to fight foreclosure and strengthen the housing market, but to quote the non-partisan Inspector General, it ''continues to fall dramatically short of any meaningful standard of success.''

HAMP was meant to help 4 million homeowners; yet only 521,630 loans have been modified under the program. To add insult to injury, HAMP suffers from high re-default rates and has left many borrowers worse off.

This legislation would save taxpayers up to $29 billion by preventing the government from providing any new assistance under HAMP. It is a common sense way to put an end to the culture of waste we have been working to eradicate in Washington. I urge my colleagues to vote in favor.

A DAY IN HONOR OF ABIODUN OYEWOLE, ''FOUNDING MEMBER OF THE LEGENDARY LAST POETS'' AND ARCHITECT OF POETS HAVEN—OPEN HOUSE SUNDAYS @ 110 MORNINGSIDE DRIVE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. RANGEL. Mr. Speaker, I rise today to recognize a day in honor of Abiodun Oyewole, founding member of the legendary Last Poets and architect of Poets Haven—Open House Sundays @ 110 Morningside Drive.

On Sunday, March 27, 2011, Harlem's beloved National Black Theater hosted and joined the community of Black Diasporan Artist and Poets to celebrate and honor the legacy of Abiodun Oyewole and his most prized institution, ''Open House Sundays @ 110 Morningside Drive,'' a true rendition of free art, expression, and family love.

Abiodun Oyewole, a founding member of the legendary and original spoken word group, The Last Poets, has for over 30 years opened his apartment every Sunday, feeding his fellow artists food for thought, body and soul. Sunday's participants would gather at Poets Haven to celebrate each other, eat delicious foods, and gravitate to the elders. For many aspiring and renowned artists and poets, this is home, a place where one can help oneself to salmon croquettes, grits and home fries. In his living room you can find griots, storytellers and poets sharing their work with people who have an appreciation for the arts and yearn to be around love and expression of Black Consciousness.

Shortly after the assassination and murder of Reverend Dr. Martin Luther King, Jr., along with the changing domestic landscape came the New York City-hip group called The Last Poets. They used obstreperous verse to chide a Nation whose inclination was to maintain the colonial yoke around the neck of the disenfranchised. Their name, ''The Last Poets,'' is taken from a poem by the South African revolutionary poet Keorapetse Kgositsile, who posited the necessity of putting aside poetry in the face of looming revolution. ''When the moment hatches in time's womb there will be no art talk,'' he wrote. ''The only poem you will hear will be the spearpoint pivoted in the punctured marrow of the villain. . . . Therefore we are the last poets of the world.''

So Abiodun Oyewole and founding members Umar Bin Hassan, Jalal Mansur Nuriddin, Felipe Luciano, Gylan Kain, David Nelson and percussionist Nilaja Obabi formed The Last Poets on May 19, 1968, Malcolm X's birthday, at Marcus Garvey Park (formerly Mount Morris Park) in the East Harlem/El Barrio neighborhood part of my Congressional District in New York.

These young radical poets and musicians rose to become the rappers of the civil rights era. During the late 60s and early 70s, Abiodun and members of The Last Poets connected with the violent factions of the SNCC (Student Non-Violent Coordinating Committee), the SDS (Students for a Democratic Society), and the Black Panther party. They went through confrontations with the FBI and police, arrests for robbing the Ku Klux Klan and various other ventures with Revolution in mind. Abiodun Oyewole received a 12- to 20-year jail sentence, but served less than four years.

Post the revolutionary Civil Rights era, Abiodun went into teaching. He was a Columbia University Fellow, where he taught biology, and also spent 15 years with the New York City Board of Education teaching children.

The Last Poets have been cited as one of the earliest influences of what would become hip-hop music and for paving the way for all socially committed Black and diverse emcees. So, Mr. Speaker, I ask that today we pay homage to Abiodun Oyewole, Umar Bin Hassan, Felipe Luciano and percussionist Don Babatunde Eaton. Without fame or fortune, they continue to raise the consciousness of America and influence the world through the spoken word of the ''Legendary Last Poets.''

HONORING VIETNAM VETERAN DOCKIE BRENDLE FOR HIS SERVICE AND SACRIFICE IN THE VIETNAM WAR

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor Specialist Fourth Class Dockie Brendle for his valiant service and sacrifice during the Vietnam War.

In 1967, Mr. Brendle started his tour of duty as an Armored Track Commander with the 11th Armored Calvary Regiment in Swan Loc, South Vietnam. In 1968, Mr. Brendle was wounded four times. Due to his service and sacrifice Mr. Brendle received various medals and accolades, including a Silver Star, a Bronze Star with ''V'' Device for Valor, an Army Commendation Medal with ''V'' Device for Valor, four Purple Hearts, a Combat Infantry Badge, a President Unit Citation, a Vietnam Service Medal with three Bronze Stars, a Vietnam Gallantry Cross, and a Vietnam Campaign Medal.

Although he is now a 100 percent disabled veteran, Mr. Brendle is an active part of the Swain County community. He is a member of the Vietnam Veterans of America, Smoky Mountain Chapter 994 as well as a member of Veterans of Foreign Wars in Bryson City. He regularly attends events throughout the community. An avid football fan, he can be seen watching many Swain High School football games as a member of the ''Fence Walkers.''

I am grateful I have selfless, brave, and dedicated veterans like Mr. Brendle in our community. His service to our country is a great source of pride to me and to Western North Carolina. I ask my colleagues to join me today in recognizing Specialist Fourth Class Dockie Brendle for his service and sacrifice to our great nation.

CONGRATULATIONS TO THE NEWMAN CHAPEL UNITED METHODIST CHURCH

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. PAUL. Mr. Speaker, I am pleased to congratulate the parishioners of Newman Chapel United Methodist Church of Kendleton, Texas, on the opening of their new multipurpose worship center. The Center opened this past Sunday, March 27th.

Established in approximately 1872, Newman Chapel was the first Methodist Church organized in the Kendleton. Originally, parishioners meet by the San Bernard River under the old oak trees. Services were held at the river until 1874 when the parishioners constructed a log cabin that served as both a place for worship and a school.

Newman Chapel may have come a long way from its roots in a gathering of believers by the San Bernard River, but what has never

changed is the parishioners' and staff's commitment to the mission of building a spirit-filled community church of believers. The new worship center will enhance the Church's ability to carry out this mission by providing a more spacious and comfortable location for worship and other traditional church activities. The new multipurpose center will also be used for new ministries and needed services to all the people of Kendleton. Some of the new programs planned include a Sunday morning breakfast and bible study, a senior daycare center, after school tutorials and programs to provide nutritious food to Kendleton's low-income population.

In conclusion, I once again extend my congratulations to the parishioners and staff of Newman Chapel United Methodist Church on the opening of their new multi-purpose worship center. I am certain all of Newman Chapel's parishioners as well as the community of Kendleton will benefit from the worship center.

IN RECOGNITION OF THE 142ND ANNIVERSARY OF THE SHILOH BAPTIST CHURCH

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, it is my great honor to recognize the 142nd Anniversary of the Shiloh Baptist Church in Mason Neck, Virginia, and to celebrate the unveiling of its historical marker.

The mission of Shiloh Baptist is to be a ''beacon of light'' within the community, bringing hope, spiritual guidance, and a loving spirit to those it serves.

On November 18, 1879 Relius Allen and Archie Gilliam, Trustees, purchased one acre of land on Gunston Road, where the first Shiloh Baptist Church was built. This humble log structure became the spiritual home to local families including the original organizers named Gilliam, Berries, Gant, Blackburn and Williams. A small cemetery was also established on the original property. In 1900, another one-acre parcel was purchased directly across the street; this parcel included a building, the Gunston white school, which served as a second meeting house. In 1927, a vestibule and steps were added to the building, which is still in use today.

Since that time, the Church has witnessed many changes. August 11, 1984 marked the groundbreaking of the New Edifice to the Glory of God, which was dedicated the next year. In 1999, a 6-acre addition was dedicated. In 2004, two trailers were installed, providing additional room for classes, administrative offices, prayer rooms, and a library. Also in 2004, two additional acres were purchased, increasing the total Church property to 10 acres. The house on the original Parson's Property has been set aside for use as a ''House of Helps and Hope'' to serve the needs of our less fortunate neighbors, as well as a nursery.

It is believed that Reverend John Webb was the first pastor of the church and since its founding, 16 pastors and three interim pastors have served the Shiloh Baptist congregation. In 2002, the Reverend Doctor Luther M. Bailey became Pastor of Shiloh Baptist Church, where he continues to serve. Under his leadership, new programs have been implemented and membership has grown to 146.

The significance of Shiloh Baptist Church has been recognized with the placement of a historical marker presented by the Fairfax County History Commission. This Church has witnessed great transformations in our country from its beginnings shortly after the end of the Civil War to the election of our Nation's first African-American President, Barack Obama.

Mr. Speaker, I ask my colleagues to join me in recognizing the 142nd Anniversary of Shiloh Baptist Church, and in recognizing the historical significance and contributions to the community made by this Church and its members.

HONORING WILLIAM ''BILL'' RUSSELL

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary career of basketball Hall of Famer and America's 2010 Medal of Freedom Award Recipient, Mr. William ''Bill'' Russell. A trailblazer in both athletics and civil rights, Mr. Russell is a five-time winner of the NBA MVP Award, a 12-time All Star, and winner of 11 NBA Championships in his 13-year career with the Boston Celtics. Today, we pay tribute to a living legend, on and off the court. Called ''The Greatest Winner of the 20th Century,'' by HBO Sports and ''The Greatest Team Player on the Greatest Team of All Time,'' by Sports Illustrated, Bill Russell's colleagues, friends and family also know him simply as a great human being.

Born February 12, 1934 in West Monroe, Louisiana to Mr. and Mrs. Charles and Katie Russell, Bill moved with his family to Oakland, California at the age of eight. A promising athlete at a young age, he subsequently led the University of San Francisco to NCAA Championships in 1955 and 1956, and was drafted soon after. In 1956, he also led the United States Olympic basketball team to a gold medal as team captain.

Over the years, Mr. Russell captivated fans across the nation with 14,522 career points, 21,620 career rebounds and 4,100 career assists with the Boston Celtics. Noted as the best defensive player in NBA history, Mr. Russell continued his career by becoming the first African-American head coach in American major league sports with the 1967 Boston Celtics. He also coached the Seattle Supersonics from 1973 to 1977 and the Sacramento Kings from 1987 to 1988.

Following his coaching career, Mr. Russell served his community as an active philanthropist, author and public speaker. Having been the first NBA player to visit Africa in 1959, Mr. Russell later partnered with the NBA and State Department to introduce basketball to Africa as a global ambassador. He has since hosted clinics in over 50 countries on six continents. He has also served as an active member of the National Mentoring Partnership's Board of Directors. Moreover, he has joined with one of his three children, Karen, in raising national awareness and research for Sarcoidosis, a fibrotic lung disorder that affects them both.

Among Mr. Russell's numerous accolades are an honorary doctorate from Suffolk University, an honorary degree from Harvard University and the NBA's first Civil Rights Award. Also, in 2009, the NBA Finals MVP trophy was renamed: the Bill Russell NBA MVP Award.

On behalf of the residents of California's 9th congressional district, Mr. William ''Bill'' Russell, I salute you. I congratulate you on your many achievements, and I thank you for the invaluable contributions you have made to the sport of basketball, to communities of color, and to residents throughout the Bay Area. I wish you and your loved ones continued success, happiness and well-being in the coming years.

BILL TO HONOR M.D. ANDERSON OF JACKSON, TENNESSEE

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. FINCHER. Mr. Speaker, I rise today to remember and honor the distinguished life of a successful agri-businessman, a respected philanthropist, and a great Tennessean from Jackson, Tennessee: Monroe Dunaway Anderson. It is my pleasure to introduce a bill to honor M.D. Anderson by designating the property between the United States Federal Courthouse and the Ed Jones Building at 109 South Highland Avenue in Jackson, Tennessee as the ''M.D. Anderson Plaza''.

Mr. Anderson is a true American legend who used his fortune and influence to provide thousands of people with hope and a second chance at life. Mr. Anderson worked his entire life so that he could endow a hospital which would eventually become the largest medical complex in the world. His philanthropy and generosity were instilled in him as a boy growing up in Jackson, Tennessee. His story deserves to be told and his life commemorated for his bold vision.

Monroe Dunaway Anderson, also known as M.D. Anderson, was born in Jackson, Tennessee in 1873. After attending Jackson public schools, Mr. Anderson left his hometown to attend college in Memphis, Tennessee. Upon completing college, Mr. Anderson returned to his hometown to work at the People's National Bank.

