



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, WEDNESDAY, MARCH 4, 2009

No. 38

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. JACKSON-LEE of Texas).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
March 4, 2009.

I hereby appoint the Honorable SHEILA JACKSON-LEE to act as Speaker pro tempore on this day.

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

### PRAYER

Chaplain Cherita Potter, National Chaplain, American Legion Auxiliary, Seaside, Oregon, offered the following prayer:

Dear Lord, we thank You for this day and the opportunities it presents to us.

Fill us with a renewed spirit, never to waver when the way is hard. Prepare each of us with open hearts and broadened minds to face the many challenges set before us.

Direct our thoughts and emotions so that we may exhibit fair judgment and the practice of good core values.

May the principles of justice, freedom, democracy, and loyalty be ever preserved for a happy and secure America.

Open our eyes to the needs of others. Make us sensitive to the issues of poverty, racial, sexual, and age discrimination, war and peace, pollution and our environment.

Help us to recognize and grasp the opportunities for service, that each one of us might make a difference.

God, we thank You for this great Nation and the service men and women who defend and protect our freedoms. Help us to know how to best honor and support them. Fill them with strength and courage to endure.

May Your blessings be with those suffering from the ravages of war and our duty to them be ever on our minds.

We are comforted by Your presence as we pray for a peaceful Nation.

In Your Name we pray, amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

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

Mr. POE of Texas led the Pledge of Allegiance as follows:

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

### WELCOMING CHAPLAIN CHERITA POTTER

The SPEAKER pro tempore. Without objection, the gentleman from Oregon (Mr. WU) is recognized for 1 minute.

There was no objection.

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

Mr. WU. Madam Speaker, I'd like to first welcome my father, K.C. Wu, to the House gallery.

It is also my distinct pleasure and honor to welcome our guest chaplain for today, Ms. Cherita Potter.

Ms. Potter is the national chaplain for the American Legion Auxiliary and one of my constituents in Oregon. She is also an active member of Community Presbyterian Church in Cannon Beach, Oregon, where she participates in Vacation Bible School, choir and Bible study.

Ms. Potter has served in a number of leadership roles at both the State and national levels of the American Legion Auxiliary, and I would like to thank her personally for her ongoing service to our Nation's veterans.

She is joined today by her husband, Toby, a retired Navy Seabee.

I ask my colleagues to join me in recognizing Ms. Potter for her service to our country.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from references to persons in the gallery.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet in joint meeting to hear an address by the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland, only the doors immediately opposite the Speaker and those immediately to her left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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## RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, February 26, 2009, the House stands in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 5 minutes a.m.), the House stood in recess subject to the call of the Chair.

During the recess, beginning at 10:49 a.m., the following proceedings were had:

**JOINT MEETING TO HEAR AN ADDRESS BY THE RIGHT HONORABLE GORDON BROWN, PRIME MINISTER OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

The Speaker of the House presided.

The Majority Floor Services Chief, Mr. Barry Sullivan, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland, into the Chamber:

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Connecticut (Mr. LARSON);

The gentleman from California (Mr. BECERRA);

The gentlewoman from Connecticut (Ms. DELAURO);

The gentleman from Missouri (Mr. SKELTON);

The gentleman from California (Mr. BERMAN);

The gentleman from Massachusetts (Mr. NEAL);

The gentleman from North Carolina (Mr. MCINTYRE);

The gentlewoman from California (Ms. WATSON);

The gentleman from Kentucky (Mr. CHANDLER);

The gentleman from Ohio (Mr. BOEHNER);

The gentleman from Virginia (Mr. CANTOR);

The gentleman from Indiana (Mr. PENCE);

The gentleman from Michigan (Mr. MCCOTTER);

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS);

The gentleman from Texas (Mr. CARTER);

The gentleman from California (Mr. MCCARTHY);

The gentlewoman from Florida (Ms. ROS-LEHTINEN);

The gentleman from New York (Mr. KING);

The gentleman from New York (Mr. MCHUGH); and

The gentleman from Wisconsin (Mr. PETRI).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland, into the House Chamber:

The Senator from Nevada (Mr. REID);  
The Senator from Illinois (Mr. DURBIN);

The Senator from Massachusetts (Mr. KERRY);

The Senator from Connecticut (Mr. DODD);

The Senator from Wisconsin (Mr. FEINGOLD);

The Senator from California (Mrs. BOXER);

The Senator from Maryland (Mr. CARDIN);

The Senator from Virginia (Mr. WEBB);

The Senator from New Hampshire (Mrs. SHAHEEN);

The Senator from Delaware (Mr. KAUFMAN);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Arizona (Mr. KYL);  
The Senator from Indiana (Mr. LUGAR);

The Senator from Tennessee (Mr. CORCKER);

The Senator from Georgia (Mr. ISAKSON);

The Senator from Idaho (Mr. RISCH);  
The Senator from Wyoming (Mr. BARRASSO); and

The Senator from Mississippi (Mr. WICKER).

The Majority Floor Services Chief announced the Acting Dean of the Diplomatic Corps, Her Excellency Heng Chee Chan, Ambassador of the Republic of Singapore.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for her.

At 11 o'clock and 7 minutes a.m., the Majority Floor Services Chief announced the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland.

The Prime Minister of the United Kingdom of Great Britain and Northern Ireland, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland.

(Applause, the Members rising.)

Prime Minister BROWN. Madam Speaker, Mr. Vice President, distinguished Members of Congress, I come to this great capital of this great Na-

tion, an America renewed under a new President, to say that America's faith in the future has been, is, and always will be an inspiration to me and to the whole world.

Two centuries ago, your creation of America was the boldest possible affirmation of faith in the future. It's a future you have not just believed in but a future you have built with your own hands.

On the 20th of January, you, the American people, wrote the latest chapter in the American story, with a transition of dignity, in which both sides of the aisle should take great pride. And on that day, billions of people truly looked to Washington, D.C., as a shining city upon the hill, lighting up the whole of the world.

Let me thank President Obama for his leadership, for his friendship and for giving the whole world renewed hope in itself.

And I know you will allow me to single out for special mention today one of your most distinguished Senators, known in every continent and a great friend. Northern Ireland today is at peace, more Americans have health care, children around the world are going to school, and for all those things, we owe a great debt to the life and courage of Senator EDWARD KENNEDY.

Today, having talked to him last night, I want to announce, awarded by Her Majesty the Queen on behalf of the British people, an honorary knighthood for Sir EDWARD KENNEDY.

Madam Speaker, Mr. Vice President, I come in friendship to renew, for new times, our special relationship that is founded on our shared history, our shared values and, I believe, our shared futures.

I grew up in the 1960s as America, led by President Kennedy, looked to the heavens and saw not the endless void of the unknown but a new frontier to dare to discover and to explore. People said it couldn't be done but America did it.

And 20 years later, in the 1980s, America, led by President Reagan, refused to accept the fate of millions trapped behind the Iron Curtain and insisted, instead, that the peoples of Eastern Europe be allowed to join the ranks of nations which live safe, strong, and free. People said it would never happen in our lifetime, but it did, and the Berlin Wall was torn down brick by brick.

So, early in my life, I came to understand that America is not just the indispensable Nation; you are the irrepressible Nation.

Throughout your history, America has led insurrections in the human imagination. You've summoned revolutionary times through your belief that there is no such thing as an impossible endeavor, and it's never possible to come here without having your faith in the future renewed.

Now, I want to thank you on behalf of the British people because throughout the whole century, the American

people stood liberty's ground, not just in one world war but in two. And I want you to know that we will never forget the sacrifice and the service of the American soldiers who gave their lives for people whose names they never knew and whose faces they never saw, yet people who have lived in freedom thanks to the bravery and valor of the Americans who gave that last full measure of devotion.

Cemetery after cemetery across Europe honors the memory of American soldiers, resting row upon row, often alongside comrades-in-arms from Britain. And there is no battlefield of liberty on which there is not a piece of land that is marked out as American, and there is no day of remembrance within Britain that is not also a commemoration of American courage and sacrifice far from home.

In the hardest days of the last century, faith in the future kept America alive, and I tell you that America kept faith in the future alive for all the world.

And let me do a tribute to the soldiers, yours and ours, who today fight side by side in the plains of Afghanistan, the streets of Iraq, just as their forefathers fought side by side in the sands of Tunisia, the beaches of Normandy, and then on the bridges over the Rhine.

Almost every family in Britain has a tie that binds them to America. So I want you to know that whenever a young American soldier or marine or sailor or airman is killed in conflict, anywhere in the world, we the people of Britain grieve with you. We know that your loss is our loss, your family's sorrow is our family's sorrow, and your Nation's determination is our nation's determination that they shall not have died in vain.

And after that terrible September morning, when your homeland was attacked, the Coldstream Guards at Buckingham Palace played the "Star Spangled Banner," our own British tribute, as we wept for our friends in the land of the free and the home of the brave.

And let me, therefore, promise you our continued support to ensure that there is no hiding place for terrorists, no safe haven for terrorism. You should be proud that in the years after 2001, that while terrorists may destroy buildings and even, tragically, lives, they have not, and will not ever, destroy the American spirit.

So let it be said of the friendship between our two countries that it is in times of trial, true; in the face of fear, faithful; and amidst the storms of change, constant.

And let it be said of our friendship also, formed and forged over two tumultuous centuries, a friendship tested in war, strengthened in peace, that it has not just endured but is renewed each generation to better serve our shared values and fulfill the hopes and dreams of the day, not alliances of convenience. It is a partnership of purpose.

Alliances can wither or be destroyed, but partnerships of purpose are indestructible. Friendships can be shaken, but our friendship is unshakable. Treaties can be broken, but our partnership is unbreakable. And I know that there is no power on Earth that can ever drive us apart.

We will work tirelessly with you as partners for peace in the Middle East; for a two-state solution, proposed by President Clinton and driven forward by President Bush, that provides for nothing less than a secure Israel, safe within its borders, existing side by side with a viable Palestinian state.

And we will work tirelessly with you to reduce the threat of nuclear proliferation and reduce the stockpile of nuclear weapons. And our shared message to Iran, it is simple: We are ready for you to rejoin the international community, but first, you must cease your threats and suspend your nuclear program.

Past Prime Ministers have traveled to this Capitol Building in the times of war to talk of war. I come now to talk of new and different battles we must also fight together, to speak of a global economy in crisis and a planet imperiled.

These are new priorities for our new times, and let us be honest. Tonight too many parents, after they put their children to bed, will speak of their worries about losing their jobs or the need to sell the house. Too many will share stories of friends or neighbors already packing up their homes. Too many will talk of a local store or business that has already gone to the wall.

For me, this global recession is not to be measured just in statistics or in graphs or on a balance sheet. Instead, I see one individual with one set of dreams and fears, then another and then another, each with their own stars to reach for, each part of a family, each at the heart of a community, now in need of help and hope. And when banks have failed and markets have faltered, we the representatives of the people have to be the people's last line of defense.

That's why for me there is no financial orthodoxy so entrenched, there's no conventional thinking so ingrained, there's no special interest so strong that it should ever stand in the way of the change that hardworking families now need.

We have learned through this world downturn that markets should be free, but markets should never be values-free. We have learned that the risks people take should never be separated from the responsibilities that they must meet. And if perhaps some once thought it beyond our power to shape the global markets to meet the needs of the people, we now know that that is our duty. We cannot and must not stand aside.

In our families and workplaces and in our places of worship, we celebrate men and women of integrity, who work hard, treat people fairly, take responsi-

bility, look out for others, and if these are the principles we live by in our families and neighborhoods, they should also be the principles that guide and govern our economic life.

And the world has learned that what makes for the good society also now makes for the good economy, too. My father was a minister of the church, and I have learned again what I was taught by him: that wealth should help more than the wealthy; that good fortune should serve more than the fortunate; and that riches must enrich not just some of our communities but all of our communities. And these enduring values are, in my view, the values we need for these new times.

We tend to think of the sweep of destiny as stretching across many months and years before culminating in decisive moments that we call history. But sometimes the reality is that defining moments of history come suddenly and without warning, and the task of leadership then is to define them, to shape them, and to move forward into the new world they demand.

An economic hurricane has swept the world, creating a crisis of credit and a crisis of confidence. History has brought us now to a point where change is essential, and we are summoned not just to manage our times but to transform them.

Our task is to rebuild prosperity and security in a wholly different economic world, where competition is no longer just local, but it's global; and where banks are no longer national, but they're international. And we need to understand, therefore, what went wrong in this crisis, that the very financial instruments that were designed to diversify risk across the banking system instead spread contagion right across the globe. And today's financial institutions, they're so interwoven that a bad bank anywhere is a threat to good banks everywhere.

But should we succumb to a race to the bottom and to a protectionism that history tells us that in the end protects no one? No. We should have the confidence, America and Britain most of all, that we can seize the global opportunities ahead and make the future work for us. And why? Because while today people are anxious and feel insecure, over the next two decades, literally billions of people in other continents will move from being simply producers of their goods to being consumers of our goods, and in this way, the world economy will double in size. Twice as many opportunities for business, twice as much prosperity, the biggest expansion of middle class incomes and jobs the world has seen.

So we win our future not by retreating from the world but by engaging with it. America and Britain will succeed and lead if we tap into the talents of our people, unleash the genius of our scientists, set free the drive of our entrepreneurs. We will win the race to the top if we can develop the new high-value-added products and services and

the new green goods that the rising numbers of hardworking families across our globe will want to buy.

So, in these unprecedented times, we must educate our way out of a downturn. We must invest and invent our way out of a downturn. We must retool and reskill our way out of a downturn. And this is not blind optimism or synthetic confidence to console people. It's a practical affirmation for our times of a faith in a better future.

Every time we rebuild a school, we demonstrate our faith in the future. Every time we send more people to university, every time we invest more in our new digital infrastructure, every time we increase support for our scientists, we demonstrate our faith in the future.

And so I say to this Congress and this country, something that runs deep in your character and is woven in your history, we conquer our fear of the future through our faith in the future, and it is this faith in the future that means we must commit to protecting the planet for generations who will come long after us.

The Greek proverb, what does it say? Why does anybody plant the seeds of a tree whose shade they will never see? The answer is because they look to the future. And I believe you, the Nation that had the vision to put a man on the Moon, are also the Nation with the vision to protect and preserve our planet Earth.

And you know it's only by investing in environmental technology that we can end the dictatorship of oil, and it's only by tackling climate change that we can create the millions of new green jobs that we need and can have.

For the lesson of this crisis is that we cannot just wait for tomorrow today. We cannot just think of tomorrow today. We cannot merely plan for tomorrow today. Our task must be to build tomorrow today.

And America knows from its history that its reach goes far beyond its geography. For a century, you have carried upon your shoulders the greatest of responsibility: to work with and for the rest of the world. And let me tell you that now, more than ever, the rest of the world wants to work with America.

If these times have shown us anything it's that the major challenges we face are global. No matter where it starts, an economic crisis does not stop at the water's edge. It ripples across the world. Climate change does not honor passport control. Terrorism has no respect for borders. Modern communication instantly spans every continent. The new frontier is that there is no frontier, and the new shared truth is that global problems now need global solutions.

And let me say to you directly: you now have the most pro-American European leadership in living memory. It's a leadership that wants to cooperate more closely together in order to cooperate more closely with you. There is no old Europe, no new Europe. There is only our friend Europe.

So, once again, I say we should seize this moment because never before have I seen a world willing to come together so much. Never before has that been more needed and never before have the benefits of cooperation been so far-reaching.

So when people here and in other countries ask what more can we do to bring an end to this downturn, let me say this. We can achieve more by working together. And just think of what we can do if we combine not just in a partnership for security but in a new partnership for prosperity.

On jobs, you the American people, through your stimulus proposals, could create or save at least 3 million jobs. We in Britain are acting with similar determination. But how much nearer an end to this downturn would we all be if the whole of the world resolved to do the same?

And you are also restructuring your banks. So are we. But how much safer would everybody's savings be if the whole world finally came together to outlaw shadow banking systems and outlaw offshore tax havens?

So just think how each of our actions, if combined, could mean a whole much greater than the sum of its parts: all, and not just some, banks stabilized; on fiscal stimulus, the impact multiplied because everybody is doing it; rising demand in all our countries creating jobs in each of our countries; and trade once again the engine of prosperity, the wealth of nations restored.

No one should forget it was American visionaries who over a half a century ago, coming out of the deepest of depressions and the worst of wars, produced the boldest of plans for global economic cooperation. They recognized that prosperity was indivisible. They concluded that to be sustained it had to be shared.

And I believe that ours, too, is a time for renewal, for a plan for tackling recession and building for the future, every continent playing their part in a global new deal, a plan for prosperity that can benefit us all.

And first, so that the whole of the worldwide banking system serves our prosperity rather than risks it, let us agree at our G-20 summit in London in April on rules and standards for accountability, transparency, and reward that will mean an end to the excesses and will apply to every bank, everywhere, and all the time.

Second, America and a few others cannot be expected to bear all the burden of the fiscal and interest rate stimulus. We must share it globally. So let us work together for the worldwide reduction of interest rates and a scale of stimulus that is equal to the depth of the recession and round the world to the dimensions of recovery and, most of all, equal to the millions of jobs we must safeguard and create.

And third, let us together renew our international economic cooperation, helping emerging markets rebuild their

banks. Let us sign a world trade agreement to expand commerce. Let us work together also for a low carbon recovery. And I am confident that this President, this Congress, and the peoples of the world can come together in Copenhagen in December and reach a historic agreement to combat climate change.

And let us never forget in times of turmoil our duties to the least of these, the poorest of the world. In the Rwanda museum of genocide, there is a memorial to the countless children who were among those murdered in the massacres in Rwanda. There is one of the face of a child, David. The words beneath him are brief; yet, they weigh on me heavily. It says: Name, David. Age, 10. Favorite sport, football. Enjoyed making people laugh. Dreamed to become a doctor. Cause of death, tortured to death. Last words, "The United Nations will come for us."

But we never did. That child believed the best of us. That he was wrong is to our eternal discredit. We tend to think of a day of judgment as a moment to come, but our faith tells us, as the writer said, that judgment is more than that. It is a summary court in perpetual session.

And when I visit those bare, run-down, yet teeming classrooms across Africa, they're full of children, like our children, desperate to learn, but because we've been unable as a world to keep our promises to help, more and more children, I tell you, are being lured to expensively funded madrassas, teaching innocent children to hate us.

So for our security and our children's security and these children's future, you know the greatest gift of our generation, the greatest gift we could give to the world, the gift of America and Britain, could be that every child in every country should have the chance 70 million children today do not have, the chance to go to school, to spell their names, to count their age and perhaps learn of a great generation who are striving to make their freedom real.

Let us remember that there is a common bond that across different beliefs, cultures, and nationalities unites us as human beings. It is at the core of my convictions. It's the essence of America's spirit. It's the heart of all our faiths. And it must be at the center of our response to this crisis, too.

Our values tell us we cannot be wholly comfortable while others go without comfort; that our communities can never be fully at ease if millions feel ill at ease; that our society cannot be truly strong when millions are left so weak. And this much we know: when the strong help the weak, it makes us all stronger.

And this, too, is true. All of us know that in a recession the wealthiest, the most powerful, and the most privileged can find a way through. So we don't value the wealthy less when we say that our first duty is to help the not-

so-wealthy. We don't value the powerful less when we say our first responsibility is to help the powerless. And we do not value those who are secure less when we say our first priority must be to help the insecure.

These recent events have forced us all to think anew, and while I have learned many things over these last few months, I keep returning to something I first learned in my father's church as a child. In these most modern of crises, I am drawn to the most ancient of truths. Wherever there is hardship, wherever there is suffering, we cannot, we will not, we will never pass by on the other side.

But you know, working together there is no challenge to which we're not equal. There's no obstacle we can't overcome. There's no aspiration so high it cannot be achieved.

In the depths of the Depression, when Franklin Roosevelt did battle with fear itself, it was not simply by the power of his words, his personality, and his example that he triumphed. Yes, all these things mattered, but what mattered more was this enduring truth: that you, the American people, at your core, were, as you remain, every bit as optimistic as your Roosevelts, your Reagans and your Obamas.

And this is the faith in the future that has always been the story and promise of America. So, at this defining moment in history, let us renew our special relationship for our generation and our times. Let us work together to restore prosperity and protect this planet, and with faith in the future, let us together build tomorrow today.

Thank you.

(Applause, the Members rising.)

At 11 o'clock and 43 minutes a.m., the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Majority Floor Services Chief escorted the Acting Dean of the Diplomatic Corps from the Chamber.

#### JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 11 o'clock and 49 minutes a.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1245

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PASTOR of Arizona) at 12 o'clock and 45 minutes p.m.

#### PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

#### HEALTH CARE—IT'S TIME FOR A CHANGE

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

Mr. JOHNSON of Georgia. Ladies and gentlemen of America, the American Recovery and Reinvestment Act provides \$20 billion to accelerate the adoption of health information systems by doctors and hospitals; these are electronic medical records. This will modernize health care in this country, it will save billions of dollars by reducing the need for duplicate diagnostic procedures, it will reduce medical errors and improve the quality of services. This will create or save hundreds of thousands of jobs, many in the high-tech sectors, tens of billions of dollars in system-wide savings, including a net reduction in private health insurance premiums for families.

I want the public to know that it's time for change. Our health care system should have been addressed many, many years ago, but under this new administration and under this Democratic leadership of this fine body, we are doing what needs to be done in order to put this country in a posture it needs to be in for the new millennium.

#### TAX DEDUCTIONS

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

Mr. PITTS. Mr. Speaker, one of my constituents, Gail, from Lititz, Pennsylvania, recently wrote to me about a provision in the President's recently released budget. She said, among other things, "God has blessed us abundantly in many ways; in turn, we have been able to bless others. We donate a very large percentage of our income to the hungry, homeless, orphaned and widowed. We are in the top tax bracket. Any increase in our taxes or decrease in our charitable deductions will not hurt our standard of living, it will, indeed, hurt the very people that the government is trying to help."

When Alexis de Tocqueville wrote with praise for America, he cited our civic institutions, like churches and other nonprofit organizations, as the basis for our strength in the Nation. The Obama administration is woefully misguided if they think reducing the tax credit for charitable donations will help America. During an economic recession, our churches, charities, and other community organizations that assist many individuals quicker and more effectively than government programs will be harmed. It's a mistake to change our tax policy to reduce funding to these organizations when their help is needed most in communities across America.

#### THE TIME TO ACT IS NOW FOR HEALTH CARE

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

Ms. SCHAKOWSKY. Last week, President Obama submitted a budget that expresses his commitment to transforming health care in America. Tomorrow, he will gather Members of Congress, consumers, business men and women, and health care providers at the White House to discuss how to achieve the common goals he laid out in the budget, "constraining costs, expanding access, and improving quality."

The economic crisis we face is not a cause for delay, it is an argument for comprehensive reform. The need for action couldn't be clearer. Every percentage increase in the unemployment rate means another 1.1 million Americans becomes uninsured.

Over half of all Americans, many of them insured, are doing without medical care because of high costs. Emergency rooms are being forced to turn away patients, and businesses that cover their workers are struggling to be competitive in the face of rising premiums.

We must assure that all Americans are covered and give each a choice of a public health insurance plan or private plan that provides comprehensive, affordable and high-quality care. The time to act is now.

#### THE AMERICAN PEOPLE ARE THE SOLUTION

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

Mr. CHAFFETZ. Mr. Speaker, I rise with concern about the President's budget.

Now is not the time to be raising taxes. We should not be raising rates, nor should we diminish the benefits for people who are paying their mortgage as they should be. As determined as the Democrats are to raise taxes, you don't fuel the engines of economic growth by penalizing those who are responsible,

who do play by the rules, and who don't need a bailout. By reducing the tax reductions for mortgage interest, the Democrats are raising taxes, and they are growing government while reducing economic incentives for those who have resources to invest in a faltering economy.

Further, at this time of need, now is not the time to reduce the benefits for making charitable donations. Non-profit religious organizations and institutions of higher education are also struggling in this economy. The net result of the President's budget is less money for donating to those worthwhile causes.

We do have a choice: do you want to keep your money and spend your money, or do you want the government bureaucracy to tax and spend? I believe in the American people; it's their money, not the government's money. Government is not the solution, the American people are the solution.

#### CONGRATULATING THE 2008 STATE CHAMPION ELK LAKE WARRIORS

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

Mr. CARNEY. Mr. Speaker, I rise today to honor the 2008 Pennsylvania State championship boys cross-country team, the Elk Lake Warriors. I am blessed to have five terrific kids, all of whom attend Elk Lake, and my oldest three boys are all cross-country runners.

The cross-country team's victory is remarkable for many reasons, it's only the third State championship that Elk Lake has ever won. But what I found truly remarkable was their inspirational path to victory. Not one runner on the team won an individual medal at the State meet, but working together, they won the State title, an incredible lesson for us all. They each gave it their all and demonstrated an incredible dedication to each other and their team; they were victorious.

As we know, our Nation is facing incredible challenges right now. It is all too easy to forget the simple value of pulling together and putting aside our differences in difficult times. I am confident that if we all heed the lessons offered by a small rural school in Pennsylvania, we will succeed. And once again, my congratulations to the 2008 State champions, the Elk Lake Warriors.

#### MORE TAXES—LESS PROSPERITY

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

Mr. POE of Texas. Mr. Speaker, history shows that if you tax something, you get less of it; if you subsidize something, you're going to get more of it.

This budget raises taxes. We shouldn't raise taxes during a recession

on anyone that pays taxes. Tax increase will do several things. Small businesses that pay most of the taxes, they will have a tax increase. So to pay for these new taxes, they're going to have to cut jobs to pay for those taxes. It raises the utility rates on people that use energy. Now, that hurts those folks, the working poor, who have a fixed income, in essence, a tax increase on the poor. It cuts deductions for home mortgages and charitable contributions; that, in essence, hurts people who try to live in a home and contribute to charities. And the budget redistributes wealth.

Abraham Lincoln said, "You don't make the poor rich by making the rich poor and you don't make the weak strong by making the strong weak."

The budget is flawed with more government spending, more government control, and it raises taxes. Taxes will create less prosperity, not more prosperity.

And that's just the way it is.

#### A TRIBUTE TO QUENTIN MEASE

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to pay tribute to a giant in our community in Houston, Texas, that we lost just a few days ago.

Quentin Mease was 100 years old, and he lived that life vigorously and with great fulfillment. He was a servant of the people. No, he was not elected, but he was one of the founding members of the National Urban League Houston chapter. He was a founding member of what is now called the Harris County Hospital District. One of the satellite hospitals was named after Quentin Mease.

He was truly a giver, a philanthropic, a person who believed that he was, in fact, our brothers' and sisters' keeper. He lost his life, but he was full of life when he passed. He will be recognized on Thursday for a wake and Friday for a funeral.

I believe the words of the President of the United States in his African American History Month that said, "The ideals of the founders became more real and more true for every citizen of African American ancestry to realize our full potential as a Nation, and to uphold those ideals for all who enter into our borders and embrace the notion that we all are endowed with certain inalienable rights."

Quentin Mease, fallen in battle, believed that we were all endowed with certain inalienable rights. He gave his all. He wanted us all to be embraced under this bright and shining flag. He believed in America. As an African American, he is a giant, and I thank him for highlighting young people like myself to give us an opportunity to go forward into the future.

Thank you, Mr. Mease. May God bless you. And may God bless you as you rest in peace.

#### SMALL BUSINESS—KEY TO GETTING OUR ECONOMY BACK ON TRACK

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

Mr. BUCHANAN. Mr. Speaker, unemployment in my home State of Florida and across the country continues to rise. As the stock markets and retirement accounts fall, our national debt is approaching \$11 trillion. And just last week, Congress approved, over my objections, a \$410 billion spending bill that was 8 percent higher than last year, more than twice the rate of inflation. On top of all this new spending, we now hear that the White House is proposing nearly \$1 trillion in new taxes. Now is not the time to be raising taxes or embarking on a reckless spending spree.

Rather than exploding the size of Federal Government, Congress should be working to strengthen the backbone of our economy with small businesses. Seventy percent of all new jobs are created by small business, many of them in our area family owned.

Let's get our economy back on track by helping to work with small businesses. That's the legacy that we want to leave our children and grandchildren.

#### PASS THE HELPING FAMILIES SAVE THEIR HOMES ACT

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

Mrs. CAPPS. Mr. Speaker, by now we all know what a central role the housing market crisis has played in our economic troubles. The housing meltdown is devastating for families and communities, particularly for innocent families who have lived within their means and paid their mortgages on time. Through no fault of their own, their home values are eroding and their life savings are threatened. That's why we must pass the Helping Families Save Their Homes Act. It restores fairness to the bankruptcy system.

Current law allows loan modifications for vacation homes and yachts, yet prohibits them for primary residences. This bill will end this inequity. It also fixes the Hope for Homeowners program to increase mortgage modifications and reduce foreclosures. It is not about bailing out lenders or borrowers who made irresponsible decisions, it is, rather, finding fair and effective solutions to stabilizing the housing crisis and stabilizing the market.

Mr. Speaker, this legislation is also needed to get our country back on track. I urge my colleagues to vote for a stronger economy and vote for this bill.

### PRESIDENT'S BUDGET PUTS INFRASTRUCTURE AND AMERICA AT GREAT RISK

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

Mr. FLEMING. Mr. Speaker, I received a letter from the President of the Louisiana Oil and Gas Association expressing grave concern over the administration's budget proposal we were sent last week. Our Nation's oil and gas industry is not made up of the five or so Big Oil companies; instead, it is several thousand independent oil and natural gas producers. It is these companies that drill and produce the vast majority of oil and natural gas produced here in the United States.

The administration's budget proposals will strip the economic incentives that provide the investment capital that is needed to explore and produce oil and gas for our country. Without these incentives, exploration and production of oil and natural gas will drastically decline, trillions of dollars will be lost, tens of thousands of jobs will be lost, and our Nation's energy security will be severely threatened.

In my home State of Louisiana, 25 percent of the Nation's energy is produced. We are the heartbeat of our Nation's energy infrastructure. Simply put, the administration's budget proposals will put that infrastructure and our country at great risk and drive up home utilities and gas at the pump.

□ 1300

### VOTE "YES" ON HELPING FAMILIES SAVE THEIR HOMES ACT

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

Mrs. MALONEY. Mr. Speaker, there is unusually broad agreement on the fact that to stop the downward spiral of this economy, we have to act on several fronts at once in a forceful and coordinated manner.

We have addressed the need for job creation and tax relief with the economic recovery bill. We are addressing the banking crisis and credit freeze with the second round of TARP funds and the launching of the TALF program. Now we have the chance to take action on a critically important front, stabilizing housing prices. All across the country, neighborhoods are struggling as each foreclosed home reduces the value of nearby properties.

The Helping Families Save Their Homes Act will give more tools to homeowners to stay in their homes and allow judicial modifications of home mortgages. It helps families facing foreclosure stay in their homes, thus stabilizing lives, home prices, neighborhoods and restoring confidence in the economy.

I am confident that a "yes" vote on this bill is in the best interests of our American economy.

### BUSINESS AS USUAL

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

Mr. FLAKE. Mr. Speaker, later this week President Obama is expected to sign the omnibus spending bill into law. That bill contains nearly 9,000 earmarks. Now, this is unfortunate. It sends a signal that we have ushered in a new era of absolutely the same, business as usual.

I would encourage the President, if he is going to sign the omnibus bill, to at least announce a change moving forward. He could announce, for example, that he will not sign legislation in the future that contains congressionally directed no-bid contracts to private companies.

He should encourage the Congress to end the appearance of pay-to-play when no-bid contracts are given to those who give us campaign contributions. Giving no-bid contracts to our campaign donors should be beneath the dignity of this House. Now our leadership, both on the Republican and the Democratic side, has not recognized this yet, but I hope that the President does.

### HELP FOR HOMEOWNERS

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

Mr. CONNOLLY of Virginia. Mr. Speaker, this week the House is scheduled to take up H.R. 1106, the Helping Families Save Their Homes Act of 2009. While much of the controversy over this bill is focused on the title I provisions, the provisions in title II will provide safe harbor for lenders willing to modify mortgages and improve the HOPE for Homeowners program.

Allow me to dispel a few of the myths surrounding this legislation.

Myth: The bill only benefits a small number of homeowners.

Fact: This bill will actually help all homeowners by protecting their neighborhoods from the negative effects of foreclosure. Every foreclosure brings down the value of nearby homes, further eroding the equity of homeowners who are up to date on their mortgages. Millions of middle class families are just one sickness or one layoff away from a possible foreclosure.

Myth: The bill rewards bad behavior.

Fact: This bill requires homeowners to negotiate with their lenders in good faith before they can even consider applying for judicial modification of their home loan through bankruptcy.

Myth: The bill is a dramatic change in the Bankruptcy Code.

Fact: This bill equalizes the rules by treating residential bankruptcies the same as corporate, farm and vacation home bankruptcies.

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

I'd like to remind my colleagues that while much of the controversy over this bill has fo-

cused on the Title I provisions, the provisions in Title II will help thousands of homeowners and enjoy broad support. Providing safe harbor for lenders willing to modify mortgages and improving the HOPE for Homeowners program are much-needed reforms that will help stem the tide of foreclosures and protect our neighborhoods. I would like to take a few moments to dispel some of the myths surrounding the legislation that could also be referred to as the Neighborhood Protection Act.

Myth: This bill only benefits a small number of low income homeowners or homeowners who bought more house than they could afford.

Fact: H.R. 1106 will actually help all homeowners by protecting their neighborhoods from the negative effects of foreclosure. Every foreclosure in a neighborhood brings down the value of nearby homes, further eroding the equity of homeowners who are up to date on their mortgages. Furthermore, the foreclosure crisis has spread beyond victims of the subprime crisis or individuals who purchased more home than they could afford. As President Obama noted in his address to this body, millions of middle-class families are just one sickness or one layoff away from possible foreclosure. Without the ability to sell or refinance a home with a current value lower than the mortgage value, these families are out of options.

Myth: The bill rewards bad behavior.

Fact: H.R. 1106 requires homeowners to negotiate with their lenders in good faith before they can even consider applying for a judicial modification of their home loan through bankruptcy. And the bill prevents judges from modifying loans for homeowners who have the ability to make their payments or make other bad faith efforts to game the system. The specious argument that the bill rewards bad behavior is being promoted by the banks, who themselves were rewarded for their bad behavior by the previous Administration. After receiving hundreds of billions of dollars in taxpayer bailouts, the banks should be the last to complain. This bill is designed to help families who have worked hard and played by the rules, but are trapped by declining property values and escalating job losses.

Myth: The bill enables homeowners to avoid their financial responsibilities.

Fact: H.R. 1106 allows judges to modify a mortgage only in those cases where it is truly not affordable for the homeowner and even then judges can only reduce the mortgage to the fair market value of the property. Lenders are able to recoup the fair market value of the house, plus interest, which is much better than they usually secure in a foreclosure sale.

Myth: The bill is a dramatic change in the bankruptcy code.

Fact: H.R. 1106 equalizes bankruptcy rules by treating residential bankruptcies the same as corporate, farm, and vacation home bankruptcies. H.R. 1106 will give struggling families or individuals the same right to modify the loans on their primary homes as wealthy investors have to modify the loans on their second or third properties.

Myth: The bill will dramatically increase bankruptcies.

Fact: Bankruptcy proceedings are unpleasant and scar one's credit record for years. No one looks forward to bankruptcy. And this bill provides stringent conditions, with a series of interim steps and requirements, so bankruptcy

proceedings are only used as a last resort after exhausting all other options to save a home.

Myth: This bill is another bailout for the banks and will cost taxpayers tens of billions.

Fact: H.R. 1106 actually redirects existing TARP funds from the banks to homeowners. It also will make sure the TARP funds are spent on economic recovery and neighborhood stabilization rather than salted away in some bank vault or paid to bank shareholders as dividends. This bill does exactly what the American people have asked for; it helps homeowners rather than banks and big business.

Mr. Speaker, H.R. 1106 is not a perfect bill, but it is one more piece in the mosaic of positive efforts we are making to turn our economy around. It is good for homeowners. It is good for the future stability of our neighborhoods. It is good for our nation's economy.

That is why I ask my colleagues to join me later today in supporting H.R. 1106.

#### WHERE IS THE OBAMA ADMINISTRATION ON SUDAN?

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

Mr. WOLF. Mr. Speaker, today the International Criminal Court issued an arrest warrant for Sudan's President Bashir, charging him with seven counts of war crimes and crimes against humanity. This is the first time the court has accused a sitting head of state of war crimes.

The world knows what's happening in Sudan and Darfur, and yet the Obama administration has failed to appoint a special envoy. I have asked him to appoint a former Senator, Bill Frist from Tennessee, who can start today. The tribunal spokesman said the crimes included, and I quote, "murdering, exterminating, raping, torturing and forcibly transferring large numbers of civilians and the pillaging of their property."

According to the U.N., an estimated 300,000 have been killed since the Darfur conflict began and 2.7 million displaced. And yet the Obama administration has failed to appoint a special envoy. As recently as just yesterday, the AP reported that in recent weeks 26,000 people have fled their homes in Darfur and flooded Zamzam refugee camps, already at 50,000.

I close by saying time is short. The killing and the devastation goes on. The administration must act. This cannot wait.

#### INNOVATION HAS ALWAYS BEEN A HALLMARK OF AMERICAN SUCCESS

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

Mr. LUJÁN. Mr. Speaker, innovation has always been a hallmark of American success. Innovation will transform the way we generate and store power

from renewable resources, use electricity more efficiently, and create a workforce for the 21st century.

President Obama's budget promotes the development of innovative clean energy technology, modernizes the electric grid, and provides the capital to double renewable energy generating capacity. With these investments we will change the way our country generates, uses and delivers energy. We will produce jobs throughout the United States and begin to end our dependence on foreign oil.

America's prosperity depends on bold action and investments in research and development, on our ability to adapt through innovation and on creating green jobs that will build a foundation for a clean energy economy.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

#### RECOGNIZING BEVERLY ECKERT FOR 9/11 VICTIMS WORK

Mr. PASCRELL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 201) recognizing Beverly Eckert's service to the Nation and particularly to the survivors and families of the September 11, 2001, attacks.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 201

Whereas on the morning of September 11, 2001, terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City and a third into the Pentagon outside Washington, DC;

Whereas the passengers and crew aboard United Flight 93 acted heroically to prevent the terrorist hijackers from taking additional American lives, by crashing the plane in Shanksville, Pennsylvania and sacrificing their own lives instead;

Whereas thousands of innocent men, women, and children were brutally murdered in the attacks of September 11, 2001;

Whereas pursuant to Public Law 107-306, the 9/11 Commission was formed to ascertain, evaluate, and report on the evidence regarding the terrorist attacks;

Whereas the 9/11 Commission was also required in Public Law 107-306 to make a full and complete accounting of the circumstances surrounding the terrorist attacks, report on the United States' preparedness for, and immediate response to, terrorist attacks, and make findings, conclusions, and recommendations for corrective measures that could be taken to prevent, prepare, and respond to acts of terrorism;

Whereas the 9/11 Commission stated in its report that it "interviewed more than 1,200

individuals" to assist in making its recommendations;

Whereas one of the groups representing the victims, "Voices of September 11", testified before the 9/11 Commission;

Whereas Beverly Eckert was the widow of Mr. Sean Rooney, who died in the September 11, 2001, terrorist attacks on the World Trade Center and following her husband's death, Beverly Eckert co-founded "Voices of September 11", an advocacy group for survivors and 9/11 families;

Whereas Beverly Eckert was instrumental in the development and growth of this important advocacy group, which now claims more than 5,500 members;

Whereas Beverly Eckert worked admirably with the 110th Congress and was a key proponent in the final passage of the "Implementing the 9/11 Commission Recommendations Act of 2007" as the legislation to effectuate the recommendations of the 9/11 Commission to prevent, prepare, and respond to acts of terrorism; and

Whereas the United States will forever be grateful for the services of Beverly Eckert and mourn her loss: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) acknowledges Beverly Eckert's service to the Nation and particularly to the survivors and families of the September 11, 2001, attacks;

(2) recognizes Beverly Eckert's work to help bring about implementation of the 9/11 Commission recommendations to prepare, prevent, and respond to acts of terrorism; and

(3) extends its deepest condolences to the family of Beverly Eckert and the families of all those who lost their lives due to the crash of Continental Connection Flight 3407.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PASCRELL) and the gentleman from Florida (Mr. BILL RAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

##### GENERAL LEAVE

Mr. PASCRELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the resolution under consideration.

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

There was no objection.

Mr. PASCRELL. Mr. Speaker, I rise in support of this resolution and yield myself such time as I may consume.

I rise in support of H. Res. 201, which recognizes Beverly Eckert's service to the United States of America, particularly the survivors and the families of the attack on September 11, 2001.

Ms. Eckert was the widow of Mr. Sean Rooney, who was killed in the World Trade Center on September 11. For many, the devastating loss of a partner, of a husband, would lead to a state of grief, anger, fear, paralysis.

But Beverly Eckert turned the September 11 attacks into a clarion call of government accountability and transparency, Mr. Speaker. When there were questions about what led to the attacks, Beverly Eckert demanded answers.



When some tried to dismiss her call for answers, she pressed on and cofounded the “Voices of September 11,” an advocacy group for survivors which now claims more than 5,500 members.