In 1904 Mr. Anderson joined the cotton trading venture Anderson, Clayton, and Company started by his older brother Frank Anderson and Frank's brother-in-law Will Clayton. Their corporation flourished worldwide due to the rising demand of cotton during World War I, and they moved their operation to Houston, Texas to have better access to larger banks and deep water shipping. By the mid-1920's, after the company moved to Houston, they had operational trading firms in Europe, Africa, and Asia.

In 1936, Mr. Anderson established the M.D. Anderson Foundation with $300,000, which created the largest medical complex in the world, the Texas Medical Center in Houston, TX. The Foundation was set to receive an additional $19 million dollars upon the death of Mr. Anderson in 1939. The charter of the Foundation did not specify how the money was to be used, but the trustees leaned strongly in the direction of healthcare due to

Mr. Anderson's passion to help people and his desire to rid the world of cancer.

By 1945, Anderson, Clayton, and Company owned and operated 233 gins, 33 cottonseed oil plants, and 123 warehouses worldwide, and Fortune Magazine named this small start-up enterprise the largest cotton buyer, seller, storer, and shipper of cotton in the world.

The company remained private until 1945 when it was listed on the New York Stock Exchange. Because of this business strategy, it allowed the M.D. Anderson Foundation to purchase land for the Texas Medical Center through the sale of the company's stock. The Anderson, Clayton, and Company, by this time, had diversified its capital into a marine insurance company, a barge line, cotton mills, an investment bank, machine works, and even a foods division. After 1950, the multimillion dollar company was known as ACCO, or the ''BigStore'', and their international market sales reached three and half percent of all the world's production.

The positive impact of the Anderson, Clayton, and Company had on agri-business and the cotton trade as well as the M.D. Anderson Foundation's influence on medicine, research, and education throughout Tennessee's 8th Congressional district and the country is still being felt today.

Mr. Anderson's generosity through his foundation has built libraries, auditoriums, college buildings, and a planetarium on the campus of Lambuth College in Jackson, Tennessee as well as the 49 buildings at the Texas Medical Center.

Because of the positive legacy that M.D. Anderson has left, the city of Jackson, Tennessee along with Madison County passed resolutions in 2009 to honor Mr. Anderson and to rename the plaza between the two Federal Buildings in Jackson, Tennessee as ''M.D. Anderson Plaza''.

I am not alone in my effort to recognize Mr. Anderson's achievements. I would like to recognize the support of Mayor Jerry Gist of Jackson along with the Jackson City Council members Charles ''Pepper'' Bray; Ernest Brooks, II; Harvey Buchanan; Johnny Dodd; Danny Ellis; Maurice Hays; Frank Neudecker; Charles Rahm; and Randy Wallace.

In addition to the Jackson City Council, I would also like to recognize Madison County Mayor Jimmy Harris and the County Commission members Jimmy C. Arnold; Fred W. Birmingham; Katie Y. Brantley; Claudell Brown, Jr.; Gary D. Deaton; Aaron D. Ellison; Jim Ed Hart; Arthur D. Johnson, Jr.; Mark G. Johnstone; Terry H. Kuykendall; Larry V. Lowrance; William C. Martin; Luther T. Mercer; Dale Morton; John W. Newman; James W. Pearson; Joe A. Roland; Lacy R Rose; Douglas S. Roth; Billy Spain; Doug Stephenson; Bill Walls; and Arthur Wilson.

Finally, I would also like to acknowledge and thank Mr. Dickie Day of Jackson, Tennessee and Mr. Carter Edwards of Crocket Mills, Tennessee for working on this effort.

Today I join my distinguished colleagues in the city of Jackson and Madison County to rename the plaza between the two Federal buildings in Jackson, Tennessee as the ''M.D. Anderson Plaza'' by introducing this bill to recognize and honor the life and accomplishments of M.D Anderson.

Furthermore, I would like to point out that this bill will place no burden to the taxpayers of this great country due to the generosity of the West Tennessee Health Care Foundation in providing the funds necessary to rename the plaza and honor Mr. Anderson.

Mr. Speaker, I urge my colleagues in the House (and Senate) to support me in this tribute to a great American.

RECOGNIZING MR. TIMOTHY HESTER AS THE 2011 HURLBURT AFA CHAPTER 398 HIGH SCHOOL TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mr. Timothy Hester as the 2011 Hurlburt AFA Chapter 398 High School Teacher of the Year. For more than 30 years, Mr. Hester has been an inspiration to his students and colleagues, and I am honored to recognize this achievement.

Out of his passion for teaching and love of aviation, Mr. Hester creates a unique and stimulating learning environment. His introductory middle school course on aeronautics has been adopted by middle schools throughout Okaloosa County as the model for their aeronautics programs. Mr. Hester built on that success and translated it to the high school level, where he currently teaches introductory courses in aviation, aerospace, and space flight in three high schools through the CHOICE Aviation Institute.

Through his tireless work and dedication, Mr. Hester has ensured that the equipment, teachers, and programs necessary to advance aeronautical education are readily available to his students. Last year, he raised $50,000 in donations and grants to fund these needs, and he has expanded the Aviation Institute, recruiting students and establishing a classroom, among other efforts.

To Mr. Hester, learning is not isolated within the classroom walls. He has afforded his students the opportunity to fly with the Experimental Aircraft Association Young Eagles Program and has hosted field trips to Embry Riddle Aeronautical University. Education in the classroom coupled with practical experience in aviation has amplified the innovative learning experience, providing students a foundation for success and earning him the recognition of High School Teacher of the Year.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize Mr. Hester as the Hurlburt AFA Chapter 398 High School Teacher of the Year and for his continuing commitment to excellence. My wife Vicki joins me in congratulating Timothy Hester, and we wish him all the best.

TRIBUTE TO COACH MIKE GOTTFRIED—2010 MOBILIAN OF THE YEAR

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. BONNER. Mr. Speaker, in my home state of Alabama, we know something about winning football, and there is one fact we don't dispute. Behind every winning team is a great coach. The success of the City of Mobile is due in no small measure to the tireless efforts of our own ''coach'' and my dear friend, Mike Gottfried. I'm especially proud to note that Coach Mike Gottfried is being honored on April 7, 2011, with a most deserving honor, 2010 Mobilian of the Year.

Many Americans may recognize Mike Gottfried as a long-time ESPN sports analyst who covered both college and NFL football for nearly two decades on prime time television. A fixture on the cable network's Thursday Night Game of the Week and College Football Thursday Night, not to mention ESPN's NFL draft coverage, Mike was particularly compelling as a voice for character as well as athletic achievement.

An Ohio native, Mike was quarterback at Morehead State University from 1962 to 1965. Upon graduation in 1966, he proceeded to coach high school football in Ohio before embarking on a distinguished college coaching career that took him to Murray State, Cincinnati, Kansas and Pittsburgh. During his four years at Pittsburgh, Mike earned a 26–17–2 record, including wins over rivals Notre Dame, Penn State and West Virginia.

Mobile was fortunate when Mike moved to our city in 1990 and became an active member of our community. A member of the Mobile Sports Hall of Fame, Mike is credited with helping to establish the GMAC Bowl—now the GoDaddy.com Bowl—in Alabama's port city.

Mike may be a giant on gridiron, but he stands even taller in the lives of hundreds of young men who grew up without fathers. In 2000, Mike founded Team Focus, an organization which has enabled hundreds of single parent children to advance their education in an environment in which they are ''motivated, encouraged, and challenged.''

He is the co-author of Coach's Challenge: Faith, Football, and Filling the Father Gap, written with Ron Benson in 2007.

A nationally sought-after motivational speaker and supporter of youth programs, Mike partnered with First Lady Laura Bush in promoting her Helping America's Youth (HAY program), benefitting at-risk students. For over ten years, Mike and his wife, Mickey, have also led fundraising efforts for L'Arche, a Christian community for people with intellectual disabilities, raising more and a half millions dollars. Mike and his wife are also the recipients of the 2010 FBI Director's Community Leadership Award for their community outreach work with Team Focus.

Mike's selfless record of service to disadvantaged youth and his uncommon devotion to our community, have certainly earned him the honor of 2010 Mobilian of the Year.

On behalf of the people of South Alabama, I congratulate Mike on receiving this award and I extend a personal thank you to Mike and his wonder wife and partner, Mickey, for all they continue to do for our community and our country.

HONORING THE LIFE OF GARRETT JOSEPH MALISKA

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor the life of Garrett Joseph Maliska of Bryan, Texas.

Garrett entered into rest on February 28 at his home with his family by his side. He was 17 years old. Garrett had battled with Spinal Cord Glioblastoma Cancer since March of 2008.

Garrett was an exceptional young man. He touched everyone that he came in contact with. His friends, teammates, teachers, and classmates all admired the strength with which he carried himself through his hard fought battle with this disease.

Garrett, a member of the baseball team, continued to remain on the team's roster throughout his cancer fight. Many of his teammates and friends all shaved their heads in solidarity with him over this time.

Garrett was a senior at Bryan High School who was well respected in the community for his character and perseverance during his difficult fight. He made a lasting impression on everyone in the community he met, who saw the strength in which he carried himself despite facing this hardship.

Garrett planned on attending Texas A&M upon graduation and becoming an Aggie. His spirit will live on and a scholarship will live on in his name, ''The Heart of G Scholarship.''

Our thoughts and prayers are with the Maliska family at this difficult time.

RECOGNIZING FIREFIGHTER JIM RITCHIE OF THE HARBOR BEACH AREA FIRE DEPARTMENT FOR 50 YEARS OF SERVICE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mrs. MILLER of Michigan. Mr. Speaker, it is my distinct pleasure to pay tribute to Firefighter Jim Ritchie of the Harbor Beach Area Fire Department located in beautiful Huron County, Michigan. This year marks the 50th year of service for Mr. Ritchie who began his career with the Department in 1960 at 22 years old.

Mr. Ritchie has consistently set high standards during his outstanding career in the fire services. The State of Michigan, the 10th Congressional District and the City of Harbor Beach have benefited greatly from his devotion, sacrifice and strong leadership skills. He was among some of the first individuals in the surrounding Thumb Area to become a state certified fire instructor—demonstrating his commitment to be a great mentor and teacher to younger volunteer firefighters joining the profession.

Mr. Speaker, firefighters are the backbone of our communities. They are often the first to respond to an emergency. Whether it is a fire, car accident, natural disaster, an act of terrorism, medical emergency, or hazardous spill, extraordinary men and women stand ready to serve. They have an unwavering dedication to protect those who are in distress.

But sometimes, first responders are taken for granted. That is until a crisis strikes and the public reaches out for help. Against their better judgment, firefighters rush to the scene of an emergency and into harm's way. When our natural instincts tell us to flee, firefighters rush in. And without the promise of fame, fortune, or as much as a simple ''thank you,'' firefighters remain constantly vigilant.

Despite this, Firefighter Ritchie continues to show true bravery and courage in times of panic and crisis. He has served a key role with the Harbor Beach Area Fire Department. He is a great American and I salute him.

In closing, Mr. Speaker, I am extremely proud of all the men and women who risk their lives to protect our safety and well-being, so it is my honor to offer my sincere gratitude to Mr. Jim Ritchie for his 50 years of service. His leadership, integrity, and dedication are greatly appreciated. I wish him all the best as he continues to serve the citizens of the City of Harbor Beach.

''AN UNJUSTIFIED ASSAULT ON STATE AND LOCAL GOVERNMENT''

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, very few financial instruments in American history have had the extremely high degree of reliability as full faith and credit, general obligation bonds issued by states or local governments. The rating agencies themselves have acknowledged that there are virtually no defaults of such bonds, and even for those bonds that are funded by particular dedicated revenue sources, and are somewhat less solid, as Iris Lav notes in the New York Times last week, ''The leading rating agencies estimate the default rate on rated municipal bonds of any kind at less than one-third of 1 percent; in contrast, the default rate on corporate bonds reached nearly 14 percent during the recession and hovers around 3 percent in good times.'' I note here, Mr. Speaker, that while I am skeptical of the predictive abilities of the rating agencies, I do not doubt their ability to count what has happened and that is what we are referring to here.

Despite this extraordinary solid record of repayment, there are some in the investing community who are promoting uncertainty by predicting that there will be, in an unprecedented way and quite contrary to the fiscal facts—an outbreak of defaults. This is not only without any factual basis; it is one more assault on the ability of state and local governments to provide for the needs of the people who live in these jurisdictions. Transportation facilities; sewer and water projects; public safety and health and education facilities—all of these are funded by bonds, and the record, as Ms. Lav makes clear, is that those who invest to help build these are always paid back as promised.

In her op-ed article in the New York Times, Iris Lav, of the Center on Budget and Policy Priorities, decisively refutes this effort to drive up the interest rates that state and local governments have to pay, requiring them either to raise taxes at the state and local level, or to diminish important projects that both support employment and provide necessary public facilities.

Mr. Speaker, I ask that Iris Lav's thoughtful and irrefutable argument be printed here.

UNBREAKABLE BONDS

(By Iris J. Lav)

WASHINGTON.—Late last year a well-known financial analyst, Meredith Whitney, predicted that ''50 to 100 sizable defaults'' by state and local governments, amounting to hundreds of billions of dollars, were just around the corner. Since then that fear has produced a near-panic, with municipal bond markets down significantly and some even calling for a law to let states declare bankruptcy.

But this fear of an imminent bond crisis reflects a profound misunderstanding of the differences between the short- and long-term challenges facing state and local governments, and what these governments can do to address them. Indeed, such talk hurts those governments in the long run by undermining investor confidence and raising their borrowing costs.

Municipal bond default is actually quite rare: no state has defaulted on a bond since the Depression, and only four cities or counties have defaulted on a guaranteed bond in the last 40 years. A few minor bond defaults do occur each year, usually on debt issued by quasi-governmental entities for projects that didn't pan out, like sewers for housing developments that never were occupied.

Indeed, last year's total defaults amounted to just $2.8 billion—a drop in the bucket compared to the nearly $3 trillion in outstanding municipal bonds. The leading rating agencies estimate the default rate on rated municipal bonds of any kind at less than one-third of 1 percent; in contrast, the default rate on corporate bonds reached nearly 14 percent during the recession and hovers around 3 percent in good times.

So why are so many people afraid of a looming wave of bond defaults? The confusion is rooted in a failure to distinguish between cyclical budget problems and the longer-term soundness of state and local borrowing.

State and local budget deficits need to be understood in context. These governments always have trouble balancing their budgets during economic downturns, and this downturn has been worse than most. The 2007–2009 recession and the slow recovery, along with housing foreclosures, caused a big drop in state and local revenues; state revenues remain an estimated 11 percent below what they were before the recession.

Meanwhile, state spending on public services has risen, driven in part by increases in the numbers of unemployed and newly poor residents. The result has been huge and continuing, but understandable, deficits.

Such deficits make for frightening headlines because these days, most governments are legally required to balance their budgets each year, and they have been closing those gaps by cutting programs and raising taxes, neither of which sits well with voters.

But these operating deficits are cyclical: as the economy picks up, demand for social services will decline and tax revenues will increase, just as they have after previous recessions.

To be sure, states also suffer from longer-term ''structural deficits'' because their revenues are not growing as quickly as their costs of providing services even during good economic times. These structural deficits, which states must address, make it harder for them to meet their responsibilities each year.

However, that doesn't mean their bonds are in trouble. Bonds are a long-term obligation. They finance projects like bridges,

highways and school buildings—not, with very few exceptions, annual operating costs. And by law most state and local governments must pay bond interest before financing any public services.

True, state and local governments do have to make annual interest payments on their bonds, but these payments represent a modest 4 percent to 5 percent on the whole of current spending—no more than in the late 1970s. And while total state and local bond debt has risen slightly over the last decade as a share of the economy, it is no higher today than it was at times in the 1980s and 1990s.

On the rare occasion when a local government faces the risk of default, the state typically steps in and creates a control board or other mechanism to straighten out its finances and assure that bondholders get paid; New York did so when Nassau County's finances deteriorated in 2000 and again this year. Pennsylvania gave the same assistance last year to Harrisburg, which had issued bonds for an overly ambitious trash-to-energy project.

Some doomsayers liken today's municipal bond market to the mortgage bond market before it burst. But that's a false comparison: state and local governments haven't changed the frequency or quality of bonds issued, as occurred with subprime mortgage bonds.

Nevertheless, the fear of imminent defaults has led some politicians to call for a federal law allowing states to declare bankruptcy. That's a solution in search of a problem that doesn't exist—and a dangerous solution at that, since it likely would undermine investor confidence and thereby increase state borrowing costs for necessary capital improvements.

None of this is to say that the country's finances, whether at the federal, state or local level, aren't without serious problems. But it's one thing to talk reasonably about long-term difficulties, and another to spread fear about a bond-default apocalypse. Doing so might win political points, but it makes finding real solutions much harder.

HONORING THE UNIVERSITY OF WISCONSIN-MADISON WOMEN'S HOCKEY TEAM FOR WINNING THE NCAA DIVISION I NATIONAL CHAMPIONSHIP

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. BALDWIN. Mr. Speaker, I rise today to honor the University of Wisconsin-Madison women's hockey team for completing an outstanding season and winning the NCAA Division I National Championship. The victory marks the Badgers' fourth national title in six years.

Under the tutelage of Coach Mark Johnson, UW-Madison achieved tremendous success this season with an overall record of 37 wins, 2 ties, and 2 losses. Their mark of 37 wins is a new NCAA women's hockey record, besting the mark of 36 wins previously set by the Badgers in 2006. and 2007, and their last win capped an unbelievable 27 game win streak. The Badgers secured both the WCHA regular season and tournament titles, and on March 20, 2011, they iced the National Championship with a 4–1 victory over Boston University in the 2011 NCAA Women's Frozen Four National Championship game at Tullio Arena in Erie, Pennsylvania.

The merit of this team is reflected in the many accolades earned by its members. Coach Johnson, a former gold medal Olympian, was awarded the 2011 American Hockey Coaches Association Division I Coach of the Year, making him a four-time recipient of the award. Additionally, senior forward Meghan Duggan was awarded the Patty Kazmaier Award, which recognizes the Division I female hockey player who displays the highest standards of personal and team excellence during the season. Meghan's three point performance in the semifinal game against Boston College, which included an assist on Brianna Decker's goal with just 48 seconds left, helped the Badgers skate into the finals.

The puck does not stop with athletic achievement. UW-Madison Chancellor Biddy Martin, Athletic Director Barry Alvarez, and Coach Mark Johnson are dedicated to creating an environment of academic excellence. Every year, the Elite 88 award is presented to the student-athlete with the highest cumulative grade point average participating in the finals for each of the NCAA's 88 championships. This year, sophomore goalie Rebecca Ruegsegger, who also was named to the All-WCHA Academic team and is a WCHA Scholar Athlete, was the women's hockey recipient for this prestigious award for her 4.0 grade point average.

The loyal support of Badger fans clad in cardinal and white across the state helped raise the women's hockey team to the apex of their sport. I join others in south central Wisconsin in proudly recognizing the achievements of the players, coaches, students, alumni, and staffers who were vital in helping the UW-Madison women's hockey team win yet another NCAA title.

HONORING MICHAEL KELLEY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. KEATING. Mr. Speaker, I rise today to recognize a man of utmost integrity and resilience: Michael Kelley. Mike will be honored tomorrow at the Plymouth Public Library in Plymouth, Massachusetts for his steadfast dedication to the security of our Nation and his fellow veterans.

Following over twenty years in the Navy, Mike returned with a new perspective on the challenges that veterans face and the opportunities that our country can create for them. Mike quickly saw that unemployment and a lack of job training plagued his veteran community, and so he set to establish a multidisciplinary team that ultimately founded the VET NET Steering Committee and devoted his life to helping his fellow veterans seek employment opportunities through the Plymouth Career Center. Thousands of veterans from the Army, Navy, Marines, Coast Guard, and the Air Force have found a collaborative way to train each other on necessary job skills, explore emerging employment opportunities, and secure careers for themselves. Meanwhile, Mike worked effortlessly to garner support for the Steering Committee and retain an active and outspoken membership.

I commend Mike for his drive and initiative, and I urge others to learn from his leadership and guidance. I look forward to working with Mike and our veterans' community to address these challenges and help veterans advance our economy.

IN RECOGNITION OF MS. EDIE FRASER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to Edie Fraser, a remarkable woman who has devoted herself to promoting diversity, advancing women's equality, and serving others throughout her career, and who I am proud to call my friend.

A remarkably devoted and effective activist and philanthropist, Edie D. Fraser is a successful entrepreneur, an inspirational and visionary leader, and a selfless and dedicated philanthropist and mentor to countless other women and girls. She has a long and distinguished track record as an advocate for diversity in the corporate sector. The remarkable effectiveness and astonishing energy that she has demonstrated in her advocacy inspired her friend Cynthia de Lorenzi, the founder of the "Success in the City" program, to give her the nickname, "the Magical Bumblebee."

A top official at Diversified Search Odgers Berndtson, Edie Fraser is widely respected throughout corporate America. She has a rich history in diversity advocacy, having been the founder, President, and Chief Executive Officer of the Business Women's Network and the Public Affairs Group, Inc., whose divisions include Diversity Best Practices and Best Practices in Corporate Communications. More than 135 corporations participated in the programs created and developed by her company. She currently serves on the Boards of Directors of several important organizations dedicated to promoting diversity in the workforce and to encouraging women's equal participation in every sector of business and society. She was recently featured on the cover of WOW magazine's "Mentoring Leaders" issue, and is being honored in Washington this month.

Edie Fraser has dedicated her life to serving others in countless ways. She is the co-author of Do Your Giving While You're Living, a work that reached the best-seller list of BusinessWeek magazine and which offers inspirational portraits of prominent women leaders like Bonnie McElveen-Hunter, the Chair of the Board of Red Cross; Jennie Chin Hansen, the President of the American Association of Retired Persons, and the renowned singer and recording artist Dionne Warwick. Ms. Fraser is also a longtime supporter of Latina Style and of Robert Bard, as well as non-profit institutions like Big Brothers and organizations serving persons with disabilities. In recognition of her service to others, she has won more than 35 major awards for promoting diversity, advancing women's equality, and far-sighted philanthropy. She has served as Chair of the Public Affairs and Government Relations Sections of the Public Relations Society of America, and has been a keynote speaker for the International Association of Business Communicators. Edie won the highest award possible in the field or communications, the Silver Anvil, for a specialized international campaign

on U.S. and Japan communications and trade promotion. Throughout her long career as a corporate leader and community and civic activist, Edie Fraser has been deeply devoted to her family and friends, above all to her beloved husband, Joe Oppenheimer.

Mr. Speaker, I ask my distinguished colleagues to join me in recognizing the enormous contributions to our civic and political life made by Edie D. Fraser, a leader, activist, and philanthropist in the finest traditions of our great republic.

HONORING DANBURY VISITING NURSE ASSOCIATION (VNA)

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor the Danbury Visiting Nurse Association (VNA), which is commemorating its 100th anniversary this year. Founded originally as the Visiting Nurse Association of Danbury in 1911, the Danbury VNA continues to provide a valuable service for thousands of people in Western Connecticut.

As the Greater Danbury's oldest home care agency, the Danbury VNA serves patients from a number of towns in my district outside of Danbury including, Bethel, Brookfield, New Fairfield, Newtown, Redding, Southbury, Woodbury and Ridgefield.

Dr. Sophia Penfield, the first licensed female physician in the State of Connecticut, along with members of the Civic Club of Danbury, established the Agency to provide care for the sick and needy, to instruct families in the care of the sick in their homes, and to teach the principles of simple sanitation and hygiene.

Founding member and first president, Mrs. John Downs served as President for an astonishing 47 years. Following her death in 1957, a recognized Board of Directors adopted the present constitution and by-laws and the agency became the Danbury Visiting Nurse Association, Inc. With the advent of Medicare, Danbury VNA became a Medicare certified home health agency in 1966. In 1993, the Agency joined the Danbury Health Systems as the home care affiliate and is now an affiliate of the recently formed Western Connecticut Healthcare, which includes New Milford Hospital.

The Danbury VNA has been a longtime advocate of preventative care for children. The agency established well child clinics nearly 75 years ago to provide physicals and inoculations. Nearly 15 years ago, the Danbury VNA recognized the challenges that many people have in getting to their physician's office by establishing the Wellness on Wheels program. This unique mobile health program for families with limited access to medical care brings a doctor, registered nurse, a social worker and others out to the community to provide critical health care services to underserved Connecticut residents free of charge. Services include physicals, screenings and immunizations for school and work.

While much has changed in light of advances in nursing practices and technology, the vision of the Civic Club and Dr. Penfield have not. The core of the Danbury Visiting Nurse Association is reflected in its mission and philosophy to serve the community, treating patients with dignity and respect and providing home care and community health services to all in need.

I want to thank the Danbury Visiting Nurse Association for all that they do and I am pleased to congratulate them on their 100th anniversary.