This led to the creation of the National Commission on Terrorist Attacks upon the United States—or the 9/11 Commission—and we all remember that commission led by former Congressman Lee Hamilton and, of course, Governor Tom Kean of New Jersey. Beverly Eckert did not stop there. She attended the 9/11 Commission hearings and was there when the 9/11 Commission published its findings and recommendations.

Mr. Speaker, I want to allow, because of time factors with some of the Members, two young ladies who are Members of this great body, who are always there first to recognize and sensitive to those people, the real heroes of America.

I yield 2 minutes first to Ms. SLAUGHTER from the State of New York.

Ms. SLAUGHTER. I thank both gentlemen for the time.

As a New Yorker, obviously the events of September 11, 2001, are really seared in our memory, as I am sure they are in the memory of all Americans.

On February 12, this year, 2009, the Nation was shocked and saddened by the devastating plane accident in Clarence, New York, a few miles outside of Buffalo. Our thoughts and prayers will always be with the family and friends who lost loved ones on Continental Connection Flight 3407.

Today, we are here to recognize one of the persons on that plane, Beverly Eckert, who also lost her life on that day. We thank her for her tremendous service to our Nation and particularly to the survivors and families of the September 11, 2001, attacks.

Mr. Speaker, Beverly Eckert, as mentioned, was the widow of Sean Rooney, who died in the September 11 attacks on the World Trade Center and had been among the most visible faces of the victims' families in the aftermath of the attacks. Following her husband's death, she cofounded Voices of September 11, one of the first advocacy groups for the survivors of 9/11 and families.

Beverly was instrumental in the development and growth of this important group, which is now supported by more than 5,500 members. Along with other members of the Voices of September 11, she testified before the 9/11 Commission to help report on the September 11 terrorist attacks.

Beverly worked with the 110th Congress tirelessly, and she was a key proponent in enacting the 9/11 Commission's recommendations to prevent, prepare and respond to acts of terrorism. Simply put, Beverly's work helped to make our Nation safer and more secure.

Beverly was a passenger on Flight 3407 on her way to Buffalo to mark what would have been her husband's

birthday and launch a scholarship in his memory. We lost an inspiring and tenacious champion in Beverly, and we must continue to honor her memory and accomplishments.

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

Mr. PASCARELL. I yield the gentlelady an additional 30 seconds.

Ms. SLAUGHTER. We must continue to honor her memory and accomplishments while carrying on her mission. Today we consider a resolution to acknowledge her service on behalf of the survivors and to recognize her work to help protect our Nation.

The resolution also extends condolences to the families of all those who were lost on the Continental Connection flight.

I urge my colleagues to support the resolution to honor the life of Beverly Eckert, commemorating her valuable service to the 9/11 survivors and families in this country.

Mr. BILIRAKIS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today to join my colleagues in honoring Ms. Beverly Eckert.

Ms. Eckert lost her husband, Sean Rooney, on September 11, 2001. Since then, Ms. Eckert has been a tireless advocate for the families and survivors of these September 11 attacks. She is the cofounder of the nonprofit foundation Voices of September 11, which currently has more than 5,500 members.

Ms. Eckert lobbied for the establishment of the 9/11 Commission, passage of the Intelligence Reform and Terrorism Prevention Act, establishment of the WMD Commission, and the development of a memorial to the victims of the September 11 attacks at Ground Zero.

Ms. Eckert was a passenger on Continental Flight 3407, which crashed on February 12, 2009, near Buffalo, New York. Ms. Eckert, who grew up in Buffalo, was returning to her hometown to honor her husband on his 58th birthday and establish a scholarship in his name.

Ms. Eckert is survived by her three sisters, seven nephews and her one niece. My heart goes out to her family and friends. I hope they can take comfort in the fact that Ms. Eckert has been reunited with her husband.

I honor Ms. Eckert and all those who lost their lives as a result of the tragic crash of Continental Flight 3407.

I urge Members to support this resolution.

I reserve the balance of my time.

Mr. PASCARELL. Mr. Speaker, I yield 2 minutes to the gentlelady from New York (Mrs. MALONEY).

□ 1315

Mrs. MALONEY. I thank the gentleman for yielding and for his constant leadership and support for the 9/11 families and for the reforms to make our country safer and to my good friend and colleague LOUISE SLAUGHTER, who authored this resolution.

Mr. Speaker, I rise in strong support of the resolution honoring Beverly Eckert, who died in a plane crash in Buffalo going to honor the memory of her husband on his 58th birthday.

She told me the last time she spoke to him, he was in the burning towers and the fire was coming towards him. She was devoted to him. It broke her heart. But it did not break her spirit. She dedicated her life to making sure that other families did not suffer the same type of loss that she did by not protecting our citizens, by putting in place strong homeland security laws.

As the co-Chair of the 9/11 Family Steering Committee, and I was the founder and Chair of the 9/11 Commission Caucus, we worked almost daily, first to support the creation of the 9/11 Commission; then to fund it, to give it subpoena power, to give it time to do its work. And when they came back with a report that had 47 recommendations to make Americans safer, she then dedicated her life to implementing them into law. I was one of the authors of the first bill that reorganized our intelligence, the first major intelligence reorganization since 1948, to share information so that we could better prevent another attack. And then H.R. 1, which rolled all the other recommendations to make America safer into the bill, H.R. 1, the first bill that the Democratic leadership passed in the last Congress, this passed with Beverly's leadership and support.

She worked out of my office for 4 years. She would lead vigils in front of the White House. She was at 9/11 constantly raising the need and the importance to pass this important legislation. She was a spirit. She was a leader. She was one of the finest people I have ever met. And many, many people owe a great deal of gratitude for a safer America because of her work.

Mr. BILIRAKIS. I urge my colleagues to support this resolution.

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

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

Instead of letting leaders in Washington pat themselves on the back for the 9/11 Commission, which we are apt to do, Beverly Eckert insisted on the implementation of the Commission's recommendations. When Ms. Eckert was told that the recommendations would be difficult to implement, she was not deterred. Where she saw there were problems, she demanded and worked tirelessly for solutions. She traveled to Washington and pushed for the passage of the implementation of the recommendations of the 9/11 Commission Act, as Mrs. MALONEY and Ms. SLAUGHTER pointed out.

To sum up, Beverly Eckert was a tenacious citizen who nudged and prodded the leaders of this Nation to look at their mistakes and implement the steps to correct them. Ms. Eckert was not interested in partisanship, fear-mongering or saber rattling. Beverly

Eckert was a woman who made sure that the death of her husband and those who died on September 11 would not be in vain. In that process she taught us all why we should not give into the fear of terrorism.

I urge all my colleagues to support this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of this resolution honoring, Beverly Eckert, a great American. As a 9/11 widow, Beverly Eckert rose above a daunting challenge. America has asked her to not only overcome her grief over losing her husband, but to take on a leading role as a advocate for other victims.

Beverly Eckert, who died on February 12 in the crash of Continental Connection Flight 3407 in Clarence Center, N.Y., was co-founder of Voices of September 11, a group representing the victims of the September 11 terrorist attacks. Her husband, Sean Rooney, died in the World Trade Center. Under Eckert's leadership, Voices of September 11 grew into an influential advocacy group of more than 5,500 members. Eckert supported the work of the 9/11 Commission and urged Congress to adopt its recommendations. Less than a week before her death, she met with President Barack Obama at the White House with other terrorist victims' families to discuss changes in the government's handling of terror suspects.

As a member of the House Committee on Homeland Security and the Chair of the Subcommittee on Transportation and Infrastructure I am well aware of the importance of keeping the memory of September 11, 2001 at the forefront of our conscious.

This resolution honors Beverly Eckert for her service on behalf of September 11 victims and their families and recognizes her work to bring about the implementation of the 9/11 Commission recommendations to prevent and respond to acts of terrorism. It extends condolences to Eckert's family and the families of all those who lost their lives in the Continental Connection Flight 3407 crash.

Certainly the irony of Beverly Eckert dying in a plane crash that appears to be weather-related is not lost on us. That does not diminish the breadth of her work over the last eight years. It is fitting that Beverly was greeted at the White House by President Obama just a week before she perished.

It is my hope Mr. Speaker that we continue to honor Beverly Eckert and the other victims of Continental Connection Flight 3407 and the terrorist attacks of 9/11 by energizing our pursuit of the terrorists who hurt our nation. We can do this by bringing to justice the perpetrators of those attacks and the forces behind them.

Mr. Speaker, I am thankful for the opportunity to speak to our nation at this poignant time but also a moment where we can be reminded of the arduous task that this new administration faces in pursuit of terrorists and seeking to raise our profile as a nation of peace. We can be a leader in the fight against terrorism and still saving the world. We can only hope that Sean Rooney and Beverly are reunited in heaven.

Mr. HIMES. Mr. Speaker, I rise to honor a constituent and citizen activist, Beverly Eckert who lost her life in the tragic crash of flight 3407 just a few weeks ago.

In addition to being a beloved sister, aunt, and friend, Beverly, who lost her husband in

the September 11 terrorist attack on the World Trade Center, was an impressive activist and will be missed, both for her outspoken work on behalf of 9/11 victims and by those who knew and love her.

After her husband died on September 11th, Beverly co-founded Voices of September 11, a group that serves those affected by the attacks and advocates for effective response to terrorism.

In the days, weeks and years after the 9/11 attacks, Beverly was a tireless advocate for the victims' families. She spearheaded protests that led politicians to set aside more land for a memorial at Ground Zero, fought to ensure federal authorities would thoroughly probe the cause of the twin towers' collapse, and spoke eloquently again and again about her husband, Sean Rooney, and the many others who died that day.

As a member of the Family Steering Committee, a group of relatives of victims of 9/11, Eckert helped to spearhead the public fight for a 9/11 Commission to investigate the attacks.

Throughout the years, Beverly remained active in the fight against terrorism. This winter she met with President Obama at the White House along with other relatives of those killed on 9/11 and in the bombing of the USS *Cole* to discuss how the new administration would handle terror suspects.

Beverly's activism should remind all of us what the actions of one person can do. While she did not work alone, we all have her to thank for making us safer today. Her patriotism should be admired and her citizenship should serve as a model for us all.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PASCRELL) that the House suspend the rules and agree to the resolution, H. Res. 201.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### RECOGNIZING THE HOMELAND SECURITY DEPARTMENT ON ITS SIXTH ANNIVERSARY

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 195) recognizing and honoring the employees of the Department of Homeland Security on its sixth anniversary for their continuous efforts to keep the Nation safe.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 195

Whereas the Department of Homeland Security was created as a result of the terrorist attacks of September 11, 2001, to consolidate

our Nation's efforts to prevent, prepare for, protect against, respond to, and mitigate against threats to the homeland, including acts of terrorism, natural disasters, and other emergencies;

Whereas the Department of Homeland Security marks its sixth year of full-scale operations on March 1, 2009;

Whereas more than 223,000 employees of the Department of Homeland Security work diligently to deter, detect, and prevent acts of terrorism and stand ready to respond to a terrorist attack, natural disaster, or other emergency;

Whereas the employees of the Department of Homeland Security are dedicated individuals who rarely receive the recognition they deserve;

Whereas the employees of the Department of Homeland Security work tirelessly to protect our Nation, frequently working long hours and sacrificing time with their loved ones;

Whereas the employees of the Department of Homeland Security support the Department's mission to secure the borders, protect critical infrastructure, share information, facilitate safe and lawful travel and trade, and work with States and localities to enhance preparedness;

Whereas the employees of the Department of Homeland Security deserve the best in training and resources to accomplish their vital mission;

Whereas the United States has not been attacked since September 11, 2001, and this is due in large part to the dedicated service of the employees of the Department of Homeland Security; and

Whereas the Nation owes a debt of gratitude to the employees of the Department of Homeland Security for their continued and steadfast efforts to secure the homeland: Now, therefore, be it

*Resolved*, That the House of Representatives recognizes and honors the employees of the Department of Homeland Security on its sixth anniversary for their continuous efforts to keep the Nation safe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. CARNEY) and the gentleman from Florida (Mr. BILL-RAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. CARNEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today to support House Resolution 195, a measure to honor the employees of the Department of Homeland Security and to mark the sixth anniversary of the Department's creation.

The Department of Homeland Security was tasked with the Herculean responsibility of coordinating with State, local, and tribal entities to prevent future terrorist attacks, secure our borders, and to prepare for and respond to events of national significance. Comprised of 22 different Federal agencies

and employing over 223,000 of our finest Federal employees, DHS quickly became one of the largest Federal departments.

Twenty-four hours a day, 7 days a week, 365 days a year, employees of the Department of Homeland Security are working to prevent and prepare for any threat to our country. At this very moment they are patrolling our skies, securing our borders, sailing our coastal waters, and screening people and cargo entering our country. They are also collaborating, cooperating, and coordinating with State, local, and tribal governments and first responders in all 50 States and our territories to ensure we can respond to any future large-scale events either man-made or natural. These dedicated Homeland Security employees are working tirelessly to improve the safety for all Americans and are doing a commendable job.

Department of Homeland Security employees stand willing, ready, and able to respond should catastrophe strike. They work long hours to deter, detect, and prevent acts of terrorism against the homeland. They can be sure that Congress will continue to conduct vigorous oversight of management at DHS, but I cannot stress how much we truly appreciate the work of the dedicated DHS employees working to protect the safety of all Americans.

My thanks to Congressman BILIRAKIS for introducing the resolution and to the Speaker for the time on the floor today. I encourage my colleagues to support House Resolution 195 as we honor the employees of the Department of Homeland Security.

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

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

Mr. Speaker, I rise today to honor the men and women of the Department of Homeland Security who work diligently to secure our Nation.

I'm proud to introduce this resolution with Congressman CHRIS CARNEY, chairman of the Subcommittee on Management, Investigations, and Oversight, on which I serve as ranking member.

Chairman CARNEY, I look forward to working with you this Congress, and I think our subcommittee is getting off to a great start by having this resolution on the floor today.

I also want to thank Chairman THOMPSON, Ranking Member KING, and the other members of the Committee on Homeland Security who joined as cosponsors of my resolution.

My district is home to many of the department's employees, including Transportation Security officers, Customs and Border Protection officers, Immigration and Customs Enforcement agents, and Coast Guardsmen. I thank them for the work they do day in and day out to ensure that Florida, and our Nation, is secure.

These employees often do not receive the recognition they deserve. The fact that our Nation has not been attacked

since September 11, 2001, is due to their tireless efforts. They work long hours, often sacrificing time with their loved ones, to get the job done.

In 2006 the Department of Homeland Security ranked nearly last in the Office of Personnel Management's Federal Human Capital Survey, showing overwhelming employee dissatisfaction and low morale. Since that time the department, under former Secretary Chertoff's leadership, has worked to address these issues, and I'm pleased to report their efforts are paying off.

The Office of Personnel Management recently released the results of the 2008 Federal Human Capital Survey, and the department showed improvement in nearly every category of the survey, ranking in the top five of most improvement among Federal agencies. The largest increase came in the job satisfaction indices, evidencing a much-needed increase in employee morale.

This is great news, but more work needs to be done, Mr. Speaker. The department will now use the results of this survey to further improve working conditions at the department and within its components. As the ranking member of the Subcommittee on Management, Investigations, and Oversight, I look forward to working with the department and Chairman CARNEY to address the concerns of the employees, improve morale, and foster a "one DHS" culture, so very important. The department's employees deserve nothing less, in my opinion.

Mr. Speaker, I urge all Members to join me in honoring the hardworking men and women of the Department of Homeland Security by supporting this resolution.

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

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

As you have heard, Mr. BILIRAKIS and I discussed the Department of Homeland Security and the importance of the employees and the incredible talents that they represent in protecting us 24/7/365. It's actually the most important job we have in this country right now. They are keeping the borders safe. They are making sure we are not attacked, and they have prevented the attacks since 9/11. That in combination with our support will make them the finest domestic force that we have.

I encourage every Member of this body to vote for H. Res. 195.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in support of House Resolution 195.

As Chairman of the Committee on Homeland Security, it is an honor for me to join Mr. BILIRAKIS in recognizing the employees of the Department of Homeland Security on the sixth anniversary of the Department's inception.

Since its creation, the Department's mission has continued to grow and evolve. While the initial impetus for the Department's creation was the horrific terrorist attacks of September 11th, the Department has since grown into an

agency that is charged with not only protecting us from terrorism, but also protecting us from dangerous goods, emerging threats, and coordinating response to catastrophic incidents.

Despite a host of challenges and repeated internal reorganization, the Department's employees have worked tirelessly to ensure continued security for all Americans. Their dedication in the face of frequent internal adversity is to be commended.

The Department's employee workforce represents hundreds of occupations, from scientists to emergency managers to border patrol agents to economists. And, although the make-up of the Department is diverse and employee responsibilities are plentiful, all of its employees are united in carrying out the Department's mission to protect the American people, reduce the risk of terrorist attacks, and enhance the Nation's preparedness and response capabilities.

I pledge to them, that I will continue to work to ensure that employees have the necessary resources and training to do their jobs. These dedicated individuals should also be afforded with full protections and rights that are given to other employees in the federal government.

As the Chairman of the Homeland Security Committee, I have repeatedly challenged the Department's senior leaders to make the Department a top-notch agency. I believe that the Department's workforce cannot be taken for granted.

With the change in leadership at DHS, there is a real opportunity to improve morale by investing in the men and women that help keep the nation secure. I look forward to working with Secretary Napolitano and the rest of the Department's leadership to make sure that they get the training, resources, and support that they need.

I urge my colleagues to support the resolution and thank the men and women who make up the Department of Homeland Security for their constant vigilance and commitment.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to thank you for an opportunity to speak on an important anniversary. As we honor the Department of Homeland Security we also take the time to salute the nearly 223,000 employees who make up the agencies staff. I recently had the pleasure of meeting the new Secretary of the Department of Homeland Security, Janet Napolitano and made sure to mention how proud I am of her staff.

Congress created the Homeland Security Department as a result of the tragic events of September 11, consolidating the nation's efforts to prevent, prepare for, protect against, respond to, and mitigate threats to the homeland. On March 1, 2003, the Homeland Security Department united 22 agencies, and 2009 marks its sixth year of full-scale operations.

As a member of the House Committee on Homeland Security and the Chair of the Subcommittee on Transportation and Infrastructure I am well aware of the sacrifice and diligence of the more than 223,000 Homeland Security employees who work in the department. This resolution recognizes and honors the employees of the Homeland Security Department on its sixth anniversary for their continuous efforts to keep the nation safe.

Our nation has remained safe since the terrorist attacks thanks to the hard work, fastidious attention to detail and dedication of the many employees of this Department.

The day-to-day tedium that the professionals at the Department of Homeland Security only serve to underscore how vital they

are as a protective force. Mr. Speaker, they truly are on the frontlines, at our nation's busiest ports. They are the people who make sure that our children can walk home from that little red schoolhouse; they are the people who allow us to exercise our constitutional right to travel freely and associate with whom we like; they are the people who allow us to proclaim loudly that "I have the right to free speech," to essentially be American.

I would also be remiss if I did not take note of some of the tasks that the department faces this year onward. The Department of Homeland Security is an integral part of the plan to increase usage of safer and more efficient mass transit. We must utilize our federal dollars to improve our rail and over-the-road bus systems. We must work to ensure safe package by training workers to be the best they can and to continue to take pride in their work. These improvements must be modernized to be the best security and safety systems.

The Transportation Worker Identification Credential or TWIC program must be updated to allow for seamless processing for our workers most of whom depend on their jobs to feed their families. Border and Maritime security is the absolute beginning of what it means to be a safe country.

Transportation Security Administration or TSA workers must continue to be better trained because they are on the frontlines of our nation's airport security. These workers must also be afforded the opportunity to have collective bargaining rights if they chose and the ability to report fraud, corruption and wrongdoing. That is the essence of the whistleblower protections which we just voted to include in H.R. 1 that I fought for and will continue to press, and yes, even in a Democratic administration. Mr. Speaker, these are just a few of the laundry list of items that Secretary Napolitano and her staff will tackle in the coming months and years. I am confident though that they are up to the task of making the Department of Homeland Security an even better federal agency.

Mr. KUCINICH. Mr. Speaker, I rise to declare my support for the employees of the Department of Homeland Security (DHS) and to thank them for their important service to our country. I recognize that their tireless work and dedication often keep them from their families and loved ones. Accordingly I wish to thank them for the sacrifices they make in their service to our nation.

However, I believe it is important to point out that more must be done to support all of the employees at DHS. In 2003 the former administration terminated the collective bargaining rights of TSA screeners just as TSA workers were ready to vote on joining the union of the American Federation of Government Employees (AFGE). Transportation security workers deserve collective bargaining rights. It is an insult to these dedicated men and women within DHS, including FEMA and Border Patrol, that their rights to organize have been denied. Transportation Security Officers deserve the same collective bargaining rights enjoyed by other employees of the Federal workforce.

I unequivocally appreciate the dedicated service of DHS employees. Their hard work and commitment to public service is outstanding and valuable.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and agree to the resolution, H. Res. 195.

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

The yeas and nays were ordered.

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

#### SUPPORTING THE GOALS AND IDEALS OF MULTIPLE SCLEROSIS AWARENESS WEEK

Mrs. CAPPs. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 14) supporting the goals and ideals of Multiple Sclerosis Awareness Week.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

#### H. CON. RES. 14

Whereas multiple sclerosis can impact men and women of all ages, races, and ethnicities; Whereas more than 400,000 Americans live with multiple sclerosis;

Whereas approximately 2,500,000 people worldwide have been diagnosed with multiple sclerosis;

Whereas every hour of every day, someone is newly diagnosed with multiple sclerosis;

Whereas it is estimated that between 8,000 and 10,000 children and adolescents are living with multiple sclerosis;

Whereas the exact cause of multiple sclerosis is still unknown;

Whereas the symptoms of multiple sclerosis are unpredictable and vary from person to person;

Whereas there is no diagnostic laboratory test available for multiple sclerosis;

Whereas multiple sclerosis is not genetic, contagious, or directly inherited, but studies show there are genetic factors that indicate certain individuals are susceptible to the disease;

Whereas multiple sclerosis symptoms occur when an immune system attack affects the myelin in nerve fibers of the central nervous system, damaging or destroying it and replacing it with scar tissue, thereby interfering with or preventing the transmission of nerve signals;

Whereas in rare cases multiple sclerosis is so progressive it is fatal;

Whereas there is no known cure for multiple sclerosis;

Whereas the Multiple Sclerosis Coalition, an affiliation of multiple sclerosis organizations dedicated to the enhancement of the quality of life for all those affected by multiple sclerosis, recognizes, and celebrates Multiple Sclerosis Awareness Week;

Whereas the Multiple Sclerosis Coalition's mission is to increase opportunities for cooperation and provide greater opportunity to leverage the effective use of resources for the benefit of the multiple sclerosis community;

Whereas the Multiple Sclerosis Coalition recognizes and celebrates Multiple Sclerosis Awareness Week during 1 week in March every calendar year;

Whereas the goals of Multiple Sclerosis Awareness Week are to invite people to join the movement to end multiple sclerosis, encourage everyone to do something to demonstrate their commitment to moving toward a world free of multiple sclerosis, and to acknowledge those who have dedicated their time and talent to help promote multiple sclerosis research and programs; and

Whereas this year Multiple Sclerosis Awareness Week is recognized during the week of March 2, 2009 through March 8, 2009: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That Congress—*

(1) supports the goals and ideals of Multiple Sclerosis Awareness Week;

(2) encourages the President to issue a proclamation in support of the goals and ideals of Multiple Sclerosis Awareness Week;

(3) encourages States, territories, possessions of the United States, and localities to support the goals and ideals of Multiple Sclerosis Awareness Week by issuing proclamations designating Multiple Sclerosis Awareness Week;

(4) encourages media organizations to participate in Multiple Sclerosis Awareness Week and help educate the public about multiple sclerosis;

(5) commends the efforts of the States, territories, and possessions of the United States who support the goals and ideals of Multiple Sclerosis Awareness Week;

(6) recognizes and reaffirms our Nation's commitment to combating multiple sclerosis by promoting awareness about its causes and risks and by promoting new education programs, supporting research, and expanding access to medical treatment; and

(7) recognizes all people in the United States living with multiple sclerosis, expresses gratitude to their family members and friends who are a source of love and encouragement to them, and salutes the health care professionals and medical researchers who provide assistance to those so afflicted and continue to work to find cures and improve treatments.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPs) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

□ 1330

#### GENERAL LEAVE

Mrs. CAPPs. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mrs. CAPPs. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, first let me thank my colleague the gentlewoman from California, Mrs. CAPPs, for yielding me the time. As a former nurse, Congresswoman CAPPs understands very, very well what people with multiple sclerosis must go through. I appreciate her work in managing this resolution. I thank her for her advocacy on behalf of people with MS and for working to ensure that everyone has access to quality, affordable

health care in America. Thank you, Congresswoman CAPPS.

I also want to thank my colleagues Congressman RUSS CARNAHAN and Congressman MICHAEL BURGESS, the co-chairs of the Multiple Sclerosis Caucus in the House, for working with me on this resolution and for keeping the Congress focused on MS issues. This is really a bipartisan issue, and I appreciate both of my colleagues for working together to make sure that it stays that way.

I also have to thank the over 110 cosponsors who joined with us to champion MS Awareness Week and who made the consideration of this resolution today possible on the suspension calendar. In particular I want to thank Chairman HENRY WAXMAN and Ranking Member JOE BARTON and their staffs for agreeing to bring this resolution straight to the floor, and, of course, to Christos Tsentas on my staff, who understands this issue very well and has shepherded us through this process.

Mr. Speaker, I would be remiss if I didn't mention the work also of the Multiple Sclerosis Coalition and in particular the National MS Society and its staff, especially Shawn O'Neail, for leading the charge to create MS Awareness Week and for helping us with this resolution. And, of course, I have to thank all of those who are living and suffering with multiple sclerosis and all of the friends and family and loved ones who care for them and take care of them when they are in need. This resolution is about commending you as well. And let me just say I have to thank my dear sister Mildred for teaching me what it is like to live with multiple sclerosis.

Mr. Speaker, Congresswoman CAPPS, I called my sister and I talked to her before I was going to share her story to make sure that she didn't have a problem with any privacy issues, and she said to me, "Barbara, if there is anything you can do to raise awareness about the condition that not only myself has, but many, many, many Americans, then just do it and share what I have to tell you." So this is her story, coming from my sister Mildred.

She said to me, "You know, it is so frustrating to go to a doctor and for me to ask a doctor a question about the symptoms of my disease and the doctor says 'I just don't know.'" She said at first she thought the doctors were just putting her off, but come to find out the doctors just don't know.

So this bill is for all of the times that she told me she gets up in the morning, and this is very typical of MS patients, she gets up in the morning and wonders whether she will be able to walk that day. Let me just say for all of the times that she is in remission, dreading the next flare-up, she said to me that every day she wonders what is going to trigger the return of her symptoms.

Mr. Speaker, she also said to me that it is very important that we raise awareness about MS and that we do more outreach and more public edu-

cation, more research, and really provide for more care for MS patients and more supportive services. My sister, I believe she was diagnosed when she was about 26 or 27. She didn't tell me I could tell her age, so I won't do that, but she is a year younger than I am and 2 years ago I celebrated the 21st anniversary of my 39th birthday. So you can figure that out.

She has been living a productive and fruitful life. She has learned about the treatments and medications. Fortunately, she has had access to some of the best, and she wants everybody to have access to the types of treatment she has had. But she also recognizes there may or may not be a cure during her lifetime, and that this Multiple Sclerosis Awareness Week, which we designated for March 2 to March 8, is really the beginning of this effort. So, for that she is deeply grateful, like I know all MS patients are throughout the country.

Some people may not know what multiple sclerosis is. Let me just explain a little bit about it, because this resolution is about raising awareness.

MS is a chronic, unpredictable disease of the central nervous system. It is thought to be an autoimmune disorder where the immune system incorrectly attacks healthy nerve fibers of the central nervous system, interfering with transmission of nerve signals throughout the body. People with MS can experience a range of symptoms that can either have permanent or intermittent damage, depending on the type of MS that they have. These symptoms can include blurred vision, loss of balance, poor coordination, slurred speech, tremors, numbness, extreme fatigue, problems with memory and concentration, paralysis, blindness and more.

Most people are diagnosed with MS between the ages of 20 to 50, just as my sister was, though there is no actual diagnostic laboratory test for multiple sclerosis. I remember my sister was diagnosed by the process of elimination, given all the tests that were available then. Given the range of symptoms that occur, it is also quite common for someone to be misdiagnosed, and typically it takes about 10 years to receive a correct diagnosis.

There are over 400,000 people, 400,000 people, throughout the United States suffering from MS, and worldwide over 2.5 million cases have been diagnosed. But the real numbers of people living with MS are almost certainly higher.

Although MS is largely characterized as a disease that affects Caucasian populations, it does occur among African Americans and other minority groups and can be quite severe. As my sister said, it is a disease that really does need to come out of the closet for people of color. Because people of color tend to access the health care system less frequently, they may not get diagnosed at the rates they should.

Let me just say, our First Lady, Michelle Obama, her dad, Mr. Frasier

Robinson, had multiple sclerosis, so our First Family clearly understands the need for this awareness and for outreach efforts and for more resources put forth toward really finding the cause and cure of MS.

The causes of MS are unknown, though there are an unusually high number of MS cases among Gulf War veterans. There is no cure for the disease.

So the resolution that we are considering today will support the work of the Multiple Sclerosis Coalition in raising awareness about MS by urging States, localities and the media to participate in MS Awareness Week. Also we are pleased that the defense appropriations bill included \$5 million to fund research into multiple sclerosis among our veterans, so I look forward to working with Chairman OBEY and Chairman MURTHA to ensure that these funds are well used.

Again, let me thank all of my colleagues for their support. It is very timely and urgent that we consider this. On behalf of my sister Mildred, who lives in Las Vegas, Nevada, and all of those individuals throughout the country with MS, let me just thank you so much for your leadership and for this resolution.

Mr. GINGREY of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 14, supporting the goals and ideals of Multiple Sclerosis Awareness Week. I certainly want to commend my colleague from California, Representative BARBARA LEE, for introducing this very important and very timely resolution.

As many of you are now aware, this week is Multiple Sclerosis Awareness Week, and I would encourage everyone listening today and all Americans to take some time and reflect on this disease and its impact on our families, our friends and our society.

Representative LEE talked about her sister and what the family has gone through, and I think as a physician, although I am not a neurologist, I think she explained it, Mr. Speaker, perfectly in regard to her description of the disease of multiple sclerosis. I know to her disappointment it really hasn't changed much over the 10 or 15 years since her sister came down with the disease. It is still a diagnosis of exclusion. It is hard. There is no marker, there is no blood marker, and it is very difficult. So the points that BARBARA LEE brought out are absolutely accurate and very informative.

Mr. Speaker, I have had no one in my family that suffered from multiple sclerosis. I have had some very close friends who suffer from it and are doing well. But as Representative LEE pointed out, it comes and goes. They have good days and bad days. One man, a great friend, is in a wheelchair and has been for many years, but he has had children and grandchildren. Another lady is a very good friend as well and she has had children.

But, again, this is a disease that can end up ultimately as bad as something like Lou Gehrig's disease, amyotrophic lateral sclerosis. It doesn't often progress to that extreme degree, but I indeed had a first cousin about my age who died from Lou Gehrig's disease, so I am very much aware of this condition and very supportive of this resolution regarding multiple sclerosis.

MS and other chronic diseases like it, they change lives, and it presents significant challenges for those who suffer, for them and for their families, as BARBARA LEE mentioned.

Mr. Speaker, MS is a chronic disease that attacks the central nervous system. Essentially MS heavily impairs and prevents nerve cells in the brain and in the spinal cord from communicating with each other. They just can't make that connection. So those symptoms that she described, from numbness in the limbs, loss of vision, and, yes, even eventually paralysis in some cases, are very unpredictable, and, of course, it can vary from person to person.

Mr. Speaker, unfortunately for the 400,000 Americans living with MS, the cause of the disease, as I mentioned at the beginning of my remarks, remains unknown. But I want to recognize and applaud the work currently underway at NIH, the National Institutes of Health, and other medical research institutions across the country to improve the lives of people with multiple sclerosis. There is little doubt that our collective resolve to find a cure remains undeterred, as demonstrated by this great resolution.

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

Mrs. CAPPES. Mr. Speaker, I am pleased to yield 3 minutes to the co-Chair of the Multiple Sclerosis Caucus, our colleague, the gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Mr. Speaker, I want to thank the gentlelady from California for her leadership and work on this. I am very proud and honored to be co-Chair of the Congressional MS Caucus with my colleague Dr. MICHAEL BURGESS. This is truly a bipartisan effort and one that just had tremendous resources and support from around the country to help raise this awareness. I encourage everyone to show their commitment and support of Multiple Sclerosis Awareness Week and the MS movement with really simple actions throughout this week, MS Awareness Week, March 2 through 8.

MS Awareness Week was created by the MS Coalition to raise national awareness about the disease and to recognize those who have dedicated their time and talent to promoting MS research and programs.

In order to raise awareness, I am very pleased that Representative BARBARA LEE has taken the lead to introduce H. Con. Res. 14, recognizing and supporting the goals and ideals of MS Awareness Week, encouraging the President, State and local governments

to issue proclamations designating MS Awareness Week, and encouraging the media to help educate the public about MS. Today, I ask for all of my colleagues' support.

I want to give a special thanks to the MS Society back in St. Louis, Missouri, my home, that has been so active and been so helpful to me in this effort, and also want to remember my first cousin, Betty Carnahan, who we lost years ago and who first helped me learn about this disease.

Because of small gestures by everyday people, my colleagues in this body, and cutting edge research by our Nation's finest, each day people living with MS have a better and a brighter future to look forward to.

Mr. GINGREY of Georgia. Mr. Speaker, I continue to reserve my time.

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

I wish to speak on H. Con. Res. 14 by rising in support of it, as I do, in recognition and support of the goals and ideals of Multiple Sclerosis Awareness Week, and I do so on behalf of the Multiple Sclerosis Society of the Central Coast of California, which does such great work in raising awareness of the issue and raising funds to support their work and the work of the Society across the country, and also in providing vital services to those afflicted with multiple sclerosis who are my constituents.

This week of awareness and recognition takes place from March 2nd to March 8th, and it is an honor to speak on behalf of this awareness, commending as I do my colleague from California, Ms. BARBARA LEE, whom we heard, who introduced this resolution along with the cochairs of the Multiple Sclerosis Caucus, Mr. CARNAHAN and Mr. BURGESS.

□ 1345

Many of us have very special people in our lives who live every day with MS. I know I do, and I'm thinking right now particularly of one young friend.

Multiple sclerosis, as we have been discussing, is a chronic and unpredictable disease of the central nervous system. Four hundred thousand people throughout the United States and 2½ million around the world are suffering today from multiple sclerosis. It's thought to be an autoimmune disorder where the immune system incorrectly attacks healthy nerve fibers of the central nervous system, interfering with transmission of nerve signals throughout the body.

People with MS, as we know, experience a range of symptoms that can be either permanent or intermittent, depending on the type of disease that they have. These symptoms can include blurred vision, loss of balance, poor coordination, slurred speech, tremors, numbness, extreme fatigue, problems with memory and concentration, paralysis, blindness and more. And as we have heard from Barbara

Lee's sister's story, it's very hard to diagnose, and often takes years to do that. And it afflicts people, often women, between the ages of 20 to 50.

There is no actual diagnostic laboratory test for multiple sclerosis, and so many questions about it. It's quite commonly misdiagnosed.

Multiple Sclerosis Awareness Week was created by the Multiple Sclerosis Coalition, a group of affiliated organizations, to help raise awareness and to leverage additional resources to fight this disease.

The resolution we are considering today will support the work of this coalition by urging States, localities and the media to participate in MS Awareness Week, and by encouraging people, including Members of Congress, to educate themselves about the disease.

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

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPES) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 14.

The question was taken.

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

Mrs. CAPPES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

#### NATIONAL CRIMINAL JUSTICE MONTH

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 45) raising awareness and promoting education on the criminal justice system by establishing March as "National Criminal Justice Month".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 45

Whereas there are approximately three million Americans employed within the justice system;

Whereas approximately seven million adults are on probation, parole, or are incarcerated;

Whereas millions of Americans have been victims of crime and, consequently, lost income, incurred medical expenses, and suffered emotionally;

Whereas the cost of crime to individuals, communities, businesses, and the various

levels of government exceeds the billions of dollars spent each year in administering the criminal justice system;

Whereas, in 2006, fifty percent of Americans admitted they fear that their home would be burglarized when they are not home; thirty-four percent of American women feared that they would be sexually assaulted; and forty-four percent of Americans feared they would be a victim of a terrorist attack;

Whereas approximately thirty-five percent of Americans have very little or no confidence in the criminal justice system and the negative effects of crime in regard to confidence in governmental agencies and overall social stability are immeasurable;

Whereas crime rates have dropped since the early 1990s, but most Americans believe that the rate of crime is increasing;

Whereas Federal, State, and local governments increased their spending for police protection, corrections, judicial, and legal activities in fiscal year 2005 by 5.5 percent or \$204 billion; and

Whereas there is a need to educate Americans and to promote awareness within American society as to the causes and consequences of crime, as well as the strategies and developments for preventing and responding to crime: Now, therefore, be it

*Resolved*, That—

(1) it is the sense of the House of Representatives that—

(A) National Criminal Justice Month provides an opportunity to educate Americans on the criminal justice system; and

(B) Americans should be aware of the causes and consequences of crime, how to prevent crime, and how to respond to crime; and

(2) the House of Representatives urges policymakers, criminal justice officials, educators, victim service providers, nonprofits, community leaders, and others to promote awareness of how to prevent and respond to crime through National Criminal Justice Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to commend Congressman TED POE of Texas for introducing this legislation.

Establishing March 2009 as National Criminal Justice Month will help increase awareness of the harmful effects of crime, not only on the immediate victims, but on our society as a whole. It will also help bring public focus on the need to make our criminal justice system as effective as possible, not only in responding to crime, but in helping to reduce its incidence.

Millions of Americans have been victimized by crime. Millions more are on

parole, on probation, or incarcerated. And our Nation spends billions of dollars each year on efforts to address crime. And yet too many Americans say they have little confidence in the criminal justice system.

There are a number of steps we can take to address this lack of confidence. For one, we could invest more resources in education. Educated Americans not only have more opportunities, they also have a greater appreciation of the effects they have on the world around them, and they certainly have a much dramatically lower incidence of criminal behavior.

By failing to invest in education, we have allowed a cradle-to-prison pipeline to develop. What we should be building is a cradle-to-college pipeline instead. And we see the unfortunate results on any given day, over 2½ million incarcerated in our prisons, almost all of them poor, almost two-thirds of them African American or Latino.

There's another thing we need to do, and that's to focus beyond the step of incarceration and to think about rehabilitation, keeping first-time offenders from becoming repeat offenders. That requires investing meaningfully in vocational training, education, counseling and other skills development that prisoners need in order to re-enter society and become productive citizens.

Congress took an important step in that direction last year when it passed the Second Chance Act. Now we need to follow through with adequate funding to make its promises take hold.

Third, I think it's time we acknowledge the failure of the so-called War on Drugs as our government has fought it over the last few decades. Increasingly stiffer and stiffer sentences for non-violent drug offenses hasn't worked, not to significantly reduce illegal drug use or the criminal enterprise that has grown up to feed it. It's worked only to swell the prison population.

It's time that we brought more of the focus on intervention, treatment and yes, fact-based education to come to grips with the drug problem. The Drug Courts program has been more successful in curtailing recidivism because of its focus on treatment. Studies show that those sent to Drug Court have a 1-year recidivism rate, only one-sixth as high as those sent to prison for a similar offense.

I believe making this month National Criminal Justice Month can help the many in our communities who are dedicating themselves to reducing crime bring greater awareness to their efforts.

I encourage my colleagues to support H. Res. 45 as well.

I reserve the balance of my time.

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

I rise in strong support of this resolution, House Resolution 45. The goal of this resolution is to raise awareness and promote education of our criminal

justice system by establishing March 2009 as National Criminal Justice Month.

It's important to educate Americans about our criminal justice system and encourage discussion on how to prevent and respond to criminal conduct. That's why this legislation has been introduced.

As a former prosecutor and judge, I've been involved in the criminal justice system for a long time, 8 years as a prosecutor and 22 years as a criminal court judge in Houston, Texas. And this resolution will encourage communities to discuss the causes, consequences and long-term effects of criminal conduct in our country.

It is important for us to talk about why guilty defendants should receive appropriate punishment for their acts, but we should also do everything in our power to make sure victims receive the assistance that they need. After all, long after the crime is committed, a victim still has to face devastating consequences. Sometimes victims are sentenced to a life of misery because of the crime that was committed against them.

We have the responsibility to protect the lives of the innocent, and to advocate on behalf of crime victims. That is why I've established the bipartisan Victims' Rights Caucus, along with my friend, JIM COSTA from California. The mission of the Caucus is to ensure that victims and law enforcement have a voice in Congress.

Every year, millions of Americans become victims of crime. Those crimes range from robbery to homicide. Unfortunately, these people don't choose to become victims of crime, but they are picked by someone else in our community as prey. And suddenly they are thrust into the criminal justice system without having a say.

Victims of crime have no high-dollar lobbyist in Washington, D.C. They look to Members of Congress to advocate on their behalf. And the purpose of the system is to provide justice for victims and defendants, because the same Constitution that protects defendants of crime protects crime victims as well. People who commit crimes against the rule of law, which is our society's rule of law, should be held accountable for their actions.