CONGRATULATIONS TO WEIRTON MADONNA HIGH SCHOOL BOYS BASKETBALL TEAM ON BECOMING STATE CHAMPS

HON. DAVID B. McKINLEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. McKINLEY. Mr. Speaker, congratulations to West Virginia's Weirton Madonna High School Boys Basketball Team on winning their first state championship on March 19, 2011. The Blue Dons had a close game against Morgantown Trinity Christian High School, pulling off a win with a final score of 44–42. They finished with a record of 24–3. Both teams played with spirit and enthusiasm but the Northern Panhandle's very own Blue Dons were victorious. Much-deserved congratulations should go out to all of the Blue Don coaches: head coach George Vargo, and his assistants Mike Hagg, Chris Blair and Michael Battista. Coach Vargo and the leadership of his assistant coaches throughout the years have made positive impacts in the lives of their players, former and current. The young men of the Blue Dons basketball team should hold their heads high and know they have made all of their community very proud. They played like champions, and they have a fan in Congress.

MEDICARE PHYSICIAN PAYMENT TRANSPARENCY AND ASSESSMENT ACT OF 2011

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. McDERMOTT. Mr. Speaker, the Affordable Care Act includes key provisions to increase availability of primary care doctors. For example, it will pay a 10 percent Medicare bonus, expand loan forgiveness programs and create flexibility within the National Health Service Corps. However, and underlying persistent problem exists in Medicare that must be corrected if we are to make primary care sustainable.

No single factor is driving the workforce crisis in medicine more than the income gap between certain procedure-heavy specialists and primary care/cognitive specialists. Last October the Wall Street Journal published an expose of the American Medical Association's Specialty Society Relative Value Scale Update Committee, also known as the ''RUC''.

For two decades the RUV, a specialist-dominated panel, has encouraged national health care reimbursement policies that financially undervalue the essential and complex work of primary care providers and cognitive specialists, while favoring sometimes unnecessarily complex, costly and excessive specialty medical services. This imbalance drives results down for patients and drives medical costs even higher.

The RUC's votes are not open to the public, yet Medicare has mostly rubber-stamped the RUC's recommendations over 90 percent of the time. Since the creation of the RUC in 1991, the income disparity between primary care versus procedure-heavy specialists has exploded.

Today, I'm introducing a bill called the, ''Medicare Physician Payment Transparency and Assessment Act of 2011'' that will put a transparent light on the way CMS identifies and values health care services. My bill would add public and transparent data collected from independent analysts to compare to the RUC's recommendations. It would also use independent analytic contractors to conduct surveys and collect data for physician services paid under Medicare and to annually identify services that may be over or under-valued.

I am proud to note that this bill is endorsed by the American Academy of Family Physicians and the Society of General Internal Medicine.

It's time we let taxpayers, the citizens who pay the bills for Medicare, see for themselves how Medicare decides how much to pay doctors and for what.

IN RECOGNITION OF THE 12TH ANNUAL MARCH IS RED CROSS MONTH GALA AND THE FORMATION OF THE AMERICAN RED CROSS IN THE NATIONAL CAPITAL REGION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the 12th Annual March Is Red Cross Month Gala and the formation of the American Red Cross in the National Capital Region.

The gala is traditionally held in the Prince William community to commemorate the work of the local chapter of the American Red Cross. This year's event also celebrates the establishment of the American Red Cross in the National Capital Region, which now serves the communities of Prince William, Loudoun, Fairfax, Arlington, and Alexandria in Virginia, the District of Columbia and Prince George's and Montgomery in Maryland.

Our community is enriched in many ways by the American Red Cross in the National Capital Region. The American Red Cross shelters feed and provide emotional support to victims of disasters; supply nearly half of the nation's blood donation stockpile; teach lifesaving skills; provide international humanitarian aid; and support military members and their families. The Red Cross is a charitable organization and depends on volunteers and the generosity of the American public to perform its mission.

Red Cross offices in Northern Virginia, Maryland and the District of Columbia are combining their operations to deliver a seamless system that carries out the mission of the American Red Cross. The strength of the American Red Cross and the commitment of

its paid and volunteer staff throughout our region help us prepare for and respond to emergencies down the street, across the country and around the world.

Mr. Speaker, I ask that my colleagues join me in celebrating the 12th Annual March Is Red Cross Month Gala and the formation of the American Red Cross in the National Capital Region. The Red Cross has always depended on the cooperation of communities, neighbors, and volunteers, and this new regional endeavor is in keeping with that tradition.

SUPPORTING THE GOALS AND IDEALS OF RED CROSS MONTH

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. KING of New York. Mr. Speaker, March is Red Cross Month and I rise today to honor the American Red Cross, its chapters throughout the United States, and its affiliates around the world. Founded in 1881, the Red Cross is one of the most effective disaster relief organizations in the world, providing care and comfort to millions of people affected by disasters every year.

We need only look at the recent tragedy in Japan to witness the important work of the Red Cross. The Japanese Red Cross is supporting operations in 1800 shelters and has provided medical care and counseling and distributed blankets and other emergency supplies to those in need. The American Red Cross is also playing a vital role in the disaster relief effort in Japan, sending personnel and monetary support.

Earlier this year here at home, the American Red Cross provided assistance to individuals and families affected by the severe winter storms that impacted the Northeast and Midwest. More recently, the Red Cross provided shelter and meals in response to flooding, tornadoes, and wildfires around the United States.

In addition to its disaster relief efforts, the Red Cross provides training and preparedness information for individuals, families, and organizations. The Red Cross, its dedicated employees, and its many volunteers help to make a difference in American communities every day. Whenever there are people in need, the Red Cross is there.

This March, I honor the Red Cross, its employees, and its volunteers for their continued compassion and assistance in the United States and abroad.

INTRODUCTION OF THE NATIONAL WOMEN'S HISTORY MUSEUM ACT OF 2011

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mrs. MALONEY. Mr. Speaker, today, I proudly join in a bipartisan effort with Representatives JEAN SCHMIDT, GWEN MOORE, SUSAN DAVIS, BARBARA LEE, TAMMY BALDWIN, JANICE SCHAKOWSKY, DORIS MATSUI, RAÚL GRIJALVA, KAREN BASS, PETE STARK, JAIME HERRERA BEUTLER, JACKIE SPEIER, CYNTHIA LUMMIS, SANDY ADAMS, ELEANOR HOLMES NORTON, MARSHA BLACKBURN, MADELEINE BORDALLO, BARNEY FRANK, JUDY BIGGERT, ALCEE HASTINGS, JO ANN EMERSON, MARCY KAPTUR, JAMES MORAN, and YVETTE CLARKE in introducing the National Women's History Museum Act of 2011.

This bill directs the General Services Administration, GSA, to house a National Women's History Museum (NWHM) in one of their properties in Washington, DC. NWHM must pay fair market value for the property and reasonable timeframes are included for the transfer of the property and for construction to begin. NWHM will be built and maintained with private funds. No federal dollars will be spent on this important, new museum.

Women's history is largely missing from textbooks, memorials, museum exhibits and many other venues. In contrast, men have hundreds of years of written and available history to reflect upon and use for inspiration. Of the 210 statues in the United States Capitol, only 9 are of female leaders. Less than 5 percent of the 2,400 national historic landmarks chronicle women's achievement and according to a survey of 18 history textbooks, only 10 percent were dedicated to women.

The museums and memorials in our Nation's Capital demonstrate what we value. We have museums dedicated to flight, postage stamps, law enforcement and many other important people and issues of interest, but not to women. This bill would provide women, comprising 53 percent of our population, a long overdue home on our National Mall to honor their many contributions that are the very fabric of our country.

I urge my colleagues to join me in filling this void and honoring our Nation's foremothers by becoming cosponsors of the National Women's History Museum Act of 2011.

COMMEMORATING THE 50TH ANNIVERSARY CELEBRATION OF THE STERLING HEIGHTS REGIONAL CHAMBER OF COMMERCE & INDUSTRY

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mrs. MILLER of Michigan. Mr. Speaker, I come to the House floor today to honor and recognize an exceptional organization located in Michigan's 10th Congressional District—the Sterling Heights Regional Chamber of Commerce & Industry. On Friday, April 1, 2011, the Sterling Heights Chamber will mark a special day in its history with a very momentous 50th Anniversary Celebration. This "Golden Occasion" will be an opportunity to reflect upon the excellent work performed since the Chamber's inception in 1961 when it was first known as the Greater Utica Chamber of Commerce.

Over the past 50 years, the Chamber has adapted and transformed in order to maintain its business edge, and is known as one of the premier chambers in the State of Michigan. While over the years their name has changed to accommodate their growing membership in Macomb County and throughout the region, their mission and goals have always remained the same—"to bring features, benefits and value to their members, and each and every day strive to bring a return on that investment."

The Sterling Heights Regional Chamber of Commerce and Industry has been a true ambassador of economic liberty and an admirable advocate for small businesses. It has always taken a proactive approach to highlight the wonderful resources and services available to potential customers and clients. With business workshops, educational seminars and various community outreach events covering a wide range of topics and issues, the entrepreneurial spirit has been the driving force behind their initiatives to improve our economy, create a better business climate, increase the number of jobs, and enhance the quality of life for all who call this area home.

Mr. Speaker, I commend the chamber's leadership, both past and present, for their tireless work, innovative thinking and exemplary vision. The effectiveness and strength of this Chamber is displayed by the fact it has expanded its designated coverage base of the original communities of Sterling Heights, Utica and Shelby Township to also include communities in the adjoining Oakland and Wayne Counties. It captured the essence of this region by focusing on the industrial, manufacturing and engineering businesses that are unique to Southeast Michigan, and provided opportunities for their collaboration.

During these years of severe economic challenges, especially in Macomb County and in the State of Michigan, one thing has become crystal clear: We cannot afford to isolate ourselves from our neighbors based on parochial interests. The 5 million people living and working in the Metro Detroit Region need to work together to find solutions to our economic woes. This includes all stakeholders, private and public, communicating with one another and using all the tools and resources at their disposal. The Sterling Heights Chamber has always fostered this type of cooperation among its members.

I personally can attest to the positive impact the Chamber has had in Macomb County. Beginning with my years working for my family's marina business, and extending throughout my career in public service at the township, county, state and federal level, the efforts of the Chamber have been nothing short of extraordinary. The executive team, support staff and Board of Directors have always set a robust agenda to improve our economic well-being and I salute each and every one of them for their dedicated efforts and hard work.

In closing, Mr Speaker, I want to offer my personal congratulations to the Sterling Heights Regional Chamber of Commerce and Industry as they celebrate this milestone event. I wish them nothing but the best and another 50 years of successful service to the businesses in our community.

INTRODUCING THE AGRICULTURE EDUCATION FREEDOM ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. PAUL. Mr. Speaker, I rise to introduce the Agriculture Education Freedom Act. This

bill addresses a great injustice being perpetrated by the Federal Government on those youngsters who participate in programs such as 4–H or the Future Farmers of America. Under current tax law, children are forced to pay federal income tax when they sell livestock they have raised as part of an agricultural education program.

Think about this for a moment. These kids are trying to better themselves, earn some money, save some money and what does Congress do? We pick on these kids by taxing them: It is truly amazing that with all the handwringing in Congress over the alleged need to further restrict liberty and grow the size of government ''for the children'' we would continue to tax young people who are trying to lead responsible lives and prepare for the future. Even if the serious social problems today's youth face could be solved by new federal bureaucracies and programs, it is still unfair to pick on those kids who are trying to do the right thing.

These children are not even old enough to vote, yet we are forcing them to pay taxes! What ever happened to no taxation without representation? No wonder young people are so cynical about government!

It is time we stopped taxing youngsters who are trying to earn money to go to college by selling livestock they have raised through their participation in programs such as 4–H or Future Farmers of America. Therefore, I call on my colleagues to join me in supporting the Agriculture Education Freedom Act.

IN RECOGNITION OF THE GREATER NEW YORK CHAPTER, THE LINKS, INCORPORATED—2011 WOMEN OF DISTINCTION SPIRIT AWARD LUNCHEON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. RANGEL. Mr. Speaker, I rise today in recognition of the Greater New York Chapter, The Links, Incorporated—2011 Women of Distinction Spirit Award Luncheon which takes place on Saturday, April 23, 2011 at the elegant and scenic Pier Sixty at Chelsea Piers in New York City.

Established in 1946, The Links, Incorporated, is one of the Nation's oldest and largest volunteer service organizations of women who, linked in friendship, are committed to enriching, sustaining and ensuring the culture and economic survival of African-Americans and persons of African descent. The Links, Incorporated is a not-for-profit organization, which consists of nearly 12,000 professional women of color in 272 chapters located in 42 states, the District of Columbia and the Bahamas.

On May 21, 1949, the Greater New York Chapter was chartered in response to an invitation extended by Margaret Roselle Hawkins and Sarah Strickland Scott, co-founders of The Links, Incorporated. Co-founder Sarah Strickland Scott attended the installation of the new charter members at Harlem's famous Hotel Theresa, which included Dorothy Reed, Bernia Austin, Myrtle Howard, Estelle Jarrott, Ethel Lowry, Emilie Pickins, Mable Trent, and Marie Vidal. The Links National Emblem was designed by Ethel Lowry, who served as the National Corresponding Secretary.

The Greater New York Chapter was the first chapter in New York and comprises members from all five boroughs in New York City and Long Island. Today, under the leadership of President Gerri Warren Merrick, the Greater New York Chapter is committed to fostering community outreach throughout the New York metropolitan area by developing quality programs with a long-term impact on the well-being and enrichment of African-Americans.

The Greater New York Chapter honors two women of distinction and spirit—Ms. Debra L. Lee, Chairman and Chief Executive Officer of BET Networks and Ms. Rhonda Mims, President of the ING Foundation and Senior Vice President of the Office of Corporate Responsibility and Multicultural Affairs.

Award recipient Debra L. Lee is responsible for helping guide BET's reinvigorated approach in producing programming that supports, embraces and encourages African American families in a very positive light, focusing on the issues that are important to the Black family, while presenting the freshest talent and entertainment to American Television and beyond.

Award recipient Rhonda Mims is responsible for creating an enterprise-wide community relations platform, focusing on financial literacy, children's education and diversity, including advancing the company's workforce diversity and inclusion strategy.

Please join me in recognizing the Greater New York Chapter, The Links, Incorporated and the Women of Distinction Spirit Award honorees.

HONORING THE LIFE OF EDWARD A. BURDICK, FORMER CHIEF CLERK OF THE MINNESOTA HOUSE OF REPRESENTATIVES

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. McCOLLUM. Mr. Speaker, it is my honor to rise in tribute to a leader, a parliamentary expert, a mentor and a friend to many, Mr. Edward Burdick, former Chief Clerk of the Minnesota House of Representatives. On March 9, 2011 he died at the age of 89 years old, and he is remembered fondly by his family and many friends and colleagues.

In 1941 at the age of 19, Ed as he was known, began a job in the Minnesota House of Representatives as a Page, earning $5 a day. He held many jobs in the Legislature and other public service jobs, including U.S. Department of Commerce and the Minnesota Department of Military Affairs. He also proudly served our Nation in the U.S. Army. In 1967, Ed was elected Chief Clerk of the Minnesota House of Representatives, a job he maintained until his retirement 38 years later. In all, Ed provided 62 years of public service to the people of Minnesota and our Nation.

Ed was not only Chief Clerk but also House Parliamentarian, understanding every little twist of parliamentary procedure. His mastery of legislative process made him a nationally renowned expert in the field. Within the House Chamber, his booming and authoritative voice was a familiar presence as he kept decorum in a legislative body not always known for that quality. During the decades that Ed served as Chief Clerk, he mentored a dozen Speakers of the House and many others in leadership, including myself. He took his role teaching the House rules and parliamentary procedure very seriously.

In November of 1992, I was elected to the Minnesota State House of Representatives. Prior to my swearing-in he informed me that he would meet with each new representative and explain the workings of the House and his office, ending with ''if there is anything you need or anything I can do for you, do not hesitate to ask me or my office''—and he truly meant it. That was who Ed Burdick was. A gentleman, a kind and thoughtful person, a hard worker, a person willing to serve everyone who needed assistance of any kind.

Ed will be missed by many, many Legislators and State Government officials for his guidance, dignity and hard work.

I know that I am not alone in saying, that I will miss Ed's kindness, his genuine nature, his loyalty to Minnesota and his absolute and total fairness to all. Ed Burdick will always serve a Minnesotan icon to public service. May you rest in peace, my friend.

AFGHANISTAN WAR POWERS RESOLUTION

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONYERS. Mr. Speaker, I rise today because the return home of our U.S. military in the absence of a declaration of war by this Congress is long overdue. Members of this House must support H. Con. Res. 28, and help reverse the course of the unconstitutional Afghan war.

First, the war in Afghanistan is unconstitutional.

Article 1, Section 8, clause 11 of the Constitution grants Congress—not the President—the power to declare war. Once that declaration is made by the Congress, the President can conduct war.

The Constitution is clear and there is no debate over the fact that the Constitution never intended any shared decision making in declaring a state of war. Such a shared decision making was rejected originally by the Framers. Thus, without a declaration of war, the President's continued use of force to continue a war in Afghanistan is unconstitutional.

James Madison, one of the key architects of the Constitution on separation of powers, said that ''this requirement for Congress to be able to declare war is one of the most important provisions of the Constitution.'' However, ten years after the conflict began in Afghanistan, we still have no such declaration. This significant authority granted to Congress is why I rise today in support of the gentleman from Ohio's resolution.

Congress cannot hand over to the President our exclusive power to declare war. Without a declaration of war, the President's use of military force in Afghanistan is unconstitutional.

The seminal case of Youngstown Sheet & Tube Co. v. Sawyer rejected the President's claim that he had authority as Commander-in-

Chief to unilaterally seize steel production plants. Justice Douglas' concurring opinion contained an important recognition of the importance of separation of powers during war:

''All executive powers—from the reign of ancient kings to the rule of modern dictators—has the outward appearance of efficiency. Legislative power, by contrast, is slower to exercise . . . We therefore cannot decide this case by determining which branch of government can deal most expeditiously with the present crisis. The answer must depend on the allocation of powers under the Constitution.''

No one in this Congress argues that the military must diminish their role in fighting against attacks on the United States. However, if the armed conflict is not defensive, the federal constitution has, unmistakenly provided that the Congress shall have power to declare war.

This war has continued for almost 10 years and it is time to call it to a stop until Congress declares a clear objective to engage the nation in war. The Framers granted Congress the authority to make the decision to go to war because Congress could best assess whether the country was behind a war, which is a key element to any victory.

Therefore, we must remember our constitutional duty to represent the voice of the American people. The cost of war comes at the expense of their lives, their sons, and their daughters.

Second, the war in Afghanistan exceeds the scope of the authorization of the AUFMA resolution.

The authorization for Use of Military Force (AUMF), is not a general anti-terrorism bill. The resolution never gave the President perpetual authority to use military force after 9/11 to any acts or plans of terrorism. Instead, the AUMF resolution reads:

''The President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future act of international terrorism against the United States by such nations, organizations, or persons.''

The AUMF cannot be used as a cover for a full-blown war, which is what has occurred in Afghanistan. We are now almost 10 years into a full-blown war under the claim that the AUMF continues to authorize this war cannot be upheld. For this claim to be upheld, Congress must then declare war.

The United States cannot engage in national building type activities that are not connected to the scope of the authorization under the AUMF. Should Congress determine that the military needs more or less authority than it has been given under the AUMF, we will act accordingly.

Thirdly, the armed unmanned drones in Pakistan are unlawful.

Another concern is that the Afghanistan action has paved the way for unauthorized military actions in neighboring Pakistan, including the use of military drones.

The military continues to use armed unmanned drones operated by the CIA and conducts exercises on the ground in order to target Al Qaeda and the Taliban and additional terrorist groups. How can the administration pursue the use of drones without abandoning America's hallmark commitment to civil liberties?

The use of drones has placed the United States military in a bad light internationally for the killings of innocent people from the use of drones. The New America Foundation, reportedly, estimates that between 867 and 1,281 deaths from drone strikes, with 277 to 435 being noncombatants that have died since 2004.

The use of drones by the United States has been called ''one of Washington's worst-kept secrets.'' American drones may well have attacked jihadist groups not connected to the supporters and members Al Qaeda or the Taliban. This combat can not be justified under the AUMF authorization because the attacks exceed the scope the authorization.

Our actions may well be increasing the rush of Pakistan jihadist gaining greater influence in combat in Pakistan. Increased military presence in Afghanistan has inflamed anti-American resentment in the region. Pakistan, reportedly, also has hundreds of nuclear weapons. Our troops may be in more danger because of the effects of compromised U.S. efforts in the region and the greater Middle East.

Expansion of executive war power beyond the AUMF is precisely the kind of momentous decision making the Framers conferred upon the Congress. We must put a stop to this war in Afghanistan or else it will send a message to the world that our Executive Branch may pick and choose wherever they want to send troops or to start a war.

The United States military is in a dozen different locations all over the world engaged in combat. Even now, our military is fighting in Libya, yet there has been no authorization or declaration from this Congress nor has there been any meaningful consultation with Congress.

The burden caused by the decision to expand military activities into Pakistan exceeds the scope of the AUMF. Congress must support H. Con. Res. 28 in order keep this Country dedicated to the way the Framers of the Constitution structured our nation on how to commit to armed conflict.

Finally, the military action appears to violate international legal norms.

H. Con. Res. 28 will place the United States in a better position in light of our international obligations under the U.N. Charter. None of the mandates from the two resolutions passed in the wake of the tragedy on 9/11 decided that any state should engage in war.

Instead, for example, Resolution 1373 directs member states to root out terrorism through means that affect the financing, harboring, investigating, and collaborating of terrorist groups while Resolution 1268 strongly condemned the attacks on 9/11 and called for international cooperation to find the perpetrators of 9/11.

Without a clear objective or credibility that the United States is acting in self defense, our country may be violating our obligation as a member state in the U.N. to refrain from acts of aggression that are unauthorized by the Charter.

The use of drones and military operations by the CIA also conflicts with both article 51 and article 2. Combat for the purposes of article 51 only authorizes the right of the use of military force if the force is in self-defense in the event an armed attack occurs. Article 2 of the Charter also prohibits the use or threatened use of force against another state.

Article 51 does not grant the right of bombing, unmanned armed drones, nor does it describe armed force as self-defense. Unfortunately we have engaged in such force and accepted the risks associated with the use of such force. The U.S. must comply with our obligations under these Articles.

The attacks on the United States on 9/11 were horrific. However, the horror we experienced on that tragic day does not provide any legal justification to use deadly force against people believed to be hiding in regions throughout Afghanistan. There is no justification for the Afghan war to be transformed into an authorization to use force anywhere we think terrorism exists.

HONORING MAYOR PETE DAMES

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize Pete Dames as he celebrates 17 years of dedication to the people of La Mirada, California. Pete began his service to La Mirada as a member of the La Mirada Parks and Recreation Commission in 1980 and has been involved in numerous civic, service, and educational organizations and programs ever since.

Throughout his time on the City Council, Pete has focused on keeping La Mirada a safe, family-friendly, and thriving community. Pete was instrumental in maintaining a low crime rate and keeping La Mirada business-friendly.

Pete's involvement in public service reaches far beyond the confines of the City Council's Chamber. His broad community service includes serving as President of the La Mirada Athletic Council, as an active, lifetime member of the Veterans of Foreign Wars Post 9148 and Knights of Columbus, and as a Board member of the La Mirada Youth Foundation and the Beatitudes of Our Lord School. He has received many prestigious awards including the Kiwanis Administrator of the Year, and the Kiwanis Governor's Award for Distinguished Service. He also received the Parent Teacher Association Honorary Service and Continuing Service Award, which honors those who have made significant contributions to the welfare of children and youth in the community.

Today, Pete continues his dedication as a Delegate to the Southern California Joint Powers Insurance Authority and to the Southern California Association of Governments. He also serves as the City's liaison to the La Mirada Chamber of Commerce.

From one public servant to another, please join me in honoring Mayor Pete Dames for his service and dedication to the City of La Mirada and the community.

HONORING THE ACCOMPLISHMENTS OF COLONEL D. GRAY HEPPNER, JR., M.D.

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Mr. VAN HOLLEN. Mr. Speaker, I rise today to honor the extraordinary accomplishments of Colonel D. Gray Heppner, Jr., M.D., upon his retirement as the Deputy Director for the Walter Reed Army Institute of Research, WRAIR.

For over 100 years, scientists at WRAIR have expanded the frontiers of military medicine, taking the road less-travelled, from jungles, deserts, and battlefields to the laboratory and back, intent upon protecting the health of America's soldiers in harm's way. Undaunted by danger, WRAIR scientists developed the first vaccines for hepatitis and Japanese encephalitis, and the means to diagnose and treat deadly malaria. Today, on the battlefields of Asia, WRAIR's work mitigates the stress of combat, the fatigue of sustained operations and the fear of insidious Leishmaniasis, a parasitic disease spread by the bite of a sandfly. WRAIR's success in infectious diseases and military psychiatry is due to the resolve and dedication of an exceptional cadre of men and women, military and civilian.