In addition, by establishing March 2009 as National Criminal Justice Month, this resolution will also recognize and applaud the efforts of law enforcement officials, judges, court staff, and the many probation officers throughout the country who work with offenders to help them reintegrate into our community.

Throughout my years of service, I've been impressed with the professionalism and dedication of the public servants who work in the criminal justice system. These brave and dedicated Americans work every day to make our communities a better and safer community, and they work with defendants to help them turn their lives around.

I urge all my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. I have no additional speakers, so I would continue to reserve if the gentleman has speakers.

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

Mr. Speaker, according to the Bureau of Justice statistics, 35 percent of Americans have little or no confidence in our criminal justice system. It is unfortunate that one-third of the people in this country feel that way. And we shouldn't be surprised because that's all that they hear when they turn on their local news at night is crime and violence. It's mostly bad news about crimes being committed in their communities and across the Nation.

But the reality is that crime rates have dropped dramatically since the 1990s. However, because of what people hear and see on the news, most Americans believe the crime rate is actually increasing. It is important to recognize the gains we have made in combating crime across the country, and Americans should have more confidence in this criminal justice system.

Mr. Speaker, I've traveled to multiple countries and observed the way their criminal justice system operates. I've been in China, and back in the 1980s I was in the former Soviet Union. I would say that neither one of those countries has a justice system. They just have a system. And our criminal justice system is the best in the world. Not only is it unmatched in its ability to determine the guilt of an individual, but also in the way it assures the rights of defendants and victims in a court of law.

This resolution will encourage people across America to talk about the ways to prevent and respond to criminal conduct. And in doing that, it will help restore people's faith in the best justice system in the world, and that's the one that we have in this country because, Mr. Speaker, justice is what we do in this country.

And that's just the way it is.

I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I once again commend the gentleman for introducing this legislation. I urge its passage. I share his enthusiasm for our system of justice, that preserves the rights of the defendant but also elevates the needs of the victims for justice.

We honor those who work in our system, be they judges, prosecutors, defense counsel, police officers, and I would say, yes, also drug treatment people who are trying to prevent crime from recurring. So this month celebrates those in our community who serve in the criminal justice system. They deserve our thanks.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend

the rules and agree to the resolution, H. Res. 45.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### EXTENDING CERTAIN IMMIGRATION PROGRAMS

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1127) to extend certain immigration programs.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1127

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

#### SECTION 1. SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.

Subclauses (II) and (III) of section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) are amended by striking "March 6, 2009," each place such term appears and inserting "September 30, 2009,".

#### SEC. 2. WAIVER OF FOREIGN COUNTRY RESIDENCE REQUIREMENT WITH RESPECT TO INTERNATIONAL MEDICAL GRADUATES.

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking "March 6, 2009" and inserting "September 30, 2009".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

#### GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

□ 1400

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1127 extends two immigration programs, one for religious workers and one for doctors who serve in medically underserved areas, through the end of this fiscal year. If we do not extend these programs, they will sunset on March 6, 2009, just 3 days from today. These programs are too important to let expire.

The Special Immigrant Non-Minister Religious Worker Program allows reli-

gious workers to enter the United States to do important work. The 5,000 religious workers eligible for these visas each year are called to a vocation or are in traditional religious occupations with bona fide nonprofit religious organizations. They are missionaries, counselors, instructors, and pastoral care providers. Considering the current economic crisis we are experiencing and the degree to which Americans are turning to religious organizations for help, these religious workers are needed now more than ever.

The other program is the so-called Conrad "J Waiver," a critically important immigration program that helps medically underserved communities attract highly skilled physicians. This program is crucial to the States as it helps them attract doctors who have received their medical training in the United States to work in areas that desperately need doctors.

Its importance was demonstrated again a year and a half ago when a tornado utterly destroyed the town of Greensburg, Kansas. Without this program, that town would not have had any doctors. They were of tremendous help in keeping casualties to a minimum. We need to keep this program going so that States can attract medical talent and can keep the doors of small town clinics open.

Both of these programs have strong bipartisan support, and this bill would extend the programs through the end of the fiscal year when the issue can be revisited, hopefully, in a much broader context.

I commend committee Ranking Member LAMAR SMITH for his work in making this a bipartisan measure. I urge my colleagues to support this important legislation.

I reserve the balance of my time.

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

Mr. Speaker, I want to congratulate the gentlewoman from California for introducing this very important legislation, this commonsense legislation, to help the medical community but, more importantly, to help those who are medically ill throughout the United States and the rest of the world. So I support H.R. 1127, which reauthorizes two deserving programs through the end of this fiscal year.

Foreign citizens who participate in medical residencies in the United States on what is called the "J" visa exchange program must generally leave the United States at the conclusion of their residencies and reside abroad for 2 years before they can be allowed to return to this country. The intent is to encourage American-trained foreign doctors to go home to improve health conditions and advance the medical profession in their native countries.

In 1994, Congress created a waiver of this 2-year foreign residence requirement, and this waiver was available, if requested, by the State departments of public health for foreign doctors who



are committed to practicing medicine for 3 years in areas having a shortage of health care professionals. This program has been very successful, and Congress has extended the waiver on multiple occasions.

This waiver's current authorization expires this Friday. The gentlelady from California, with this legislation, reauthorizes the waiver until September 30, 2009, the end of the fiscal year.

This bill also extends the authorization for certain religious worker immigrant visas. The Immigration and Nationality Act makes available green cards each year to special immigrant religious workers. This program allows religious denominations in the United States to bring in needed religious workers—both ministers and those working in religious occupations or vocations—so long as the workers have been performing those functions for at least 2 previous years.

The non-minister categories were added by the 1990 immigration bill, and Congress has extended their authorization several times since then. However, the authorization also expires this Friday. This bill extends the program through September 30, 2009, the end of the fiscal year. These visas assist many American religious denominations to meet the needs of their followers.

Because this bill reauthorizes two worthy immigration programs, I urge my colleagues to support this.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would now yield 2 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I regret that I must stand in opposition to allowing immigration extensions or reforms without addressing a temporary extension of the H-2B returning worker program.

The H-2B visa program was created to provide access to nonimmigrant, temporary workers for seasonal and peak load needs when no American workers can be found. Foreign workers offer small and seasonal businesses short-term help, and they return to their home countries at the end of the season. H-2B visas are capped at 66,000 visas per year. Even with 66,000 visas per year, it does not meet the labor needs of seasonal businesses.

To help fill these needs, Congress established the H-2B returning worker program in 2005. This program exempts returning workers who have received an H-2B visa in one of three previous fiscal years from counting against the 66,000 cap. However, this exemption expired on September 30, 2007. In the 110th Congress, this exemption had the support of 158 bipartisan Members of Congress—88 Democrats and 70 Republicans. In the 111th Congress, the bill has just been introduced, and we already have the support of 32 Democrats and 23 Republicans. As of January 7, the U.S. Citizenship and Immigration Services had already received enough

visa petitions to exceed the cap for H-2B visas for the second half of this fiscal year.

This demand highlights the immediate need for Congress to extend the H-2B visa returning worker program to help small and seasonal businesses fill their seasonal labor needs and to keep full-time Americans and businesses working. These returning workers have provided relief to small businesses throughout the Nation, covering a broad spectrum of industries like landscapers, tourism, restaurants, hotels, and seafood processors.

H-2B workers offer short-term help. They cannot and do not stay in the United States. More importantly, the H-2B program contains strong provisions to ensure American workers have the first chance to work.

Without an extension of the returning worker program, small and seasonal businesses will face significant labor shortages this year as they did last year. We have constantly been told we cannot bring this bill to the floor until we address comprehensive immigration. Then why are we bringing up the J-1 program when we're letting H-2B expire?

Therefore, regrettably, I must oppose H.R. 1127.

Mr. POE of Texas. Mr. Speaker, I yield 5 minutes to the ranking member of the Judiciary Committee (Mr. SMITH of Texas).

Mr. SMITH of Texas. Mr. Speaker, I support H.R. 1127, but I also agree with STEVE KING, the ranking member of the immigration subcommittee, about the need for religious worker reciprocity. Some countries that send religious workers to the United States refuse entry to religious workers from the United States and do not allow for the free exercise of religion.

Each year, the U.S. Commission of International Religious Freedom compiles a list of countries that seek to control religious thought and expression, that show open hostility to religious minorities and that fail to protect certain religious groups. The 2008 list includes Burma, North Korea, Iran, Pakistan, China, Saudi Arabia, Sudan, Turkmenistan, and Uzbekistan.

One way to help advance religious freedom is to do as Representative KING suggests and prevent citizens of countries that are hostile to religious freedom from participating in our religious worker visa program. Both the Special Immigrant Non-Minister Religious Worker Program and the rural J-1 visa waiver program are set to expire this Friday, March 6. H.R. 1127 extends both programs until September 30, 2009.

The J-1 visa program provision waives the 2-year foreign residency requirement for foreign doctors who are willing to serve in medically underserved areas. The waiver program enables people in rural and in intercity communities to have access to quality medical care. The Special Immigrant Non-Minister Religious Worker Program allows 5,000 religious workers per

year to enter the United States to assist churches and other religious establishments.

While I support the program, I have long been concerned about the level of fraud. In 2006, the U.S. Citizenship and Immigration Services Office conducted an assessment on the religious worker visa program. They selected 220 religious workers at random and found fraud in one-third of the cases. In addition, they found "many of the cases reviewed had multiple fraud indicators." In 32 of the fraudulent cases, the religious institution was not bona fide. It either did not exist or it existed only on paper. Thirty-nine of the fraudulent cases were marked by fraudulent supporting documentation or material misrepresentations within a document by a legitimate religious institution.

The Department of Homeland Security issued a final rule last November, making several changes designed to reduce fraud in the program. Immigration Chairwoman LOFGREN and I are awaiting a report by the DHS inspector general regarding the effectiveness of those fraud prevention measures. I hope we will address concerns about fraud and will also ensure that reciprocity is contained in any future extension of the religious worker visa program.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield 1½ minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I am rising in support of this legislation, and I do so with some sadness because I agree with the point made on the H-2B visa by the gentleman from Michigan.

However, within this J-1 bill before us, H.R. 1127, is legislation to extend the Conrad 30 program, which expires on March 6, 2009. Now, that is a program, the basis of which many foreign medical professionals presently serving in many medically underserved areas, including in North Dakota, are here. So if we don't get this done in time—and let's face it. March 6, 2009 is right on our head right now—we raise havoc with the delivery of medical care through many rural underserved areas. We are literally talking about the medical professionals having to pack up and go home. We've worked mighty hard to get them there in the first place. If we lose them, they may never come back.

What's more: What about the patients in these rural clinics this afternoon who are seeing their physicians? What if the physician is gone and care is disrupted?

There are many ways to make a point, but we have got something that could be, for many, a matter of life and death, and that's keeping these medical professionals in the rural area by extending for 6 months this Conrad State 30 Program. It's just too important. We need it too badly.

So I urge the enactment of this legislation, giving us 6 more months on that

program. Then I urge us to take the gentleman's point and pass the H-2B visa reform.

Mr. POE of Texas. Mr. Speaker, I yield 5 minutes to the ranking member of the Subcommittee on Immigration (Mr. KING of Iowa).

Mr. KING of Iowa. Mr. Speaker, we're here to address the extension of these two programs, including the religious worker visa program extension, which is set up to authorize now until September 30 of this year, until the end of this fiscal year.

I had recommended that we bring this bill back before committee for the purposes of a markup so that we could reevaluate the policy. We have had hearings on this subject matter in the previous Congress, and we all know that the actions of the previous Congress don't color the existing Congress.

The history of the religious worker visa program has had some problems with fraud. It was created in 1990, but from the beginning, it has been a magnet for people who want to perpetrate a scam on America's immigration system.

According to the State Department's Bureau of Consular Affairs—and this is dated September of 2005, their Fraud Digest—"The religious worker visas are known as some of the most difficult to adjudicate."

The Fraud Digest then goes on to discuss various cases in which people were prosecuted for fraudulent use of the program, the religious worker program. For instance, in 2004, a Venezuelan national was convicted in Virginia visa fraud. He had filed 179 fraudulent petitions for religious ministers. In addition to creating fraudulent certificates of ordination, diplomas and other supporting documentation, he also obtained valid 501(c)(3) tax exemptions from recognized religious organizations without their knowledge.

The immigration subcommittee has long been aware of the fraud in this program. Mr. Speaker, I take you back to a 1997 GAO investigation which was requested by the subcommittee. The State Department conducted a field inquiry to get the views of consular offices as to the level and type of fraud. In 41 percent of the 83 responding posts, some type of fraud or abuse was acknowledged. The State Department also noted that, under the program's regulations, "almost anyone involved with a church, aside from the explicitly excluded occupations of cleaning, maintenance and support staff . . . arguably could qualify as a religious worker."

□ 1415

This clearly wasn't the intent of the program. It doesn't remain the intent of the program that will, I think, likely be reauthorized today.

When the GAO released its final report in 1999, the agency noted that the types of fraud often encountered in the processing of religious worker visas "involved petitioners making false

statements about the length of time that the applicant was a member of the religious organization and the nature of the qualifying experience."

The report went on to state that "evidence uncovered by INS suggests that some of these organizations exist solely as a means to carry out immigration fraud." That was then. This is more current.

Recently, I will say in July of 2006, Mr. Speaker, the U.S. Citizenship and Immigration Service's Office of Fraud Detection and National Security conducted a fraud benefit assessment on the Religious Worker Visa Program. They selected 220 cases at random—of which we're very familiar with on the committee—they found an astonishing 33 percent fraud rate. That's one of every three were fraudulently based. In 32 of the fraudulent cases, the religious institution either didn't exist or only existed on paper. And 39 of the fraudulent petitions included fraudulent supporting documentation or material representations within a document.

Other instances of fraud included cases where the petitioner could not be located or connected to any religious entity and where the petitioning religious entity was unaware that the petition had been filed and was unaware of the beneficiary.

Also in the modern era, in 2003, Mohammed Khalil and three of his sons were arrested in connection with submitting false applications to bring over 200 individuals to the United States using the religious worker visa program. During court proceedings, prosecutors revealed that Khalil made statements to an undercover witness professing allegiance to Osama bin Laden. He also allegedly stated, "Hopefully, another attack in the United States will come shortly."

That gives you, I think, Mr. Speaker, the feel for how this program has been abused.

However, I want to make clear, Mr. Speaker, to you and to the RECORD, and eventually to the American people, that I recognize—as will every Member of this Congress—that there are very sincere religious workers who come to the United States that fit within the category and within the intent of this Congress. And I think what we need to do today is honor them, thank them, recognize that this is a country that was built upon religious freedom. And where we can promote religious freedom, we need to do so within our own borders and around the globe.

That's why I have raised the issue that we are receiving religious workers from countries that will not allow American religious workers to go into them unless they fit within their narrowly defined religious category.

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

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

Mr. KING of Iowa. So this being an American value of religious freedom

and religious liberty, we need to also export that freedom around the world. We have many soldiers that are buried in foreign lands to promote that freedom. They've paid their price. There's been a price paid in this country continually for religious freedom. We need to promote it around the world.

For us to open up the doors of the United States of America to religious workers from countries who come here to advance their version of their side of society and not have those countries allow American missionaries to come into them, I think sets up a standard that we should not tolerate. So I will be introducing legislation that sets up a reciprocity program in this religious workers visa program. And I look forward to the opportunity in September or prior to September to raise this issue in a better format.

Until that time, and believing that we will have an open forum in this Congress and a real legitimate debate on the subject of religious worker reciprocity, I intend to support this resolution today and work in good faith to improve it before it comes up for reauthorization on September 30, 2009.

Ms. ZOE LOFGREN of California. Mr. Speaker, we have no additional speakers.

If the gentleman has additional speakers, I would reserve and allow him to proceed.

Mr. POE of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. To the gentleman from Texas, I thank you for yielding time.

Mr. Speaker, I'm here to speak in favor of at least a portion of this bill related to the J-1 Visa program. I am a co-chair of the Rural Health Care Coalition along with the gentleman from North Dakota (Mr. POMEROY). In our efforts in rural States to attract and retain physicians in communities that are highly underserved with medical care, the J-1 Visa program, the Conrad 30 program, has become a critical component of our ability to maintain a health care delivery system.

Kansas alone since 2002 has attracted and retained 103 physicians. There are many communities that I represent in Kansas that have no doctor except for a J-1 Visa doc. Now, a J-1 Visa doctor is someone born in a foreign county but trains in the United States, takes their residency and certification here and earns the ability to practice medicine.

In return for serving in an underserved area—and while I represent generally a rural State—these underserved areas are often urban areas of our country as well. And in return for serving the needs of patients in those communities across America, they are allowed to remain in the United States for an additional 3 years.

Just last August—an example of where this comes home—the American Methodist Ministries of Garden City, Kansas, finally was able to recruit a

physician for their community health clinic. That physician is a J-1 visa doctor from Peru; bilingual—a very added attractive feature to this physician's practice, but for a community that was so desperate for a physician, really a dream come true.

Much about how to save lives, improve the health of Kansans and Americans relate to this program. We have tried for a number of years to extend the J-1 visa program longer than for a year at a time. And there are those who want to make changes, reallocate the physicians among States. The Conrad 30 program, the J-1 visa program, allocates 30 physicians per State in the country. The program is managed by State agencies who make the determination and have some flexibility in determining the definition of what is underserved. Most often, it's a general practice, a family, internal medicine doctor; but occasionally it's a specialist in an area that has no ability to attract and maintain a specialist, maybe even at a university hospital setting.

So I come to the floor today to express my desire to see that the J-1 visa program is extended and would tell you that it's very much about saving the lives of persons and very much about increasing the chances that we improve the health of Americans across our country.

So I'm appreciative of the Judiciary Committee bringing this bill to the floor. I congratulate its author for that success, and I'm looking forward to seeing it work its way through a long and always arduous process as we try to balance various States, various regions of the country and a need for physicians across America with the available physicians in this country.

So I appreciate being yielded to. I thank the Speaker for the time I have had to speak in favor. I would like to encourage my colleagues, whether you're from a rural area like me or an urban area like many others, this program matters in the lives of many Americans.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would inquire if the gentleman has additional speakers.

Mr. POE of Texas. Mr. Speaker, I have no additional speakers. I support this resolution.

I yield back the remainder of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would just urge, again, support for this measure. I would also like to include in the RECORD a letter dated today signed by a number of religious groups, including the Lutheran Immigration and Refugee Service, the Mennonites, the National Association of Evangelicals, the U.S. Catholic Conference of Catholic Bishops and others outlaying the need for religious workers in this country and urging support of the bill.

MARCH 4, 2009.

DEAR REPRESENTATIVE: We write to strongly urge the House of Representatives to pass

H.R. 1127, legislation that would extend the Special Immigrant Non-Minister Religious Worker Visa Program through September 30, 2009. As you know, without congressional action, this important program is set to expire on March 6, 2009.

The Special Immigrant Non-Minister portion of the Religious Worker Visa Program became law in 1990. Originally enacted with a sunset provision, it has enjoyed broad, bipartisan support in Congress and has been reauthorized four times since then.

Under this important program, up to 5,000 visas each year are available for religious workers employed by a broad range of religious denominations and organizations. Religious communities that participate in the program have found these special visas vital to carrying out their work. The following are just a few examples of how large and small religious denominations and organizations use the visas to benefit their own communities and the larger society:

Catholic dioceses and Catholic institutes of religious men and women rely heavily upon religious sisters, brothers, and lay missionaries from abroad, who are sponsored and qualify for these permanent residency visas. Some fill a growing need in the Catholic Church for those called to religious vocations. Others provide critical services to local communities in areas including religious education, and care for vulnerable populations such as the elderly, immigrants, refugees, abused and neglected children, adolescents and families at risk.

Jewish congregations, particularly in remote areas with small Jewish communities, rely on rabbis, cantors, kosher butchers, Hebrew school teachers, and other religious workers who come from abroad through the religious worker program. Without them, many Jewish communities would be unable to sustain the institutions and practices that are essential to Jewish religious and communal life.

Smaller religious communities rely on the visa, as well. For example, the lifetime vocation of members of the Church Communities International, a religious communal order, includes a commitment to Christian brotherhood and faithful service through the provision of emergency relief, housing assistance, food distribution, education, medical care, counseling and mediation. To affect its ministries, the order depends upon the ability afforded by the program to relocate non-clergy religious members from its locations overseas.

Other religious denominations, such as the Methodist and Baptist churches, The First Church of Christ, Scientist, the Church of Jesus Christ of Latter Day Saints, the Lutheran Church, the Hindu faith, the Church of Scientology, and the Seventh Day Adventist Church, also rely on the visas to bring in non-minister religious workers, who, in addition to providing some of the same services mentioned above, also work in areas as diverse as teaching in church schools, temple workers, producing religious publications, sustaining prison ministries, and training health care professionals to provide religiously appropriate health care.

Because of the increasingly diverse ethnic makeup of our religious congregations and the nation as a whole, the special immigrant religious worker visa category is particularly important in addressing the specific pastoral and service-related needs of ethnic groups, including the Hispanic, Asian, and African communities. A special category for non-minister religious workers is also necessary because religious organizations face obstacles in using traditional employment immigration categories, which historically have not fit their unique situations.

We ask that you support H.R. 1127, which would extend this important program, prior

to its expiration on March 6, 2009. Your support is vital for the continuation of the Non-Minister Special Immigrant Religious Worker Visa program and for the service of its beneficiaries on behalf of religious organizations and communities across the nation.

Thank you for your continuing support of the Religious Worker Visa Program and your assistance in achieving a permanent extension of this program.

Respectfully,

American Jewish Committee; Catholic Legal Immigration Network, Inc.; Church Communities International; Conference of Major Superiors of Men; Hebrew Immigrant Aid Society; Lutheran Immigration and Refugee Service; Mennonite Central Committee, United States.

National Association of Evangelicals; National Spiritual Assembly of the Bahai of the United States; The Church of Scientology International; The First Church of Christ, Scientist, Boston, MA; United Methodist Church, General Board of Church and Society; World Relief; U.S. Conference of Catholic Bishops.

I would just briefly note that as to the H-2B program, we are struggling mightily to see if we can reach consensus on that. We have efforts underway. I can make no guarantee that we will be successful, but there are active efforts underway to see if consensus can be reached.

As for the other issues raised, I would just like to note that Mr. SMITH and I have worked very closely to make sure that this program, the Religious Workers Program, has integrity. And we now have 100 percent site visits for every church that applies, which we are advised informally by DHS, has really brought a much greater level of integrity to this system. And I think it's a product of the work that we did in the last Congress that helped us to be able to say that today.

So I urge support of this measure.

As for the reciprocity issue, I look forward to hearing the ranking member's proposals. I would just note, however, that because Russia is not very happy when we send evangelicals to their country, it doesn't mean that we should deny Russian Orthodox believers in the United States the assistance of Russian Orthodox member laypeople. I think that we'll work through these issues. This is an important step forward. And I urge its support.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 1127.

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

A motion to reconsider was laid on the table.

**REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1106, HELPING FAMILIES SAVE THEIR HOMES ACT OF 2009**

Mr. CARDOZA, from the Committee on Rules, submitted a privileged report (Rept. No. 111-23) on the resolution (H. Res. 205) providing for consideration of the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability, which was referred to the House Calendar and ordered to be printed.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

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

Votes will be taken in the following order:

House Resolution 201, by the yeas and nays;

House Resolution 195, by the yeas and nays;

House Resolution 45, by the yeas and nays.

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

Proceedings on remaining postponed motions to suspend will resume later.

**RECOGNIZING BEVERLY ECKERT FOR 9/11 VICTIMS WORK**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 201, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PASCRELL) that the House suspend the rules and agree to the resolution, H. Res. 201.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 12, as follows:

[Roll No. 94]

YEAS—419

Abercrombie	Berry	Broun (GA)
Ackerman	Biggert	Brown (SC)
Aderholt	Bilbray	Brown, Corrine
Adler (NJ)	Bilirakis	Brown-Waite,
Akin	Bishop (GA)	Ginny
Alexander	Bishop (NY)	Buchanan
Altmire	Bishop (UT)	Burgess
Andrews	Blackburn	Burton (IN)
Arcuri	Blumenauer	Butterfield
Austria	Blunt	Buyer
Baca	Bocchieri	Calvert
Bachmann	Boehner	Camp
Bachus	Bonner	Cantor
Baird	Bono Mack	Cao
Baldwin	Boozman	Capito
Barrett (SC)	Boren	Capps
Barrow	Boswell	Capuano
Bartlett	Boucher	Cardoza
Barton (TX)	Boustany	Carnahan
Bean	Brady (PA)	Carney
Becerra	Brady (TX)	Carson (IN)
Berkley	Braley (IA)	Carter
Berman	Bright	Cassidy

Castle	Himes	Mica
Castor (FL)	Hinchoy	Michaud
Chaffetz	Hinojosa	Miller (FL)
Chandler	Hirono	Miller (MI)
Childers	Hodes	Miller (NC)
Clarke	Hoekstra	Miller, George
Clay	Holden	Minnick
Cleaver	Holt	Mitchell
Clyburn	Honda	Mollohan
Coble	Hoyer	Moore (KS)
Coffman (CO)	Hunter	Moore (WI)
Cohen	Issa	Moran (KS)
Cole	Inslee	Moran (VA)
Conaway	Israel	Murphy (CT)
Connolly (VA)	Issa	Murphy, Patrick
Conyers	Jackson (IL)	Murphy, Tim
Cooper	Jackson-Lee	Murtha
Costa	(TX)	Myrick
Costello	Jenkins	Nadler (NY)
Courtney	Johnson (GA)	Napolitano
Crenshaw	Johnson (IL)	Neal (MA)
Crowley	Johnson, E. B.	Neugebauer
Cuellar	Johnson, Sam	Nunes
Culberson	Jones	Nye
Cummings	Jordan (OH)	Oberstar
Dahlkemper	Kagen	Obey
Davis (AL)	Kanjorski	Olson
Davis (CA)	Kaptur	Olver
Davis (KY)	Kennedy	Ortiz
Davis (TN)	Kildee	Pallone
Deal (GA)	Kilpatrick (MI)	Pascarell
DeFazio	Kilroy	Pastor (AZ)
DeGette	Kind	Paul
Delahunt	King (IA)	Paulsen
DeLauro	King (NY)	Payne
Dent	Kingston	Pence
Diaz-Balart, L.	Kirk	Perlmutter
Diaz-Balart, M.	Kirkpatrick (AZ)	Peters
Dicks	Kissell	Peterson
Dingell	Klein (FL)	Petri
Doggett	Kline (MN)	Pingree (ME)
Donnelly (IN)	Kosmas	Pitts
Doyle	Kratovil	Platts
Dreier	Kucinich	Poe (TX)
Driehaus	Lamborn	Polis (CO)
Duncan	Lance	Pomeroy
Edwards (MD)	Langevin	Posey
Edwards (TX)	Larsen (WA)	Price (GA)
Ellison	Larson (CT)	Price (NC)
Ellsworth	Latham	Radanovich
Emerson	LaTourette	Rahall
Engel	Latta	Rangel
Eshoo	Lee (CA)	Rehberg
Etheridge	Lee (NY)	Reichert
Fallin	Levin	Reyes
Farr	Lewis (CA)	Richardson
Fattah	Lewis (GA)	Rodriguez
Filner	Linder	Roe (TN)
Flake	Lipinski	Rogers (AL)
Fleming	LoBiondo	Rogers (KY)
Forbes	Loebsack	Rogers (MI)
Fortenberry	Lofgren, Zoe	Rohrabacher
Foster	Lowe	Rooney
Fox	Lucas	Ros-Lehtinen
Frank (MA)	Luetkemeyer	Roskam
Franks (AZ)	Lujan	Ross
Frelinghuysen	Lummis	Rothman (NJ)
Fudge	Lungren, Daniel	Roybal-Allard
Gallegly	E.	Royce
Gerlach	Lynch	Ruppersberger
Giffords	Mack	Rush
Gingrey (GA)	Maffei	Ryan (OH)
Gohmert	Maloney	Ryan (WI)
Gonzalez	Manzullo	Salazar
Goodlatte	Marchant	Sanchez, Linda
Gordon (TN)	Markey (CO)	T.
Granger	Markey (MA)	Sanchez, Loretta
Graves	Marshall	Sarbanes
Grayson	Massa	Scalise
Green, Al	Matheson	Schakowsky
Green, Gene	Matsui	Schauer
Griffith	McCarthy (CA)	Schiff
Grijalva	McCarthy (NY)	Schmidt
Guthrie	McCaul	Schock
Gutierrez	McClintock	Schrader
Hall (TX)	McCotter	Schwartz
Halvorson	McDermott	Scott (GA)
Hare	McGovern	Scott (VA)
Harman	McHenry	Sensenbrenner
Harper	McHugh	Serrano
Hastings (FL)	McIntyre	Sessions
Hastings (WA)	McKeon	Sestak
Heinrich	McMahon	Shadegg
Heller	McMorris	Shea-Porter
Hensarling	Morris	Sherman
Hergert	McNerney	Shimkus
Herseth Sandlin	Meek (FL)	Shuler
Higgins	Meeke (NY)	Shuster
Hill	Melancon	Simpson

Sires	Thompson (CA)	Wasserman
Skelton	Thompson (MS)	Schultz
Slaughter	Thompson (PA)	Waters
Smith (NE)	Thornberry	Watson
Smith (NJ)	Tiahrt	Watt
Smith (TX)	Tiberi	Waxman
Smith (WA)	Tierney	Weiner
Snyder	Titus	Welch
Souder	Tonko	Westmoreland
Space	Towns	Wexler
Spratt	Tsongas	Whitfield
Stearns	Turner	Wilson (OH)
Stupak	Upton	Wilson (SC)
Sullivan	Van Hollen	Wittman
Sutton	Velázquez	Wolf
Tanner	Visclosky	Woolsey
Tauscher	Walden	Wu
Taylor	Wamp	Yarmuth
Teague		Young (AK)
Terry		Young (FL)

NOT VOTING—12

Boyd	Garrett (NJ)	Perriello
Campbell	Hall (NY)	Putnam
Davis (IL)	McCollum	Speier
Ehlers	Miller, Gary	Stark

□ 1453

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**RECOGNIZING THE HOMELAND SECURITY DEPARTMENT ON ITS SIXTH ANNIVERSARY**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 195, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and agree to the resolution, H. Res. 195.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 13, as follows:

[Roll No. 95]

YEAS—418

Abercrombie	Blackburn	Capito
Ackerman	Blumenauer	Capps
Aderholt	Blunt	Capuano
Adler (NJ)	Bocchieri	Cardoza
Akin	Boehner	Carnahan
Alexander	Bonner	Carney
Altmire	Bono Mack	Carson (IN)
Andrews	Boozman	Carter
Arcuri	Boren	Cassidy
Austria	Boswell	Castle
Baca	Boucher	Castor (FL)
Bachmann	Boustany	Chaffetz
Bachus	Brady (PA)	Chandler
Baird	Brady (TX)	Childers
Baldwin	Braley (IA)	Clarke
Barrett (SC)	Bright	Clay
Barrow	Broun (GA)	Cleaver
Bartlett	Brown (SC)	Clyburn
Barton (TX)	Brown, Corrine	Coble
Bean	Brown-Waite,	Coffman (CO)
Becerra	Ginny	Cohen
Berkley	Buchanan	Cole
Berman	Burgess	Conaway
Berry	Burton (IN)	Connolly (VA)
Biggert	Butterfield	Conyers
Bilbray	Buyer	Cooper
Bilirakis	Calvert	Costa
Bishop (GA)	Camp	Costello
Bishop (NY)	Cantor	Courtney
Cao	Cao	Crenshaw

Crowley Johnson, E. B.  
 Cuellar Johnson, Sam  
 Culberson Jones  
 Cummings Jordan (OH)  
 Dahlkemper Kagen  
 Davis (AL) Kanjorski  
 Davis (CA) Kaptur  
 Davis (KY) Kennedy  
 Davis (TN) Kildee  
 Deal (GA) Kirkpatrick (MI)  
 DeFazio Kilroy  
 DeGette Kind  
 Delahunt King (IA)  
 DeLauro King (NY)  
 Dent Kingston  
 Diaz-Balart, L. Kirk  
 Diaz-Balart, M. Kirkpatrick (AZ)  
 Dicks Kissell  
 Dingell Klein (FL)  
 Doggett Kline (MN)  
 Donnelly (IN) Kosmas  
 Doyle Kratochvil  
 Dreier Kucinich  
 Driehaus Lamborn  
 Duncan Latham  
 Edwards (MD) Langevin  
 Edwards (TX) Larsen (WA)  
 Ellison Latham  
 Ellsworth LaTourette  
 Emerson Latta  
 Engel Lee (CA)  
 Eshoo Lee (NY)  
 Etheridge Levin  
 Fallin Lewis (CA)  
 Farr Lewis (GA)  
 Fattah Linder  
 Filner Lipinski  
 Flake LoBiondo  
 Fleming Loeb sack  
 Forbes Lofgren, Zoe  
 Fortenberry Lowey  
 Foster Lucas  
 Foxx Luetkemeyer  
 Frank (MA) Luján  
 Franks (AZ) Lummis  
 Frelinghuysen Lungren, Daniel  
 Fudge E.  
 Gallegly Lynch  
 Gerlach Mack  
 Giffords Maffei  
 Gingrey (GA) Maloney  
 Gohmert Manzullo  
 Gonzalez Marchant  
 Goodlatte Markey (CO)  
 Gordon (TN) Markey (MA)  
 Granger Marshall  
 Graves Massa  
 Grayson Matheson  
 Green, Al Matsui  
 Green, Gene McCarthy (CA)  
 Griffith McCarthy (NY)  
 Grijalva McCaul  
 Guthrie McClintock  
 Gutierrez McCotter  
 Hall (TX) McDermott  
 Halvorson McGovern  
 Hare McHenry  
 Harman McHugh  
 Harper McIntyre  
 Hastings (FL) McKeon  
 Hastings (WA) McMahon  
 Heinrich McMorris  
 Heller Rodgers  
 Hensarling McNerney  
 Herger Meek (FL)  
 Herse th Sandlin Meeks (NY)  
 Higgins Melancon  
 Hill Mica  
 Himes Michaud  
 Hinchey Miller (FL)  
 Hinojosa Miller (MI)  
 Hirono Miller (NC)  
 Hodes Miller, George  
 Hoekstra Minnick  
 Holden Mitchell  
 Holt Mollohan  
 Honda Moore (KS)  
 Hoyer Moore (WI)  
 Hunter Moran (KS)  
 Inglis Moran (VA)  
 Inslee Murphy (CT)  
 Israel Murphy, Patrick  
 Issa Murphy, Tim  
 Jackson (IL) Murtha  
 Jackson-Lee Myrick  
 (TX) Nadler (NY)  
 Jenkins Neapolitano  
 Johnson (GA) Neal (MA)  
 Johnson (IL) Neugebauer

Thompson (PA) Visclosky  
 Thornberry Walden  
 Tiahrt Walz  
 Tiberi Wamp  
 Tierney Wasserman  
 Titus Schultz  
 Tonko Waters  
 Towns Watson  
 Tsongas Watt  
 Turner Waxman  
 Upton Weiner  
 Van Hollen Welch  
 Velázquez Westmoreland

Wexler Whitfield  
 Whittier Wilson (OH)  
 Wilson (SC)  
 Wittman  
 Wolf  
 Woolsey  
 Wu  
 Yarmuth  
 Young (AK)  
 Young (FL)

NOT VOTING—13  
 Boyd Hall (NY)  
 Campbell Larson (CT)  
 Davis (IL) McCollum  
 Ehlers Miller, Gary  
 Garrett (NJ) Perriello

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1503

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL CRIMINAL JUSTICE MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 45, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and agree to the resolution, H. Res. 45.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 16, as follows:

[Roll No. 96]  
 YEAS—415

Abercrombie Blumenauer  
 Ackerman Blunt  
 Aderholt Boccieri  
 Adler (NJ) Boehner  
 Akin Bonner  
 Alexander Bono Mack  
 Altmire Boozman  
 Andrews Boren  
 Arcuri Boswell  
 Austria Boucher  
 Baca Boustany  
 Bachmann Brady (PA)  
 Bachus Brady (TX)  
 Baird Braley (IA)  
 Baldwin Bright  
 Barrett (SC) Broun (GA)  
 Barrow Brown (SC)  
 Bartlett Brown, Corrine  
 Barton (TX) Brown-Waite,  
 Bean Ginny  
 Becerra Buchanan  
 Berkley Burgess  
 Berman Burton (IN)  
 Berry Butterfield  
 Biggert Buyer  
 Bilbray Calvert  
 Bilirakis Camp  
 Bishop (GA) Cantor  
 Bishop (NY) Cao  
 Bishop (UT) Capito  
 Blackburn Capps

Dahlkemper  
 Davis (AL)  
 Davis (CA)  
 Davis (KY)  
 Davis (TN)  
 Deal (GA)  
 DeFazio  
 DeGette  
 Delahunt  
 DeLauro  
 Dent  
 Diaz-Balart, L.  
 Diaz-Balart, M.  
 Dicks  
 Dingell  
 Doggett  
 Donnelly (IN)  
 Doyle  
 Dreier  
 Driehaus  
 Duncan  
 Edwards (MD)  
 Edwards (TX)  
 Ellison  
 Ellsworth  
 Emerson  
 Engel  
 Eshoo  
 Etheridge  
 Fallin  
 Farr  
 Fattah  
 Filner  
 Flake  
 Fleming  
 Forbes  
 Fortenberry  
 Foster  
 Foxx  
 Frank (MA)  
 Franks (AZ)  
 Frelinghuysen  
 Fudge  
 Gallegly  
 Gerlach  
 Giffords  
 Gingrey (GA)  
 Gohmert  
 Gonzalez  
 Goodlatte  
 Gordon (TN)  
 Granger  
 Graves  
 Grayson  
 Green, Al  
 Green, Gene  
 Griffith  
 Grijalva  
 Guthrie  
 Gutierrez  
 Hall (TX)  
 Halvorson  
 Hare  
 Harman  
 Harper  
 Hastings (FL)  
 Hastings (WA)  
 Heinrich  
 Heller  
 Hensarling  
 Herger  
 Herse th Sandlin  
 Higgins  
 Hill  
 Himes  
 Hinchey  
 Hinojosa  
 Hirono  
 Hodes  
 Hoekstra  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Hunter  
 Inglis  
 Inslee  
 Israel  
 Issa  
 Jackson (IL)  
 Jackson-Lee  
 (TX)  
 Jenkins  
 Johnson (GA)  
 Johnson (IL)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Jordan (OH)  
 Kagen  
 Kanjorski  
 Kaptur  
 Kennedy  
 Kildee  
 Kilpatrick (MI)  
 Kilroy  
 Kind  
 King (IA)  
 King (NY)  
 Kingston  
 Kirk  
 Kirkpatrick (AZ)  
 Kissell  
 Klein (FL)  
 Kline (MN)  
 Kosmas  
 Kratochvil  
 Kucinich  
 Lamborn  
 Lance  
 Langevin  
 Larsen (WA)  
 Latham  
 LaTourette  
 Latta  
 Lee (CA)  
 Lee (NY)  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Linder  
 Lipinski  
 LoBiondo  
 Loeb sack  
 Lofgren, Zoe  
 Lowey  
 Lucas  
 Luetkemeyer  
 Luján  
 Lummis  
 Lungren, Daniel  
 E.  
 Lynch  
 Mack  
 Maffei  
 Maloney  
 Manzullo  
 Marchant  
 Markey (CO)  
 Markey (MA)  
 Marshall  
 Massa  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCaul  
 McClintock  
 McCotter  
 McDermott  
 McGovern  
 McHenry  
 McHugh  
 McIntyre  
 McKeon  
 McMahon  
 McMorris  
 Rodgers  
 McNerney  
 Meek (FL)  
 Meeks (NY)  
 Melancon  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, George  
 Minnick  
 Mitchell  
 Mollohan  
 Moore (KS)  
 Moore (WI)  
 Moran (KS)  
 Moran (VA)  
 Murphy (CT)  
 Murphy, Patrick  
 Murphy, Tim  
 Murtha  
 Myrick  
 Nadler (NY)  
 Neapolitano  
 Neal (MA)  
 Neugebauer

Olson  
 Olver  
 Ortiz  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Paul  
 Paulsen  
 Payne  
 Pence  
 Perlmutter  
 Peters  
 Peterson  
 Petri  
 Pingree (ME)  
 Pitts  
 Platts  
 Poe (TX)  
 Polis (CO)  
 Pomeroy  
 Posey  
 Price (GA)  
 Price (NC)  
 Radanovich  
 Rahall  
 Rahall  
 Latta  
 Lee (CA)  
 Lee (NY)  
 Reyes  
 Richardson  
 Rodriguez  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rohrabacher  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothman (NJ)  
 Roybal-Allard  
 Royce  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Salazar  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schauer  
 Schiff  
 Schmidt  
 Schock  
 Schrader  
 Schwartz  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Sestak  
 Shadegg  
 Shea-Porter  
 Sherman  
 Shimkus  
 Shuler  
 Shuster  
 Simpson  
 Sires  
 Skelton  
 Slaughter  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Souder  
 Space  
 Spratt  
 Stearns  
 Stupak  
 Sullivan  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiahrt  
 Nye  
 Oberstar  
 Tierney  
 Titus

Tonko	Wasserman	Wilson (OH)
Towns	Schultz	Wilson (SC)
Tsongas	Waters	Wittman
Turner	Watson	Wolf
Upton	Watt	Woolsey
Van Hollen	Waxman	Wu
Velázquez	Weiner	Yarmuth
Visclosky	Welch	Young (AK)
Walden	Westmoreland	Young (FL)
Walz	Wexler	
Wamp	Whitfield	

## NOT VOTING—16

Boyd	Hall (NY)	Rangel
Campbell	Larson (CT)	Rogers (MI)
Capuano	McCollum	Speier
Davis (IL)	Miller, Gary	Stark
Ehlers	Perriello	
Garrett (NJ)	Putnam	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1512

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Madam Speaker, on March 4, 2009, I missed two votes, that on H. Res. 195 (rollcall vote No. 95) and H. Res. 45 (rollcall vote No. 96). Had I been present, I would have voted “yea” for both H. Res. 195, Recognizing and honoring the employees of the Department of Homeland Security on its sixth anniversary for their continuous efforts to keep the Nation safe, and H. Res. 45, Raising awareness and promoting education on the criminal justice system by establishing March as “National Criminal Justice Month.”