Today, I salute a distinguished alumnus of WRAIR, Colonel D. Gray Heppner, Jr., a physician-scientist who dedicated his extraordinary 20-year career at WRAIR to developing malaria vaccines and biochemical defense in Asia, Africa, the Middle East, Europe, and the United States.

After earning his B.A. and M.D. from the University of Virginia, and studying. Internal Medicine at the University of Minnesota, Col. Heppner worked in the lab of Professor John Eaton, researching antimalarial drugs and treating patients with tropical diseases at Joint Task Force Bravo in Honduras. When he was 34, he volunteered for active duty on the condition that he would be placed in the malaria vaccine research program at WRAIR.

While serving as an Infectious Disease Officer in the Department of Immunology, Col. Heppner, then a Major, suffered from a case of acute malaria, a known side effect from working with the potential vaccine. This experience gave Col. Heppner a unique perspective on the disease and fostered in him a renewed belief in the critical need for a vaccine.

From 1993–97, Col. Heppner and his family lived in Bangkok, where he served as the Chief of the Department of Immunology and Medicine for the Armed Forces Research Institute of Medicine. In this position, Col. Heppner was the principal investigator for Phase 1 and Phase 2 malaria vaccine trials on the Thai-Burmese border. In 1997, Col. Heppner returned to WRAIR to conduct pre-clinical, clinical, and field trials of malaria vaccines in Kisumu, Kenya.

In 1999, Col. Heppner became Chief of WRAIR's Department of Immunology, and in 2006 was promoted to Director of WRAIR's Division of Malaria Vaccine Development. In these positions, he led teams of dedicated scientists and physicians at organizations and institutions around the world—including USAID, the Gates Foundation, the Kenya Medical Research Institute, NIH/NIAID, and the Malaria Vaccine Initiative at PATH, among others to conduct human trials of innovative malaria vaccines in the United States, Europe, and East and West Africa. During this time, he also served as a member of the Special Medical Augmentation Response Team in Doha, Kuwait, working to develop countermeasures to biological weapons.

In 2008, Col. Heppner became Deputy Director of WRAIR. As an executive of the Defense Department's largest biomedical research institute, Col. Heppner was responsible for overseeing some of the most important vaccinal research in the world. In this position, he also supported WRAIR's transformation to the Department of Defense's Center of Excellence in Infectious Diseases and Psychiatry and Neurosciences.

As a member of the Council on Foreign Relations, Col. Heppner has advocated for vaccines to improve health, economic development, and political stability. Through his work with the Order of St. John, Col. Heppner has supported the St. John Eye Hospital in East Jerusalem in its mission to heal the blind of all faiths. Col. Heppner's work has been published in more than 100 peer-reviewed scientific publications and book chapters.

There is a long-standing tradition that WRAIR officers continue to develop vaccines in their retirement. Col. Heppner will be following in that tradition as he serves as Vice President for Clinical Development at Crucell, a global biotechnology company that specializes in vaccinal development for tuberculosis, Ebola, HIV, influenza, polio, rabies, and malaria—the very diseases that threaten soldier and world health. As journalist Michael Leahy observed in his 2006 Washington Post Magazine article, "Breaking the Cycle," "Gray Heppner . . . does not give up easily on a dream."

Mr. Speaker, it is my honor to recognize the exceptional career of Colonel D. Gray Heppner, Jr., M.D., and his extraordinary efforts in making our world a healthier and safer place.

AFGHANISTAN WAR POWERS RESOLUTION

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. VAN HOLLEN. Mr. Speaker, I appreciate the sentiment behind this resolution. American and other NATO forces have been in Afghanistan for 10 years. That is a long haul and at times it seems that we are making little progress in achieving our objective. Like many Americans, I have serious questions about our strategy in Afghanistan. That being said, I oppose this resolution for three reasons.

First, the foundational argument of this resolution is simply wrong. Section 5(c) of the War Powers Act, the provision referenced in this resolution, states that Congress may, by concurrent resolution, require the President to redeploy troops out of the line of fire if the President had never received congressional authorization for the deployment. But the Congress did authorized military operations in Afghanistan in 2001. Consequently, there is no sound legal basis for this resolution.

Second, the Secretary of Defense has indicated that an ill-timed and precipitous drawdown of forces could threaten the progress and the sacrifices we have made in Afghanistan. A withdrawal of troops in 9 months, as this resolution requires, could create a total power vacuum and be a recipe for anarchy in Afghanistan. The likely result could be a bloodbath with a high probability that al Qaeda will once again establish itself in Afghanistan.

Third, the President has announced that the United States will begin to redeploy its forces in Afghanistan this Summer. Last week, General Petraeus indicated that the redeployment would begin as planned. The goal is to steadily, but responsibly, withdraw U.S. and NATO forces as we accelerate the training of the Afghan National Security Forces. I will closely monitor the progress of that effort in order to ensure that we follow through as planned.

Our decision to forcibly remove the Taliban regime in 2001 was the right one. The Taliban regime had allowed Afghanistan to become a safe haven for al Qaeda and a launching pad for the September 11, 2001 attacks on the United States. The United Nations, the Atlantic Alliance and the entire international community agreed that the U.S. response was appropriate and justified.

Although that decision was justified, serious questions remain about the best way forward in Afghanistan. I oppose this resolution. I will review similar future resolutions with a fresh eye based on the consideration of the situation in Afghanistan. We must see greater evidence that the Afghan National Security Forces are steadily assuming greater responsibility.

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, March 31, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 1

9:30 a.m.
Joint Economic Committee
To hold hearings to examine the employment situation for March 2011.
SD–106

APRIL 5

9:30 a.m.
Armed Services
To hold hearings to examine U.S. Northern Command and U.S. Southern Command in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SD–G50

10 a.m.
Commerce, Science, and Transportation
Competitiveness, Innovation, and Export Promotion Subcommittee
To hold hearings to examine tourism in America, focusing on removing barriers and promoting growth.
SR–253

10:15 a.m.
Foreign Relations
To hold hearings to examine the nominations of Mara E. Rudman, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development, and Robert Patterson, of New York, to be Ambassador to Turkmenistan, Department of State.
SD–419

2:30 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.
SR–232A
Commerce, Science, and Transportation
To hold hearings to examine closing the digital divide, focusing on connecting native nations and communities to the 21st century.
SR–253
Foreign Relations
To hold hearings to examine the nominations of Jonathan Scott Gration, of New Jersey, to be to the Republic of Kenya, and Michelle D. Gavin, of the District of Columbia, to be Ambassador to the Republic of Botswana, both of the Department of State.
SD–419
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

APRIL 6

9:30 a.m.
Banking, Housing, and Urban Affairs
Securities, Insurance and Investment Subcommittee
To hold hearings to examine the role of the accounting profession in preventing another financial crisis.
SD–538

10 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine Department of Defense Health Program.
SD–192
Environment and Public Works
To hold hearings to examine state and local perspectives on transportation.
SD–406
Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Rafael Borras, of Maryland, to be Under Secretary of Homeland Security for Management.
SD–342
Judiciary
To hold hearings to examine the Electronic Communications Privacy Act, focusing on government perspectives on protecting privacy in the digital age.
SD–226
Veterans' Affairs
To hold hearings to examine the nominations of Allison A. Hickey, of Virginia, to be Under Secretary for Benefits and Steve L. Muro, of California, to be Under Secretary for Memorial Affairs, both of the Department of Veterans Affairs.
SR–418

1:30 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine the census, focusing on learning lessons from 2010 and planning for 2020.
SD–342

3 p.m.
Banking, Housing, and Urban Affairs
Financial Institutions and Consumer Protection Subcommittee
To hold hearings to examine the state of community banking, focusing on opportunities and challenges.
SD–538

APRIL 7

9:30 a.m.
Armed Services
To hold hearings to examine U.S. Transportation Command and U.S. Africa Command in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SD–106

10 a.m.
Appropriations
Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Education.
SD–124

2:15 p.m.
Foreign Relations
To hold hearings to examine the nominations of David Bruce Shear, of New York, to be Ambassador to the Socialist Republic of Vietnam, and Kurt Walter Tong, of Maryland, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum, both of the Department of State.
SD–419
Indian Affairs
To hold an oversight hearing to examine the role of SBA 8(a) Program in enhancing economic development in Indian Country.
SD–628

2:30 p.m.
Homeland Security and Governmental Affairs
To hold hearings to examine securing the border, focusing on progress at the local level.
SD–342
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

APRIL 12

10 a.m.
Armed Services
To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SH–219 following the open session.
SD–106

APRIL 13

10 a.m.
Veterans' Affairs
To hold hearings to examine veterans' employment, focusing on improving the transition from the battlefield to the workforce.
SR–418

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing on the United States Pacific Command (PACOM).
SVC–217

APRIL 14

10 a.m.
Energy and Natural Resources
To hold hearings to examine S. 343, to amend Title I of PL 99–658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review,

and to appropriate funds for the purposes of the amended PL 99–658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.

SD–366

MAY 4

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing on Intel.

SVC–217

MAY 5

10:30 a.m.
Appropriations
Commerce, Justice, Science, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2012 for the National Aeronautics and Space Administration (NASA).

SD–192

MAY 11

10 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Guard and Reserve.

SD–192

MAY 12

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing on the United States Special Operations Command (SOCOM), and the United States European Command (EUCOM).

SVC–217

MAY 17

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing the United States Northern Command (NORTHCOM) and the United States Southern Command (SOUTHCOM).

SVC–217

MAY 25

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Missile Defense Agency.

SD–192

MAY 26

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing on the United States Central Command (CENTCOM) and United States African Command (AFRICOM).

SVC–217

JUNE 15

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

SD–192

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1945–S2003

Measures Introduced: Nineteen bills and four resolutions were introduced, as follows: S. 674–692, and S. Res. 115–118. **Pages S1976–77**

Measures Passed:

Pennsylvania State University IFC/Panhellenic Dance Marathon: Committee on the Judiciary was discharged from further consideration of S. Res. 112, congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (''THON'') on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital, and the resolution was then agreed to. **Pages S1999–S2000**

National 9–1–1 Education Month: Senate agreed to S. Res. 118, designating April 2011 as ''National 9–1–1 Education Month''. **Page S2000**

Measures Considered:

SBIR/STTR Reauthorization Act: Senate continued consideration of S. 493, to reauthorize and improve the SBIR and STTR programs, taking action on the following amendments proposed thereto: **Pages S1962–66**

Pending:

McConnell Amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change. **Page S1962**

Vitter Amendment No. 178, to require the Federal Government to sell off unused Federal real property. **Page S1962**

Inhofe (for Johanns) Amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments. **Page S1962**

Cornyn Amendment No. 186, to establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending. **Page S1962**

Paul Amendment No. 199, to cut $200,000,000,000 in spending in fiscal year 2011. **Page S1962**

Sanders Amendment No. 207, to establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act. **Page S1962**

Hutchison Amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits. **Page S1962**

Coburn Amendment No. 184, to provide a list of programs administered by every Federal department and agency. **Page S1962**

Pryor Amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns. **Page S1962**

Landrieu Amendment No. 244 (to Amendment No. 183), to change the enactment date. **Page S1962**

Paul motion to commit the bill to the Committee on Foreign Relations with instructions to report the same back to the Senate forthwith with Paul Amendment No. 276 (to the instructions on Paul motion to commit the bill), of a perfecting nature. **Pages S1962–64**

Nominations Received: Senate received the following nominations:

Henry S. Ensher, of California, to be Ambassador to the People's Democratic Republic of Algeria.

Kenneth J. Fairfax, of Kentucky, to be Ambassador to the Republic of Kazakhstan.

Deepa Gupta, of Illinois, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S2001–03**

Messages from the House: **Page S1974**

Measures Referred: **Page S1974**

Executive Communications: **Pages S1974–76**

Petitions and Memorials: **Page S1976**

Additional Cosponsors: **Pages S1977–78**

Statements on Introduced Bills/Resolutions: Pages S1978–95

Additional Statements: Pages S1971–74

Amendments Submitted: Pages S1995–99

Notices of Hearings/Meetings: Page S1999

Authorities for Committees to Meet: Page S1999

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:43 p.m., until 9:30 a.m. on Thursday, March 31, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2001.)