DESPITE OUR DISAGREEMENTS,  
WE ARE ALL STILL AMERICANS

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

Mr. BOCCIERI. Mr. Speaker, many economic indicators show that our country is in her greatest time of need since the Great Depression, with too many citizens unemployed, losing their homes and their jobs, and they’re looking to us here in Washington for leadership.

I become increasingly alarmed when I hear the voice of divisive mainstream media hosts attempting to inspire others to join them in wishing failure upon our government, our elected President, and our country in crisis. To wish failure on our elected leaders is to wish failure upon our financial markets, our businesses, our workers, and our children.

Ironically, during the debate leading to the Iraq war conflict, many of the same “opinion leaders” suggested that anyone who held a contrary opinion to the President about going to war was somehow uninspired, unpatriotic, and even un-American.

I put my life on the line for this country along with my brothers and sisters in the military so such ill wishers could say whatever they wanted to. The minority’s wishing that President Obama fail is wishing that our Nation fails and inflames and ignites and divides our great Nation.

This is the time for a debate of ideas and solutions. In this great time of need, I reject extremism that divides our country, and we should all embrace a voice that unites us around a common thread: that despite all of our disagreements, we are all still Americans.

□ 1515

## TRIBUTE TO JAMES L. WATSON

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

Mr. MCHENRY. Mr. Speaker, my district, Gaston County and the City of Gastonia lost a great leader when they lost three-term City Councilman James L. Watson, who passed away this Wednesday.

“Slug” Watson, as he was known, became a great baseball player in youth and was always known as “Slug.” He was a great friend of mine and an early supporter of mine. He was an Army veteran, president of his own small business and a community stalwart. Citizens of West Gastonia had no greater friend and advocate than James Watson.

James was also an active member of his church, where he was a deacon. Upon his election in 2003, his constituents in Ward 6, the only area of Gastonia that overlaps with my congressional district, found themselves also served by a city councilman who had a passion for service and loved helping people. Slug showed us all perseverance. He ran three times for city council and lost, but he was elected three times after that.

James left his native Gastonia to serve our country in the Army and later went on to earn a degree in Small Business from the University of South Carolina.

Upon returning, he embarked on a successful business career with several firms, culminating in the founding of Watco of Gastonia, a parts company of which he was the President and Owner for the past 24 years.

Citizens of West Gastonia had no greater friend or advocate than James Watson. He was a stalwart in the community for decades. He served on the Shiele Museum Board of Trustees, The Gastonia Recreation Advisory Board, was on the first Executive Board of Gastonia Community Watch Association, was past President of the Hunter Huss High School Booster Club, and was a Shriner. He was also an active member of Maranatha Baptist Church where he was a former Deacon.

In politics, I learned a real lesson from James, that of persistence. He ran for City Council three times before he was victorious.

I want to extend my condolences to his wife of nearly 50 years, Carolyn,

and the entire Watson family, as well as the mayor and city council of Gastonia. We have all lost a true statesman and a great leader.

PUTTING THE COUNTRY BACK ON  
TRACK

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

Mr. SCALISE. Mr. Speaker, as we start to debate the budget that was submitted last week, I think a lot of Americans all across the country and a lot of people here in this Chamber have some very serious concerns about the direction that this administration seems to be taking us in. This rampant spending and tax increases are dangerous to our country and our economy at a time when we are having trouble and difficulty all across the land.

The last thing we need is a \$1.4 trillion tax increase, over \$600 billion of which would fall on the backs of every small business owner in this country, and over \$600 billion in the form of a carbon tax, a tax on energy, that every consumer in this country would pay in higher utility rates.

This is surely not the time to be raising taxes to the tune of over \$1.4 trillion on the backs of small businesses and families across this country. We need to go in a better direction. We will be proposing that, and hopefully the administration will work with us to put us on a better path to get our country back on track.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Evans, one of his secretaries.

## SPECIAL ORDERS

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

THE RED COATS ARE COMING—  
THE RED COATS ARE COMING

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

Mr. POE of Texas. Mr. Speaker, I should inform you that the Red Coats are coming! The Red Coats are coming! The United States Capitol once again has been invaded by the Red Coats. I am not talking about Prime Minister Gordon Brown who spoke to this assembly this morning. I am not talking about the fact that the British came and burned this building in 1814. No, not at all. But the Nation’s Capitol is simply being taken away from the American people.

The new Capitol Visitors Center, the CVC as they call themselves, opened its

doors in December of 2008, and since that day many new bureaucratic rules have been decreed. These new regulations infringe on the American people's right to visit this Capitol. It is their building. It doesn't belong to us or to the Red Coats.

Mr. Speaker, there once was a time when a family would come from my district. They would show up at my office and they would ask to see the Capitol. Myself or a staffer would bring them over to the Capitol, take them through these mighty halls by showing them the statues of the two famous people from Texas, Stephen F. Austin and Sam Houston, giving them a peak at the old Supreme Court Chamber, and they could spend as much time in this building as they wanted to. But no more. Apparently the good old times have been replaced by censored, controlled tours which can only be given by the CVC staff, the Red Coats.

Now, before a staff member can even help on a tour of this Capitol, that person must attend a 6-hour or 2-day-long propaganda school given by the CVC Red Coats. The actual tour that everybody must see before they come into this building starts with an opening video given by the Red Coats. It is a controlled and censored video and a controlled and censored trip through this building. The theme opens in the video by saying that the national motto of the United States is "E Pluribus Unum", which means, according to the video, "Out of Many, One."

Well, Mr. Speaker, I must have missed something. I thought that the United States motto was directly above your head, which says "In God We Trust." But not according to the Red Coats. They just changed the national motto on their own. There is, in fact, no mention of those words or religious history of our country in the entire CVC complex. This includes their exhibit halls, which are supposed to chronicle the real history of America. But the Red Coats have rewritten the history of the United States and omit religion or any reference to God.

Once citizens watch the video, they are allowed into this building to go on their tour, as long as they do it on time and they are not late. You can't wander around and get away from the Red Coat tour guide like the old days. They get to spend a few minutes in the rotunda, a few minutes in Statuary Hall and a couple of minutes in the crypt. But that is it. There is no looking around at the paintings by Brumidi in the hallways. And if your State statue is not on the controlled tour, you are out of luck. You don't get to see it. Unfortunately, now one of Texas' statues is off the approved route. I guess my constituents will just have to become a Member of Congress before they will ever get to see it.

Mr. Speaker, I believe that we should make visiting our Capitol a safe and pleasurable experience for all constituents and all Americans everywhere, and these politically correct positions

by the Red Coats are not the way to do it.

I recently signed a letter that is being sponsored by Mr. KIRK and Mr. LOEBSACK that outlines just a few of these ridiculous regulations. This letter, bipartisan, of course, goes to Mr. Ayers, the acting Architect of the Capitol, who is the chief Red Coat.

Member offices have little control over scheduling tours. Once in awhile somebody will just show up in my office and they want to go see this building. It is their first and only trip to Washington. You can't do that anymore. You have got to get on a list and you have got to make that request a month ahead of time at least before you can come into this building. Those "dropin" days are over, unfortunately, because the Red Coat police are in charge, and if they walk through the building and they get off the tour, the Red Coat police dress them down.

Late groups are often turned away. If a family misses their tour by a few minutes or the security lines are too long and they don't get there on time, they may be out of luck and not even get in this building. They are sent home to come back another time. Unless they are trained by the CVC, congressional staff members are no longer allowed to even give tours. And don't forget those "reeducation sessions" last between 6 hours and 2 days.

According to a letter I just received from the CEO of the Visitor Center, things are going pretty good, according to them. They say thousands of people are making reservations. Well, apparently that is true, because my staff assistant is having an impossible time booking tours for our constituents during the first week of April, spring break, when most of them are coming up here. And the Capitol, unfortunately, is not friendly anymore.

Mr. Speaker, the United States Capitol belongs to the American people. It doesn't belong to us. It doesn't belong to the Red Coats. It belongs to the American people. And I am disappointed in the new regulations from the CVC and the disrespect that has been shown to the American people and Members of Congress.

Mr. Speaker, the Red Coats have arrived and they are stealing the people's Capitol away from America. That ought not to be, but that's just the way it is.

#### LET'S GIVE THE PEOPLE OF THE WORLD DIGNITY AND OPPORTUNITY

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

Ms. WOOLSEY. Mr. Speaker, the Iraqi Government is reopening the infamous Abu Ghraib prison. It has been renovated to include computers, recreational areas, a library and a barber shop for the prisoners. The Iraqis promise to treat prisoners humanely

and in accordance with international standards.

Some disagree with this decision to reopen Abu Ghraib. They say it should have been turned into a museum to document the crimes that took place there. Others say it should have been simply knocked down. But the Iraqi Government says it must keep the facility because it actually needs the space.

The renovations are designed to remove any reminders of the terrible violations of human rights that took place at Abu Ghraib when it was under U.S. control. Those violations did a great deal of damage, Mr. Speaker, to America's reputation. Even worse, they sent a terrible signal to the world. The UN has reported that nondemocratic countries have used U.S. actions in places like Abu Ghraib to justify their own abuses.

Mr. Speaker, the people of the world expect America to offer a better example than that. They expect us to work for peace and to treat people with dignity and compassion.

The Obama administration has already taken important steps in that direction. The President has renounced torture. He has ordered the closing of Guantanamo Bay. His administration has also released documents which show how the previous administration violated the constitutional rights of the American people right here at home.

President Obama has also pledged to use diplomacy instead of war as the first tool of American foreign policy. He has signaled his willingness to talk to Iran and Syria, two nations that we must engage to create stability in the Middle East. He is trying, Mr. Speaker, to diffuse tensions with Russia, and Secretary of State Clinton has pledged a vigorous effort to kick-start the stalled peace process between Israel and the Palestinians.

But there is still a lot more that we just have to do. We must remove all of our troops and military contractors out of Iraq by August 2010. Leaving 50,000 residual troops is unacceptable. The Iraqi people will view it as an enduring occupation force and it will delay the reconciliation and the unification the Iraqi people need. They need that to build stability and democracy in their country.

We must also redeploy our troops out of Afghanistan and use humanitarian assistance instead of military force to achieve our goals there.

□ 1530

Every expert on Afghanistan knows that foreign military intervention never succeeds in that part of the world. Helping the Afghan people to build schools and roads will work a lot better than sending in more troops.

I've also called for a worldwide ceasefire or "time-out" to give diplomacy, to give humanitarian assistance and conflict resolution a chance to work. By intensifying our efforts in

these areas, Mr. Speaker, our efforts of “soft power” or “smart power” and reducing the size of our military, we can move towards a conflict-free world.

Mr. Speaker, President Obama has said, and I quote him, “We have a significant stake in ensuring that those who live in fear and want today can live with dignity and opportunity tomorrow.”

The President is right. Instead of bombs, instead of bullets, let's give the people of the world dignity and opportunity. That's the way to defeat terrorism. That's the way to keep America safe, and that's the way to ensure peace around the globe.

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

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

#### DEMOCRATS' CAP-AND-TRADE AMOUNTS TO A STEALTH ENERGY TAX ON EVERY AMERICAN

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

Mr. BURTON of Indiana. Mr. Speaker, the President of the United States stood here in the well the other night, and one of the things he said that was met with a great deal of applause was that there wasn't going to be one dime, not one dime of new taxes on anybody making under \$250,000 a year, any family making under \$250,000 a year.

And yet what was omitted from his talk was the cost to every single person because of a tax increase that's kind of hidden. It's called the cap-and-trade tax increase. And it's going to cost about \$65 billion a year. And it deals with carbon dioxide emissions.

Every time we use coal or gas or any substance to create energy in this country, it emits carbon dioxide. And so \$65 billion in new taxes are going to be levied on business that will be passed on to consumers in the form of higher prices on their electricity, their gasoline, their oil, their food and almost anything they buy, because anything they buy is made from energy. And the energy in this country is going to be taxed up to \$65 billion a year with this cap-and-trade tax that the President's got in his budget. The American people simply don't realize that.

Now, there was an interview that was on Fox the other night. And I want to read to you just a little bit about that. First of all, let me just say that Peter Orzag, the former CBO Director and current OMB Director down at the White House, verified that energy taxes designed to decrease carbon emissions like those in President Obama's budget will be passed on to American families, and this will be passed on in the form of higher prices to every family in the

form of higher prices for energy, food, lodging and everything else.

Senator Obama, when he was in the Senate, admitted during the presidential campaign, said, “Under my plan of cap-and-trade, electricity rates would necessarily skyrocket.”

And on Fox the other night, Jim Angle was reporting on the cap-and-trade issue, and he said, “Almost every activity in the U.S. economy emits carbon dioxide, but President Obama wants to impose a cap on total emissions throughout the economy and charge industry a new tax of at least \$65 billion a year for their current activities.”

Now, when the President said he's not going to tax anybody, any family making under \$250,000 a year, that's erroneous, because when you take the tax they're going to have to pay indirectly for the cost of food, lodging, energy of any kind, it's going to result in thousands and thousands of dollars to every family.

When you turn on your lights in your house, when this budget is passed, you will be paying much more money for your electricity. When you buy gasoline at the pump, you're going to pay more for your gasoline. When you get fuel oil or coal or anything else that you use for energy, you're going to be paying because of this tax that's being passed in this budget by this President.

And it's going to be on everybody, not just the people making under \$250,000. It's going to be on everybody. Every man, woman and child who lives in this country that uses energy will be taxed. And I think the American people need to know that. That's why I'm down here on the floor, because when they say they're not going to raise your taxes, and that everybody making under \$250,000 is not going to pay one dime more in taxes, they're not telling you the whole story. You are going to pay more in taxes and you're going to pay through the nose.

#### VEGAS IS MAD AND IS NOT GOING TO TAKE IT ANYMORE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Speaker, I'm mad and I'm not going to take it anymore. I've had enough of my colleagues bashing my district, my hometown and the community I love, Las Vegas. I've sat back as Las Vegas has been maligned, insulted and lied about for the sole purpose of making political points. I've been waiting for common sense to prevail. But I'm here to say that this nonsense, the bashing and the lies about Las Vegas have got to end, and they've got to end now.

It started with Senator MCCONNELL's misguided attack on the stimulus bill by singling out a mob museum in Las Vegas as an earmark in the stimulus package. There's only a couple of things wrong with that. There never

was an earmark in the stimulus bill. There are none. And there certainly wasn't one for a mob museum. There was never a mention of it in the stimulus package. But the lies continued.

And then we found out about the maglev train. Countless Republicans have misrepresented the \$8 billion included in the stimulus bill as being an earmark for the Las Vegas-Anaheim maglev route. The only problem is, even after it was pointed out that there is no earmark, that Las Vegas and California are going to have to compete with the other projects, that this has been a project that's been in the works for 20 years, and that it will bring thousands of visitors to the Las Vegas area and to the Southern California area, the lies continue.

The latest one was Louisiana Governor Bobby Jindal. He repeated the lie in his televised response to the President's remarks to Congress, claiming the bill included funding for a magnetic levitation line from Las Vegas to Disneyland. That is absolute nonsense.

And then it goes one worse. Representative TRENT FRANKS just mentioned today that there's a maglev train going all the way from Disneyland to the Moonlit Bunny Brothel. Now, I grew up in Las Vegas. I've never heard of the Moonlit Bunny Brothel. But I guarantee that maglev train is not going there.

And then the latest whipping boy is in the omnibus bill. Sustainable Las Vegas. Just yesterday Senator MCCAIN took to the floor of the Senate to attack Sustainable Las Vegas. What does Sustainable Las Vegas mean, he yelled?

Well, let me enlighten the Senator. It's a University of Nevada education and research program on energy supply, water supply and air quality, very serious issues for the desert Southwest, cities like Las Vegas and Phoenix and Tucson. But the Senator knows that.

So why is that program being singled out? Why is it different from the hundreds of other projects that are given to university research programs throughout the United States, including universities in Arizona? Because it has Las Vegas in its name.

And let me tell you about my hometown of Las Vegas. It's a community of families looking for a better life, a community of schools and churches and mosques, Saturday soccer, a community of working people, small businesses and beautiful hotels.

And that brings me to the most egregious affront to Las Vegas. Stop bad-mouthing Las Vegas, and stop telling businesses and major companies to stay away from Vegas. You are hurting our economy. You're forcing major layoffs of employees in the hotel industry. Hundreds of thousands of Nevadans depend on the tourism and convention business for their livelihood.

Las Vegas has long been a city where serious business is conducted, where small and large conventions can be accommodated. When it comes to business meetings, Las Vegas is the best



city on the planet. You still get the best bang for your buck. Great hotels, great convention facilities, great transportation, great restaurants and a great price.

When you badmouth Las Vegas, you are hurting our major industry, you're hurting your fellow citizens. By taking away their livelihood, you are taking food out of their children's mouths.

Las Vegas is having a very tough time right now. High mortgage foreclosure rate, high unemployment, high bankruptcy rate; we are hurting. Every attack on Las Vegas by my colleagues is a knife in the heart of my city. So I implore my colleagues, stop bashing Las Vegas. Find some other whipping boy. We've had enough. We're not going to take it anymore.

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

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

#### THE END IS NOT NEAR

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

Mr. PAUL. Mr. Speaker, the end of the war is not near. I might ask, are the troops coming home from Iraq as promised? Not quite. Sixteen months is too quick, so the plan now is to do it in 34 months. The administration claims all the troops will be out of Iraq by the end of 2011. Sure they will.

We're told that 50,000 U.S. troops will still be in Iraq in August of 2010, and we're supposed to cheer. We're told that they won't be combat troops, so we're to believe that means they won't be exposed to any danger. If they are non-combat troops, does that mean they are bureaucrats, policemen, teachers or soldiers without weapons? This will hardly satisfy the Iraqis, who resent any foreign troops at all in their country. A U.S. puppet government protected by 50,000 American soldiers is not the road to peace.

Will the Iranian-friendly Shiite majority not be motivated to take advantage of the instability we have created?

Will the 100,000 Sunni militants we arm and subsidize continue to obey our wishes? It sounds to me like a powder keg exists with the indecisiveness of our Iraqi policy.

There is no intention to close the dozens of military bases that now exist. The world's biggest embassy will remain in Baghdad and incite continued resentment toward the American occupation. Our soldiers will remain easy targets of the rightfully angry nationalists.

Our presence will serve as an incentive for al Qaeda to grow in numbers and motivate more suicide bombers. An indefinite presence, whether in Iraq,

Afghanistan, or Pakistan, will continue to drain our financial resources, undermine our national defense, demoralize our military and exacerbate our financial crisis. All this will be welcomed by Osama Bin Laden, just as he planned it. It's actually more than he had hoped for.

More likely the outcome will be that greater than 50,000 Americans will be in Iraq in August of 2010, especially when the contractors are counted. Violence will accelerate. We will be an occupier at the end of 2011, and we will remain a pariah in the Middle East.

The war in Afghanistan and Pakistan will be much bigger, unless the dollar follows the path of the dollar-based world financial system and collapses into runaway inflation. In this case, the laws of economics and the realities of history will prove superior to the madness of maintaining a world empire financed by scraps of paper.

Our military prowess, backed by a nuclear arsenal, will not suffice in overcoming the tragedy of a currency crisis. Soviet nukes did not preserve its empire or the communist economy.

This crisis demands that we quickly come to our senses and reject the foreign policy of interventionism. Neither credit coming from a Federal Reserve computer nor dollars coming from a printing press can bail us out of this mess. Only the rule of law, commodity money and liberty can do that.

Mr. Speaker, let's consider reinstating the Constitution before it's too late.

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

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

#### HOUSING AND BANKRUPTCY

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

Ms. KAPTUR. Mr. Speaker, please let me share with you concerns regarding the bill, H.R. 1106, on housing and bankruptcy that were rolled together, four bills rolled together into one likely to come before the House for consideration tomorrow.

□ 1545

First of all, the bill continues and reinforces the seriously flawed mortgage securitization approach to the U.S. housing market. The overarching concentration and securitization of the housing mortgage market by Wall Street bond houses and money center banks are continued in the bill rather than replaced by an approach that restores prudent Main Street lending practices again.

Our housing finance system is far too concentrated. Its system-wide impru-

dent practices centered in the securitization process, itself, have done enormous damage domestically and internationally and have ripped neighborhoods and communities apart across our Nation. The bill and related administration actions adhere to and, indeed, expand Wall Street securitization as the fundamental architecture of our Nation's mortgage and loan financial system. The continuation of this risky and imprudent system has converted poorly underwritten, poorly appraised and poorly serviced mortgage loans, the majority a result of predatory lending practices to securitize bond instruments. Financial activity and equity have been drawn out of local regions and have been concentrated in a very few irresponsible and likely fraudulent, in many cases, Wall Street money center banks.

The vast majority of troubled subprime mortgages are held by institutions whose names you know—JPMorgan, Bank of America, Citigroup, HSBC, Wachovia, Wells Fargo—and the proximate cause of the severe economic downturn our Nation is experiencing in the mortgage foreclosure crisis and its consequential seize-up of credit is due to the practices of those institutions.

That seize-up is due to widespread uncertainty about valuing mortgages on the ledgers of those financial institutions and others across our country. Until that uncertainty is repaired by employing the skills of the Federal Deposit Insurance Corporation and by true value accounting at the Securities and Exchange Commission, any bill we might consider here merely bites at the edges of a systemic reform that will fall far short of what is needed. Any major housing bill may be evaluated by whether it contributes to reforming this fundamental financial architecture that has brought our economy to this point.

Responsible lending requires that our financial system re-empower the local banking, local underwriting and local mortgage markets first. Such a reform plan should be a foundation stone that precedes any legislation that proposes to transfer hundreds of billions of dollars more to the very money center banks and servicing companies that have produced the chaos that ails our mortgage lending system. Reform must come first, not last. No matter how well-intentioned any housing bill is, there must be a broader policy context in which it is advanced.

Number 2, the vast majority of people in foreclosure are not in bankruptcy. Different regions of our Nation are likely to be impacted differently, and this bill will not help them, and I place in the RECORD plenty of information about that.

Number 3, the bill will not bring private-sector lenders back to the mortgage market. Thus, it will not restore confidence across the troubled credit markets. You could see that the President announced the program last

month, and the market has already discounted it; the dollar has been further driven down, and our stock markets are even weaker.

Number 4, the bill actually cherry-picks mortgage winners and losers while cramming down the bankruptcy option for others, denying equal justice under property law to all. The bill throws the far larger numbers of homeowners with non Fannie Mae and Freddie Mac troubled loans to the bankruptcy courts, almost like a cramdown, presuming their culpability, while doing nothing to ascertain lender and servicer performance or even guilt in the mortgage contract. In doing so, the bill denies millions of our citizens immediate, full legal rights and representation in legal proceedings.

Number 5, irresponsible and likely fraudulent lenders and servicers should not be rewarded with any more taxpayer-funded money as the bill does. Again, we should be using the FDIC and the SEC as they were properly intended, and that is not being done.

You know, one of the questions we can ask under this bill is: How will Treasury and HUD pick who gets principal awarded and who doesn't under this bill to try to work out a few of the loans that are out there?

Number 6, this proposal creates a future private market incentive to dump troubled loans to Fannie Mae and Freddie Mac that does not restore the market discipline that is necessary.

Number 7, there are no provisions in the bill to recoup funds to the U.S. taxpayer for the significant cost of this bill. The banks, actually, in one provision in the bill will get a little bit if a mortgage appreciates in value once it's sold, but the government will get nothing.

Finally, the cost estimates of this bill are truly questionable. The administration says maybe it might cost \$275 billion, but in truth, that is only a guess. If home values continue to plummet and the plan does not succeed in whole or in part, it is likely that the cost of the bill will be much higher. What about if Freddie and Fannie loans redefault? Already, the administration is asking for another \$400 million of additional guarantee authority in those instrumentalities.

In sum, our citizens deserve full justice, not a continuing reliance on the very institutions that brought us to this fork in the road.

Mr. Speaker, tomorrow, the House is scheduled to vote on H.R. 1106

Please let me share with you 8 concerns I have regarding the 4 bills that have now been rolled into one to address the mortgage foreclosure crisis and its bankruptcy provisions.

The first concern is the bill continues, and reinforces, the seriously flawed "mortgage securitization" approach to the U.S. housing market.

The overarching concentration and "Securitization of the housing mortgage market by Wall Street" bond houses and money center banks are continued rather than re-

placed by an approach that restores "Main Street Prudent Lending" practices. Our housing finance system is far too concentrated. Its system-wide imprudent practices, centered in the securitization process, have done enormous damage domestically and internationally, and have ripped neighborhoods and communities apart across our nation.

This bill, and related Administration actions (e.g., the SBA loan securitization provisions of the Recovery Act) adhere to and, indeed, expand "Wall St. securitization" as the fundamental architecture of our nation's mortgage and loan financial system. The continuation of this risky and imprudent system has converted poorly underwritten, poorly appraised, poorly serviced mortgage "loans"—the majority a result of predatory lending practices—to securitized "bond" instruments. Financial activity and equity have been drawn out of local regions and concentrated in a few very irresponsible, and likely fraudulent, Wall Street and money center banks. A handful of these investments houses, which have brought our nation to the financial edge, have converted very recently to bank holding companies to come under the cover of federal insurance protection.

The vast majority of troubled subprime mortgages are held by the following irresponsible, money center institutions or subsidiaries they created—JP Morgan Chase, Bank of America, Citigroup, HSBC, and Wachovia, Wells Fargo. The proximate cause of the severe economic downturn our nation is experiencing is the mortgage foreclosure crisis and consequential seize up of credit across our nation's financial system. This is due to widespread uncertainty about valuing mortgages on the ledgers of financial institutions. Until that uncertainty is repaired, any bill that merely bites at the edges of systemic reform will fall short of what is required.

Any major "housing" bill must be evaluated by whether it contributes to reforming this fundamental financial architecture that has brought our economy to this point. If not, it will not restore a rigorous and prudent lending model for home loan origination and servicing, with disciplined secondary markets. If reform does not occur, financial power will continue to be concentrated on Wall Street and money center institutions, and equity drawn away from to local communities. Responsible lending requires that our financial system re-empower the local banking, underwriting, and mortgage markets. Such a reform plan should be the foundation stone that precedes any legislation that proposes to transfer hundreds of billions of dollars more to the money center banks and servicing companies that produced the chaos that ails our mortgage lending system. Reform must come first, no last. No matter how well intentioned any housing bill, there must be a broader policy context in which it is advanced.

The 2nd concern is the vast majority of people in foreclosure are not in bankruptcy. Different regions of our nation are likely to be impacted differently. This bill will not help them.

The bill's partial and confusing approach to who will be helped, and who will not be helped in their housing situation, will exacerbate the economic crisis, not ease it. Far from being a systemic solution to the housing credit and foreclosure crisis, this bill cherry picks some "winners" who will achieve mortgage workouts. The anticipated Obama plan will address

only some mortgage holders whose mortgages happen to be held by Fannie Mae and Freddie Mac. The majority of mortgages not held by Fannie Mae and Freddie Mac will not be addressed by the Obama plan. This omission represents the vast majority of subprime, troubled mortgages in our nation. Federal taxpayer-funded subsidies, thus, will flow to help workout only those loans held by federally guaranteed secondary market instrumentalities.

Furthermore, the complexity of this bill means as well as the Obama plan any benefits are likely to be uneven rather than systemic. Some loans owned by Freddie and Fannie will be targeted; the vaster number of subprime loans will not be considered. In regions like Ohio, where the recession has worn on and deepened over this decade, it is unclear who may benefit. At best there are rough estimates available now, state by state, as to how many loans may be eligible or affected. Most of the borrowers who aren't in either FNMA/Freddie will be out of luck in the Obama plan. States like Ohio and Michigan could be absent workout assistance again, or with minimal impact, as they have been under the Hope for Homeowners Bill, rushed through Congress last July, wherein only 25 homeowners have been assisted. It is conceivable that many greedy consumers, whose loans happen to be owned by Fannie and Freddie, could be helped, while the majority of families in states like Ohio, where foreclosures are rising, will not get help as their loans are largely subprime. What is fair about this?

The 3rd concern is the bill will not bring private sector lenders back into the mortgage market. Thus, it will not restore confidence across the troubled credit markets.

Why? This bill is uneven, lacks clarity, and is even confusing in picking who might be assisted, and who might not be assisted. Thus, the bill will cause more market disruption. As in the Obama plan's announcement last month, it was discounted by the market and already has further driven down the value of the dollar and our stock markets. The market knows this bill will not address the fundamental problems of seized credit markets and lack of interbank confidence plaguing our banking system.

The 4th concern is the Obama plan cherry picks mortgage winners and losers, while this bill crams down the bankruptcy option for others, denying equal justice in property law to all. As a last resort this bill throws homeowners to the bankruptcy courts—almost like a cramdown presuming their culpability—while doing nothing to ascertain lender and servicer performance, and even guilt, in the mortgage contract. In so doing, the bill denies millions of our citizens full legal rights and representation in legal proceedings about their Mortgage contract—as well as a complete mortgage audit. The courts should weigh the interests of all parties in the mortgage contract. Normal judicial proceedings could yield that. The bankruptcy option relegates normal judicial proceedings to second place to determine lender culpability. Mortgagors need primary attention not secondary and equal legal representation when confronting Wall Street megabanks and servicers, as mortgage fraud and predatory practices pervaded the sick housing system America faces today. This bill throws citizens into bankruptcy court before real justice and transparency of the mortgage instrument as a

contract is unwound in a court of law. Are borrowers the only party to the mortgage contract? The bill does not provide equal justice as lenders, banks, and servicers responsible are held harmless legally, and some even provided funding. What unequal justice is this?

The 5th concern is irresponsible and likely fraudulent lenders and servicers should not be rewarded with more taxpayer-funded money, as the Obama plan does. The normal federal institutions skilled in mortgage workouts, and bank insolvencies, should be engaged—the Federal Deposit Insurance Corporation and the Securities and Exchange Commission.

Lenders and servicers should be required by legislation to participate in mortgage workouts. Our government shouldn't be paying lenders or servicers anything to get them to participate. It is likely mortgage and accounting fraud were endemic across several institutions, as well as lack of proper reporting back to mortgagors under the Truth in Lending and Real Estate Practices Act. Frankly, workouts systemwide should have been occurring in the time-proven way—by engaging FDIC's full powers along with updating the SEC's approach to true value accounting for real estate loans held on the books of lenders. As this still is not being done, the economic harm gets worse daily. The TARP Bailout gave power to the wrong federal department to handle real estate workouts. Treasury had had no experience in real estate lending. Treasury has never been the appropriate federal agency to do bank and mortgage workouts. Its focus has always been Wall Street. Their record since TARP has demonstrated they have done nothing to get the banks and servicers to the table to do workouts as a result of the billions the banks have received from TARP. Now, under the Obama plan, how will Treasury and HUD pick who gets principal funds and who doesn't?

The 6th concern in the Obama plan creates a future private market incentive to dump troubled loans to FNMA and Freddie.

In the way this legislation favors loans held by FNMA and Freddie Mac, it does not restore prudent lending rigor to the marketplace, but signals that the government will become the dumpster for troubled loans. Again, this bill's architecture sends the wrong message to the market.

The 7th concern is there no provisions in the Obama plan to recoup funds to the U.S. taxpayer for the significant cost of the bill.

Any federal assistance to homeowners should include provisions to recoup to the government some portion of the appreciation of any housing assets that may be available on sale of affected units. The Obama plan does provide such recoupment to the bank, in the case of reworked FNMA/Freddie loans, but not to the government which is assuming a huge additional guarantee risk. The Administration plan is silent on such recoupment to the U.S. government.

The 8th concern is the cost estimates for the Obama plan are questionable.

Cost estimates provided by the Administration total at least \$275 billion. But, in truth, they represent only a guess. If home values continue to plummet, and the plan does not succeed in whole or part, it is highly likely the cost of the plan will rise much higher. Further, it is highly uncertain whether many Freddie and FNMA loans will not redefault, increasing long term costs. Already, the Administration is

requesting increased guarantee authority on both be raised a total of \$400 billion more. An overriding concern remains that most subprime loans at the heart of the foreclosure crisis are not held by FNMA/FreddieMac. Lack of resolution in that segment of the market will further pull down home values and exacerbate the situation. To add some perspective, there is a real question as to whether the \$75 billion dedicated to loan modifications will be significant enough to right the market. Ohio alone needs \$20 billion to fill its housing finance gap. This plan might help places like California where the housing bubble burst but its impact in Ohio is unclear, where the recession has dragged on for 8 years. People need adjusted home mortgage, and even rent-to-own rental schedules. These must be negotiated one by one. The Administration plan will not help the vast majority of underwater homeowners because their plan is not systemic in its approach.

In sum, this bill and the Obama plan do little to nothing to address the fundamental cause of crisis—widespread and overuse of concentrated securitization practices, mortgage and appraisal fraud, and the seize up of credit markets due to improper use of federal instrumentalities in attempting to resolve the situation.

Our citizens deserve full justice, not continuing reliance on the very institutions that brought us to this fork in the road.

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

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

#### FEAR MONGERING

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

Mr. GOHMERT. Mr. Speaker, you know, we have heard so much about global warming for so long. It is interesting, though: We're now hearing the term "climate change." Has anybody started to ask why we're no longer hearing about global warming as being the evil thing and now we're hearing climate change is the evil thing?

You know, I try to figure it out. All I can figure is that we're getting data indicating that the Earth may have been cooling for some time now. Groups that are getting enormous contributions, maybe even Nobel Prizes, whatever, by claiming global warming realized, uh-oh, if we're going to keep the money flowing in, we'd better be able to adapt in case the world is cooling instead of warming, so let's start saying we've got to do something about climate change. From my standpoint, that would mean we have to have some real serious discussions with the sun and with God. Nonetheless, climate change is now evil.

I read an article recently that indicated that, you know, when we've been saying these greenhouse gases are trap-

ping the heat in, it just may be that those carbon dioxide/greenhouse gases are causing the sun to bounce off into space and that they may be cooling the planet. They're going to have it either way, apparently. It's warming. It's cooling. They want to be alarmists because that allows a socialist agenda to come forward, and it allows the government to become big brother and run everything.

You know, the wonderful Democratic Party member teachers who I had growing up, they were fantastic. In junior high, we were talking about photosynthesis and how a plant can take carbon dioxide and end up producing oxygen out of the process. It would seem that it would be cyclical. If you look at the patterns of the Earth, what we have are cycles up and down. The temperature goes up, and the temperature goes down over time—back up and down. You have more greenery. More carbon dioxide will apparently help that to grow. Then if we get too much, we'll start having too much oxygen and not enough carbon dioxide. It's just amazing how nature addresses these issues by having cycles where it comes and it goes.

But if you're in government and you want to control everything, you have got to scare people. You have got to have people alarmed, and that's what we're hearing over and over here on the floor of the House: Let's scare America. Let's make them be afraid of carbon dioxide because—guess what. If we really had the responsibility of regulating carbon dioxide, I can tell you from personal experience there are some people around here who are breathing too much. We're going to have to cut out some of this breathing because there's a whole lot of breathing going on, and that's too much carbon dioxide. That is how absurd it has been getting. You know, Congress is not the answer to everything that's wrong with the world. It's just not.

Then we've got this omnibus spending bill that was passed last week. Maybe the Senate passes it tomorrow night. It was irresponsible. It was immoral. We as a generation, in effect, have gone to the bank—in this case China—as our Secretary of State has and has just asked them to "keep buying our debt, please." We go to China as the bank and say, "Please, keep buying our debt. We're going to borrow money. We're not going to pay you back, but our children and our grandchildren will take care of paying you back." That is immoral. That is irresponsible for a parent to borrow money and say, "My children someday will pay you back because I can't control my spending. I'm just throwing money away, but they'll pay it back someday." That is not what we should be doing.

Now, at the same time, we on the Natural Resources Committee are having hearings all the time. People don't realize we're putting more and more of our natural resources off limits. Every

month, more natural resources are off limits. We're having hearings now because they want to put a moratorium back on drilling the Outer Continental Shelf. It would provide a million jobs. ANWR would provide a million jobs. The untouched gas in Alaska would provide a million jobs. Yet, even though it would cost nothing—no raised taxes—they don't want to do it.

It's time to stop the fear mongering. It wasn't right when Secretary Paulson talked President Bush into it, and it's certainly not right now in order to promote a socialist agenda. Let's do the right thing for a change and quit borrowing money because we can't control ourselves. Our kids will have to pay it back. Let's control ourselves and show some responsibility for a change.

#### THE NEED FOR THE ANTHRAX ATTACKS INVESTIGATION ACT

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

Mr. HOLT. Mr. Speaker, this week, I reintroduced the Anthrax Attacks Investigation Act, H.R. 1248. Since the attacks occurred, I have pressed for a full investigation into this insidious biowarfare attack on our country.

My bill's purpose is simple: to examine and to report on how the attacks occurred and on how we can prevent similar episodes in the future. Numerous experts and advisory committees say that biological attacks or emerging epidemics are our greatest public risks.

As you may know, the anthrax attacks in 2001 originated from a postal box, evidently, in the Twelfth Congressional District in New Jersey. They disrupted the lives of people throughout the region and the country. For months, Americans lived in fear of a future attack and of the possibility of receiving cross-contaminated mail. Mail service was delayed, and people wondered whether there was a murderer at large in their midst. Further, my own congressional office and others here in Washington were shut down after it was found to be contaminated with anthrax. These attacks raised the fear of terrorism to a fevered pitch.

Since the Department of Justice and the Federal Bureau of Investigation announced in early August of last year that Dr. Bruce Ivins was their prime suspect before his suicide a month earlier, I've spoken with FBI Director Mueller about the case. He readily has admitted that the case against Dr. Ivins is and was circumstantial and that the FBI has no direct physical evidence tying him to the attack. No anthrax spores were found in his car or his home, and the FBI has no evidence that Ivins actually mailed the letters in New Jersey. Nevertheless, the FBI and the DOJ are closing the case because they believe the available circumstantial evidence against Dr. Ivins is overwhelming and because no evidence has surfaced to suggest that he had any accomplices.

A number of important questions about this case remain unanswered: How did the perpetrator or perpetrators manage to pull off these attacks that were somewhat complicated in the first place? Why did the FBI pursue the wrong suspect for so long? Is the science behind the case sound? Should the case be closed? Have we learned the right lessons, and have we implemented the right changes in our defenses to make another such attack less likely? Why are investigators so certain that Ivins acted alone?

Indeed, last month in Baltimore, at the conference of the American Society for Microbiology, FBI scientist Jason Bannan told the press something I had not previously heard from the FBI officials, something that only raises more questions about the FBI investigation.

Dr. Bannan noted during the investigation that the FBI collected at least 60 water samples from communities where government laboratories work with anthrax. The purpose of collecting the samples was to see if there was any unique chemical signature in one of the water samples that would match with the water that was used to grow the anthrax spores that were mailed. According to the New York Times, Bannan said, "The water research ultimately was inconclusive about where the anthrax was grown."

□ 1600

Despite this, the FBI remains adamant that the anthrax could only have come from that site in Maryland that Dr. Ivins used even though the Bureau has never been able to replicate the chemical signature of the material in the attacks.

This is just one question.

As has so often been the case, each new revelation by the FBI seems only to raise more questions about the conduct and conclusions of the investigation underscoring why an independent review of the investigation is needed badly. In addition, there are important policy and public safety questions that our government has yet to answer satisfactorily.

In December 2008, the Commission on the Prevention of Weapons of Mass Destruction, Proliferation and Terrorism—itsself an outgrowth of the 9/11 Commission and its recommendations—issued a report. It used alarming language to prod our government to act. It affirmed something that was demonstrated with the deadly anthrax attacks: Terrorists will likely use weapons of mass destruction attacks on America which feature biological weapons.

However, examining the 2001 anthrax attacks was not an explicit mandate of that Commission. This was in contrast to the 9/11 Commission which was specifically charged with looking at how the September 2001 attacks happened, why the Federal Government failed to prevent the attacks and what remedial measures were necessary to prevent a similar catastrophe in the future. The

question is, have we implemented the lessons learned from those attacks in the fall of 2001?

The Commission that I am proposing here is similar to this 9/11 Commission that should look at the incident, why it was not prevented, and what we can do to prevent such things in the future. Just as the 9/11 Commission looked not only at the attacks that morning but also recommended changes in the structure of government agencies, screening methods and government oversight, so should an anthrax commission look not only at the specific crime but also at measures for prevention, detention, and investigation of future bioterrorism.

#### WOMEN'S HISTORY MONTH

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in honor of National Women's History Month, and I would like to recognize some of the great women throughout our Nation's history by focusing on my congressional district in South Florida.

These pioneers have fought valiantly for various causes, but they have all helped to lead the exodus of American women from an era of subjugation into one of equality between the genders. In South Florida, we have truly been blessed by the lives and the leadership of some of the great pioneering women of our Nation's history.

I'm talking about women like Roxcy Bolton. Roxcy was inducted into the Florida Women's Hall of Fame for forcing police and prosecutors to make rape crime a priority, as well as illustrating to health departments the need for rape treatment centers.

Dr. Ellen Prager is another such woman of greatness in South Florida. Dr. Prager has dedicated 20 years of her life to our ocean. She has had an accomplished career that began as a safety diver and research assistant at an underwater habitat in St. Croix. Now, Dr. Prager is the chief scientist for the Aquarius Reef Base in Key Largo, Florida, where I have had the distinct pleasure of scuba diving with her and her esteemed scientists twice already.

Aquarius is the only operating undersea research laboratory in the world, and it allows Ellen and her fellow scientists to spend as much as 2 consecutive weeks underwater studying the Florida Keys National Marine Sanctuary. From Aquarius, Dr. Prager utilizes a telepresence to educate people around the world about the wonders of our planet's oceans.

Marjory Stoneman Douglas was another such pioneering woman. Ms. Douglas began Friends of the Everglades, an advocacy group dedicated to the preservation of the Florida river of grass. Ms. Douglas was awarded the Presidential Medal of Freedom for her work on behalf of this precious and

delicate ecosystem, which has become engrained in the unique culture of the great State of Florida.

Athalie Range, Mr. Speaker, was another pioneer among the great women of Florida. Ms. Range was the former president of the Liberty City Elementary PTA in 1953. Ms. Range fought to eliminate the deplorable conditions of segregated public schools. She may not have been the only one to notice the disparity between white and black schools, but she was one of the first to do something positive about it. She stood before the all-white school board, which turned out to be no match for her fighting spirit. These segregationist policies, which seemed to be set in stone, were smashed beneath the weight of her mighty will.

In fact, South Florida is blessed with many remarkable women, and our chapter of RESULTS is cultivating distinguished, altruistic women like Betsy Skipp, Gale Neumann, and Kathleen Gordon. These women have devoted their precious time and their ample talents to this amazing organization that advocates solutions to raising the standards of living throughout the globe.

Their role within RESULTS has been to pioneer the use of microenterprise programs to empower even more women to pursue their dreams and achieve greatness of their own. These women are heroines. I admire them, and young girls in South Florida aspire to achieve even a fraction of what they have.

Every day I am thankful that my daughters will have the benefit of walking the road that these courageous women have paved for all of us.

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

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

#### VOTE "NO" ON NO-BID CONTRACTS

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

Mr. FLAKE. Madam Speaker, later this week we'll vote on whether to instruct the Ethics Committee to investigate the relationship between earmarks and contributions from the PMA Group, an organization that is currently under investigation by the U.S. Department of Justice.

Last week, I offered a broader resolution. This one is specific. At its core is the notion that the House should have a higher standard of conduct than whether or not a Member can be indicted or convicted. The broader resolution gained the support of 182 Members—a substantial number, but still short of passage.

Let me make an appeal to the newer Members of this body, those who have been elected in the past few election cycles: Most of you campaigned on principles of good government, that Congress should take its article 1 powers seriously, that we should be careful and deliberative stewards of the public purse.

I have some sobering news. It's now up to you to uphold the dignity and decorum of this institution. It's now up to you to ensure that those who view our proceedings from afar will have enduring respect for what is done here.

This duty would normally fall to the more seasoned Members of this body, particularly those who have been entrusted with leadership positions. One would assume that they would feel it their obligation to be the guardians of the reputation and the dignity of the people's House. But this is not the case.

For whatever reason, those who have been chosen to lead have chosen not to lead on this issue. While the Department of Justice investigations swirl around us, while some of our former Members sit in prison, we have opted for business as usual, insisting that campaign contributions do not constitute "financial interest," whistling past the Justice Department as we go.

Those who have been entrusted in leadership positions may tell you that securing no-bid contracts, even for those who give you campaign contributions, is simply an exercise of your article 1 authority under the Constitution. But you know better than that.

When the President stood in this body 1 week ago and called for an end to no-bid contracts, he received a standing ovation. We all stood and cheered. But the very next day we passed legislation that provided thousands of no-bid contracts, including several to clients of the PMA Group—a lobbying group currently under investigation by the Department of Justice.

So here we are. A privileged resolution has been offered that would ask the House Ethics Committee to investigate earmarks and campaign contributions related to the PMA Group. We will vote on that resolution on Thursday.

This resolution, or something similar to it, will eventually pass. We will eventually come to understand that it is beneath the dignity of this institution to continue to sweep this issue under the rug and pretend that no one will notice.

It simply isn't right to give no-bid contracts to those who give us campaign contributions. I believe that the overwhelming majority of this body understands that, regardless of what our leaders may tell us. I think an overwhelming majority of this body knows that we need a higher standard than we currently employ.

Madam Speaker, we owe this institution far more than we are giving it. Let us vote for this privileged resolution and give it the respect it deserves.

#### DEFENSE SPENDING

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

Mr. DUNCAN. Madam Speaker, the President has announced we will soon be sending an additional 17,000 troops to Afghanistan, bringing our total there to approximately 55,000.

A few days ago, I read a one-line mention in a story that the Defense Department, which is now the Department of Foreign Aid, was going to spend \$100 million to build a new road in Afghanistan. I think our Founding Fathers would think we had flipped out or lost our minds to spend \$100 million to build a road in Afghanistan, especially since we are over \$11 trillion in debt and thus are spending money that we do not have. Of course, \$100 million is just a tiny drop in the bucket of the billions and billions that we have spent over there since 2001, in an impoverished country that is no realistic threat to us whatsoever.

Of course, every giant bureaucracy is doing everything it can to expand its mission and exaggerating its threats so it can get more money. That is what the war in Afghanistan is really all about—money and power instead of any real threat.

According to the Congressional Research Service, we have spent \$173 billion in Afghanistan since 2001, and as far as I'm concerned, it's pouring money down a rat hole. It is a complete waste. I think if there are any fiscal conservatives left in Congress, they should be horrified by the waste that is going on over there.

General Petraeus said in an article in the Washington Post a few days ago that the situation in Afghanistan, despite all of this money, has deteriorated markedly in the past 2 years. Those were his words. He said Afghanistan has been known over the years as the graveyard of empires, and if we're not careful, it's going to help be the graveyard of our empire as well.

Professor Ian Lustick of the University of Pennsylvania wrote recently about the money feeding frenzy of the war on terror and he wrote this: "Nearly 7 years after September 11, 2001, what accounts for the vast discrepancy between the terrorist threat facing America and the scale of our response? Why, absent any evidence of a serious terror threat, is a war on terror so enormous, so all-encompassing, and still expanding?"

"The fundamental answer is that Al Qaeda's most important accomplishment was not to hijack our planes but to hijack our political system.

"For a multitude of politicians, interest groups and professional associations, corporations, media organizations, universities, local and State governments, and Federal agency officials, the war on terror is now a major profit center, a funding bonanza, and a set of slogans and soundbites to be inserted into budget, project, grant, and contract proposals."

And finally, Professor Lustick wrote, "For the country as a whole, however, it has become a maelstrom of waste."

Now we have a national debt of \$11.315 trillion, an incomprehensible figure—and the GAO tells us in addition that we have over \$55 trillion in unfunded future pension liabilities.

It's just not going to be long at all before we're not going to be able to pay all of our Social Security and Medicare, veterans pensions, and all the things we have promised our own people if we don't stop spending money in ridiculously wasteful ways.

And, of course, what does the Defense Department tell us? Just as they always do: What they want is more money to spend in Afghanistan and more troops in every place else.

Bruce Fein, who was a high-ranking official in the Reagan administration, wrote just a few days ago in the *Washington Times* that it is ridiculous that we now have troops in 135 countries and approximately 1,400 military installations around the world. And he said we should redeploy our troops to the United States.

He said, "No country would dare attack our defenses and our retaliatory capability would be invincible. Esprit de corps would be at its zenith because soldiers would be fighting to protect American lives on American soil, not Afghan peasants."

And he wrote this: "The redeployment would end the United States casualties in Iraq, Afghanistan, and elsewhere, it would end the foreign resentments or enemies created by unintended killing of civilians and the insult to pride excited by foreign occupation."

At the end of this column, he wrote: "The American empire should be abandoned and the republic restored. The United States would be safer, freer, and wealthier." And, Madam Speaker, I can tell you, I agree with him.

□ 1615

#### FRAGILE X SYNDROME

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

Mr. HARPER. I come to you today to tell you a story, and it's my family's story that has great relevance to many of you, and many of you in this country.

My wife and I met and started dating when she was 15 and I was 17. We met at a great place to meet your spouse, church. We dated for 5½ years and got married. And we didn't really think we wanted children—we really wanted grandchildren, but could not figure out a way to get there. And we finally decided, after 10 years of marriage, that we would have some kids.

Our first son, Livingston, was born in 1989, and he is now 19 years old. As we went through his development in early years, we noticed that he was not doing

things as soon as we thought he should be. Everything that he did was in the very tail end of the late normal range; he did them, but it was delayed. Our pediatrician told us it was okay, that he would probably grow out of this, and we continued to go along with just normal life.

At one point, when he was about 19 months old, we went out of town on a trip, left him with one of the grandparents. And he got sick while we were out of town and had to go to the doctor. At that point, the next week the doctor called me and said I think that there's something wrong with your son; I don't know what it is, but we'll look, we'll try to figure out what it is. At that point, we were 4 months pregnant with our daughter. And we didn't know, we just started looking to see why he was developmentally delayed. We started going—and I say "we," my wife was the one who did the brunt of this work. There was speech therapy twice a week, occupational therapy twice a week, tests, trips to the hospital, to the doctor, all the things that you do, trying to determine what's wrong with your child.

That continued. We went through all types of tests; we went through genetic tests that came back normal, we went through other things. We were finally given a misdiagnosis of mild cerebral palsy and labeled a near miss on autism. That's what we dealt with for the next 2 years. So we did those things that you had to do to survive.

At some point in 1993, when he was almost 4 years old, our next-door neighbor went to an education seminar in Jackson, Mississippi, and went to a breakout session called Educating Children With Fragile X. Our next-door neighbor had never heard of Fragile X. And she goes to this session, watches the video, hears this parent speak, and her mouth falls open. And she comes home that night and tells us, I think this is it. At that point, we requested testing to be done specifically for Fragile X syndrome, and it was determined that, indeed, he did have that.

The things that led us to know things were wrong, he was rocking some when he would sit, he was doing a lot of hand flapping, and maybe chewing on some objects. And then he was late doing many things, speech and language and those type issues. So we got the diagnosis of Fragile X syndrome. We went to the Children's Hospital in Denver, Colorado, where he was evaluated by Dr. Randi Hagerman and her Fragile X team. It's been tough, but we have a wonderful son. He is a blessing to everybody that he comes across. And we're so thankful for our son Livingston.

Our daughter Maggie does not have Fragile X syndrome. But I wanted to mention this today because there are over 130 parents from across 35 States—all over the country—that are here today for National Fragile X Advocacy Day. And I want to commend them for the hard work that they're doing, the

things that they're doing to bring attention to this.

This is something that we can work on together here in Congress. It is a bipartisan effort. We can work to find the right things for research, things that will help on treatments, and things that will ultimately lead to a cure. And I'll tell you this, for all parents of special needs children, this is something you should never give up on, never stop fighting, never quit believing. Our son graduated from high school last year. He is now in a local community college. He works two nights a week.

I want to thank the National Fragile X Foundation for all their hard work.

#### KEEP GOVERNMENT OUT OF THE WAY AND EMPOWER THE AMERICAN PEOPLE

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

Mr. CHAFFETZ. Madam Speaker, I rise because I am concerned about the direction of this country and the fundamental and proper role of government.

I still remember reading and seeing the old films and seeing President Kennedy stand up and say, "Ask not what your country can do for you; ask what you can do for your country," and yet we seem to be moving in the wrong direction.

The furnace, the engine that is the United States of America, what makes America so great are the entrepreneurs, that entrepreneurial spirit. It is the American people who grab hold of things and make things happen; and yet at every turn I look and I see government getting in the way.

As I meet with entrepreneurs, as I meet with people who own businesses and employ people and have jobs, they don't sit back and say, boy, I wonder what the government is going to do to make my life better. The question that they ask is, what sort of hindrances are going to be in the way?

We've got to understand in this country that manufacturing is good; it's good to manufacture. We have to actually create and build things in the United States of America. We can't simply be a service-based economy. And yet at every single turn I see these radical environmentalists who want to get in the way and prohibit us from actually developing and creating something. I see this so-called cap and trade—I think it's more like a cap and tax, where we're going to simply tax our way out of our problems and say every piece of energy that we create in this country we're going to add a tax to it. That's not going to grow this country; that's not going to propel us forward.

We have created so many barriers to entry for the person who wants to start their own home-based business to the largest manufacturers that are in this

country. We have to empower these people, and that means getting government out of the way, creating life that's more simple.

Now, is there a role and responsibility for government to regulate certain things, for instance on Wall Street? Of course there is. Nobody has ever suggested that we just simply get rid of everything, but we have not streamlined the process.

Look, I'm a Republican. The President has said several things that I agree with, that I applaud him for—the ending of no-bid contracts, a push for earmark reform; he said he wants smaller government. I even like the fact that he put the Iraq appropriations into the base budget instead of these supplemental appropriations, and I applaud him for that. But it is imperative for the American people to hold their public leaders accountable for what they say they're going to do. I think that's all we ask. I've got a wife, I've got three kids. All I want them to do is I just want my kids to do what they say they're going to do.

And so when the President calls for appropriations without earmarks, and the very next day—the very next day—we get to vote on a bill with 8,500 earmarks in it, you just have to look at that and say, wait a second, the talk is good, but are we actually walking the walk? It's not yet happening.

We don't have time to wait anymore. We talk about smaller government. Well, we just passed the single largest spending bill in the history of the United States of America for \$1 trillion—\$1 trillion. We had just something like 13 hours to actually review it. Please, we have to be held accountable.

I'm a freshman. It is an honor and a privilege to serve the United States Congress. I didn't create this problem, but I am here to help clean it up. And for those of us that have been elected, entrusted by the people, the constituents within our districts, I say, please, hold us all accountable; raise expectations. It is not government, it is not government that is going to get us out of this; it is going to be the empowerment of the entrepreneur, it is going to be the empowerment of the American people that will drive and propel this country forward. It is always what has created the greatest success in the United States of America. It is the power that makes us the greatest country on the face of this planet. But we have to make sure that we keep government in check.

It's about smaller government, not bigger government. Please, I ask that we be united and fight for this cause, fight for the American entrepreneur. Keep government limited, keep it out of our way, and empower the American people.

CERTIFICATION REGARDING EXPORT OF CERTAIN ITEMS TO THE PEOPLE'S REPUBLIC OF CHINA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-21)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

In accordance with the provisions of section 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261), I hereby certify to the Congress that the export of two environmental chambers to be used to test automotive parts is not detrimental to the U.S. space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from this export, will not measurably improve the missile or space launch capabilities of the People's Republic of China.

BARACK OBAMA.

THE WHITE HOUSE, March 3, 2009.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO ZIMBABWE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-22)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication, stating that the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2009.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies pose a continuing unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national

emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA.  
THE WHITE HOUSE, March 3, 2009.

THE PROTECTION OF LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the minority leader.

Mr. SMITH of New Jersey. Madam Speaker, I yield such time as he might consume to my good friend and colleague, ZACH WAMP.

Mr. WAMP. I thank the Speaker, and most of all I thank the gentleman from New Jersey for his extraordinary leadership. He brings us to the floor today to talk about something that doesn't get enough attention.

At a time of economic duress and hardship, all eyes are on the economy, and for many reasons that is absolutely right. But there are some real big issues that, frankly, are being overlooked under this new administration and across the country today and they are fundamental to what kind of people we are.

Today, we're talking about the protection of life. We all know that abortion divides our country. And we're grateful for all those Americans who say that they want to reduce the number of abortions in our country, those that say that they oppose abortion, but then when it comes time, as the previous speaker said, to actually enact policies, that's the most important time that you can actually stand up for what you say you believe.

With the stroke of a pen, we now have a new executive order that says that taxpayers, basically, in this country will fund abortions that Americans want to have anywhere in the world. That is something overwhelmingly opposed by the American people, that their taxpayer dollars would go to fund abortion.

We teach our children the lesson of the boiled frogs, where if you throw a frog in a pot of boiling water it will jump right back out, but if you leave the frog in cold water and slowly turn the temperature up, that frog will die and never leave the water. So, over time, here we are just becoming more and more accustomed to this harsh treatment of innocent life by the people of the greatest Nation in the history of the world.

This issue of abortion does divide us, but there are fundamental truths about the protection of innocent life from conception forward and our Constitution, which we all swear to uphold, protecting life.

Today, Mr. SMITH is going to go into detail about why it is so important for those of us who believe as we believe—many of us on religious convictions—that we should protect all innocent life, and how, frankly, that is under assault in this country today, sometimes

by the stroke of a pen, sometimes on the floor of this great deliberative body, but it is constantly now something that is under attack.

□ 1630

I have recently reintroduced a bill that is very related, H.R. 1050, reintroduced with an outstanding Member of Congress from the Democratic side, Representative BART STUPAK from Michigan, a devout Catholic. He and I have introduced H.R. 1050, which bans human cloning.

Listen, most people would say, what, you have to pass a bill to ban human cloning? Human cloning is not banned under the laws of the United States of America? And the answer is no.

Now, interestingly, seven of the other G8 countries, the industrialized nations, including Canada, France, Germany and Italy, have completely, unequivocally, banned human cloning, but not the United States of America, no.

If anything, I would think it would be the other way around. We would have been the first to say “no” to human cloning, but with the G8 we are the last.

This process that the proponents of cloning call therapeutic cloning is advancing to the degree that reproductive cloning, the cloning of human beings, is just the next step. Many have given testimony here at the Commerce Committee, the health subcommittee, that human cloning is just a matter of time. It's not if it will happen in this country, it's when it will happen in this country.

The other industrialized countries, the sophisticated countries of the world have said, no, ban it, stop it. This is a Frankenstein-type outcome. This is fundamental. It's not gray, it's black and white.

This does not ban embryonic stem cell research. It bans embryonic human cloning. This is a fundamental question of what we are all about and whether or not we will allow this.

Even the United Nations, which is not exactly a conservative body in the world, passed a declaration to adopt all measures necessary to prohibit all forms of human cloning inasmuch as they are incompatible with human dignity and the protection of human life.

This hour is dedicated to the protection of human life. Let's ban human cloning in this country, surely to goodness. We can do that in a bipartisan way on the floor of this House.

I call on the House to support BART STUPAK and ZACH WAMP in H.R. 1050.

Mr. SMITH of New Jersey. I thank my good friend, but especially for his extraordinary work on banning human cloning and for his leadership on life issues in general.

Madam Speaker, human embryo-destroying stem cell research is not only unethical, unworkable and unreliable, it is now demonstrably unnecessary.

Recent spectacular breakthroughs in noncontroversial adult stem cell re-

search and clinical applications to effectuate cures with the mitigation of disease or disability have been well documented. For several years, significant progress has been achieved with adult stem cells derived from non-embryonic sources, including umbilical cord blood, bone marrow, brain, amniotic fluid, skin and even fat cells. Patients with diseases, including leukemia, type 1 diabetes, multiple sclerosis, lupus, sickle cell anemia and dozens of other maladies have significantly benefitted from adult stem cell transfers.

Members will recall back in 2005, President Bush signed legislation that I authored, along with my friend and colleague, Mr. ARTUR DAVIS, which provided \$265 million to establish a comprehensive nationwide network to collect, type and disseminate, using best practices, umbilical cord blood, the aftermath, the leftover, the medical waste, after a baby is born.

Some 4 million women give birth in the United States every year. In the past, the umbilical cord and the placenta was simply thrown away, despite the fact that it is teeming with stem cells that could be used to effectuate cures and to mitigate disease. The legislation combined cord blood and bone marrow efforts under HRSA, so now we have a program, a nationwide program, to try to help people who are suffering from serious disease.

We know that leukemia patients can be greatly benefitted, in some cases cured, from leukemia as a result of those transplants. Many of our African-American friends, some 1 out of every 500 who suffer from sickle cell anemia can also benefit greatly from these kinds of transplantations. That legislation is being run by HRSA and it is working.

Adult stem cells, Madam Speaker, are truly remarkable. They work, they have no ethical baggage, and advances are made every day at a dizzying pace.

But perhaps the greatest breakthrough of all, Madam Speaker, was the discovery of a process that turns every day ordinary skin cells into pluripotent embryo-like stem cells.

On November 20, 2007, Japanese scientists Shinya Yamanaka and Wisconsin researcher James Thompson shocked the scientific community by independently announcing their ability to derive pluripotent stem cells to the reprogramming of regular skin cells, regular skin cells turned into pluripotent skin cells. The iPS cells, as they are called, are made by adding a small number of factors or genes to regular skin cells in a Petri dish that can remodel mature cells into stem cells that are functionally identical to those obtained from embryos.

In other words, Madam Speaker, scientists have found a way of transforming your cells, skin cells, and mine, into stem cells called induced pluripotent stem cells or iPS. Pluripotent stem cells are those miraculous building block cells that can be

coaxed into becoming any type of tissue found in the human body.

Unlike embryonic stem cells that kill the donor, are highly unstable, have a propensity to morph into tumors and are likely to be rejected by the patient unless strong anti-rejection medicines are administered, induced pluripotent cells, stem cells, have none of those deficiencies and are emerging as the future, the greatest hope of regenerative medicine. While some Members of Congress and President Obama still don't get it, the breakthroughs have not been lost on the mainstream press.

For example, on November 21 Reuters reported, and I quote, “Two separate teams of researchers announced on Tuesday they had transformed ordinary skin cells into batches of cells that look and act like embryonic stem cells, but without using cloning technology and without making embryos.”

The New York Times reported on this same day, “Two teams of scientists reported yesterday that they had turned human skin cells into what appear to be embryonic stem cells without having to make or destroy an embryo—a feat that could quell the ethical debate troubling the field.”

The Associated Press said, “Scientists have created the equivalent of embryonic stem cells from ordinary skin cells, a breakthrough that could someday produce new treatments for diseases without the explosive moral questions of embryo cloning.”

Even University of Wisconsin's Dr. James Thompson, the man who first cultured embryonic stem cells, told The New York Times, “Now with the new technique, which involves adding just four genes to ordinary skin cells, it will not be long before the stem cell wars are a distant memory. ‘A decade from now, this will just be a funny historical footnote.’”

Dr. Thompson told the Detroit Free Press, “While ducking ethical debate wasn't the goal, (it is) probably the beginning of the end of the controversy over embryonic stem cells.”

In Medical News Today, Dr. Thompson went on to say, “Speaking about this latest breakthrough, the induced cells do all the things embryonic cells do. It's going to completely change the field.”

“The other advantage of the new method is the fact that using cells drawn from the patient's own skin, the stem cells can be customized to the patient, bringing numerous benefits, such as the elimination of immune system rejection. They are probably more clinically relevant than embryonic stem cells.”

Madam Speaker, this past Monday, more good news, no, let's call it great news on the iPS front. Research teams from the United Kingdom and Canada published two papers in the prestigious scientific journal, Nature, announcing that they had successfully reprogrammed ordinary skin cells into induced pluripotent skin cells without



the use of viruses to transmit the re-programming genes to the cell. Using a "piggyback" system, as they called it, the scientists were able to insert DNA where they could alter the genetic make-up of the regular cell before being harmlessly removed.

According to many scientists, the removal of potentially cancer-causing viruses means this breakthrough increases the likelihood that iPS cells will be safe for clinical use in human patients. The lead scientist from Canada, Andras Nagy, was quoted in the Washington Post saying, "It's a leap forward in the safe application of these cells. We expect this to have a massive impact on this field."

And George Daley at Children's Hospital in Boston said, "It's very significant. I think it's a major step forward in realizing the value of these cells for medical research."

This breakthrough, Madam Speaker, suggests the momentum has decisively and irrevocably swung to non-controversial stem cell research like iPS cells and away from embryo-destroying research. The lead scientist from the UK was quoted in the BBC saying, "It is a step towards the practical use of reprogrammed cells in medicine, perhaps even eliminating the need for human embryos as a source of stem cells."

Finally, in the Washington Post Dr. Nagy made a series of interesting comments this week. First, that his studies showed that the iPS cells had many of the properties of embryonic stem cells. Secondly, while the research in this case was done on fetal cells, the approach had worked equally well with adult stem cells. And, third, since iPS cell research should no longer require the specialization of virus labs and researchers, the number of researchers working on iPS cells is expected to increase again beyond the large number already devoting their attention to induced pluripotent cells since November of 2007. There has been an explosion in this area, because this holds the greatest promise.

Time magazine reports, reporting on the efficacy and the advantage of iPS stem cells, "The iPS technology is the ultimate manufacturing process for cells; it is now possible for researchers to churn out unlimited quantities of a patient's stem cells, which can then be turned into any of the cells that the body might need to replace or repair."

Despite all of this, Madam Speaker, this new and extraordinary progress in the iPS and adult stem cell research arena, the Obama administration and the House and Senate Democratic leadership remain obsessed with killing human embryos for experimentation at taxpayer expense.

Why persist in the dehumanizing of nascent human life when better alternatives exist, alternatives that work on both ethics grounds and efficacy grounds. Nonembryonic stem cell research is the present and it is the future of regenerative medicine, and the only responsible way forward.

At this point, Madam Speaker, I would like to yield to my good friend and colleague, VIRGINIA FOXX.

Ms. FOXX. I want to thank my colleague from New Jersey (Mr. SMITH) for sharing this time with me and for taking the lead on this special order on stem cell research.

I want to also say that I want to associate myself with the remarks from our colleague from Tennessee (Mr. WAMP) in saying that this is an extremely important issue for us to be dealing with.

If we don't deal with the issue of life, if we don't deal with what are the ethical principles that drive us, then the other things really don't matter. We have a lot of things that are weighing on people's minds in terms of the economy, and we know that's important, and we are very concerned about folks who have lost their jobs and who are struggling with the economy.

□ 1645

But what's most important is that we deal with the essential elements of what makes us human beings, and I think it's important that we are doing this Special Order tonight.

One of the most gratifying experiences that I have had since I have been in Congress was one night about 3½ years ago when we were supposed to be doing a Special Order on stem cell research. We were scheduled to do that. I wasn't going to lead it, but all of my colleagues suddenly had conflicts and asked me if I would lead the Special Order. I was standing right here and I spoke for about 40 minutes about the issue. And when I got back to my office, which took me about 5 minutes, it was at 9:30 at night, and one of my staffers was still there waiting for me, and she told me that she'd had a call, as soon as I finished my speaking on the floor, from a gentleman from Maryland. He said he had never watched C-SPAN in his life. He was surfing through the channels, saw this little gray-haired woman standing on the floor of the House, wondered how an average citizen was able to stand on the floor of the House and speak because he thought it was only Members of Congress that could do that. So he stopped to listen. And he heard my description of stem cell research. And he just called to thank me for doing it and to tell me that he didn't understand the issue and now he did and he was very gratified by that.

So I am very, very pleased that our speaking to people about this issue does make a difference, and I hope that by having this Special Order today, we will have many people who understand the issue better and will have their minds changed if they were going in the wrong direction or have their minds made up if they didn't have an opinion.

What I did that night was describe basically what stem cell research is and what are the differences in the way people talk about it, and I think that continues to be an important issue.

I am a very strong pro-life person. All people who are pro-life are in favor of stem cell research. I support stem cell research. Many people believe that pro-life people do not support stem cell research.

However, we don't support research that requires the killing of human life. That's what's important to us. We know that we can do stem cell research without destroying human life. We also know that a lot of taxpayer money is being spent on embryonic stem cell research. And I think, frankly, we're paying more than our fair share for research that many people find to be morally repugnant.

For 2008 NIH estimated it would spend \$37 million on embryonic stem cell research. That \$37 million is not nothing; it is a lot of money. However, from that money we have achieved no positive results. That is, we have nothing to show for all the money that has gone into embryonic stem cell research. That point needs to be made over and over again because we have gained treatment for 70 diseases through the use of adult stem cell research, and what separates those of us who are pro-life from those who are pro-abortion is that we support research into adult stem cells.

One of the reasons I am also very excited about the research that is going on in adult stem cells is because Dr. Anthony Atala and his team at Wake Forest in the Institute of Regenerative Medicine are getting great results as a result of their research into adult stem cells and they are not destroying human life. Dr. Atala, who came to Wake Forest from Harvard and brought a large team with him, is a tissue engineering specialist, and he has found that amniotic fluid stem cells have those pluripotent properties that have been pointed out earlier that grow as fast as embryonic stem cells. He's received tremendously positive response, particularly in growing bladders. In addition, stem cells coming from the umbilical cord and from the placenta and amniotic fluid have shown tremendous results, as my colleague Mr. SMITH has talked about.

So it's important that we always distinguish between adult stem cell research and embryonic stem cell research. We must continue to educate the American public on this issue, and we need to explain to people the ethical questions that we are dealing with.

We should never in this country sanction research that would harm other human beings. Many of us know that there was research done in the 1930s with prisoners that was very wrong. We have condemned that research over and over again. But since that time, we have had very, very strong and ethical programs to protect adults from diseases that would cause them harm and that would cause them death, and yet people don't see the same problem when we are dealing with embryos, and we must point that out to people. We are crossing an ethical Rubicon when

we sanction using embryos for research or creating embryos for this research. That is going over the line, and we must explain that to the American public. We must explain the long-term implications for our society and for the human race. Not being careful to take care of human life at the beginning of life has implications for whether we will take care of human life all throughout life and particularly at the end of life. We also have to point out that we have gotten much better results, again, from the use of adult stem cells and umbilical cords and other ways to get cells other than destroying life.

I hope today that there's at least one other person like the gentleman in Maryland who saw me do this 4 years ago and who's understanding this issue for the first time and understands particularly the distinction that we are making between doing ethical research on adult stem cells and what most of us consider is unethical research on embryos which will destroy them. Then we can continue to support programs like that of Dr. Atala at Wake Forest University and other places where they're seeing excellent results. That's the kind of research this country should be doing. We know we can get good results from that.

And I want to support again my colleagues who are here tonight speaking on this issue and helping the American public and others understand it. We are an ethical people, and we want to continue to be an ethical people and do research that will produce good results.

With that, Madam Speaker, I yield back to the leader for tonight, Mr. SMITH.

Mr. SMITH of New Jersey. Thank you, Congresswoman FOXX, for your wonderful and very incisive comments today, and I really appreciate your leadership on life issues as well, especially when it comes to embryonic stem cell research and the alternative that is, without question, adult stem cells and especially induced pluripotent stem cells derived from such everyday skin that we all carry on our bodies, which has proven to be highly efficacious and works, and I think it is the future.

I would like to now yield to Mr. FORTENBERRY.

Mr. FORTENBERRY. First, let me thank the gentleman from New Jersey for conducting this very, very important discussion.

Madam Speaker, over the past several years, I have received scores of letters from my constituents that reflect widespread national confusion about stem cell research. Let me take a few moments to cut through the fog on this important issue.

There are two types of stem cell research often confused in our public debate. The first, which I wholeheartedly and enthusiastically support, is the type of stem cell research which uses cells derived from sources such as cord blood, skin, and bone marrow, com-

monly known as adult stem cell research. This is good science, helping to save American lives and providing real treatment options now.

The American people deserve to know that adult stem cell science is progressing at a staggering pace, showcasing over 70 successful clinical treatment models for conditions ranging from heart disease to Parkinson's disease, spinal cord injury, sickle cell anemia, stroke damage, leukemia, chronic liver disease, and many, many more. The empirical evidence is sound, and it really is eye opening, giving hope to those who suffer from these debilitating conditions.

Madam Speaker, the American people also deserve to know that there is a clear distinction between adult stem cell science and embryonic stem cell science. Between hope and promise for cures on the one hand and misleading, misguided efforts to funnel their tax dollars to bail out research companies, research enterprises, that thrive on the destruction of nascent human beings, embryos, who are no less human than Members of this august legislative body.

Widely touted and vigorously promoted nationwide as a potential cure for many of the same conditions that adult stem cell research may treat, embryonic stem cell research requires the destruction of unborn human persons to derive stem cells for research. We know that embryonic human life is still human life. The marvels of modern science leave no room for confusion on this important point. Moreover, embryonic stem cell research has shown no clinical success to date. It represents a degradation of human life that is wrong. Science that harms human beings, no matter how small they are, no matter how vulnerable they are or easily disposable they are, is always wrong.

With so many proven ethical alternatives, embryonic stem cell research presents an unnecessary moral dilemma for persons of goodwill. It siphons limited Federal funds away from adult stem cell research that is now saving lives. And American taxpayers, who have recently been asked to shoulder an unprecedented deficit that will burden generations to come, should not be forced to pay for it. Adult stem cell research works, saves lives, and avoids the ethically divisive issue of the destruction of innocent and unborn human life.

So, again, with that I want to thank the gentleman from New Jersey for conducting this important dialogue.

Mr. SMITH of New Jersey. I thank Mr. FORTENBERRY for his leadership. He has shown, since he has been here, himself to be not only a leader but someone who thinks both inside and outside the box on so many human rights and humanitarian issues. And this is a human rights and humanitarian issue, and I thank him for his contribution not just today on the floor but every day as a Member of this august body.

Mr. FORTENBERRY. Thank you very much.

Mr. SMITH of New Jersey. I would like to yield to Mr. FORBES.

And before doing so, I'd just remind our colleagues that a couple of years ago, Mr. FORBES and Mr. LIPINSKI brought a researcher from Brazil and a researcher from the United States who had another breakthrough, in this case cord blood, for type 1 diabetics. And some of the diabetics, virtually all except two, who had been given cord blood transplantation got off their insulin. They were no longer insulin dependent. And, again, so many people in this Chamber, so many people in the White House, and perhaps even HHS don't seem to get it; that the real progress, the real advances are being made in the realm of adult stem cells, and those kinds of advances are being made each and every day. And Mr. FORBES is the prime sponsor of some very, very important legislation dealing with adult stem cells, which I hope he will elaborate on.

I yield to Mr. FORBES.

Mr. FORBES. Thank you, Congressman SMITH. And I also want to thank Congressman FORTENBERRY for his comments and to begin by saying that many of us come to this debate for different reasons. Some because of philosophical reasons, some for political reasons. I come to it for a rather personal reason.

My father, about 5 years ago, died from Parkinson's disease. My brother currently has Parkinson's disease. So it's near and dear to my heart. But what's most important is I don't need political debates or political rhetoric. What I need is some cures or I need someone who can provide some way of treating those illnesses.

If you just step back and take a moment, as Congressman SMITH has pointed out, we find that all of the major breakthroughs have been with adult stem cells, not with embryonic cells. In fact, I have here a scorecard, and I know no one can see this in the body tonight, but if you showed the victories for peer-reviewed studies from adult stem cells, you would have 73 different illnesses that have been treated successfully with adult stem cells. And then if you look on the embryonic side, you would find 0 over there.

And one of the exciting things for us as we go through this debate is, as I travel around, I find, Congressman, as I know you do, that a lot of people really do not understand the difference between the two because the debate gets muddled many times; but as Congressman FORTENBERRY pointed out so correctly to us, we really have now three major types of cells that we're talking about.

□ 1700

We are talking about the adult stem cells, which have absolutely no ethical problems and have shown all of the benefits for really dealing with illnesses. We then have the embryonic

stem cells, which have a number of ethical concerns and have shown absolutely no benefits in treating illnesses. And now we have the induced pluripotent stem cells, or the IPS cells, which are ethical, because they, Congressman, as I think you mentioned, really come back from the adult cells as we work back and reprogram those and they have all the capacity of the embryonic cells without any of the ethical problems.

So really what we have is a situation where the science in this whole discussion has outpaced the debate, and the science has now proven that we really don't need the research for the embryonic stem cells. But in a day and age where every day we give up and see so much negative news, there is some exciting, good news, as Congressman SMITH has pointed out, and I would like tonight just to talk about some of those great advances that we have seen.

First of all, in 2007, the Journal of the American Medical Association published a study on the first stem cell treatment for diabetes patients. Researchers from Northwestern University and Brazil performed a clinical trial with 15 diabetic patients, and 13 of the 15 patients with type 1 diabetes were insulin-free after receiving an adult stem cell transplant using blood stem cells.

In 2002, doctors treated a patient for Parkinson's disease with his own neural stem cells. This is the world's first clinical trial using stem cells for the treatment of Parkinson's disease. Doctors actually isolated the patient's stem cells, induced them to differentiate into the desired nervous system cells and implanted them back into the patients' brain.

Just a few weeks ago, a study on this treatment was published in the *Bentham Open Stem Cell Journal* and the study outlines the long-term results of this trial. For the 5 years following the procedure, the patient's motor skills improved by over 80 percent for at least 36 months.

Now, a word of caution must be added that since this is a single case study, a larger clinical trial is needed to replicate these findings and assess their long-term sustainability. But notwithstanding, this is an incredible scientific breakthrough.

In 2006, the *Journal of Spinal Cord Medicine* reported a treatment for spinal cord injury using adult stem cells. A doctor in Portugal transplanted nasal stem cells into seven patients with spinal cord injury. Following the procedure, these patients regained some motor function and sensation, and two patients showed bladder control improvement.

I understand that the FDA recently approved a clinical safety trial using human embryonic stem cells for newly injured spinal cord patients. However, it is important to note that this is not a treatment, but only approval to begin experiments with humans to test

for safety. On the contrary, this 2006 study demonstrates actual patient treatment using adult stem cells.

All of these studies show that stem cells can be derived from human cells and used to successfully treat patients, all while maintaining ethical standards. Advancing scientific development and protecting life do not have to be opposing forces.

In just a brief summary, I would like to respond to another question that Congressman SMITH had or suggested he had, and that is that we talk about the Patients First Act, which is a bipartisan bill that was introduced previously. It is now H.R. 877, the Patients First Act, which has been introduced in the 111th Congress. It was originally introduced by Congressman LIPINSKI from Illinois and myself as H.R. 2807.

As we step back, for those of us with loved ones who suffer from these illnesses as I did with my father and I currently do with my brother, it just makes common sense that we would like to do a couple of things.

First of all, we would like to get as much research as we can to the problem, and not just floating out for some hypothetical research. The second thing is we don't want all the theories around, we don't want all the political posturing. What we want is cures in today's time so that we can get them to these patients and they can impact their lives.

So we wrote a bill that did something that is really novel. It used some common sense. It just said what would happen if for a change, instead of worrying about what all of the interest groups wanted, we put the patients first. If you put the patients first, you ask one simple question of the NIH. You simply ask them to do this: Tell us which research, either on the adult stem cells or embryonic stem cells, is going to get the most near-term clinical benefits for the patients, and that is where we want to laser in our money. That is where we want to focus in our money, because that gives us the greatest opportunity for a cure and certainly for treatment.

I am convinced if you do that, right now the scorecard would be 73 for the adult stem cells and zero for the embryonic stem cells. But as Congressman SMITH has so accurately stated, even if you say there is research potential with the embryonic stem cells, there is actually no reason why we couldn't use the IPS cells to do all of that without one bit of ethical problem.

So, Congressman, I just want to tell you tonight in this world of bad news, there is some exciting news out there of what we are seeing. I think patients have reason today to hope if we just do our job and we say let's get off of the divisive debate that has marred this whole area for so long. Let's concentrate on where we can put our research to help patients. In so doing, I think we will end up doing the research with the adult stem cells, and the

promise there I think is really limited now for what our patients will see.

So thank you so much.

Mr. SMITH of New Jersey. Thank you to RANDY for his extraordinary contribution and for his leadership on these issues, especially having dealt with and currently dealing with such a difficult hardship with his own family.

I will never forget when Parkinson's disease and fetal tissue transplantation in the mid-1990s was being offered as the panacea, the brass ring, to try to end that very horrible disease, which we all know people, you know it personally in your own family. Unfortunately, we found very quickly that taking fetal tissue from a baby about to be aborted turned out to be an unmitigated disaster as this very unstable group of cells would very quickly proliferate and become various bone tissue and other tissue inside the brain, causing worse convulsions and tremors on the part of the patients in whom the transplantation was given.

I think we have a very similar parallel today where there is an excessive amount of hype and hyperbole about embryonic stem cells, which have an unbelievable propensity, very grave propensity, to become tumors. Not only are they killing embryos to derive the stem cells, but once those stem cells are in hand they become tumors, they are unstable, and, if transplanted into humans, there is a great fear that we would see a replication of the fetal tissue debacle of the mid-1990s.