Committee Meetings

(Committees not listed did not meet)

FARMING AND GAS PRICES

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine fundamentals and farming, focusing on evaluating high gas prices and how new rules and innovative farming can help, after receiving testimony from Richard G. Newell, Administrator, Energy Information Administration, Department of Energy; Dan M. Berkovitz, General Counsel, Commodity Futures Trading Commission; Stanley R. Townsend, Kansas Farm Bureau, Weskan; Jeff Broin, Poet, LLC, Sioux Falls, South Dakota; and Bruce E. Dale, Michigan State University, Lansing.

APPROPRIATIONS: DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Department of Health and Human Services, after receiving testimony from Kathleen Sebelius, Secretary of Health and Human Services.

REVIEW OF NUCLEAR SAFETY AND IMPACT OF NATURAL DISASTERS

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine nuclear safety in light of the impact of natural disasters on Japanese nuclear facilities, after receiving testimony from Gregory B. Jaczko, Chairman, United States Nuclear Regulatory Commission; Peter Lyons, Acting Assistant Secretary of Energy for Nuclear Energy; Ernest J. Moniz, Massachusetts Institute of Technology, and David Lochbaum, Union of Concerned Scientists, both of Cambridge, Massachusetts; and William Levis, PSEG Power LLC, Newark, New Jersey.

APPROPRIATIONS: DEPARTMENT OF THE AIR FORCE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Department of the Air Force, after receiving testimony from Michael B. Donley, Secretary of the Air Force, and General Norton A. Schwartz, Chief of Staff, U.S. Air Force, both of the Department of Defense.

NATIONAL NUCLEAR SECURITY ADMINISTRATION

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine strategic forces programs of the National Nuclear Security Administration in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Thomas P. D'Agostino, Under Secretary for Nuclear Security, and Administrator, Donald L. Cook, Deputy Administrator for Defense Programs, Admiral Kirkland H. Donald, USN, Deputy Administrator for Naval Reactors, and Director, Naval Nuclear Propulsion, all of the National Nuclear Security Administration, Michael R. Anastasio, Director, Los Alamos National Laboratory, George H. Miller, Director, Lawrence Livermore National Laboratory, and Paul J. Hommert, Director, Sandia National Laboratories, all of the Department of Energy.

MOTORCOACH PASSENGER SAFETY

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security concluded a hearing to examine ensuring the safety of our nation's motorcoach passengers, after receiving testimony from Senator Brown (OH); Deborah A.P. Hersman, Chairman, National Transportation Safety Board; Anne S. Ferro, Administrator, Federal Motor Carrier Safety Administration, and Ronald Medford, Deputy Administrator, National Highway Traffic Safety Administration, both of the Department of Transportation; and Peter J. Pantuso, American Bus Association, and Joan Claybrook, Advocates for Highway and Auto Safety, both of Washington, D.C.

NATIONAL PARK SERVICE BUDGET

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine the President's proposed budget request for fiscal year 2012 for the National Park Service, after receiving testimony from Jonathan B. Jarvis, Director, and Bruce Sheaffer, Comptroller, both of the National Park Service, Department of the Interior.

GENERAL SERVICES ADMINISTRATION

Committee on Environment and Public Works: Committee concluded a joint hearing with the Subcommittee on Oversight to examine the General Services Administration (GSA), focusing on opportunities to cut costs, improve energy performance, and eliminate waste, after receiving testimony from Martha Johnson, Administrator, General Services Administration; John Sindelar, HP Enterprise Services, Herndon, Virginia; John Bautista, Arrowhead Systems, Inc., Oshkosh, Wisconsin; Doug Gatlin, U.S. Green Building Council, and Jeffrey D. DeBoer, Real Estate Roundtable, both of Washington, D.C.; and Ward Hubbell, Green Building Initiative, Portland, Oregon.

TAX INCENTIVES

Committee on Finance: Committee concluded a hearing to examine how complexity, uncertainty and other factors impact responses to tax incentives, after receiving testimony from Raj Chetty, Harvard University, Cambridge, Massachusetts; and Robert Carroll, Ernst & Young LLP, and Eric J. Toder, Urban-Brookings Tax Policy Center, both of Washington, D.C.

TEN YEARS AFTER 9/11

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine ten years after 9/11, focusing on a report from the 9/11 Commission Chairmen, after receiving testimony from former Representative Lee Hamilton, and former New Jersey Governor Tom Kean, both of Washington, D.C., both of the Bipartisan Policy Center's National Security Preparedness Group.

SECURING THE BORDER

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine securing the border, focusing on building on the progress made by the Department of Homeland Security and challenges in securing the U.S. Southwest and northern borders, after receiving testimony from Richard M. Stana, Director, Homeland Security and Justice Issues, Government Accountability Office; Asa Hutchinson, former Under Secretary of Homeland Security for Border and Transportation Security, Rogers, Arkansas; and Doris Meissner, former Commissioner, U.S. Immigration and Naturalization Service, Department of Justice, Washington, D.C.

DEPARTMENT OF JUSTICE OVERSIGHT

Committee on the Judiciary: Committee concluded an oversight hearing to examine the Federal Bureau of Investigation, after receiving testimony from Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States, Virginia A. Seitz, of the District of Columbia, to be an Assistant Attorney General, who was introduced by Senator Carper, and Denise Ellen O'Donnell, of New York, to be Director of the Bureau of Justice Assistance, all of the Department of Justice, after the nominees testified and answered questions in their own behalf.

VETERANS ORGANIZATIONS LEGISLATIVE PRESENTATIONS

Committee on Veterans' Affairs: Committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentations from Paralyzed Veterans of America, Air Force Sergeants Association, Military Order of the Purple Heart, National Association of State Directors of Veterans Affairs, Wounded Warrior Project, Vietnam Veterans of America, The Retired Enlisted Association, American Ex-Prisoners of War, after receiving testimony from John R. McCauslin, Air Force Sergeants Association, Suitland, Maryland; Charles Susino, American Ex-Prisoners of War, Waco, Texas; Clayton D. Jones, Military Order of the Purple Heart (MOPH), Springfield, Virginia; Linda S. Schwartz, The National Association of State Directors of Veterans Affairs, Inc. (NASDVA), Rocky Hill, Connecticut; Bill Lawson, Paralyzed Veterans of America, and Anthony K. Odierno, Wounded Warrior Project (WWP), both of Washington, D.C.; Arthur Cooper, The Retired Enlisted Association, Alexandria, Virginia; and John Rowan, Vietnam Veterans of America, Silver Spring, Maryland.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 1249–1275; 3 private bills, H.R. 1276, H. Res. 191–192; and 5 resolutions, H.J. Res. 51–52; and H. Res. 187–188, 190, were introduced. **Pages H2105–07**

Additional Cosponsors: **Pages H2108–09**

Report Filed: A report was filed today as follows:

H. Res. 189, providing for consideration of the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes (H. Rept. 112–46). **Page H2105**

Speaker: Read a letter from the Speaker wherein he appointed Representative Hurt to act as Speaker pro tempore for today. **Page H2041**

Recess: The House recessed at 10:59 a.m. and reconvened at 12 noon. **Pages H2047–48**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 309 yeas to 107 nays with 1 voting ''present'', Roll No. 201. **Pages H2048, H2059–60**

Scholarships for Opportunity and Results Act: The House passed H.R. 471, to reauthorize the DC opportunity scholarship program, by a recorded vote of 225 ayes to 195 noes, Roll No. 204. **Pages H2060–82**

Rejected the Cummings motion to recommit the bill to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 185 ayes to 238 noes, Roll No. 203. **Pages H2080–82**

Pursuant to the rule, the amendment recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted. **Page H2060**

Rejected: Norton amendment in the nature of a substitute (printed in H. Rept. 112–45) that sought to redirect the religious and other private school voucher funding to District of Columbia public schools and District of Columbia public charter schools (by a yea-and-nay vote of 185 yeas to 237 nays, Roll No. 202). **Pages H2074–79**

H. Res. 186, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 235 yeas to 178 nays, Roll No. 200, after the previous question was ordered by a yea-and-nay vote of 237 yeas to 182 nays, Roll No. 199. **Pages H2050–59**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Reducing Regulatory Burdens Act of 2011: H.R. 872, amended, to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters. **Pages H2083–91**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2082.

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H2058, H2058–59, H2059, H2079, H2081–82, and H2082. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:20 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on FY 2012 Budget Request. Testimony was heard from Michael T. Scuse, Acting Under Secretary for Farm and Foreign Agricultural Services, Department of Agriculture.

COMMERCE, JUSTICE, SCIENCE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on Office of Justice Programs, FY 2012 Budget Request. Testimony was heard from Laurie O. Robinson, Assistant Attorney General.

DEFENSE

Committee on Appropriations: Subcommittee on Defense held a hearing on National Guard and Reserve Fiscal Year 2012 Budget Review. Testimony was heard from General Craig R. McKinley, Chief, National Guard Bureau; Lieutenant General Harry M. Wyatt III, Director, Air National Guard; Lieutenant General Jack C. Stultz, Chief, Army Reserve, and Commanding General, U.S. Army Reserve Command;

and Major General Raymond W. Carpenter, Acting Director, Army National Guard.

ENERGY AND WATER DEVELOPMENT

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Department of Energy—Energy Efficiency and Renewable Energy, Fossil Energy, Electricity Delivery and Energy Reliability, FY 2012 Budget. Testimony was heard from the following Department of Energy officials: Henry Kelly, Acting Assistant Secretary for Energy Efficiency and Renewable Energy; Patricia Hoffman, Assistant Secretary for Electricity Delivery and Energy Reliability; and Victor Der, Acting Assistant Secretary for Fossil Energy.

STATE, FOREIGN OPERATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations and Related Agencies held a hearing on Fiscal Year 2012 Budget Request for U.S. Agency for International Development (USAID). Testimony was heard from Rajiv Shah, USAID Administrator.

INTERIOR, ENVIRONMENT

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Bureau of Indian Affairs FY 2012 Budget Oversight. Testimony was heard from Larry Echo Hawk, Assistant Secretary for Indian Affairs; Michael S. Black, Director, Bureau of Indian Affairs; and Keith Moore, Director, Bureau of indian Education.

ENERGY AND WATER DEVELOPMENT

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Department of Energy—Environmental Management, Legacy Management, FY 2012 Budget. Testimony was heard from Ines Triay, Assistant Secretary for Environmental Management; and David Geiser, Acting Director, Office of Legacy Management.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on FCC FY 2012 Budget. Testimony was heard from Julius Genachowski, Chairman, FCC.

HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Department of Homeland Security—Science and Technology—Budget. Testimony was heard from Tara O'Toole, Under Secretary for Science and Technology.

MILITARY CONSTRUCTION, VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Construction, Veterans' Affairs, and Related Agencies held a hearing on FY 2012 Quality of Life in the Military. Testimony was heard from CMSAF James A. Roy, Chief Master Sergeant of the Air Force; Sergeant Major Raymond F. Chandler III, Sergeant Major of the Army; Sergeant Major Carlton W. Kent, Sergeant Major of the Marine Corps; and Master Chief Petty Officer Rick West, Master Chief Petty Officer of the Navy.

TRANSPORTATION AND HOUSING

Committee on Appropriations: Subcommittee on Transportation and Housing and Urban Development and Related Agencies held a hearing on Federal Highway Administrator FY 2012 Oversight and Budget. Testimony was heard from Victor Mendez, Office of the Federal Highway Administrator.

FY 2012 BUDGET: U.S. SOUTHERN COMMAND, U.S. NORTHERN COMMAND, AND U.S. EUROPEAN COMMAND

Committee on Armed Services: Full Committee held a hearing on the fiscal year 2012 national defense authorization budget requests from the U.S. Southern Command, U.S. Northern Command, and U.S. European Command. Testimony was heard from ADM James G. Stavridis, USN, Commander, U.S. European Command, NATO Supreme Allied Commander Europe; Gen. Douglas M. Fraser, USAF, Commander, U.S. Southern Command; and Admiral James A. Winnefeld, Jr., USN, Commander, U.S. Northern Command and North American Aerospace Defense Command.

MEMBER'S DAY

Committee on the Budget: Full Committee held a hearing entitled "Member's Day." Testimony was heard from Members of the 112th Congress.

COST OF PPACA

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "True Cost of PPACA: Effects on the Budget and Jobs." Testimony was heard from Doug Elmendorf, Director, CBO; Rick Foster, Chief Actuary, Centers for Medicare and Medicaid Services, CMS; and public witnesses.

COSTS OF IMPLEMENTING THE DODD-FRANK ACT

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "The Costs of Implementing the Dodd-Frank Act: Budgetary and Economic." Testimony was heard

from Jill E. Sommers, Commissioner, Commodity Futures Trading Commission; Douglas W. Elmendorf, Director, CBO; Jeffrey Lacker, President, Federal Reserve Bank of Richmond; and public witnesses.