As you pointed out so well, RANDY, there is an ethical alternative that does not have the rejection factor, will not require anti-rejection drugs, whether it be Celsep or any of these other drugs that those that get transplants get. None of that would happen. And you don't have the tumor formations from these IPS cells.

Mr. FORBES. If the gentleman will just yield briefly and then I will yield right back, one of the things that is so exciting for us as we look in this debate is many of the people that began, the scientists that began doing research on embryonic research have now folded their tent and realize they don't have to do that. They are going back and now saying we don't need to do that. We will use IPS cells or do the adult stems cells.

Mr. SMITH of New Jersey. As you said, the pioneers of embryonic stem cells are now the pioneers of the ethical IPS.

Mr. JORDAN.

Mr. JORDAN of Ohio. I thank the gentleman for yielding and for the comments from our colleague from Virginia too.

I want to just take us a minute to thank the gentleman from New Jersey for his commitment over the years, over the decades, even though you don't look that old, over the decades of standing up for the defenseless, the most vulnerable, for standing up and making a commitment to the truth that all life is precious, it should be

protected, it is sacred, and government has a fundamental responsibility to protect the weak from the strong. That is what Congressman SMITH has done for years, and I am proud to join in that effort, along with other pro-life Members of the United States Congress.

We all want positive treatments to result from stem cell research. We just don't want to destroy human life in getting those treatments. And I thought the gentleman's comments from Virginia were right on target where he talked about the positive results, the positive treatments that have resulted from adult stem cell research. Unbelievable. The scorecard, as the gentleman from Virginia pointed out, is overwhelmingly in favor.

It is interesting, and the gentleman from New Jersey made this point: The ethical decision is the smart decision. The ethical decision is the actual productive decision. It is the one that leads to positive results for families, for people out there, so they can get the treatment they need, and doesn't destroy human life in the process. That is what we should champion. That is the ideal that is consistent with this country that is frankly consistent with our founding.

I always go back to this, and I will close with this and yield back to our pro-life chairman of the Pro-Life Caucus. The document that started it all, and I think it is important to go back to these first principles, the document that started it all in this country, the Declaration of Independence, it is interesting what the Founders said when they said we hold these truths to be self-evident. All are created equal, endowed by our Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.

It is always interesting to note the order the Founders placed the rights they chose to mention. Can you pursue happiness, can you go after your goals and your dreams, those things that have meaning and significance to you and your family if you first don't have liberty, if you first don't have freedom? And do you ever experience true liberty, true freedom, if government doesn't protect that most fundamental right, your right to life.

That is what the congressman from New Jersey, Congressman SMITH, has been doing for years, and we appreciate that and we are proud to join in that effort to protect human life and to protect research that is actually going to make sure we protect human life as we move forward and get those positive results that are going to help all kinds of people across this country, around the world, all kinds of families around this country and around the world.

Mr. SMITH of New Jersey. I would just say to my friend, I thank you for your leadership as well. You are new to the Congress. Not that new. You certainly have stepped out time and time again, and it is greatly appreciated by all.

It is interesting that before we have had votes on embryonic stem cell research in this body, Members who take the other view have taken to the floor, to the well of the House, and said things like this, this is from Rahm Emanuel as reported by The Washington Post, I remember when he said it, "It is ironic that every time we vote on this legislation, [embryonic stem cell research, embryo destroying research legislation] all of a sudden there is a major scientific discovery that basically says you don't have to do embryonic stem cell research."

Our good friend and colleague DIANA DEGETTE said, "I find it very interesting that every time we bring this bill up there is a scientific breakthrough."

That is because, Madam Speaker, almost every day there is a scientific breakthrough in the area of adult stem cell and the induced pluripotent stem cells. The skin cells that have been turned into embryo stem cells without destroying or killing an embryo, without the ethical baggage, that is the biggest breakthrough of all. And it seems to me that we should be rejoicing. We have moved beyond the ethical debate because we have something in hand that is the promise and the hope of regenerative medicine.

Mr. JORDAN of Ohio. Well said, Congressman SMITH.

Mr. SMITH of New Jersey. I would like to yield to the distinguished gentleman from Louisiana, Mr. FLEMING.

Mr. FLEMING. Thanks to the gentleman for yielding.

I have put up a quote here which we'll get to in just a moment, and it is on the subject that we are currently discussing about stem cell research. I apologize if some of this is redundant, but I think this new information is very interesting and very exciting and I think it bears perhaps a little important redundancy.

For more than a decade Congress has been debating the ethics of using taxpayer dollars to fund research that requires the destruction of a human embryo. Science is making this debate obsolete.

At the beginning of the embryonic stem cell debate, only 2 years after human embryonic stem cells were first derived, President Clinton's Bioethics Council concluded, and here it is written, that in our judgment, in 1999, the National Bioethics Advisory Commission under President Clinton, said, in our judgment, the derivation of embryos remaining following infertility treatments is justifiable only, that is only if no less morally problematic alternatives are available for advancing this research.

Now, thanks in part to the very same researcher who first discovered how to derive human embryonic stem cells, researchers have discovered how to make pluripotent embryonic-like stem cells without harming or destroying a human embryo.

Let me repeat that. They have discovered a way of creating embryonic-

like stem cells without harming or destroying a human embryo.

You may have heard about these cells. They are called iPSC for induced pluripotent stem cells. They were first discovered in 2007. These cells are made by reprogramming adult cells, such as cells from your skin, into embryonic-like cells.

Of course, just to digress for a moment, to understand what the purpose of this whole idea of stem cells is, it is taking undifferentiated cells, and the future is amazing. We can create organs potentially.

□ 1715

Just think about, in terms of kidneys, hearts or whatever being transplanted. We would have organs that would no longer require any sort of immuno-suppressive drugs.

Anyway, in the 2 years since this technique was first published, hundreds of scientists have been feverishly at work perfecting this technique. Just this week, researchers published a major, just this week now, a major improvement on the technique of creating human iPSC stem cells. You may have read about this in the Washington Post that came out on Monday.

Previously, in order to reprogram cells to their embryonic-like state, researchers relied on viruses which were known to cause cancer when injected into humans. Now, researchers have shown that it is possible to make iPSC stem cells without the harmful virus. In fact, the factors used to reprogram the cells are completely removed, leaving behind only the embryonic-like iPSC stem cells.

So what this means is, not only are we having to use embryonic cells, which means destroying an embryo, a human life, but we can literally take it from the skin of an adult. And even more importantly, we don't have to use viruses to reprogram the nucleus. The problem with viruses, of course, you can introduce all sort of matter into the DNA, such as cancer, which is very dangerous.

These cells are even better than embryonic stem cells from embryos created through IVF because they can both be patient-specific and disease-specific, even for diseases we only barely understand.

Surely this meets the criteria set forth by the Clinton Bioethics Commission. Researchers, funded in part by our own National Institutes of Health, have discovered a viable and promising alternative to destroying embryos for their stem cells. Such research is no longer justifiable, even according to the Clinton criterion, which I've laid out here in large print. And certainly research that is both morally controversial and out of date does not need to be subsidized by the American taxpayer.

So, even in spite of all this, through private means, embryonic stem cell research can still go on, even though it's not needed, as long as taxpayers do not pay for it.

I feel there was never a justification in the past to destroy embryos for the purpose of stem cell research. But now we have two reasons to embrace this new technology, and that is, as I pointed out a minute ago, the fact that it's safer because we don't have to use viruses, and we no longer have to destroy embryos.

So, in closing, Madam Speaker, surely, even those who maintain a pro-abortion position will support this newer, safer technique which requires no Federal dollars to destroy human embryos.

Mr. SMITH of New Jersey. I thank my good friend, Mr. FLEMING, for his contribution and for his leadership. I would like to yield to Mr. BILIRAKIS 3 minutes.

Mr. BILIRAKIS. Madam Speaker, fellow Members, I'm glad to be on the House floor with you this afternoon discussing this very important topic of adult stem cell therapy. The breakthroughs in technology that have been already discussed, they are exciting, the breakthroughs. And I'm encouraged that science and medical communities are moving toward an ethical approach to treating very sick patients.

This miracle of ethical adult stem cell therapy really hit home with me last month when I met with a Florida cardiologist by the name of Dr. Zannos Grekos, who has been using adult stem cells to treat his very sick cardiopulmonary patients. The doctor has had extraordinary results, and the best part is no embryonic stem cells are used.

Dr. Grekos' groundbreaking procedure involves a simple blood draw which extracts adult stem cells from the patient's own blood. Since it is the patient's own blood, there is no possibility of the body rejecting its own stem cells. The few naturally occurring stem cells in the blood are cultivated into millions of regenocytes. The regenocytes are re-injected back into the patient's heart or blood vessels. They then stimulate tissue re-growth and greater blood flow to the affected area.

This treatment has proven to have miraculous results, and once again, the best part is that embryos are not destroyed and, because regenocytes are extracted from the patient's own blood, they cannot be rejected by the patient's body.

It was reported on CNBC.com a couple of weeks ago that this groundbreaking treatment has successfully treated heart disease, and even helped a patient beat a rare metabolic condition known as Fabry Disease, which would otherwise require a heart transplant.

Madam Speaker, the government should not be in the business of funding destruction of embryonic stem cells. We should be in the business, however, of assisting bright, young, innovative doctors and scientists like Dr. Grekos, who have forged a path of ethical adult stem cell therapy.

I, for one, am excited about the future of this therapy, and encourage this body to do all we can to support ethical adult stem cell therapy.

Mr. SMITH of New Jersey. Mr. BILIRAKIS, thank you so much.

Mrs. BACHMANN.

Mrs. BACHMANN. I thank the gentleman from New Jersey for yielding.

It's exciting to see what science has wrought just in the last few days, the discoveries that have come about. But the bottom line in all of it is this: Cloning will lead to the exploitation of women. That's harmful and that's not good, especially for poor women in the United States and around the world.

Women's eggs are required in the process of cloning, and the extraction technique exposes otherwise healthy women to the risk of infertility and, sadly, tragically, even of death.

The recent cloning scandal that we've witnessed in South Korea should serve as a warning here to those of us in the United States. Many Korean women were coerced into donating their eggs for Professor Hwang's fraudulent research. Not only is it wrong, really wrong to destroy human embryos, but it's even worse to put women in a position where their health is at risk to do unethical research, especially now, when we find science has taught us we don't have to.

The use of the iPS cells, or the adult stem cells, make it unnecessary to use women's eggs, while researchers who have been pushing human cloning have been seeking them.

We all know that November 20, 2007, a Wisconsin researcher and a Japanese scientist discovered, they independently announced their ability to derive pluripotent stem cells through the reprogramming of regular stem cells. This is a marvelous breakthrough.

And then just days ago, on March 1, 2009, two research teams demonstrated they could reprogram cells without the use of potentially cancer-causing viruses. This is marvelous.

iPS can produce a large number of both patient-specific as well as disease-specific stem cell lines because, according to the Telegraph newspaper, tests on the reprogrammed cell lines showed they behave exactly, exactly like embryonic stem cells. These cells have already been used to make heart muscle, brain neurons, motor neurons, blood, insulin secreting cells.

We are thrilled at the advances that science has made. Let's use these advances to make sure that we can further do more research that will protect people's lives.

But, at the same time, let's not hurt women, let's not destroy their lives, and let's not destroy their fertility; and certainly we shouldn't do anything that should lead to women's death.

And I thank you so much to the gentleman from New Jersey for leading this important hour. Thank you so much.

Mr. SMITH of New Jersey. Mrs. BACHMANN, thank you very much for

your leadership and your very eloquent words.

I yield such time as he may consume to Mr. MARK SOUDER.

Mr. SOUDER. I thank my friend, colleague from New Jersey.

I think one of the happiest moments in our life, or any grandparent, is to see your first grandchild. And my grandson, Grant, was born about a year and a half ago to my daughter, Brooke and her husband, Jeff. And we've watched him develop.

But from the time he became an embryo, egg and sperm joined, his stem cell content, his cell content was the same as it is now. All he's added is a little bit of chubbiness and a little bit of height as he's grown.

Now, in about a month our first granddaughter is going to be born, Reagan. And we've watched her grow in the womb. But from the time she was conceived, she became a separate human being. Nothing's really going to change. It's just she's going to grow and she's going to develop personality, add to her intelligence. But she's been the same make-up from the beginning.

Now, the question is, is why are some so intent on taking human life? And why are they so intent in using our taxpayer dollars to make us do that?

We've worked for many years. You've been a stalwart in this. We did a hearing, when we were in the majority, where we showed that there were already scientific breaks occurring in skin cells and so on. And as you said, sometimes the allegation is, why do these breakthroughs come right before we have a big vote?

They come constantly, as you so eloquently said, on lupus, on different diseases. Now we have yet another one. The advances are all in non-embryonic.

So why do we continue, other than because to try to take guilt relief off an abortion, to try to confuse the issue of when human life begins, why do we continue to, quite frankly, waste so much, when, in fact, many people would have been cured, healed and better had we put it into other types of stem cell research other than embryonic?

Thank you for your leadership. And I yield to you for a close.

Mr. SMITH of New Jersey. Thank you very much, Mr. SOUDER.

Let me just say in conclusion, Madam Speaker, that the present and the future of regenerative medicine, which holds great promise and hope for each and every one of us, every one of us has members of our own family who have suffered from degenerative diseases, developmental disabilities and the like. We all know the pain and the agony.

I chair or co-chair the Autism Caucus, the Spina Bifida Caucus, the Alzheimer's Caucus, and believe passionately in trying to find cures for diseases. But the future of regenerative medicine is with adult stem cells, including and especially non-embryonic but embryo-like induced pluripotent

stem cells, iPS. That has to become, iPS, a household word.

#### THE MAJORITY MAKERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 60 minutes as the designee of the majority leader.

Mr. YARMUTH. Madam Speaker, it's a great honor for me to be here tonight to join with many of my colleagues from The Majority Makers, the Class of 2006, which brought change to the Congress, and now hopes to join with President Obama to bring change to the country. We're here tonight to talk about the challenges facing this country that are manifold, the incredible, unprecedented nature of our situation, the opportunities that we face, because every challenge comes with opportunities, and also to talk about the budget that President Obama has proposed to this Congress, because it is a budget that takes us in a very different direction in this country, echoing and reinforcing his theme of his campaign, which was to bring change to the country. And it's also the motivation for all of us who came to Congress in the Class of 2006.

□ 1730

You know, I have the great privilege of serving on the Ways and Means Committee and also on the Budget Committee. Over the last 2 days, we've heard Secretary of the Treasury Timothy Geithner and OMB Director Peter Orszag talking about what the situation is in the country—the economic challenges we in the world face—and also what the Obama administration plans to do about them in asking for our assistance. Two things have been very clear in listening to both of these two gentlemen, who are new to their jobs, in listening to the new administration and also in listening to our colleagues on the other side of the aisle as they're responding to the initiatives of the administration.

The two things are: One, that they like to take potshots at the budget, which is fair game, because this is, after all, sometimes a partisan exercise. Also, the ideas that they bring to the debate are really no new ideas at all. As a matter of fact, listening to Republicans talk about the economic situation and their suggestions for how we move forward is kind of like listening to the coach of the Detroit Lions saying, "hey, use my playbook," after they just went 0 and 16. I don't want to pick on the Detroit Lions, but that's really what it sounds like because they bring no new ideas to the table.

That's what is so impressive about this team that President Obama has assembled and about the budget that he has brought to the Congress and to the American people. It is a budget that is full of new ideas and of new approaches to very old and very difficult problems.

So, as we're here tonight to talk about where we've been and where we're going and where we need to go in this country, I just want to mention the fact that Prime Minister Gordon Brown was here today. The theme of his address to the joint session of Congress was—and he has mentioned the expression many times—"faith in the future." That's really what we're trying to bring to this country, faith in the future, because that faith has been destroyed over the last decade in the United States, and that's what we are so committed to doing, and I think that's what the Obama administration is committed to doing as well, to restoring faith in the future, because that is also what has driven our country, our people, our businesses, and our institutions, which is that we believe there is a better time facing us, a better time ahead, and we have taken those steps. We have worked as hard as we can and have used our ingenuity to realize the future that we all aspire to. So I look forward to the discussion tonight as it's always a pleasure to be with my colleagues.

I would like to yield, first of all, to someone who has been a consistent participant in these discussions we've had, the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. I thank the gentleman from Kentucky. Thanks for your leadership on the issues, as we know, we have been really faced with as we move into this next congressional session.

It was interesting. A week ago, most of us were at home, speaking to people in small businesses, speaking to homeowners. Many of us do Congress on Your Corner, which is an idea where we just meet at the local supermarket or local drug store or local 5 and 10 and just have a chance to talk to people about what they're really thinking about right now and how we can solve these problems that our country is looking at. You know, it breaks down into three things:

One is: What can we do to stimulate the economy? What can we do to generate consumer interest and business interest? Because, if we produce more, people will buy more and demand will go up, all those kinds of things. What do we do about the mortgage crisis? It's not just the people who are sort of in foreclosure. There's a very large number of people who are at jobs where maybe they're earning \$50,000.

I was just at a car dealer's the other day, and they were telling me that the owner of the company came to the 140 employees and asked them to vote on whether they wanted to reduce their salaries. He, himself, the owner, had taken no salary in the last year, but he literally asked them if they'd be willing to take less compensation in order to avoid people being laid off. They took a vote and they did it. The reality is someone who's earning \$50,000 may be earning \$40,000 or \$35,000, and someone who is willing or is able to pay \$750

for a mortgage maybe now can afford \$600.

Well, there are simple solutions to that, and I'm very gratified that Congress is moving forward. The Obama administration has put out a number of proposals which, I think, need quick movement because they're just commonsense, and they make sense.

Everyone understands it's not in the best interest of a street for a home to be foreclosed on on that street. The better way to deal with that is to keep that person in the home. If the person is earning a little less than he was earning before, or that \$50,000 to \$35,000, and he can afford \$600 versus \$750, well, it's simple enough. Take the difference and defer it to the end of the mortgage or amortize the mortgage 40 years instead of 30 years. Get the payments to where the person can still afford to stay in the home and can take care of that home and can have a roof over his head. Add value to the community versus having that home boarded up and having it depress every other property on the street.

That's the kind of work that we need to encourage the banks to work on with our local community folks, with our homeowners, and those are some of the proposals that are out on the table today. I think those are the kinds of things that I've been hearing from our communities. We need to know that the government is working on encouraging banks and on finding incentives to get the banks to work with us.

Of course, other than the stimulus, which is already in place—and it's going to begin to filter into the communities over the next number of weeks—the last thing, of course, is fixing the banks in a way that they will lend to small businesses. I know we're going to talk about that tonight because we're a country of small businesses. We understand that's the lifeblood of our communities—to create jobs, to create wealth and to support local communities. I know that there are a number of ideas we're going to discuss which will help get those small businesses back on track because we know that we need to get the banks to help out with that.

So, with that, I'll turn it back to the gentleman. I'm looking forward to this good discussion on how we're going to move forward over the next number of days.

Mr. YARMUTH. I thank the gentleman from Florida.

One of the great things about having these discussions is we get perspectives from all over the country, not just from different, more conservative, more aggressive districts but, rather, geographically and demographically. There are a lot of important perspectives that help shape the context of this discussion.

I would now like to yield to my colleague, the distinguished gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman, and I thank my colleagues for

joining us tonight in this important discussion.

I want to focus on the President's budget and, in particular, on what is different about this budget in that the President has looked in a comprehensive way at our economy, not just at the crisis that we find ourselves in today, at this moment in time, but also at how to get ourselves out and where we want to be a year from now, 5 years from now, 10 years from now. We all understand that.

What the President has done with his budget is include within it segments of our economy that have been ignored in budgets over time—things like health care, like energy and like education—because what we understand in this Congress is we cannot move forward as a nation; we can't solve our economic problems, and we can't move this country forward and continue as the pre-eminent Nation on the planet in this global economy unless we reform our health care system, unless we find a way to get ourselves off of our addiction to foreign oil and unless we continue to improve the quality of the education available to all students in this country and make education more accessible so we can continue to be competitive in the global economy.

What we have set before us is the realization that every family, every business and every individual in this country is impacted by the cost of education, by the cost of energy and by the cost of health care, and we are going to talk about those issues tonight and certainly going forward.

I want to focus specifically on health care. The President has laid out an ambitious agenda, and he has done something that is unique. He has allowed Congress to have a say in it in a way that has not been the case in previous health care discussions. The President has said, "These are my priorities, and while I'm willing to work with the 435 Members of the House and with the 100 in the other body, let's work with the American people," because, in heart, that's what we are. We are Representatives. Let's put together a plan that can solve this crisis that we face, not just with our economy but in the health care system.

So what are some of the things that we hear when we go back and we have Congress on Your Corner?

Well, when we talk about the cost of health care, I often hear people say, "Well, why are you taking my money? I'm happy with my insurance. I'm covered. I have a job. I'm fine." Somebody will say, "Why are you taking my money and giving it to somebody else who doesn't have health care? I understand that that's a problem and that that's unfortunate, but why are you spending my money on them?"

What I try to explain to people is they're already paying for the costs of that person's health care. The most obvious example that you've heard many times is, when that person needs health care, he goes to the emergency room,

which is the least effective, the most costly and the most inefficient setting that you can possibly get for primary health care. So we're forcing them into that setting to begin with, and they get covered, and they get reimbursed, if you're the hospital, because that's our money. If you go to the hospital, the reason an aspirin costs \$10 is because of the cost shift that takes place. When you have someone show up who doesn't have insurance, the hospital or provider will shift that cost to somebody else. That's an obvious way.

What people don't think about is that your State taxes are higher because of exploding Medicaid costs all around the country. States are forced to pay for the Medicaid program. They shift that to the costs of the State taxpayers. Think of the delivery chain, the supply chain. At every level, health care costs impact the cost of the consumer. You've heard many times with regard to the auto industry, which is certainly struggling right now, that \$1,500 from the price of every car made in this country is due to the health care costs of the automaker.

Think about that. For every good and service that the American people buy on a daily basis, there is the cost to manufacture it, the cost to ship it, the cost to store it, and the cost to sell it. In every segment of that supply chain, there is a component that adds a premium for the cost of health care for the employers and for the employees who are involved in that little piece of the supply chain.

The salary and wages of the American people are lower because of the health care costs of the employer's, because they're offering health care to their employees. Therefore, the salaries are lower. We as an American people are already paying in a variety of ways for the people who don't have health insurance. We hear about the 47 million Americans who lack health insurance. We also need to remember the tens of millions more who live in fear every day of losing their coverage. They are one accident or illness away from losing everything. Less than half of small businesses in this country are able to afford to offer health care to their employees, less than half, because of the double digit increases that we've seen year after year after year.

This is simply an unsustainable course that we're on, but rather than looking at this in isolation as one problem that's separate from the economic situation that we face, the President and this Congress are going to work together and are going to look at those items together, along with energy independence and along with education, in a way that we haven't done before in taking a comprehensive look at it. These are the things that we're going to be talking about moving forward, and these are the things that this group is going to continue to discuss in these forums.

So I thank the gentleman from Kentucky, and I look forward to continuing the debate.

Mr. YARMUTH. I thank the gentleman.

I just have to add one thing because I think what he has done has brilliantly answered one of the charges that's always leveled about government action and its involvement in health care, which is, "Oh, we don't want socialized medicine."

What Mr. ALTMIRE has so intelligently recognized is that, whether it's in an organized way or in a disorganized way, we do socialize the cost of medicine across society. Right now, we do it in a very disorganized way, which, unfortunately, leads to both the inefficiencies, the added expense and the fact that many people fall through the cracks and are not covered. So I thank him for his comments.

Now I would like to yield time to my good friend from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Thank you, Mr. YARMUTH. It's a pleasure to be here with all of you tonight to talk about what's going on in Congress and about a change that's coming in this country—a needed change, a change from the direction that was taken in the prior 8 years.

I don't have to tell anybody in this room or anywhere else across the country that somebody drove the car into the ditch, and we've got to get that car out of the ditch in terms of the economy—in terms of the financial and housing systems across this country. We are grappling with an economy that's struggling at best and with a deficit that we've inherited from the Bush administration of well over \$1 trillion. What are we going to do about it?

The first thing you have got to do is stabilize the financial and housing markets. Those two things are being done through recapitalizing the banks and by giving them the ability to stay on their feet. The housing market we need to stabilize, and the administration has a complete program as to how to do that:

One in terms of interest rates that good and creditworthy borrowers can take advantage of like they haven't been able to take advantage of in years and years and years. I mean solid loans that aren't fly-by-night, phony baloney types of loans but 5 percent interest rates available to good and creditworthy customers.

Second, for people who find themselves in markets that are difficult, where the prices of the houses have dropped but they're paying their way and they're struggling, there is an ability for them under the administration's proposal to refinance so that they, too, can take advantage of low mortgage rates that are available today. For those who have been laid off or who are otherwise having trouble with their homes and their mortgages, there are other avenues available to them.

So, first, we have got to stabilize the marketplace. That's happening. Second

and more important is rejuvenating and invigorating the economy. We did that 2 weeks ago with the President's major recovery act.

□ 1745

There are components in that of investing in America like we've never done before or we haven't done for years and years and years.

And that investment costs money. There is no question about it. Whether you're a family or a business or a country, there are times you have to invest. And we have invested, and those returns we're going to see in a new energy economy, in a change in how we deal with our health care system and rebuilding our infrastructure. Those returns are going to be long term, but they are jobs today. Jobs in America today. Jobs that we need desperately from coast to coast.

The third piece in getting this country back on track and changing its direction, and getting that car out of the ditch is to restore confidence in both the economy and the financial systems. And we are working to see which regulations, which laws that were eliminated that should be reinstated, and which laws or regulations have compounded the problem and should be eliminated so that we can restore confidence, reinvigorate the economy and stabilize the markets.

All of this is going to be done starting with a tremendous deficit in this country but reducing it by half over the next 4 years in a fiscally responsible fashion.

There is a lot of hard work for us here in Congress, but even more hard work for people all across this country. But this country is capable of doing it, has done it time and time and time again, and we will get the car out of the ditch. We've got an administration and a Congress that is dedicated to doing that. And so we will change the direction of this Nation and get it back on track.

With that, to my friend from Kentucky, I yield back.

Mr. YARMUTH. I thank my friend, and I'd like to ask a question of the gentleman from Colorado who has done such incredibly important work on the Financial Services Committee and on these issues of which he spoke.

One of the things that we face, I know in terms of the housing situation, is that we have a very different situation from place to place in the country. We know certain areas of California and Nevada and Michigan have suffered to a far greater extent than many other areas. And in some of these areas, where housing values have not declined as much, and some other ones, I know some of the citizens wonder, "Why should I worry about helping the people in California or Nevada? What's in it for me?"

Mr. PERLMUTTER. Would the gentleman yield?

Mr. YARMUTH. I'm asking the gentleman a question.

Mr. PERLMUTTER. That's a great question because, in Colorado, we sort of went into the downturn of the economy before the rest of the country, and we've been climbing out. We had a much smaller drop in property values, our employment rate has been higher, but if the job layoffs were to continue, we would be falling into the same ditch as the rest of the country.

So for somebody from Colorado, the ability to maintain and build jobs—good energy jobs, health care jobs, jobs in rebuilding our highways, our transit, our electric grid—that will keep my State from driving into the ditch. So we're focused more on the jobs piece, but obviously having a strong and healthy financial system, as well as a housing market, is key as well. So this affects all of us, and we've seen it kind of roll across the country.

So even if in Colorado we have it better off today, we want to keep it that way. We don't want it to fall farther behind. So all of us are in this together.

Mr. YARMUTH. I thank the gentleman.

It now gives me great pleasure to introduce my colleague from the great State of Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the opportunity to join with my colleagues and the Majority Makers Caucus on this March 4, 2009. It's been 76 years since Franklin D. Roosevelt took his first oath of office. March 4—which was then in past history when the President took office—March 4, 1933, and he said, "The only thing the American people have to fear is fear itself."

President Roosevelt took office after President Hoover, and Mr. YARMUTH discussed some things that were about the Detroit Lions, and you don't have to go back as far as the Detroit Lions. You can look to what the Republicans said about Mr. Roosevelt's attempts to bring us out of the Depression. And they caused the Depression, President Hoover and Secretary of the Treasury Morgenthau of that Congress. And President Roosevelt brought us out of the Depression. He created work programs that put money in the economy and put people to work. And he made a major difference. He transformed this American economy.

Once again, the Republican responses are similar to what we saw pre-1933. They're similar to what we heard in 1993 when President Clinton was looking at bringing about a balanced budget and the Republicans said that wouldn't work. And the Republicans have said many of the same things about this proposal depending entirely on tax cuts and entirely on the same type of issues and policies that have gotten us into the ditch that we're in now.

The fact is we need to move forward and the leader of the Republican Party's philosophy is none other than Rush Limbaugh. And Rush Limbaugh has said he wants this American President to fail.

Now, I can understand people wanting to have power for their party, but when you want a newly elected President of the United States—with a tremendous majority vote and majority support in this country—to fail, you are basically suggesting that the United States of America should fail. Because if President Obama fails in this most unusual time, when economic crisis has gripped this country—we're in a recession that is, in fact, probably is a depression, but we've kept the linguistics of a recession—you're suggesting that the American economy and the American Government should fail.

With the Republicans up here talking constantly against what President Obama has done and voting against it lockstep in the Recovery and Reinvestment Act, we saw a party that's not only being negative but is being, in my opinion, un-American. They've offered not new ideas but negative thoughts to question anything that's being done. They offer only the old and failed tax cuts.

We had the privilege today to listen to the Prime Minister of Great Britain, and he said, and I may quote: But sometimes the reality is that defining moments of history come suddenly and without warning, and the task of leadership then is to define them, shape them, and move forward to the new world they demand. An economic hurricane has swept the world creating a crisis of credit and of confidence. Credit and confidence. History has brought us now to a point where change is essential. We are someone not just to manage our times but to transform them. Our task is to rebuild prosperity and security in a wholly different economic world where competition is no longer local but global, and banks are no longer national but international.

What Prime Minister Brown said, and said so well, is besides the fact that we have to restore confidence—and that's what I hear from every economist that I talk to is that's one of the problems right now is the American public needs to have confidence.

We came out of the Great Depression. We've come out of smaller depressions, recessions, and we'll come out of this one. But we won't do it with naysayers saying that it won't happen and this plan will fail and not offering an alternative.

And it's a worldwide problem. And what Prime Minister Brown said to us is basically his government and the governments of the world are doing the same thing that our government is doing and doing it together in a united front: stimulus packages, reforming banks and making sure that we can go into a new economy and create jobs.

The President's plans create new jobs by going into broadband and extending broadband into rural areas and inner cities to create jobs and give people access to the Internet; seeing that health care costs are controlled, which is taking a larger and larger percentage of



our budget and threatens American industry that has to bear those costs, while, in most other countries where they have national health care, the government bears it and not the industry. And we're competing against foreign producers who don't have that as part of their costs, so it's a disadvantage that we have. And General Motors and Ford and Chrysler have that disadvantage.

But we're trying to control health care costs, and we're trying to invest in education. We're putting more money into Pell Grants and giving people an opportunity to get better jobs to compete on the world scale where it is global and not local for competition for jobs. Investing more and more in science.

And in the previous discussion to this hour, we heard people on the Republican side talk about science. They talked about stem cells. We put over \$10 billion into the National Institutes of Health. I was really pleased that happened. I'd offered an amendment to do something similar, and it was passed by Senator HARKIN on the Senate side.

That's going to be putting scientists to work finding cures for the illnesses that they were talking about but refused to fund: heart disease, cancer, Alzheimer's, AIDS, diabetes, Parkinson's. Those illness can be cured or treatments can be found if we give enough opportunity for scientists to do their studies, and the National Institutes of Health is the organization from which those funds come.

There have been so many falsehoods put out about this bill, and I would like to share a few with the American public here. One is—and I found this most interesting. The Republicans have claimed that under this bill—and many people have probably heard this—that each job will cost \$275,000 per job. Paul Krugman, a Nobel Prize winning economist called that a "bogus charge." He said, "Why is it bogus? Because it involves taking the cost of a plan that will extend over several years creating millions of jobs each year and dividing it by the jobs created in just one of those years. It is as if an opponent of the school lunch program were to take an estimate of the cost of that program over the next 5 years and divide it by the number of lunches provided in just one of those years and asserts that the program was hugely wasteful because it cost \$13 per lunch while the actual cost of lunch was \$2.57."

There have been so many false figures put out and accusations concerning different programs in the bill and the different economic plans that have been put forth by the Obama administration.

We know from Larry Summers and others that stimulus moneys need to be timely, targeted, and temporary. And they voted against giving the people who are on the front lines, the Purple Hearts of this recession, more extended unemployment compensation. They

voted against giving States moneys for Medicaid when we know we're going to have more and more need for Medicaid because more people fall in that category and can't afford their health care. And they voted against extending people food stamps, and those moneys, particularly food stamps and unemployment, are the most timely.

Those people are in desperate need, targeted to those who will spend it immediately because they don't have resources otherwise, and temporary because it's a short-term amount of money that's expended. And those people spend it immediately. They won't spend it on their condos and vacation vistas that they might go to someplace else, but they will spend it in their neighborhoods and their communities. And they'll be taxed, sales taxed immediately and put money into State and local governments who need that money to provide law enforcement and other services.

So, Mr. YARMUTH, my friend from Kentucky, and the other sophomore Majority Makers I have joined here, I think we need to think about Franklin Roosevelt and the only thing we have to fear is fear itself. That was kind of what President Obama talked to us about in his State of the Union and addressed us about when he was sworn in. A confidence that this country is a great country and this government will overcome the obstacles that we face, though they be great, and we will be the greatest country on the face of the Earth in the 21st century as we've been in the past.

But we need to think in new ways. We need to invest in new sectors to provide new jobs and to give our people the resources and tools they need because we're a great people. And I think you can usually see history repeating itself. You see it being repeated here with Franklin Roosevelt, that Congress; President Obama and this Congress.

Thank you, sir.

Mr. YARMUTH. I thank my friend.

I want to tag along a little bit about the tax discussion because, it's interesting, there's an old saying that when all you have is a hammer, everything looks like a nail. And what we've seen out of our colleagues on the other side is the only policy that they even think about when it comes to the economy is tax policy and the need to cut taxes.

The Republican-run Congress, controlled Congress, in 2001 and then 2003 cut taxes. Most of that tax cut went to the very wealthiest people in the country. That tax cut was scheduled to expire in 2011. And now that the President's budget would allow those tax cuts to expire for the very wealthiest Americans, those making over \$250,000 a year, our colleagues on the other side want to say we're raising taxes, which is not true at all.

□ 1800

In fact, the way I look at it is, if you go to a store, and the store says we've

got 40 percent off today and you happen to miss that sale and you go back the next day and it's back to regular price, you can't say the store raised prices, you just missed the opportunity. Well, in this situation, the wealthiest Americans did not miss the opportunity, they took full benefit of those tax cuts for the last few years. Meanwhile, the great disparity between the wealthiest Americans and everyone else continued to grow to unprecedented levels. And now that this President—and I assume this Congress—will say, let's restore some more fairness to the tax code, let's let those tax cuts expire, the rich can pay marginally more than they have been since the Bush administration cut taxes, and now they're complaining that that's a tax hike, which is frivolous.

Mr. COHEN. Would the gentleman yield?

Mr. YARMUTH. I would yield to my friend.

Mr. COHEN. Is it accurate to say that 95 percent of the Americans—and nobody with an income of a quarter of a million dollars a year or less—would see a tax increase and, in fact, would get a tax cut under this plan?

Mr. YARMUTH. That is clearly the effect of the President's budget, and it was clearly the effect of the recovery plan that we passed recently. And I think it was well justified. And I think the American people appreciate it and understand that—they know a tax cut when they see it and they know a tax hike when they see it. And 95 percent of the people in this country will see their paychecks increase, and they know that that's not a tax increase. So I thank the gentleman.

Now it gives me great pleasure, we've been around the country from Florida to Colorado to Tennessee and Kentucky and Pennsylvania, now it gives me great pleasure to introduce my colleague from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Thank you for organizing this colloquy.

As Congressman COHEN said today, this Chamber earlier today was a place of a historic event where the Prime Minister of England, Gordon Brown, addressed the people of our country as well as both Chambers. And he, I think, did a magnificent job about, number one, talking about the economic crisis that we're in in global terms, the numbers in terms of lost jobs—lost wealth that has taken place over the last 6 months is historic and staggering—but reminded us that the focus has always got to be on the impact, person by person, in terms of jobs that are lost.

In this country, where we have lost, as of the end of January, 3.6 million jobs, because of our health care system being tied to employment there is an added blow that families suffer when there is a layoff, which is that people are confronted with the almost impossible choice of maintaining their health insurance by paying for COBRA premiums—which in a State like Connecticut, for an individual that is

about \$6,000 or \$7,000 a year, \$12,000 for a family—or letting their health insurance just lapse.

One of the things that was included in the Recovery Act—and it has now been 2 weeks since the President signed that measure in Denver, Colorado—is that we have seen, I think, Member offices, have a chance to sort of see our constituents vote with their feet in terms of the interests that they've expressed about different components. And in my office, certainly, the COBRA subsidy, which was a measure that was included in the Recovery Act—again, a historic effort by the government to step in and provide families with 65 percent of the premium costs if they are laid off—again, something that has never happened in any prior recession or economic downturn—is the piece of the Recovery Act that's gotten the most traffic in terms of phone calls and inquiries into my office.

I'd like to, again, as Prime Minister Brown indicated, share a story in my district of a guy, Tim Jensen, he's a reporter for a small weekly newspaper, got laid off last September. He's one of these guys that would show up with a camera and a pad and pen at any event, supported every parade, community event, veteran ceremony. And unfortunately—as we know, the newspaper business has suffered along with many, many other industries in our country—he lost his job in September. To compound that, as I indicated, he had to foot the bill for COBRA extension, and to compound that even further, he was diagnosed with cancer later this fall. So now he's in a desperate Hobson's impossible choice of whether to maintain his health insurance, depriving his family of literally food on the table, or give up his health insurance at a time when he literally has a life or death need for medical treatments. The Obama plan, which is to provide a 65 percent subsidy for people like Tim Jensen, is literally a life saver. It is going to provide him and his family with the means to maintain that health insurance coverage and avoid, again, just a total catastrophe for him and his family.

And it does tie in to the issue which I know we've been talking about here today, which is the impact on the public finances of this country. The fact of the matter is that people who do lose their health insurance end up being a public cost later down the food chain of our health care financing system, either in the form of uncompensated care in the emergency room if there is a health care crisis, or they lapse and end up in a publicly financed program like Medicaid or some form of public assistance program for single adults, which many States operate. It is far more cost effective and rational to provide those individuals with a subsidy to maintain their existing health benefits while hopefully they will transition back into the workforce rather than to just completely abandon them, which unfortunately was the system prior to

passage of the American Recovery and Reinvestment Act.

So, again, a measure which will provide the individual, which Prime Minister Brown talked about, which always should be our focus, will benefit not just that individual and their family, but also our overall system of public finances and health care coverage; again, hopefully just an appetizer in terms of the main course of health care reform, which this administration is, again, beginning to unfold with the release of its 2010 budget, and a Congress that is ready to roll up its sleeves and go to work in terms of all the key committees.

So this stimulus bill, the American Recovery and Reinvestment Act, has many, many components to it, which we've talked about over the last few weeks or so and will continue to do so. But clearly, the COBRA subsidy, a new, unprecedented effort by the government to step in and help unemployed workers—which are, sadly, going to increase at least in the short term—

Mr. PERLMUTTER. Would the gentleman yield?

Mr. COURTNEY. Sure, I would be happy to.

Mr. PERLMUTTER. Well, Mr. COURTNEY, one of the things that you've made the point so well, and Mr. DREIER, when he and I were arguing about the stimulus bill 2 weeks ago, is the immediacy of this, the urgency of this. The time to act is now, not 10 weeks from now, not 20 weeks from now. I mean, your friend's life was on the line. Mr. DREIER's friend, it was a tragedy because of job layoffs and a number of other things. So Mr. DREIER, explaining it as somebody on the other side of the aisle, but still wanted to vote no.

And what I've seen—and not to really pick on the other side because it's time for us to move forward in a positive way—their position is, just say no, we like the status quo. This country can't afford the status quo any longer. We need to move quickly, we need to move with purpose, and we need to move now. Because whether it's to maintain or create new jobs, provide COBRA where jobs have been lost, maintain State government—backfilling them so we keep the teachers and the firefighters and the policemen and the maintenance workers employed in this difficult time—or to assist people who have suffered, we've got to move now. And this Congress and this President are moving now.

Now, my friends on the other side don't like it, but their old ways—and I'm pointing to the record deterioration of the budget—have just driven us right into the ditch. I said that before. We have to turn this around. And so we will, under the President's approach and the congressional approach, reduce what was a record deficit that we've inherited by almost half or more, doing so in a way that creates new jobs, creates a new energy economy, creates a health care system that works, and at

the same time assisting people who have fallen on hard times. So I just appreciate working with all of you to get going on these problems and to turn this around.

I will now yield back to my friend from Kentucky, or to my friend from Connecticut.

Mr. COURTNEY. Just to sort of close the note there, which is that, as difficult and challenging as the time we're living in for individuals like my friend I just described, or the macro picture, the fact of the matter is we can do this. As the Prime Minister said, we have to maintain our optimism, and we will, because that's the nature of our country. And we're going to get through this and fix this problem. And thank God we've got a President who's ready to work with this Congress and get this country turned around and moving in the right direction.

With that, I yield back to Mr. YARMUTH.

Mr. YARMUTH. I thank my friends. And I think one of the things that is so impressive about this budget that we have had submitted to us is it is unique in so many ways and it is trend setting in so many ways.

I would like to yield once again to my friend from Florida (Mr. KLEIN) to talk about how this budget may differ from budgets we have seen.

Mr. KLEIN of Florida. Well, I thank the gentleman for the discussion today. Because I think if we think about how we plan our family budgets, whether it's sending your kids to college, whether it's planning for retirement, if you're in retirement, making sure that the investments you have, even in difficult times like this, will pay for the expenses that you have, these are all things, it's all about certainty, and it is about trying to know where you will be and plan for the future. I know a lot of small businesses I talk to, they want to know for sure about how they will be in a position to plan their capital budget, cover the expansion, make the investments in their equipment and things like that.

So one of the things we've been working on is this budget. And the budget of course is the plan for this next year's fiscal spending of our government. And of course there are a lot of fixed expenses, there are things like, everything from prisons to roads to our military and defense and veterans, which are so important to us, particularly at a time when we are fighting two wars and we are creating a new generation of veterans. So as they come home, as this Congress has demonstrated, we will make sure that anyone who wears the uniform gets the benefit of making sure that this country stands behind them and their families for all the necessary care that they need in the future, as well as jobs.

But for the rest of the country, this really is a question of times when we do plan the necessary future vision. And I think what President Obama has

offered to many of us that I think is really visionary and exciting—and we're seeing this in the blueprint or what we call our budget—it's a focus on education, it's a focus on health care, it's a focus on energy. Each one of these is a crucial component of moving our economy forward.

Education by far—and I've believed this for a long, long time; my mom is a teacher, she is a public school teacher, she has taught second grade. She absolutely instilled in me the notion of how important education is. And as one of the first people to go to college in our family, it really has given me the opportunity to do things that have allowed me to serve in Congress. But more importantly, education is the best investment as a country that we can make. And between the stimulus plan and the budget, there is investment in college education. In President Obama's speech last week he talked about having every person who wants to be able to get a college education get one.

We see our competition around the world, whether it's Singapore or China, other places, the engineering degrees and other degrees that are coming forward; that's an investment in their future. Well, we have a great education system and a great university system, and community colleges and apprenticeship programs and vocational programs, all of these need to be nurtured and supported. And every student who wants to go to school—and every adult who wants to go back to school, particularly in a time like this—needs to have that support because that will turn into a very high productive economy.

Health care. We know health care is just the Pacman eating up the costs in our economy, not just for government, not just for Medicare and Medicaid, but for private businesses. I know that when I was in a business, we had about 75 employees. Every year—and I know many of the people who are on the floor here understand this from their businesses or people at home understand this—every year you go back and have that conversation of what it's going to cost to renew your health insurance; double-digit increases every single year—whether there has been an experience of sickness or anything in the business, that's exactly what happens, double-digit increases. So you have to make decisions; do you cut back? Do you pass off more of the costs to your employees? And at some point in time businesses say I can't afford it. And we want to give them the opportunity to provide that type of health insurance because it keeps their employees healthy. We don't want people showing up at the emergency room.

So this budget has an investment of changing our health care system to make it more efficient, better quality of medicine. And one of the ways they do this is bringing our health system into the 21st century with health technology. And this is something really

simple. Think of when you go to your doctor's office, and your doctor, and all his good medicine and good advice he's given you, he writes down the information about his observations and your evaluation on a chart in pen, in many cases—not all, but many of them still do—and that's because their systems have just not kept up with. It's not a fault of the doctors, it's just that the systems have really not kept up in this business. Now, every other business in the United States, we pretty much are on computers. Well, you still see large racks of files in a doctor's office. So, God forbid if something happened, let's say I'm at home and I have my personal doctor, and that doctor has my little chart. And he takes some tests, my heart and all the cholesterol and all the normal things, and I get sick as I'm traveling—let's say I'm up here in Washington, D.C. Well, I may go to a doctor up here, and guess what that doctor starts with? Zero. Nothing. No file, no nothing. And if he wants to get information, he has to call and maybe have somebody Federal Express or some type of courier of the record up to Washington and maybe has to take tests all over again. It just adds tremendous cost into the system instead of having a very simple—with privacy, of course, secure—but a simple system to have all of the technology of health care. Plus, certainly the quality of medicine can be improved on as well; I know many of my doctor friends tell me that all the time.

□ 1815

There is an investment, an incentive for doctors and providers, hospitals and others. This is just common sense. Again, if we can save money it can result in better quality of medicine.

Lastly, of course, is energy, and I know many of us in this Chamber, Democrats and Republicans, most Americans, understand that we have got to get a grip on our energy policy and stop sending billions and billions of dollars to countries that are not our friends but, in many cases, our enemies. We complain about Venezuela and Hugo Chavez, rightfully so, he is very anti-American, and he is a threat. And what do we do? We send millions and millions and millions of dollars daily over to Venezuela and buy their oil.

Well, that makes absolutely no sense to me and, I think, to most Americans. Well, it's not just Venezuela, it's all the Middle Eastern countries and plenty of other places. The sooner we can get into a mode where we can develop alternative energy, and whether it's wind or wave or solar or any combination of electric powers out there, and obviously there is coal and nuclear—and there are probably some answers as we focus our technology on some of those things as well to figure out the solutions to those problems—any number of ways that we need to make this country energy independent.

What President Obama does, and I certainly support, and I know most

Americans do, is to really get our attention focused and make the kinds of investments necessary to get us into alternative energy. For energy conservation, electric grid, make sure that you are home, for example, with a new technology.

I had a small businessman in my area that came to me and said he has created a device which can now purchase and store electricity at the least expensive hours of the day. We know that at nighttime there is a low demand for power and you could, if they start pricing it that way, you could buy it less expensively. Boy, that makes a lot of sense, and then you can actually get more capacity out of our existing electric power plants, common sense. And these are the kinds of things that President Obama and many of us as Americans understand are the kinds of things that we need to do.

So the gentleman from Kentucky, I am actually very excited about the kinds of things that are in this budget. Well, sure, we are going to work on some and make them a little better. Maybe some won't work out, but I think there is a blueprint here for the future, it's a blueprint that will get our budget back in line, put people back to work, make the quality of our education, the quality of our health care, and certainly an energy policy that will put us into the future. This is the kind of leadership that I am really excited about.

Mr. YARMUTH. I thank my colleague, and I think that is truly one of the special things about this budget, is that it is forward-looking, it is visionary, and it doesn't rely on the tired actions of the past.

And, furthermore, it's such an honest budget. For the first time it is totally comprehensive, so that we don't keep things off the books like we have kept the expenditures for the war in Iraq and Afghanistan over the last 8 years. It puts expenses for those activities in the budget, projects them. It also includes items for anticipating disasters like Katrina or other natural disasters we know are going to occur but we never put those expenses in the budget.

So this is fully transparent, it is comprehensive, it is honest and, again, it is forward-looking, and that certainly is something that I think the American people, as time goes on and we discuss this budget, will appreciate that it is large. There is no question about it. We are spending unprecedented amounts of money and we, unfortunately, are facing some pretty substantial deficits.

But if we stick to this test, the odds of our not just recovering from our current situation, but from setting the foundation for an incredible era of growth and progress in this country, are greatly improved because of this new agenda advanced by the Obama administration.

So, as we get toward the end of our hour, I would like to recognize my friend from Tennessee (Mr. COHEN) who

has also played an important role in one aspect of meeting the challenge of this current situation, and that is an element of the housing problem that he has been particularly instrumental in dealing with.

Mr. COHEN. Thank you, Mr. YARMUTH.

Tomorrow we will have a vote in this House on a housing bill, and many have said that not only do we have to have confidence in our economy to have it come back, but we have to cure the housing problem first, which has been one of the main problems in causing us to go into this economic recession and the malaise that some say the economy is in and, indeed, it is.

One of the things we are doing tomorrow with the bill is to permanently make FDIC insurance for banks and credit unions \$250,000. That was something that we proposed in the first TARP and we were able to get that passed temporarily.

That permanent amount of money will secure American investors' deposits in banks and assure people they have confidence which they need to have and will have in the banks to know that their money is safe. That's important for our banking system to make it solid and for our constituents' deposits to make them secure.

The bill will also change and allow, for the first time, something that has been long in coming, the opportunity for people who might have to file chapter 13, bankruptcy, not a pleasant subject, not an easy subject, not an easy process but an ordeal where one has to go and show to the bankruptcy judge their need for help, all of their assets, their expenses, and be put on a plan for approximately 5 years on how they would have to spend their monies. And they have to have approval from the court over their finances.

In that process one can have the loans that they have made on a second home, on a farm, on a family farm, on an airplane, on a yacht, just about every type of property, modified by a bankruptcy judge to make it affordable to the person going into chapter 13 bankruptcy. The judge can reduce the principal down to the secured amount, can extend the terms, can lower the interest rate, but the judge has not been allowed, since 1978, because of an act of Congress, to modify a person's principal residence, which is their most valuable possession—maybe not in a monetary fashion but generally it is, at least in a spiritual way.

And in this particular crisis, to allow people to modify their mortgages on their personal residences, is similar to what people can do with secondary homes, vacation homes, yachts, airports, family farms, et cetera. We allow people to stay in their homes to solidify their neighborhoods, to keep houses on the tax rolls, to keep neighborhoods solid where if your neighborhoods aren't solid, you have increased crime, increased vermin, increased problems, and maintain hope for people in their neighborhoods and in their homes.

This will be a first-time activity. We have worked with all elements in this Congress to come about with amendments, there will be a manager's amendment tomorrow, to make it to where it is a last resort, to guarantee that the monies, the people won't be allowed to enter into the bankruptcy or have their mortgages changed unless they meet very strict criteria and provide that relief that we need to help this housing market succeed.

So we help the banks tomorrow and our financial security, really not the banks but the individual depositors with the \$250,000 FDIC insurance, and we help individuals in their homes with the opportunity to stay there and help neighborhoods.

I think this is landmark legislation, and I know that it's been extended to Vermont and Kentucky as well. I thank the anchor of our hour and the former president of this class, the distinguished and honorable gentleman from the former Conference U.S.A. city, Louisville, Mr. YARMUTH.

Mr. YARMUTH. I thank my colleague and thank him for his work on this very important piece of legislation that we will be dealing with tomorrow, which will be another important component to get the ship of state back on course and to get our economy moving again.

It gives me great pleasure to welcome and recognize our distinguished colleague from Vermont (Mr. WELCH).

Mr. WELCH. Thank you. I have been listening to some of your comments, and I just want to make a few remarks about the budget. We all know that we have an economy that's facing the biggest challenge since the Great Depression, and what this budget is attempting to do, and a lot of work getting from where we are to where we need to be, is, I think, very simple. It's about trying to revive the middle class.

You know, when you think about the recent history of America in the 1960s, when LBJ took on the challenge of trying to eliminate poverty and was successful in reducing it substantially, it was the right goal. The middle class paid.

And in the past 10 years, and even more, the policy has been, essentially, to lower taxes for very high-income folks, also provide deregulation for corporations, and it has resulted in a significant transfer of wealth. The top 1 percent of our country has enjoyed the greatest explosion of wealth since the 1920s, and, in fact, who paid for that? It was the middle class.

So the middle class paid for the programs that are essential, and I support it, that benefit the poor. The middle classes paid for the programs that were very, very generous to the quite wealthy, and it's the middle class who, in the end, is getting squeezed. This country has always done its best when it has had economic and political policies that have given an opportunity for people who are poor to move their way up into the middle class and for the

middle class to sustain itself and to grow and prosper.

And what the Obama budget attempts to do is redirect our energies and our policies towards rewarding work and rewarding and enhancing the middle class.

Now, if we are going to be successful, we actually do have to pay attention to deficits, and it's a contradiction, so it seems, that on the one hand because of our fiscal situation we have to invest. We also have to commit ourselves to a health care policy that's going to make health care affordable, and to an energy policy that embraces the challenges of a new energy economy as something that can create jobs much. And we, as Democrats, who are supporting a middle class budget also have to embrace the absolute commitment to root out any waste and any excessive spending.

Mr. YARMUTH. I thank my colleague for his contribution.

I would like to conclude this hour of discussion from the Majority Makers, the class of 2006, that as this Congress proceeds and as we work with the Obama administration to set a new course for the country, to lay a foundation for growth and prosperity, a return to prosperity in this country, we look forward to further discussions.

And I think the most important thing we can say in closing is that to repeat the words of Prime Minister Brown this morning, who said, who kept mentioning, "faith in the future." That's what we are about, restoring faith in the future for the American people, and this will be our main mission over the next 2 years as we proceed to help every American realize his or her ambition for a better life.

#### OPPOSE OVERSPENDING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the honor to address you here on the floor of the United States House of Representatives, and it is always an honor to address you, Mr. Speaker.

I have spent some of the last hour listening to my colleagues, whom I appreciate voicing their opinions as well. I would like to take up some of their issues at the beginning, and then I will roll it into the subject matter of this next hour that I have.

But first of all, when a statement was made by the gentleman from Tennessee that Rush Limbaugh wants Obama to fail, he didn't say that, Mr. Speaker. He can't be quoted anywhere as he wants Obama to fail or President Obama to fail. It wasn't his intent at all. You have to listen to what he actually said.

He said he wants his policies to fail. That was a message that's clear. It's been reiterated over and over again across the media and this country, Mr. Speaker. So I have to come here and

raise the issue in the beginning that that was a statement that was made, Mr. Speaker. Rush Limbaugh said that he wants President Obama's policies to fail so that we can go forward and preserve and protect and enhance our freedom and our liberties and our free market economy and perhaps, and I hope it's not so, perhaps our national defense as well.

I will stand with him on that. I have opposed these policies of overspending. I opposed the stimulus plan, and I opposed the bailout plan that came in the previous administration.

It was clear from where I stood that you simply cannot take money from the producers of this country and pour it into a void without a plan or a strategy and how it's going to emerge. Still, the U.S. Treasury couldn't tell us the results that would come from a \$700 billion bailout plan. The President of the United States can't tell us the results that will come from hundreds of billions of dollars, and, actually, more than \$1 trillion when you add the interest stimulus plan.

And so without a definable goal here, except the idea that spending is stimulus—and I disagree with that philosophy, spending is not stimulus. But, believing that, then the people on this side of the aisle have said, well, this is a comprehensive proposal, it's well thought out. We are going to have a more responsible budget than George Bush had, and in the end we are going to have this economy that is going to grow to the point where we will be able to do this magnificent thing called "cut the deficit in half" by the beginning of President Obama's second term.

□ 1830

I heard that over here, too, although he really said by the end of his first term, which I think is more likely if they keep going down this path.

So the words "cut the deficit in half" echo to me. That was a goal that was laid out by President Bush. So it seems to me that President Obama, Mr. Speaker, is following at least one of the patterns of President Bush.

And I will tell you I was not particularly moved by the idea that we could cut the deficit in half in 4 years or 5 years or whatever that might be. I didn't come into this political life with half of a goal. I'd want at least a whole goal. So if we can cut it in half in 3½ years or 5 years or whatever the case may be, why couldn't we just eliminate it? Or maybe we could just double that period of time. If we could cut it in half in 4 years, maybe we can cut it in half again in another 4 years, and then we'll be down to only 25 percent of this huge deficit that we have now.

But, Mr. Speaker, this deficit is breathtaking. We are looking at the current administration's budget of a deficit of \$1.75 trillion. And we heard him speak to us of having to construct one leg of a multi-legged stool to get us out of this economic crisis that we are in. Well, the one leg, you have to add

the bailout money from last fall and the \$1.1 or 2 trillion from the stimulus plan from just a little over a week ago, package that together, and without many of these things that got poured into by administrative action, you're at a \$2 trillion leg for one stool of what, according to the President, is a multi-legged stool. So if a leg costs \$2 trillion and it's multi-legged, I know it's not a milk stool. That would be a one leg. It's not a two-legged stool. I've never seen one of those. It's not a three-legged stool or he would have said so. So I have to presume that this stool that's going to be the rebuilding architecture of this formerly free market economy is going to be at least four legs at \$2 trillion a leg, which nearly doubles our national debt.

I remember the President's media personnel speaking on the morning of the President's address here in the joint session, Mr. Speaker, and he said our national debt is 10 percent of GDP, that we have to do something about that. It's too high.

Well, his current budget, the one that's just been defended by my colleagues from the other side of the aisle, takes that share to more than 12 percent of our GDP. In fact, it's 12.3 percent of our GDP. That's the current President Obama budget. So this 10 percent of GDP that is national debt today becomes a 12.3 percent of national debt if this budget is enacted into law, and a lament that comes from his spokesman is we've got too high a percentage of our GDP in our national debt.

Well, Mr. Speaker, I think there's another number that we should be concerned about. I'm concerned about that. I'm concerned about the daily interest rate, that if all of this is enacted into law, the American people will be paying \$1 billion a year just in interest alone, \$1 billion a year.

Now, I hearken back to 1992 when President Clinton was elected. He was elected under the belief of the American people that we were in a recession, and he convinced the American people we were in a recession, and you might go back and look at the definitions and parse that so that it was, I'll say, marginally true. But President Clinton came to this Congress, Mr. Speaker, and he asked for a \$30 billion, that's 30 billion with a "b," economic incentive plan, and that was supposed to put money out into the hands of people so they would spend it because the belief was that spending is stimulus. It was going to create, though, jobs like the AmeriCorps is today and put this \$30 billion into this, and it was going to bring us out of this recession that was defined during the presidential campaign of 1992. President Clinton brought that argument to this Congress, \$30 billion. And this Congress, being a Democratic Congress, debated the \$30 billion, chopped it down from \$30 billion, finally got it down to \$17 billion, and then decided, well, we're not going to do it after all. So they

threw the idea of the stimulus plan over the side in 1993, after having taken a \$30 billion idea and reduced it to a \$17 billion idea, and they pitched it overboard because it wasn't a good enough idea. Well, today we have budgets that are proposed by the President of the United States that brings us to the point where we'll be paying \$1 billion a day, not \$17 billion in an economic stimulus plan like 1993 but \$1 billion a day. So, for example, when the fiscal year kicks in—let me say the calendar year. That's a little easier thing to think about, Mr. Speaker. But when the calendar year kicks in, if you want to keep track from the day you're watching your bowl games on how long it takes for the Federal Government to spend as much money on interest as it would take to have paid for the entire Bill Clinton stimulus plan, well, from January 1, 2, 3, 4, on up to the 17th of January, boom, you'd be done. That would be economic stimulus freedom day, the 18th of January, if you're paying this at the rate of this stimulus plan we have today.

Now, compare that 17 days at \$1 billion a day to pay for the entire Bill Clinton stimulus plan to just the interest that we'll have here in the Federal Government if we let this all go forward that's being proposed out of the White House today. That's \$365 billion just in interest. That's not a stimulus plan, I'll suggest, Mr. Speaker. I will suggest that's anything but a stimulus plan. It works against us. It drains capital from the private sector. It drains capital from the productive sector of this economy.

So Rush Limbaugh didn't say he wants President Obama to fail. He said he wants his policies to fail because he's about freedom. And I'm about freedom. And we ought to be about quoting people correctly. Maybe if the gentleman from Tennessee actually listened to the words that Rush Limbaugh said, maybe he wouldn't have been so outraged. Maybe he would have just said, well, we have a legitimate philosophical disagreement, que sera. It would be okay. But that's not what's happening. They are seeking to criticize a high-profile individual in America in order to demonize him so that that individual can be put up as a poster for the things that they want to claim is wrong with their predecessors.

Well, here's the problem, Mr. Speaker. This has been a Democratic Congress for more than 2 years. The 110th Congress was all in the control of Speaker PELOSI. She received the gavel up here in January of 2007. There's no Federal spending in America that doesn't start in this Congress by Constitution. So any of the spending that's been initiated since that day has been initiated right here on this floor in the end in the House of Representatives. And our budgets and our deficits become the budgets and the deficits of the Democrats that are in charge. That's Speaker PELOSI. That's Leader HOYER. That's the committee Chairs

and the people who have been handed the gavel by the Speaker.

And the American people need to understand that this isn't something that's driven by the minority today. The minority that we have here today has always driven for balanced budgets, fiscal responsibility, strong national defense, strong personal responsibility, strong families, defended the rule of law, protected the borders.

So we are today with a President that's going to cut the deficit in half by the beginning of his second term, but he's got to create this huge deficit in order to cut it in half. So if you go out and start biting off chunks of the GDP and grow from a 10 percent deficit of GDP to a 12.3 percent deficit of GDP, if you have a President's budget that's being proposed that takes a greater and greater share of the GDP of America, it isn't just the deficit that counts here. The share of the gross domestic product that was being consumed by the Federal Government at the beginning of the Depression in the early 1930s was 3.4 percent, Mr. Speaker. By the time the New Deal had been implemented by Franklin Delano Roosevelt and we got into the Japanese attack on Pearl Harbor, which essentially ended his New Deal, the Federal Government was by then taking over 12 percent of our GDP. It went from 3.4 percent of GDP at the beginning of the 1930s, and under FDR it went to over 12 percent of GDP before you factor in the extra spending that had to take place in the Second World War.

Now, FDR had a significant utility to this country in leading us through the Second World War. I do not take that away from him. I applaud him for that stolid leadership that he provided. But he didn't solve the economic problem. And anybody that can come to this floor and engage in this debate and point out for me some data that shows that the New Deal, which was profligate spending, unprecedented growth in the Federal Government role, consuming from 3.4 percent of GDP up to 12 percent of GDP, and not having anything to show for it, there's not a legitimate debate on the other side. The New Deal did not get us out of the Great Depression.

To be charitable, it may have, and I emphasize "may have," diminished the depths to which we might have otherwise fallen. I'm not convinced of that, but I will just concede that that could be the case. The data may show that if you didn't pour enough government spending in, maybe, maybe things would have completely collapsed and we would have had to build up from almost nothing or nothing as opposed to building up from almost nothing plus one. So maybe the New Deal programs diminished the depths to which we might have otherwise fallen. It certainly provided some soup kitchens and some WPA programs and CCC camps, and the Federal Government stepped in and hired a lot of people, competed directly with the private sector, by the

way. That's what happened with the New Deal. And the recovery process that was needed to take place when capital was willing to take the risk again, when entrepreneurs were willing to take the risk again, that recovery took place through the Second World War.

This is where I don't see it quite the same way either as the President does, Mr. Speaker. I don't take the position that the Second World War got us out of the Great Depression. I take the position that the Second World War started our recovery from the Great Depression. It brought about a massive growth in production in America in our industry, and it positioned us that by the end of the Second World War, we were the world's industrial power because we had ramped up our industrial production here to meet the demands of the world in the Second World War. And at end of the war, we were essentially the only industrialized country that had maintained our industrial base without its being destroyed by war. So we had a comparative advantage, as Adams Smith would say, against the rest of the world. And our economy grew, and America built more things and sold more things both domestically and abroad. And by 1954 the stock market had recovered to where it was on the day that it crashed in October of 1929. It wasn't the New Deal that got us out of the Great Depression. The Second World War gave us a very good start, as tragic as that world event was, but the recovery required another 9 years just to get back to where we were when the stock market crashed in October of 1929. Franklin Delano Roosevelt had been dead for 9 years before the stock market got back to where it was. So it's not his achievement necessarily. I think that it actually slowed our recovery.

And now we have, Mr. Speaker, a President who believes that the New Deal was a good deal, that FDR essentially lost his nerve and was too concerned about spending too much money. So he's concerned that FDR essentially backed down, and if he had just kept spending more and more money, then he would have been able to have this Keynesian effect, a real stimulus effect that would have brought us out of the Great Depression before the Japanese attacked us on December 7 of 1941. Well, the world will never know. That isn't what happened.

But the world also knows that there is no historical model for bringing about an economic recovery by taxing your citizens to death and transferring that wealth to other people and paying people not to work and by asking people to go forward and spend money that you hand to them. That's a temporary stimulus, if at all. And we tried that early last spring, a \$150 billion temporary stimulus plan. And you can look for the blip in that. What happened to the consumer spending? What happened to jobs? It didn't even show. In fact, about 70 percent of those \$150

billion that were injected into the economy in rebates were saved or used to pay off debt. They didn't stimulate the economy. So some of it was tax relief and to that extent it was good, but on balance it wasn't a stimulating plan. This is a huge plan based upon the same philosophy. Spending is stimulus is what President Obama has said, Mr. Speaker.

□ 1845

I looked back and I read through some of the documents written by John Maynard Keynes. This is pure Keynesian economics. It was Keynes that said I can solve the world's unemployment problem. We will just do this. We will go out to an abandoned coal mine and I will take U.S. currency and we will bury it in these holes around this abandoned coal mine. Then we fill the coal mine up with garbage, and then we'll turn the entrepreneurs in the country loose to go around and dig it up and be able to pick up this cash and take it out and spend it.

He said he can solve all of the unemployment problem in the country if you just give him enough cash and they could drill these little holes around in abandoned coal mines and then fill the coal mine up with garbage and then let the people dig through it. That would give them a job, of course, digging up the cash, and then they would take the cash out and spend it, and that would solve the economy.

Mr. Speaker, we are not going to solve an economic crisis until we produce. We have to provide incentives, which means getting government out of the way and reducing taxes so that people will produce. If they produce something that has value, they will take it out and market it and sell it and our economy will grow. And that is how you stimulate the economy, by increasing production, not by increasing spending. And it needs to be competitive production that gives people a comparative advantage against the rest of the world.

Innovations in the area of technology, for example, entrepreneurs that start businesses, people that are trading, buy, sell, trade, make gain, produce market, be smart about it, but do not punish the productive sector of the economy, or you will wait a long, long time for a recovery. We know that they waited a long time for the recovery of the Great Depression, from 1929 to 1939 to '49 to '54. All of that time, a complete and entire more than a generation before they saw the recovery that was brought about by two things, the Second World War and by the industrial productive might that we developed and the effect of that on the world's economy.

So, if you create, as a President of the United States, Mr. Speaker, a huge deficit, and then you say, oh, by the beginning of my second term in office I am going to cut my deficit in half, how would that be? It would be like the family budget, if I would go out and

spend, let's say \$2,000 more per month than I make, I would have a \$2,000 a month deficit. And that would then be a \$24,000 a year deficit.

But I could make my pledge to my financial advisor that I am going to cut that deficit in half and just cut it down to \$1,000 a month. And if I needed to really bite the bullet and say, well, I am going to have to do more than this, I could maybe increase my spending to \$3,000 a month or \$4,000 a month, and then next year it would be easy enough, I would just cut it back to \$2,000 a month and say I cut my deficit in half. I am still spending the same amount I was, and I still have the same kind of deficit I had.

That is the kind of smoke and mirrors language that is coming out of the White House today, and the American people, Mr. Speaker, are sitting there accepting it. They are accepting the idea that if you spend a couple trillion dollars, if the White House spends a couple trillion dollars appropriated here, out of the beginning of the spending into the House of Representatives, and that \$2 trillion in the stimulus plan is going to, get this language, save or create 3.5 million jobs.

All right. Have we lost our senses? Don't we see through that clearly? I mean, this isn't any kind of blurry, opaque lens we are looking through. This is crystal clear in focus. Save or create 3.5 million jobs. Not new jobs, not defined jobs, not in any particular sector. Not create jobs. Save or create.

So, I guess I could go back to a pretty low educational level and ask maybe one of our children, figure this out. If you are going to save or create 3.5 million jobs, and if you have got a workforce of about 142 million here in the United States, let's just say that it is really clear that President Obama is going to accomplish that objective. I can guarantee that President Obama will accomplish the objective of saving or creating 3.5 million jobs, because, first of all, they aren't new jobs, and second of all, if you don't create a single one and you still have 3.5 million jobs left in America, you have met your promise.

These are carefully parsed words and pieces of language. This isn't something he is speaking off the cuff and bouncing around in between other meetings. It isn't like he was ambushed by the press. This is the speech writers carefully putting this language together. It has been repeated over and over again.

As far as I know, the press hasn't said, Mr. President, isn't it true that if there are 3.5 million jobs left in America, you will have kept your promise? That is what the promise is, Mr. Speaker.

There are also many other promises. One of them is we are going to have a carbon tax. So we are going to tax energy. Well, everything that we have in America takes energy to produce or deliver. A cup of coffee takes energy to heat it. It takes electricity to fire up

the coffee pot. It takes energy to transport it. Everything we have takes transportation. It takes trucks, it takes rail, it takes trains. All of that burns energy. Almost all of it takes energy, hydrocarbon energy that comes from petroleum.

So if we are going to tax the carbon that is petroleum, if we are going to tax that we are taxing everybody in America. They are going to tax your light bill and your gas bill. That is your heat bill. Your gasoline bill as well. And this tax isn't going to be something that is put on your invoice. It is going to be something insidious. It is going to be something that creeps and sneaks into your bills so you don't see it. It will be immeasurable.

I can just guarantee you if this happens, there won't be any study done in this Congress or anywhere else that is official at least by government that will tell you what it costs you to pay this carbon tax. But it is so far measured at \$646 billion, the carbon tax.

We are going to pay a tax on carbon. Why? Because we have some scientists who have decided that they want to tell us all that we are suffering from global warming. Climate change now is the word. And I will just say, pay attention to language. We have gone from global warming, well, actually we have gone from ice age. I remember ice age in the seventies. There was one scientist that was a lead scientist on predicting that we had a coming ice age, and he has now shifted over to the other side. Now he says no, the Earth is in global warming and we should backpedal from that as it was as we can.

But we have gone from ice age to global warming, and now global warming is kind of hard to hold because the Earth has been cooling for the last 10 years, so we have to change the language to climate change.

Now, if you have to fix the climate change problem, you will be able to do that forever. In fact, we always complain about the climate changing on us on a regular basis, wherever we come from. In Iowa, the climate is changing all the time. Just wait 5 minutes, it will change, we say. I talked to a fellow in Mississippi this morning. He says the same thing.

Climate change is going on all over America in little microcosmic ways. But you can address that and say we are going to fix it with government. We are going to fix it with a carbon tax. We are going to tax your energy.

If you tax our energy, you are taxing every single component of America's economy. You can't turn on your computer without taking energy. You can't light up your BlackBerry. You can't make a cell phone call. You can't turn on your lights. You can't get in a taxicab or on the Metro or drive your car. I suppose you can't ride your bicycle or go out to the farm and pitch a couple bales. But they have already figured out it takes energy to do that, and they are measuring against ethanol. A farm worker takes 4,000 calories a day

to go out there and do the work. Now, I think he is overeating just a little bit. But they have measured it. Calories are energy. Human consumption of food is energy. Everything takes energy. Energy is based on carbon, and they want to tax carbon to the tune of \$646 billion. Then, to make sure it really goes to the right place, the White House wants to tax oil and gas directly, \$31.5 billion dollars.

And, by the way, if you thought you made a pretty good living and maybe jumped through all these government hoops and were able to establish an estate, then we have it set up so we were seeking to get completely rid of the death tax. But President Obama is convinced that they are going to come back with the death tax and eliminate the loopholes, so now you can't even hope to die for free.

That is all going on. And on top of that, we are in two wars, Mr. Speaker. Two wars. There is still a conflict going on in Iraq, and I am transitioning into that, and there is clearly a conflict in Afghanistan which President Obama has ordered a surge.

Now, it seems a little odd to me that the President of the United States would not admit that the surge worked in Iraq, but he would order one in Afghanistan, even though they are two different countries, I agree, and it is a tough battle going on in Afghanistan, and I am going to stand with him on the orders he has given.

There are many more components to it, and I trust the White House is going to build out the State Department side of this, the economic side of this, and the strategic neighbors, and hopefully put together a more cooperative approach to this so that we can have a broad and complete solution in Afghanistan. I will stand with him on that, as tough as it is.

I will not walk away from our military. Not our military. I stand with them and I stand with their mission. Their mission has been in Iraq, and everybody serving there in the last few years not only volunteered for their branch of the service, but they volunteered knowing that they would be likely called up to go to Iraq. Many of them volunteered for that mission. That is our military; selfless, noble, self-sacrifice, bravery like the world has never seen. The best trained, the most disciplined, the best equipped, the best armed military the world has ever seen.

Yet on the floor of this Congress, Mr. Speaker, in the 110th Congress, the previous Congress, there were more than 40 votes brought to the floor that were designed to unfund, underfund, or undermine our troops while they are at war under orders to face the enemy. And they face them in a way that was a 360 degree battlefield. You never knew when they were going to be hit, there was no one that was in a safe zone, some safer than others.

Yet in all of this, President Bush took a look and decided he did not

want to capitulate to the other side. And even though the advice that he was getting from many of his top military officers was essentially we are not in a position to win this war, Mr. President, and the implication was that he should just simply order a withdrawal, let me put it this way, a cynic would say declare victory and leave, but you can never declare victory and leave and call it a victory in a war.

In a way it is like a street fight. The person that is standing there when it is over is the one that wins. And if you don't occupy the territory you fought over, you don't get to say we won that war, we just got tired of it and left and when home. The world knows that, history knows that, President Bush knows that.

That is why he had the vision and the leadership to give the order for a surge. It was a well-researched strategy that had many components to it, not just the military tactical, but many the other components to it as well. And as that strategy was put together, and I made a number of trips over there and met with our top officers while this was being put together, I was sold on the strategy before it had a name, I was sold on the strategy before it was actually shaped. But we see now what has happened.

President Bush ordered the surge and we swelled the troops up to over 150,000 there. He made the order. And, of course, our troops nobly complied and they carried out their mission in a fashion that still amazes more than half of this Congress, most the country and even more of the world.

But, today the Pelosi Congress has established 18, 18 benchmarks that needed to be achieved in Iraq before they would be willing to support the efforts and the spending that is going on there. I took this in the middle of those 40-plus votes that were designed to unfund, underfund or undermine our troops, I took those benchmarks that were essentially imposed upon the Iraq effort to be setting the bar so high that it could never be achieved because so many were invested in defeat in this Congress.

Yet of the 18 benchmarks, 17 of the 18 benchmarks have been wholly or substantially achieved in Iraq. And I don't have that list in front of me, but I can tell you the one that is not yet been achieved, and that is the benchmark that requires the Iraqi Security Forces to be completely independent from U.S. military support.

So, that would be that the 613,000 Iraqi Security Forces that are in uniform today that have been trained and equipped by our military, standing up a military from a beginning takes years, but of those 613,000, by that 18th benchmark they would all have to be able to operate independent of U.S. communications, U.S. logistical support, U.S. training, U.S. intelligence, the list goes on of all the things that we are providing them and helping them with today.

I think that is a generation away before they reach that level. I think the 18th benchmark was completely unreachable, although they have made substantial progress. But I won't say it has been substantially completed or wholly completed at this point. So 17 of 18 benchmarks, and the remaining one is an independent Iraqi Security Force. Seventeen of 18 benchmarks have been achieved, Mr. Speaker.

I am introducing, I have today introduced a resolution that addresses this. The resolution is a resolution that acknowledges and recognizes the achievements there. Seventeen of 18 benchmarks have been achieved. That is one point.

Another is American casualties in Iraq. Since the 30th of June, 2008, we have lost more of our military to accidents than we have the enemy; more to accidents than we have the enemy, Mr. Speaker. That is a measure too of a war that is going in the right direction.

The civilian deaths in Iraq have gone down by 90 percent and the ethno-sectarian deaths in Iraq have dropped by 98 percent.

□ 1900

There's a long period there where you had no sectarian deaths, where statistically so low that they were not reportable.

And yet, I remember, some of my colleagues over here and some of our Senate friends saying the war in Iraq is lost. It can't be won. We've been defeated. It's a civil war. There are sectarian deaths. It's out of control, and we need to get out people out right away, just maintain enough of a rear guard so that they don't get shot in the back as they retreat from Iraq. That's essentially the message that came from a good number of people over on this side of the aisle, Mr. Speaker, and a number of them in the Senate as well, and that was part of the debate on these 40-plus votes that were designed to unfund, underfund or undermine our troops.

But what's happened is there has been substantial achievement in Iraq. We have achieved a definable victory in Iraq. And I've introduced a resolution today that lays out the history on how we got there, the authority that was invested in the President of the United States by this Congress to engage in military action if he saw fit, and the responsibilities that he accepted and that our military accepted, as well as the things that went wrong, and then the things that went right.

But three elections almost, the last election was so successful there wasn't a single significant security event involved in the last election in Iraq in the last weekend of January, this year. And so they ratified a constitution. They've had three successful elections, they have an effective central government. And Maliki has become a powerful and influential leader that had the courage and the temerity to order his own troop actions to go down into

Basra last year, and that turned out to be something that seemed to be tenuous but turned out to be successful, and it was a key component in establishing Baghdad and the central government as being in charge in the country of Iraq.

So however we measure this, by any complete objective measure, there has been a definable victory achieved in Iraq.

That's what this resolution does, Mr. Speaker. And it thanks and honors our military for their sacrifice of life and limb and blood and treasure and time away from their homes and having their destiny changed. No one served in that country without having the destiny of their life turned in one way or the other. Some of them lost their lives. Some of them lost their limbs. All of them were affected in a way that it changed them, in a small way some perhaps, and in a very large way, others. It caused the breakup of some families. There were divorces because of the long deployments. There was a price paid by wives and husbands and children.

And yet, in this country, we bicker here trying to undermine an effort. And now, this Congress has a chance to say thank you for all of that sacrifice. This Congress has a chance to ratify this resolution and put it into the RECORD, in the CONGRESSIONAL RECORD for all time.

And some of the language in this resolution, Mr. Speaker, follows like this: The United States House of Representatives extends its gratitude to all those within the military and civilian departments and agencies of the United States Government who were responsible for directing the implementation of the surge strategy, including General David Petraeus and Ambassador Ryan Crocker.

The U.S. House of Representatives recognizes the importance and significance of victory in the Iraqi theater of the larger global struggle against radical Islamic jihadists terrorists.

And the United States House of Representatives commits itself to working with President Obama and his administration to continue the progress that has been made on the ground in Iraq since the surge strategy was implemented, recognizing that a definable victory has been achieved in Iraq, and that history will judge President Bush's successor by his ability to maintain his predecessor's victory.

That's what's been achieved in Iraq today, Mr. Speaker. And I stand with President Obama in maintaining and in building upon the achievements that have been made in Iraq.

This resolution is about honoring the accomplishments to this point. And it's about asking and actually challenging all of us to stand with those who have sacrificed so much so that price has meaning, so that the destiny of America, the destiny of every individual that served there was changed by their experience there. The destiny of America then needs to be changed also, as



the benefit from the price that's been paid.

The destiny of America can be defined by the course of liberty and the course of freedom. And we have watched freedom be expanded around the world. I've watched it in a number of ways. Sometimes we've just fought them to a draw, and sometimes we expanded freedom dramatically. Free market capitalism expanded freedom around this world probably more than any war that there ever was. But those things fit in conjunction with each other.

The Second World War expanded freedom. If it hadn't been for that, we would have been either under the control of the imperial Japanese or the Nazis. And yet, we defended freedom. We expanded freedom.

Still, February 11, 1945, at Yalta, Winston Churchill, Franklin Delano Roosevelt and Joseph Stalin drew a line on a map, and the line on the map was the line west of which people would live in the free world and east of which they would live in the slavery of communism. When that line was drawn, February 11, 1945, that set the destiny for people for more than a generation to come, 2 generations to come.

But by November 9, 1989, the Berlin Wall came down. This Cold War that we'd fought for all of those years, along that line that was drawn at Yalta by Stalin, Franklin Delano Roosevelt and Winston Churchill, that line fell, that was the Iron Curtain. It came down literally with a crash, beginning November 9 when the Berlin Wall started to come down. And freedom echoed for a time, all the way across Eastern Europe, all the way across Asia, all the way to the Pacific Ocean. That was the result of this victory in the Cold War.

And the Yeltsin era came in, in Russia, and the satellite states for the Soviet Union declared their independence, and most of them are essentially independent today. But freedom has diminished back across that vast land of Russia. It's not what it was during that era. Most of the institutions of freedom have been diminished or eliminated by the Putin era within Russia.

But we advanced freedom, we advanced it in the Second World War dramatically. But the line was drawn, drawn between the east and the west, the line of the Iron Curtain. Then the Cold War was won and the Iron Curtain came crashing down, and hundreds of millions of people breathe free that would not have otherwise.

We found ourselves, though, in a conflict in Vietnam, which was the last direct military conflict between freedom and communism.

Now, the problem with losing your nerve and losing your will when it comes to foreign policy cannot be measured in, well, it's no longer convenient to support a war in Iraq. I'm unhappy and uncomfortable with the cost or the casualties that are there, so I'll make an objective decision to rationalize and pull out. That's some-

thing that was going on. That was some of the thought process that's going on by many of the people that are on staff today at the White House.

But there is a destiny of the free world that America leads that has to be attended to. It's our duty and it's our charge, and so, I'll submit this, Mr. Speaker, that America was viewed as the superpower of the world. We viewed the Soviet Union as the other superpower. We called them that. But much of the rest of the world saw us as the only superpower in the world. And we had never lost a war. The world didn't expect us to lose a war.