PUBLIC SAFETY COMMUNICATIONS

Committee on Homeland Security: Full Committee held a hearing entitled ''Public Safety Communications: Are the Needs of Our First Responders Being Met?'' Testimony was heard from public witnesses.

PATRIOT ACT—PERMANENT PROVISIONS

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held a hearing entitled ''The Permanent Provisions of the PATRIOT Act.'' Testimony was heard from Todd Hinnen, Acting Assistant Attorney General, National Security Division, Department of Justice; and public witnesses.

AMERICA INVESTS

Committee on the Judiciary: Subcommittee on Intellectual Property, Competition and the Internet held a hearing on ''America Invests'' legislation. Testimony was heard from David Kappos, Under Secretary of Commerce for Intellectual Property, Director, Patent and Trademark Office; and public witnesses.

FY 2012 BUDGET—BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT

Committee on Natural Resources: Full Committee held a hearing on Examining the Spending Priorities and the Missions of the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE), and the President's FY 2012 Budget Proposal. Testimony was heard from Michael R. Bromwich, Director, Bureau of Energy Management, Regulation and Enforcement.

HAS DODD-FRANK ENDED TOO BIG TO FAIL?

Committee on Oversight and Government Reform: Subcommittee on TARP, Financial Services, and Bailouts of Public and Private Programs held a hearing entitled ''Has Dodd-Frank Ended Too Big to Fail?'' Testimony was heard from Neil Barofsky, Special Treasury Department Inspector General to oversee the Troubled Assets Relief Program; and Timothy Massad, Acting Assistant Secretary for Financial Stability, Department of the Treasury.

UNFUNDED MANDATES AND REGULATORY OVERREACH

Committee on Oversight and Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement held a hearing on ''Unfunded Mandates and Regulatory Overreach Part II.'' Testimony was heard from Joni Cutler, State Senator, South Dakota; and public witnesses.

FAA REAUTHORIZATION AND REFORM ACT OF 2011

Committee on Rules: The Committee granted, by a record vote of 5 to 4, a structured rule, providing for consideration of the bill (H.R. 658) FAA Reauthorization and Reform Act of 2011. The rule provides one hour of general debate with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure, 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology, and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules committee Print dated March 22, 2011. The amendment in the nature of a substitute shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides on motion to recommit with or without instructions. Testimony was heard from Chairman Mica; Rep. Rahall; Rep. Petri; Rep. Costello; Rep. LoBiondo; Rep. Hirono; Rep. Shuster; Rep. Richardson; Rep. Waters; Rep. LaTourette, Rep. Schweikert; Rep. Sherman; Rep. Matheson; and Rep. Schiff.

NASA'S EXPLORATION PROGRAM

Committee on Science, Space, and Technology: Subcommittee on Space and Aeronautics held a hearing on A Review of NASA's Exploration Program in Transition: Issues for Congress and Industry. Testimony was heard from Douglas Cooke, Associate Administrator, Exploration systems Mission Directorate, NASA; and public witnesses.

REDUCING FEDERAL AGENCY OVERREACH

Committee on Small Business: Full Committee held a hearing entitled ''Reducing Federal Agency Overreach: Modernizing the Regulatory Flexibility Act.'' Testimony was heard from public witnesses.

SURFACE TRANSPORTATION PROGRAMS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit continued a hearing entitled ''Improving and Reforming the Nation's Surface Transportation Programs.'' Testimony was heard from pubic witnesses.

EMERGENCY MANAGEMENT PROGRAMS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled ''Improving the Nations's Response to Catastrophic Disasters: How to Minimize Costs and Streamline our Emergency Management Programs.'' Testimony was heard from Sherwood Boehlert, former Member of Congress; John Njord, Executive Director, Department of Transportation, Utah; and public witnesses.

JOB CREATION

Committee on Ways and Means: Full Committee held a hearing on government policies and actions that are impediments to job creation. Testimony was heard from public witnesses.

PENDING TRADE AGREEMENTS WITH PANAMA

Committee on Ways and Means: Subcommittee on Trade held a hearing on pending trade agreement with Panama. Testimony was heard from Miriam Sapiro, Deputy Representative, Office of the United States Trade Representative; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 31, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Military Construction and Veterans' Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Veterans Affairs, 10 a.m., SD–124.

Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Library of Congress (LOC) and Open World Leadership Center, 2:30 p.m., SD–138.

Committee on Armed Services: To hold hearings to examine the Department of the Army in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, 9:30 a.m., SD–G50.

Full Committee, to hold hearings to examine Operation Odyssey Dawn and the situation in Libya, 2:15 p.m., SD–G50.

Committee on the Budget: Business meeting to consider the nomination of Heather A. Higginbottom, of the District of Columbia, to be Deputy Director of the Office of Management and Budget, Executive Office of the President, Time to be announced, Room to be announced.

Committee on Energy and Natural Resources: To hold hearings to examine S. 629, to improve hydropower, S. 630, to promote marine and hydrokinetic renewable energy research and development, and Title I, subtitle D of the American Clean Energy Leadership Act of 2009, 9:30 a.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Transportation and Infrastructure, to hold hearings to examine the President's proposed budget request for fiscal year 2012 for the Army Corps of Engineers, 2:30 p.m., SD–406.

Committee on Finance: To hold hearings to examine Asian-Pacific Economic Cooperation (APEC) 2011, focusing on breaking down barriers, creating economic growth, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps and Global Narcotics Affairs, to hold hearings to examine counternarcotics and citizen security in the Americas, 10 a.m., SD–419.

Full Committee, to hold hearings to examine the situation in Libya, 2 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: To hold hearings to examine improving safety at dangerous mines one year after Upper Big Branch, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Disaster Recovery, to hold hearings to examine drug gangs' ever evolving tactics to penetrate the border and the Federal government's ability to stop them, 10 a.m., SD–342.

Committee on the Judiciary: Business meeting to consider S. 222, to limit investor and homeowner losses in foreclosures, S. 216, to increase criminal penalties for certain knowing and international violations relating to food that

is misbranded or adulterated, S. 410, to provide for media coverage of Federal court proceedings, S. 627, to establish the Commission on Freedom of Information Act Processing Delays, S. 394, to amend the Sherman Act to make oil-producing and exporting cartels illegal, and the nominations of 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, Kevin Hunter Sharp, to be United States District Judge for the Middle District of Tennessee, Roy Bale Dalton, Jr., to be United States District Judge for the Middle District of Florida, Claire C. Cecchi, and Esther Salas, both to be United States District Judge for the District of New Jersey, J. Paul Oetken, and Paul A. Engelmayer, both to be United States District Judge for the Southern District of New York, and Ramona Villagomez Manglona, to be Judge for the District Court for the Northern Mariana Islands, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: To hold hearings to examine the President's proposed budget request for fiscal year 2012 for the U.S. Small Business Administration and the Office of Advocacy, 10 a.m., SR–428A.

Select Committee on Intelligence: To hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Full Committee, hearing on Defining the Market: Entity and Product Classifications Under Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, 2 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, hearing on Indian Health Service FY 2012 Budget Oversight Hearing, 9:30 a.m., B–308 Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on Office of Science and Technology Policy FY 2012 Budget Request, 10 a.m., H–309 Capitol.

Subcommittee on Defense, hearing on Air Force Fiscal Year 2012 Budget Review, 10 a.m., H–140 Capitol.

Subcommittee on Energy and Water Development, and Related Agencies, hearing on Department of Energy—Nuclear Energy and Nuclear Regulatory Commission FY 2012 Budget, 10 a.m., 2362–B Rayburn.

Subcommittee on Financial Services and General Government, hearing on Consumer Product Safety Commission FY 2012 Budget, 10 a.m., 2359 Rayburn.

Subcommittee on Military Construction, Veterans' Affairs, and Related Agencies, hearing on European Command, 10 a.m., HT–2 Capitol.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on USDA FY 2012 Budget Request, 10:15 a.m., 2362–A Rayburn.

Subcommittee on State, Foreign Operations and Related Agencies, hearing on Fiscal Year 2012 Request for Global Health and HIV/AIDS Programs, 10:30 a.m., 2358–A Rayburn.

Subcommittee on Energy and Water Development, and Related Agencies, hearing on Department of Energy—Loan Guarantee Program and ARPA–E, FY 2012 Budget, 2 p.m., 2362–B Rayburn.

Subcommittee on Homeland Security, hearing on Department of Homeland Security, NPPD Budget—Cybersecurity and Infrastructure Protection Programs and Funding, 2 p.m., H–405 Capitol. This is a CLASSIFIED and CLOSED hearing.

Committee on Armed Services, Full Committee, hearing on Operation Odyssey Dawn and U.S. Military Operations in Libya, 9 a.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on FY 2012 national defense authorization budget request for missile defense, 2 p.m., 2212 Rayburn.

Subcommittee on Readiness, hearing on improving the readiness of U.S. forces through military jointness, 3:30 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Health, Employment, Labor, and Pensions, hearing entitled ''The Future of Union Transparency and Accountability,'' 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, markup on the following: H.R. 1217, to repeal the Prevention and Public Health Fund; H.R. 1216, to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations; H.R. 1215, to amend title V of the Social Security Act to convert funding for personal responsibility education programs from direct appropriations to an authorization of appropriations; H.R. 1214, to repeal mandatory funding for school-based health center construction; and H.R. 1213, to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges, 10 a.m., 2123 Rayburn.

Subcommittee on Environment and the Economy, hearing on H.R. 908, to extend the authority of the Secretary of Homeland Security to maintain the Chemical Facility Anti-Terrorism Standards Program, 9 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled ''Legislative Hearing on Immediate Steps to Protect Taxpayers from the Ongoing Bailout of Fannie Mae and Freddie Mac,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing on Libya: Defining U.S. National Security Interests, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, markup on H. Res. 139, expressing condolences to the people of New Zealand for the terrible loss of life and property suffered as a result of the deadly earthquake that struck on February 22, 2011; and H. Res. 172, expressing heartfelt condolences and support for assistance to the people of Japan and all those affected in the aftermath of the deadly earthquake and tsunamis of March 11, 2011, 2 p.m., 2360 Rayburn. Following the markup, a hearing on Asia Overview: Protecting American Interests in China and Asia will take place.

Subcommittee on the Western Hemisphere, markup on H.R. 1016, to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes, 2 p.m., 2172 Rayburn. Following the markup, a hearing on Rising Oil Prices and Dependence on Hostile Regimes: The Urgent Case for Canadian Oil will take place.

Committee on Homeland Security, Subcommittee on Oversight, Investigations, and Management, hearing entitled ''The U.S. Homeland Security Role in the Mexican War Against Drug Cartels,'' 10 a.m., 311 Cannon.

Committee on House Administration, Subcommittee on Elections, hearing entitled ''The 2010 Election: A Look Back At What Went Right and Wrong,'' 10:30 a.m., 1310 Longworth.

Committee on the Judiciary, Subcommittee on Immigration Policy and Enforcement, hearing entitled ''H–1B Visas: Designing a Program to Meet the Needs of the U.S. Economy and U.S. Workers,'' 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing on Harnessing American Resources to Create Jobs and Address Rising Gasoline Prices: Impacts on Businesses and Families, 10 a.m., 1324 Longworth.

Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs, hearing on ''Spending for the National Oceanic and Atmospheric Administration and the National Marine Fisheries Service and the President's Fiscal Year 2012 budget request for these agencies,'' 2 p.m., 1334 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Why isn't the Department of Homeland Security meeting the President's standard on FOIA?'' 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing on Climate Change: Examining the Processes Used to Create Science and Policy, 10 a.m., 2318 Rayburn.

Subcommittee on Technology and Innovation, hearing on The Role of Small Business in Innovation and Job Creation: The SBIR and STTR Programs, 2 p.m., 2318 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on Oversight hearing on the VA's Vocational Rehabilitation and Employment program budget and VRE National Counseling Contract, 10 a.m., 334 Cannon.

Committee on Ways and Means, Full Committee, markup of H.R. 1232, to amend the Internal Revenue Code of 1986 to eliminate certain tax benefits relating to abortion, 2 p.m., 1100 Longworth.

Subcommittee on Oversight, hearing on the Internal Revenue Service and the 2011 Tax Return Filing Season, 10 a.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 31

Senate Chamber

Program for Thursday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 31

House Chamber

Program for Thursday: Consideration of H.R. 658—FAA Reauthorization and Reform Act of 2011 (Subject to a Rule).

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