But when I picked up this book, this is a book, Vietnam's top military strategist tells how we won the war by General Vo Nguyen Giap. This is the general that commanded the North Vietnamese military during the Vietnam War. And General Giap, G-I-A-P, he writes in here some things that are illuminating.

Now, this isn't a very good book, and I don't recommend, Mr. Speaker, that people go out and buy it. I can give you the essence of it here in just a little phrase. And again, the title of the book is *How We Won the War*. The commander of the North Vietnamese, and he says here that the U.S. had already begun its decline from the position as the only superpower. This book is copyrighted in 1976, so it was written right after the fall of South Vietnam. General Giap said the U.S. had already begun its decline from the position as the only superpower. He viewed us as the only superpower in the 1970s and in the 1960s. That's one way to look at it. But he said the U.S. failure to win in Korea was the turning point.

So, Mr. Speaker, here's the lesson. We had a Korean War, and we negotiated a settlement rather than press for an all out victory. I'm not commenting on what was the right thing to do then from a military tactical standpoint. I am commenting on this: Settling for a negotiated settlement in Korea resulted in an inspiration for the North Vietnamese, that America didn't have the will to press for a victory in Vietnam, so they fought a war of attrition. They fought a war of attrition that went on for more than a decade. And the price for that was 58,000 American lives, hundreds of thousands of North Vietnamese lives. And this Congress voted to shut off all funding, not just to support American troops who had already been pulled out of South Vietnam. If you remember Vietnamization. The Vietnamese were taught and trained and equipped to defend themselves, and they had stepped up, and they were doing that.

This Congress shut off all funding. And I went back and read the legislation. And it says, no money, none of these funds or any funds heretofore appropriated shall be spent in Vietnam, North Or South Vietnam actually, and in Cambodia or Laos, on the skies overhead or the seas beside these countries. In other words, whatever money was in

the pipeline to go help the Vietnamese boys defend themselves, as I think that was the language that they used at the time, that money was shut off too. Money that I was already appropriated by a previous Congress and already sent by a Commander-in-Chief was shut off by this Congress, along with any other appropriations. When that happened it starved the defense of South Vietnam. No wonder they capitulated. They didn't have anything to fight with. And the legacy is left that the United States walked away from one of our friends and our allies.

Well, it started with Korea, a negotiated settlement, and we got to Vietnam.

And then, Mr. Speaker, I find myself sitting in a hotel in Kuwait City, waiting to go into Iraq the next day. The date was June 11, 2004. And I didn't know at the time, I don't think, about General Giap's look at Korea as his inspiration. But I was watching Al Jazeera TV, and I couldn't understand what they were saying, but they had English closed-caption. And I heard this, I think, in Arabic, come out of the mouth of Muqtada al-Sadr, who said, if we keep attacking Americans, they will leave Iraq, the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu. And I wrote those notes down when I heard that. But it also was branded into my memory, Mr. Speaker.

Our enemies in Iraq and our enemies around the world are inspired if they see lack of resolve. General Vo Nguyen Giap was inspired when he identified lack of resolve in a negotiated settlement in Korea. And our subsequent enemies in places like Lebanon and Mogadishu were inspirations as well to Muqtada al-Sadr and our current enemies that we have. These are all the terrorists worldwide. They talk about this. I mean, this is not something that is an original thought of Muqtada al-Sadr. This is something that's being voiced around the world to encourage and recruit our enemies.

And I'll say, America didn't, they couldn't win in Korea. They couldn't win in Vietnam. They pulled out of Lebanon. They pulled out of Mogadishu, and they will pull out of Iraq, is what they were hoping.

□ 1915

Well, Mr. Speaker, there is no military tactical reason to pull out of Iraq to avoid the conflict that's there, because much of our enemy has been mopped up by U.S. and Iraqi forces working in conjunction with coalition forces that are still there.

We must maintain this victory that has been achieved. I have defined it tonight, Mr. Speaker, for you. We must maintain it because this is the point where we turn the destiny of America again at the price of the destiny of hundreds of thousands of military who have served in that country. Now we can turn the destiny of America toward

the positive side again, and we can hand to the next generations the world's only superpower, who may have lost its will in Vietnam, who should not have pulled out of Lebanon in the stage that it was in, who should not have left Mogadishu, but who did stick it out in Iraq and who did ensure that the Iraqi people had their chance at freedom, that they had their chance at liberty, that they had their chance to be as they are quickly becoming: a moderate Muslim state that is our ally in the Middle East in an ideal strategic location for them to influence the Middle Eastern part of the world and in an ideal tactical location.

The Iraqi people on our side are understanding this: We didn't ever go there for their oil. We didn't ever go there to occupy. We went there to end the dictatorship of Saddam Hussein, and that happened.

Whatever you argue about whether the full spectrum of all of the reasons were intact or not, the fact remains that the President had to make a decision based upon the information he had. He made that decision. Once it was made, we stood with our troops and with their mission. Their mission has been wholly or substantially completed and will be, but we've got to remember that this is a fragile definable victory that has been achieved, and we cannot squander it, and we need to honor the Commander in Chief who gave the order of the surge, and we need to honor the people who brought it about. That does include the Iraqi people. It includes the Sunni awakening. It includes the commitment by them in understanding that, again, we didn't go there for their oil, and we didn't go there to occupy. We went there to give them a chance at freedom. They have their chance, and they will continue, and they're actually reaching harder and stronger than maybe they have the capability of doing.

When I sit in these briefings, I get this, and this wouldn't be a classified component. It's a concern that the Iraqis have maybe a little more confidence in their military capability than they actually have. Well, that's the right place for them to be, to be stretching and pushing this thing and to be asking for as much of their own military autonomy as we can give them. We've given them much. We've given them at least all of the security in at least 14 of the 18 provinces and maybe more, and I might have missed one or two. We handed over to them Anbar province, a place where 2½ years ago I couldn't go because it was too dangerous, a place where, in downtown Ramadi, there was not a building that was not shot up. It was a rubble. It was a city of rubble that had been fought over so many times—a city of death.

I went shopping in downtown Ramadi and, additionally, in Fallujah where I've been several times. By the way, the mayor of Ramadi sounds like the mayor of Peoria. He says, "Get Bagh-

dad to send me a little more money down here. I need more sewer, water and lights. We're rebuilding this town. We've got to get everybody off the dime. Why is it stuck? We need to go to work." That's what they're doing and what they've done.

In Fallujah, the mayor of Fallujah says, "We are a city of peace, and we are going to repair every building in this city so there's no sign of war."

If Fallujah is going to be known as the "city of peace," well, Mr. Speaker, that's what has been accomplished over the last number of years and especially since the surge was ordered.

This resolution that I introduced today is a resolution that calls upon this Congress to recognize that and to honor the price, the sacrifice, the accomplishments, and the achievements. It also asks the President: Hold this together. Nurture this along. Let's not make a political decision on the deployment of troops out of Iraq because it's a promise that you made 3½ years ago when you were a State Senator. Let's make sure that this is a tactical decision and also a political decision and an economic decision and a strategic decision. If you're going to make decisions like that, when you make an announcement that all of the combat troops are going to be out by the last day in August in 2010, as a Commander in Chief, you've fenced yourself in politically. What's the point? You can order those troops to be deployed out of this and can have all of our combat troops out by the last day in August of 2010 without having to tell the world. Just start that progression.

We've already started it, and it makes some sense to do that. It may even make a lot of sense to do that. It just should never, ever be a political decision, and there is no need to announce it. Then also to announce that, by the last day of 2011, all of our military will be completely out of Iraq, that's actually what the Status of Forces Agreement says, but it also says that we can renegotiate this.

So, Mr. Speaker, I'll submit that we've accomplished a lot in Iraq. We have accomplished so much that we've achieved a definable victory there. This Congress needs to celebrate the achievement of the definable victory in Iraq. We need to applaud everyone who has served there in uniform and especially those who have given life and limb and their families. It is a noble, noble act by a noble, noble people.

It is best expressed, I think, at the Korean war memorial where it says, "This Nation honors our men and women who answered the call to serve a country they never knew and a people they never met."

It has happened over and over again from the United States of America. It has happened again in Iraq. It's happening in Afghanistan. We need to preserve those precious victories. We need to end this legacy of not having the will to complete the task that we've started. We need to end this propa-

ganda that's coming out of the mouths of our enemies that says, well, we'll leave Iraq the same way we left Vietnam, Lebanon and Mogadishu. We can't have Osama bin Laden sitting in his cave up there in Pakistan, saying, "Well, they will leave Afghanistan the same way they left Vietnam, Lebanon, Mogadishu, and Iraq." If that happens, we've got a much larger enemy that we have to face and a much more determined enemy that we have to face.

They know they've lost in Iraq. They've said so. It says so in this resolution. We have quoted some al Qaeda leaders in this resolution that they have recognized they have lost tactically the war in Iraq. They don't have the ability to engage in any kind of an organized military way. They can cause some trouble, yes. There are a few of them left in pockets, particularly in Mosul, and they're being mopped up as we speak, but there has been a tremendous amount that has been accomplished.

If the President can make the charge that he inherited a \$1 trillion deficit and somehow then the responsibility for this economic crisis that we're in all falls back on his predecessor because he has inherited a \$1 trillion deficit, never mind he has offered a \$1.7 trillion budget—but if he can take that position over and over again that he inherited a \$1 trillion deficit and this economy, by implication, is all going to be on the shoulders of George W. Bush, then at least, Mr. Speaker, he can accept the responsibility of Iraq and the state that it's in and can preserve the definable victory that has been achieved.

That's what this resolution does. That's what it asks for. It's what, I think, the will of this Congress ought to be. I'm going to be asking the Speaker to allow this to come forward to the floor.

Right before I close, Mr. Speaker, I would yield to the gentleman from Nebraska so much time as he may consume of which I don't think there's a lot.

Mr. FORTENBERRY. I thank the gentleman from Iowa, and I always appreciate your passion and your willingness to engage in the most profound issues facing our country. I didn't mean to interrupt. If you were concluding, I was hoping you would yield time to me for about 6 or 7 minutes on another topic that I'd appreciate your listening to.

Mr. KING of Iowa. I'd be very happy to yield the balance I have.

Mr. FORTENBERRY. Thank you.

Mr. Speaker, today, the Prime Minister of the United Kingdom, Gordon Brown, spoke strongly and eloquently before this body of our Nation's specialness of our shared history, traditions, as well as our values. He also spoke of the past, present and future challenges confronting our partnered nations.

I respect this long, historic relationship that Prime Minister Brown laid

out. There were many principles of his speech with which I deeply agree, such as the defense of human rights worldwide, nuclear security, a sustainable energy future, and human rights in addition to the fact that he also proposed a broad, vast, new array of new ideas that can help bring about a new day and mantle of leadership in this essential area of need for our world's poor. However, he also proposed a "global new deal," a new deal that is not clearly defined but that is pointed toward a vast, new, international arrangement.

With regard to the current financial difficulties in our developing global economy, it is indisputable that our economic challenges affect the rest of the world. America has a long history of meaningful trade with other nations, especially with our partner Great Britain, but America also has an entangled relationship pertaining to our national debt. We have borrowed from the United Kingdom, China, Japan, and from numerous countries in the Middle East to finance our burgeoning debt and to accommodate our deficit spending. Much of this has been discreet and out of the public eye, but the implications of foreign ownership of Federal debt instruments are greatly significant.

Approximately half of the total public debt is in foreign ownership. At some point, Mr. Speaker, global investors may grow weary and may decide not to take the risk of buying our debt. We would consequently be faced with the choice to stop borrowing to finance our deficit spending or to raise interest rates in order to attract investors. If any of these countries chose to quickly sell their U.S. holdings, a tumultuous devaluation of the dollar could quickly ensue.

As Prime Minister Brown said, we are all seeing how certain "financial instruments have spread contagion throughout the world." This is certainly true, and I appreciate the Prime Minister's calls for further transparency and accountability. However, I challenge his presupposition that a greater global consolidation of financial systems is in our national or in the international community's best interest.

Financial consolidation, extreme volatility and speculation in world markets, reckless use of exotic financial instruments, liberalized credit have certainly contributed to the current collapse. The global scale of the credit crisis and confidence should give us pause to consider that our profound economic connectedness may actually cause more problems instead of prosperity. The increasing concentration of wealth assets into fewer and fewer financial institutions will increase our financial vulnerability. One of our greatest concerns right now is how to stabilize banks and financial entities that are deemed "too big to fail."

Well, Mr. Speaker, I believe we need a paradigm shift, a new paradigm. We should be asking: Are these financial

systems too big to succeed? Now is the time to reconsider an essential component of Western philosophy—the great potential of the individual in solidarity with one's community. I believe that America, the United Kingdom and the other strong financial powers in Europe should take this time to empower individuals and communities to provide for themselves through a network of strong local and regional economies.

As the Prime Minister added, America is a nation of extraordinary capacity, and to spur growth, I believe it is imperative that our government's efforts be targeted toward helping small business entrepreneurs whose successes will be the bellwether of economic progress.

Recent data from the Commerce Department shows that small businesses have generated 60 to 80 percent of new jobs over the past decade. By enacting good commonsense initiatives to benefit entrepreneurial growth, we may create local jobs and new opportunities to stem the tide of economic difficulties in our communities, our State and nationwide.

Mr. Speaker, I believe that it is local financiers and local businesses who best know the needs of their communities and who are, in the very essence, more transparent and accountable. This is the motto we should return to, and it is the proper motto for us to help lead in building sustainable local economic connectedness for the world's developing nations.

I thank the gentleman for the time.

Mr. KING of Iowa. I thank the gentleman, and I would yield back the balance of my time.

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#### A NEW PHILOSOPHY OF RECOVERY AND RENEWAL

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

Mr. FORTENBERRY. Mr. Speaker, again, the gentleman from Iowa was kind enough to allow me to borrow some of his time. And I appreciate, again, his passion and his focus on the essential issues of the day. But I'd like to continue, just briefly, the discussion that we were engaging in at the moment regarding the Prime Minister of the United Kingdom's address before a joint session of Congress today.

And let me add, Mr. Speaker, that Prime Minister Brown rightly warned us earlier of the dangers of protectionism. But in no way is it protectionist, I should add, to want to consolidate our economic recovery efforts on Main Street. More than any bailout crafted by Washington or Wall Street, it is a return to our hard-fought American ideals of responsibility, discipline, entrepreneurship and stewardship that will actually help Americans build a more just and secure future for ourselves, as well as for the world's poor.

Mr. Speaker, the United Kingdom has been a stalwart friend of ours throughout our modern history. And after two centuries of partnership, it can be said that we have no greater ally. In no way do I seek in these comments to undermine that. Our two nations will be forever grateful for our aid to one another during times of both war as well as peace.

The United Kingdom is our greatest ally in preserving our long-standing commitment to the inalienable human rights, especially for vulnerable populations. I deeply value the Prime Minister's words that when the strong help the weak, it makes us all stronger. And this certainly rings true with regard to the pursuit of international policies that recognize the inherent dignity and rights of the human person, which are essential to preserve liberty and justice in the world.

However, Mr. Speaker, let me make this clear: we should give long pause before becoming more intertwined in an internationalist, industrial financial model for the future. Let us continue our strong relationships of commerce with the United Kingdom and all other nations, but let us not find our financial wellbeing entangled in complex, poorly understood, exotic, international economic alliances. Instead, let us embrace a new philosophy of recovery and renewal based on the time-honored principles and notions of individual responsibility, entrepreneurship and community.

I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Mr. HOYER) for today.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. POE of Texas, for 5 minutes, March 11.

Mr. JONES, for 5 minutes, March 11.

Mr. FLAKE, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. CHAFFETZ, for 5 minutes, today.

Ms. FOXX, for 5 minutes, March 5.

Mr. GOHMERT, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. HARPER, for 5 minutes, today.

Mr. FORTENBERRY, for 5 minutes, today.

#### ADJOURNMENT

Mr. FORTENBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Thursday, March 5, 2009, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

768. A letter from the Chairman, Jamestown 400th Commemoration Commission, transmitting the Commission's final report on the 18-month program of commemorative activities and events of Jamestown's 400th anniversary; to the Committee on Oversight and Government Reform.

769. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's first Quarterly Report, pursuant to Public Law 110-389; to the Committee on the Judiciary.

770. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney PW4090 and PW4090-3 Turbofan Engines [Docket No.: FAA-2007-29110; Directorate Identifier 2007-NE-35-AD; Amendment 39-15808; AD 2009-04-02] (RIN: 2120-AA64) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

771. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation AE 3007A1E and AE 1107C Turbofan/Turboshaft Engines [Docket No.: FAA-2008-0230; Directorate Identifier 2007-NE-24-AD; Amendment 39-15809; AD 2009-04-03] (RIN: 2120-AA64) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

772. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Turmo IV A and IV C Series Turbohaft Engines [Docket No.: FAA-2006-25730; Directorate Identifier 2006-NE-31-AD; Amendment 39-15798; AD 2009-02-08] (RIN: 2120-AA64) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

773. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Wytornia Sprzetu Komunikacyjnego "PZL-Rzeszow" S.A. PZL-10W Turbohaft Engines [Docket No.: FAA-2008-1068; Directorate Identifier 2008-NE-33-AD; Amendment 39-15807; AD 2009-04-01] (RIN: 2120-AA64) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

774. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Model 55, 55B, and 55C

Airplanes [Docket No.: FAA-2009-0054; Directorate Identifier 2008-NM-222-AD; Amendment 39-15802; AD 2009-03-01] (RIN: 2120-AA64) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

775. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Models 401, 401A, 401B, 402, 402A, and 402B Airplanes [Docket No.: FAA-2009-0118; Directorate Identifier 2008-CE-073-AD; Amendment 39-15810; AD 2009-04-04] (RIN: 2120-AA64) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

776. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and Airbus Model A340-200, -300, -500, and -600 Series Airplanes [Docket No.: FAA-2009-0122; Directorate Identifier 2008-NM-223-AD; Amendment 39-15813; AD 2009-04-07] (RIN: 2120-AA64) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

777. A letter from the Assistant Administrator Office of Policy and Strategic Planning, Small Business Administration, transmitting the Administration's study done of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; jointly to the Committees on the Judiciary and Small Business.

#### 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. HASTINGS of Florida: Committee on Rules. House Resolution 205. Resolution providing for further consideration of the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability (Rept. 111-23). 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. SCOTT of Virginia (for himself, Mr. CONYERS, Mr. SMITH of Texas, Mr. GOHMERT, Mr. FORBES, and Ms. JACKSON-LEE of Texas):

H.R. 1292. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to establish a National White Collar Crime Center grants program for purposes of improving the identification, investigation, and prosecution of certain criminal conspiracies and activities and terrorist conspiracies and activities; to the Committee on the Judiciary.

By Mr. BUYER:

H.R. 1293. A bill to amend title 38, United States Code, to provide for an increase in the amount payable by the Secretary of Veterans Affairs to veterans for improvements and structural alterations furnished as part of home health services; to the Committee on Veterans' Affairs.

By Mr. RYAN of Wisconsin (for himself and Mr. KIRK):

H.R. 1294. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of bud-

et authority; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT (for herself, Mr. BACHUS, Mr. NEUGEBAUER, Mrs. CAPITO, Ms. GINNY BROWN-WAITE of Florida, Mr. ROGERS of Michigan, Mr. JONES, Mr. SHIMKUS, Mr. ROONEY, Mr. SESSIONS, Mr. TURNER, Mr. SMITH of Texas, Mr. PAULSEN, Mrs. BONO MACK, Mr. LANCE, Mr. BILBRAY, Mr. REICHERT, Mr. CASTLE, Mr. MCCAUL, Mr. JOHNSON of Illinois, Mrs. MILLER of Michigan, and Mrs. SCHMIDT):

H.R. 1295. A bill to mitigate mortgage foreclosures, facilitate and include fairness in housing recovery, and combat mortgage fraud, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and 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. CLYBURN (for himself, Mr. ABERCROMBIE, Mr. BERMAN, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BORDALLO, Mr. BOSWELL, Mr. BOUCHER, Mr. BUTTERFIELD, Mr. CARNEY, Mrs. CHRISTENSEN, Mr. CLAY, Mr. COSTA, Mr. DAVIS of Illinois, Mr. DAVIS of Tennessee, Mr. DEFAZIO, Ms. DEGETTE, Mr. COOPER, Mr. DELAHUNT, Mr. DOGGETT, Mr. ELLISON, Ms. ESHOO, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HIGGINS, Mr. HINOJOSA, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Mr. MEEK of Florida, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NAPOLITANO, Mr. NEW YORK, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. ORTIZ, Mr. PASCRELL, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PERLMUTTER, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RODRIGUEZ, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SARBANES, Ms. SCHWARTZ, Mr. SCOTT of Georgia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SIREN, Ms. SLAUGHTER, Mr. SPRATT, Mr. TOWNS, Ms. VELAZQUEZ, Mr. WEINER, Mr. WELCH, Mr. WEXLER, Mr. WILSON of Ohio, Mr. WU, Mr. YARMUTH, Mr. CLEAVER, Mr. FARR, Ms. CLARKE, Mr. SALAZAR, Mr. ROSS, Mr. THOMPSON of California, and Ms. SCHAKOWSKY):

H.R. 1296. A bill to achieve access to comprehensive primary health care services for all Americans and to reform the organization of primary care delivery through an expansion of the Community Health Center and National Health Service Corps programs; to the Committee on Energy and Commerce.

By Mr. ABERCROMBIE (for himself and Ms. HIRONO):

H.R. 1297. A bill to establish the Hawai'i Capital National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. BERRY (for himself and Mrs. EMERSON):

H.R. 1298. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRADY of Pennsylvania (for himself, Mr. DANIEL E. LUNGREN of California, and Mr. CAPUANO):

H.R. 1299. A bill to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes; to the Committee on House Administration.

By Mr. BURTON of Indiana (for himself, Mr. LAMBORN, Mr. RADANOVICH, Mr. BROWN of South Carolina, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Ms. FOXX, Mr. MARCHANT, Mr. SIMPSON, Mr. FORTENBERRY, Mr. BARTON of Texas, and Mr. SOUDER):

H.R. 1300. A bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments; to the Committee on the Judiciary.

By Mr. FORBES:

H.R. 1301. A bill to amend the Internal Revenue Code of 1986 to suspend the 180-day period for completion of a like-kind exchange in the case of the bankruptcy of a qualified intermediary or an exchange accommodation titleholder; to the Committee on Ways and Means.

By Mr. HARE (for himself, Ms. CORRINE BROWN of Florida, Mr. BUYER, Mr. FILNER, Mr. GRIJALVA, Mr. HOLDEN, Mr. MICHAUD, Mr. MORAN of Kansas, and Mr. RODRIGUEZ):

H.R. 1302. A bill to amend title 38, United States Code, to establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for Health; to the Committee on Veterans' Affairs.

By Mr. RUSH:

H.R. 1303. A bill to require the Attorney General, through the Office of Justice Programs of the Department of Justice, to establish a 5-year competitive grant program to establish pilot programs to reduce the rate of occurrence of gun-related crimes in high-crime communities; to the Committee on the Judiciary.

By Mr. KING of New York (for himself, Ms. BERKLEY, Mr. FRANKS of Arizona, Mr. ISRAEL, Mr. COBLE, Mr. POE of Texas, Mr. WOLF, Mr. SHADEGG, Mr. WESTMORELAND, Mrs. MYRICK, and Mr. BROUN of Georgia):

H.R. 1304. A bill to create a Federal cause of action to determine whether defamation exists under United States law in cases in which defamation actions have been brought in foreign courts against United States persons on the basis of publications or speech in the United States; to the Committee on the Judiciary.

By Mr. KING of New York (for himself, Mr. MARSHALL, Mr. ARCURI, Mr. BISHOP of New York, Ms. BORDALLO, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURTON of Indiana, Mr. CARNEY, Mr. CHILDERS, Mr. COBLE, Mr. FILNER, Mr. FORTENBERRY, Ms. FOXX, Mr. FRELINGHUYSEN, Mr. GARRETT of New Jersey, Mr. GORDON of Tennessee, Mr. GRIFFITH, Mr. HALL of Texas, Mr. HELLER, Mr. HENSARLING, Mr. HINCHEY, Mr. HOLDEN, Mr. HOLT, Mr. ISRAEL, Mr. JOHNSON of Illinois, Mr. JONES, Mr. KAGEN, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK of Michigan, Ms. KOSMAS, Mr. LATHAM, Mr. LEE of New York, Mr. LOBIONDO, Mr. LOEBSACK, Mr. DANIEL E. LUNGREN of

California, Mrs. MALONEY, Mr. MASSA, Mr. MCCOTTER, Mr. MCGOVERN, Mr. MEEKS of New York, Mrs. MILLER of Michigan, Ms. MOORE of Wisconsin, Mr. PETERSON, Mr. POE of Texas, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. STEARNS, Mr. TERRY, Mr. WALZ, Mr. WOLF, Mr. YOUNG of Alaska, Mr. POSEY, Ms. ROS-LEHTINEN, and Mr. BACA):

H.R. 1305. A bill to provide for the issuance of a forever stamp to honor the sacrifices of the brave men and women of the armed forces who have been awarded the Purple Heart; to the Committee on Oversight and Government Reform.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. FRANKS of Arizona, and Mr. MCKEON):

H.R. 1306. A bill to amend title 28, United States Code, to provide for reassignment of certain Federal cases upon request of a party; to the Committee on the Judiciary.

By Ms. MATSUI:

H.R. 1307. A bill to authorize improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers near Sacramento, California, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCMAHON (for himself, Mr. ROONEY, and Mr. PERRIELLO):

H.R. 1308. A bill to direct the Secretary of Defense to adopt a program of professional and confidential screenings to detect mental health injuries acquired during deployment in support of a contingency operation and ultimately to reduce the incidence of suicide among veterans; 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 Mrs. NAPOLITANO (for herself and Mr. BILBRAY):

H.R. 1309. A bill to codify the definition of terms used in subheading 1604.14 of the Harmonized Tariff Schedule of the United States, relating to tuna products; to the Committee on Ways and Means.

By Mr. PALLONE (for himself, Mr. REICHERT, Mr. YARMUTH, Mr. GRIJALVA, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mr. MCNERNEY, Mr. STARK, Ms. ESHOO, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. FARR, Mrs. CAPPS, Mr. SHERMAN, Mr. BERMAN, Mr. SCHIFF, Mr. WAXMAN, Ms. WATSON, Ms. HARMAN, Ms. LORETTA SANCHEZ of California, Mr. FILNER, Mrs. DAVIS of California, Ms. LEE of California, Ms. DEGETTE, Mr. POLIS of Colorado, Ms. DELAURO, Mr. MURPHY of Connecticut, Ms. NORTON, Ms. CORRINE BROWN of Florida, Mr. MEEK of Florida, Mr. WEXLER, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Ms. HIRONO, Mr. RUSH, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. CARSON of Indiana, Mr. CHANDLER, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. TIERNEY, Mr. MARKEY of Massachusetts, Mr. CAPUANO, Mr. DELAHUNT, Mr. SARBANES, Ms. EDWARDS of Maryland, Mr. CUMMINGS, Mr. VAN HOLLEN, Mr. KILDEE, Mr. LEVIN, Ms. KILPATRICK of Michigan, Mr. CONYERS, Ms. MCCOLLUM, Mr. ELLISON, Mr. CLAY, Mr. CARNAHAN, Mr. CLEAVER, Mr. PRICE of North Carolina, Mr. SHULER, Mr.

MILLER of North Carolina, Ms. SHEA-PORTER, Mr. HODES, Mr. ANDREWS, Mr. ROTHMAN of New Jersey, Mr. PAYNE, Mr. HOLT, Mr. SIREN, Mr. ENGEL, Mr. BISHOP of New York, Mr. ACKERMAN, Mr. NADLER of New York, Mr. WEINER, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. HINCHEY, Mr. HIGGINS, Ms. SLAUGHTER, Mr. KUCINICH, Ms. SUTTON, Mr. RYAN of Ohio, Mr. WU, Mr. BLUMENAUER, Mr. DEFAZIO, Mr. SESTAK, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. SCHWARTZ, Mr. KENNEDY, Mr. LANGEVIN, Mr. COHEN, Mr. MORAN of Virginia, Mr. CONNOLLY of Virginia, Mrs. CHRISTENSEN, Mr. INSLEE, Mr. MCDERMOTT, Mr. SMITH of Washington, Ms. BALDWIN, Mr. KIRK, Mr. SMITH of New Jersey, Mr. WOLF, Mr. MCHUGH, Mr. PLATTS, Mr. HALL of New York, Ms. VELÁZQUEZ, Mr. COOPER, Ms. TSONGAS, Mr. PASCRELL, Mr. BRALEY of Iowa, Ms. PINGREE of Maine, Mr. OLVER, and Mr. HIMES):

H.R. 1310. A bill to amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste; to the Committee on Transportation and Infrastructure.

By Mr. PAUL:

H.R. 1311. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts distributed from tax-favored accounts during a period of unemployment; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 1312. A bill to amend the Internal Revenue Code of 1986 to exclude from Federal tax certain payments made in connection with reductions in force; to the Committee on Ways and Means.

By Mr. PETRI (for himself and Ms. MATSUI):

H.R. 1313. A bill to amend the Elementary and Secondary Education Act of 1965 so that any local educational agency receiving funding under part A of title I of such Act or public charter school is eligible for a Troops to Teachers participant; to the Committee on Education and Labor, 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 Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. BISHOP of New York, Ms. ZOE LOFGREN of California, Ms. MATSUI, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mr. ISRAEL, Mr. HIGGINS, Mrs. LOWEY, Mr. SHERMAN, Ms. WOOLSEY, Ms. ROYBAL-ALLARD, Mr. COURTNEY, Mr. BERMAN, Mrs. DAVIS of California, Mr. FILNER, Ms. GIFFORDS, and Mr. GRIJALVA):

H.R. 1314. A bill to amend the Immigration and Nationality Act to provide for compensation to States incarcerating undocumented aliens charged with a felony or two or more misdemeanors; to the Committee on the Judiciary.

By Mr. SCHIFF:

H.R. 1315. A bill to prohibit the detention of enemy combatants at Naval Station, Guantanamo Bay, Cuba, to provide for de novo combatant status reviews by military judges, to repeal the Military Commissions Act of 2006, and for other purposes; to the Committee on Armed Services, 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. SENSENBRENNER:

H.R. 1316. A bill to provide for appropriate notification of communities and homeowners

of establishment of flood elevations for purposes of the National Flood Insurance Program; to the Committee on Financial Services.

By Mr. SHUSTER:

H.R. 1317. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to individuals who pay their mortgages on time; to the Committee on Ways and Means.

By Mr. VAN HOLLEN (for himself, Mr. HOEKSTRA, Mr. LEVIN, Mr. KIRK, Mr. BURTON of Indiana, Mr. SMITH of Washington, Mr. CROWLEY, Mr. MORAN of Virginia, Mr. ACKERMAN, Mr. WELCH, and Ms. JACKSON-LEE of Texas):

H.R. 1318. A bill to provide duty-free treatment for certain goods from designated Reconstruction Opportunity Zones in Afghanistan and Pakistan, and for other purposes; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. FRANKS of Arizona, Mr. BARTLETT, Mrs. BLACKBURN, Mr. PENCE, Mr. WESTMORELAND, Mr. JORDAN of Ohio, Mr. GINGREY of Georgia, Mr. PITTS, Mr. MARCHANT, Mr. MICA, Mr. SMITH of Texas, Mr. ROGERS of Kentucky, Mr. AKIN, Mr. ROGERS of Alabama, Mr. BACHUS, Mr. MCCOTTER, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr. CHAFFETZ, Mr. SHUSTER, Mr. RADANOVICH, Mr. HOEKSTRA, Mr. WITTMAN, Mr. FORBES, Mr. HARPER, Mr. LUETKEMEYER, Mr. MORAN of Kansas, Mr. COFFMAN of Colorado, Mr. SOUDER, Mr. MILLER of Florida, Mr. BILIRAKIS, Mr. NEUGEBAUER, Mr. CANTOR, and Mr. BRADY of Texas):

H.J. Res. 37. A joint resolution proposing an amendment to the Constitution of the United States relating to marriage; to the Committee on the Judiciary.

By Mr. BRIGHT:

H. Res. 206. A resolution honoring the efforts and contributions of the Montgomery, Alabama, Chapter of the National Association of Women in Construction; to the Committee on Oversight and Government Reform.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. MILLER of Florida, Ms. HERSETH SANDLIN, and Mr. MITCHELL):

H. Res. 207. A resolution expressing the sense of the House of Representatives that all employers give veterans a holiday on Veteran's Day in honor of their service to our country; to the Committee on Education and Labor.

By Mr. KING of Iowa (for himself, Mr. MCHUGH, Mr. PENCE, Mr. MCCOTTER, Mr. CARTER, Mr. WILSON of South Carolina, Mr. FRANKS of Arizona, Mr. SAM JOHNSON of Texas, Mr. KLINE of Minnesota, Mr. AKIN, Mr. MILLER of Florida, Mr. ROGERS of Alabama, Mr. CONAWAY, Mr. WITTMAN, Ms. FALLIN, Mr. HUNTER, Mr. HENSARLING, Mr. BURGESS, Mr. COLE, Mr. GOHMERT, Mr. SHADEGG, Mr. PITTS, Mrs. SCHMIDT, Mr. GINGREY of Georgia, Mr. BRADY of Texas, Mr. WESTMORELAND, Mrs. BACHMANN, Mr. BURTON of Indiana, Mr. RADANOVICH, Mr. LUCAS, Mr. LINDER, Mr. MCCAUL, Ms. FOX, Mr. LATTA, Mr. BROUN of Georgia, and Mrs. LUMMIS):

H. Res. 208. A resolution chronicling the efforts of United States and Coalition forces to bring freedom, safety, and security to Iraq and recognizing the importance of the "surge strategy" in completing that mission; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consider-

ation of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. PAYNE, Mr. GARRETT of New Jersey, Mr. CAPUANO, Mr. MCGOVERN, Ms. BERKLEY, Mr. SARBANES, Ms. TSONGAS, and Mr. BROWN of South Carolina):

H. Res. 209. A resolution commemorating the 80th anniversary of the Daughters of Penelope, a preeminent international women's association and affiliate organization of the American Hellenic Educational Progressive Association (AHEPA); to the Committee on Oversight and Government Reform.

By Ms. MOORE of Wisconsin (for herself, Mr. BACA, Ms. BALDWIN, Mr. BISHOP of Georgia, Ms. BORDALLO, Ms. CORRINE BROWN of Florida, Mr. CARSON of Indiana, Mr. CASTLE, Ms. CASTOR of Florida, Mr. CHILDERS, Mrs. DAHLKEMPER, Mr. DAVIS of Illinois, Mr. FILNER, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HARE, Mr. HINCHEY, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Ms. KILPATRICK of Michigan, Mr. KIND, Mr. KISSELL, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LUJÁN, Mrs. MALONEY, Mr. MASSA, Mr. MCDERMOTT, Mr. MOORE of Kansas, Ms. NORTON, Mr. OBEY, Mr. RANGEL, Ms. HERSETH SANDLIN, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SESTAK, Mr. SIREN, Mr. SPACE, Mr. STARK, Mr. TOWNS, and Mr. WEXLER):

H. Res. 210. A resolution expressing the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance; to the Committee on Education and Labor.

#### 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 JOHN CONYERS, JR.

Amendment numbered 1 printed in House report 111-21, as modified, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 20: Ms. SCHAKOWSKY, Mr. MARKEY of Massachusetts, and Ms. SUTTON.

H.R. 22: Mr. PAYNE, Mr. ANDREWS, Mr. TONKO, Mr. HIMES, Mr. ADLER of New Jersey, Mr. GONZALEZ, and Mr. SMITH of New Jersey.

H.R. 23: Mr. MARKEY of Massachusetts, Mr. MOORE of Kansas, Mr. YARMUTH, Mr. LARSON of Connecticut, Mr. COURTNEY, Mr. WILSON of Ohio, Mr. LOEBSACK, and Mrs. TAUSCHER.

H.R. 49: Mr. COFFMAN of Colorado, Ms. FOX, and Mr. NEUGEBAUER.

H.R. 147: Mr. TEAGUE.

H.R. 151: Ms. MCCOLLUM.

H.R. 154: Mr. MASSA and Mr. MEEKS of New York.

H.R. 179: Mr. CONYERS, Mr. OLVER, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 219: Mr. MCCOTTER.

H.R. 265: Mrs. CHRISTENSEN and Mr. ELLISON.

H.R. 270: Ms. SHEA-PORTER and Mr. ORTIZ.

H.R. 274: Mr. WOLF.

H.R. 293: Mr. PLATTS.

H.R. 307: Mr. INSLEE and Ms. SCHAKOWSKY.

H.R. 333: Mr. FRANK of Massachusetts, Mr. ELLISON, and Mr. HONDA.

H.R. 390: Mr. CARTER and Mr. GARY G. MILLER of California.

H.R. 444: Mr. ROGERS of Alabama, Mr. CHANDLER, Ms. SLAUGHTER, Ms. BERKLEY, and Mr. GUTIERREZ.

H.R. 479: Ms. SLAUGHTER.

H.R. 577: Mrs. MALONEY, Mr. MACK, Mr. BISHOP of Georgia, Mr. CARNAHAN, Ms. SUTTON, Mr. BERMAN, Mr. SERRANO, Ms. ZOE LOFGREN of California, Mr. BOOZMAN, Mr. RYAN of Ohio, Mr. MCINTYRE, Ms. MATSUI, Mr. BRALEY of Iowa, Mr. SMITH of New Jersey, Mrs. CAPP, Ms. BALDWIN, Mr. CHANDLER, Ms. CASTOR of Florida, Mr. GONZALEZ, Mr. MICHAUD, Mr. ELLISON, Mr. BOSWELL, Ms. WOOLSEY, and Mr. TERRY.

H.R. 579: Mr. TONKO.

H.R. 618: Mr. TERRY.

H.R. 626: Mr. GRIJALVA, Ms. ZOE LOFGREN of California, and Mr. ISRAEL.

H.R. 627: Ms. HIRONO and Mr. COHEN.

H.R. 658: Ms. WASSERMAN SCHULTZ.

H.R. 673: Mr. WEXLER and Ms. SCHWARTZ.

H.R. 678: Mrs. MALONEY and Mr. PASCRELL.

H.R. 687: Mr. CHAFFETZ and Mr. PAUL.

H.R. 716: Ms. SUTTON, Ms. KAPTUR, Mr. WEXLER, and Mr. ORTIZ.

H.R. 722: Mr. GORDON of Tennessee.

H.R. 734: Ms. MATSUI, Mr. SIREN, Mr. LA TOURETTE, Mr. DRIEHAUS, Mr. FATTAH, Mr. NEUGEBAUER, and Mr. JONES.

H.R. 745: Mr. NEAL of Massachusetts.

H.R. 756: Mr. GONZALEZ and Mr. GRIJALVA.

H.R. 758: Mr. HOLT, Ms. HARMAN, Mr. BOCCIERI, Mr. SPACE, Mr. LA TOURETTE, and Ms. KILROY.

H.R. 759: Mr. ENGEL.

H.R. 764: Mr. MCCOTTER, Mr. JORDAN of Ohio, Mr. GALLEGLY, and Mr. PRICE of Georgia.

H.R. 795: Ms. LINDA T. SÁNCHEZ of California.

H.R. 808: Ms. PINGREE of Maine.

H.R. 816: Mr. FARR, Mr. BOOZMAN, Mr. LOEBSACK, Mr. DEFAZIO, Mr. REYES, Mr. GUTHRIE, Mr. ROSS, and Mr. TEAGUE.

H.R. 819: Mr. PETERSON.

H.R. 832: Mrs. CAPP and Mr. NADLER of New York.

H.R. 847: Mr. KLEIN of Florida, Mr. KUCINICH, Ms. DELAURO, Ms. LEE of California, Mr. LEWIS of Georgia, and Mr. GRIJALVA.

H.R. 916: Ms. SCHAKOWSKY and Mr. GORDON of Tennessee.

H.R. 930: Mr. POSEY.

H.R. 953: Mr. BISHOP of Utah, Mr. LOBIONDO, Mrs. SCHMIDT, Ms. JACKSON-LEE of Texas, Mr. ALEXANDER, Mr. BARTON of Texas, Mr. TERRY, Mr. SOUDER, and Mr. JOHNSON of Illinois.

H.R. 958: Ms. ROS-LEHTINEN, Mr. GRIJALVA, Mr. OBERSTAR, and Mr. VAN HOLLEN.

H.R. 964: Mr. CHAFFETZ.

H.R. 978: Mr. BROWN of South Carolina, Mr. UPTON, Mr. WATT, Mr. CARNEY, and Mr. WALZ.

H.R. 983: Mr. NEUGEBAUER.

H.R. 1016: Mr. DEFAZIO, Mr. TERRY, Mr. HOLT, Ms. KOSMAS, Mr. ELLSWORTH, Mr. GORDON of Tennessee, Mr. CARNAHAN, Mr. SCHRADER, Mr. FRANK of Massachusetts, Ms. SCHAKOWSKY, Mr. BRADY of Pennsylvania, Mr. WELCH, Mr. ELLISON, Mr. WEXLER, and Mrs. DAHLKEMPER.

H.R. 1017: Mr. CHANDLER, Mr. GORDON of Tennessee, Mr. LINCOLN DIAZ-BALART of Florida, Mr. WALZ, Ms. ROS-LEHTINEN, Mr. BOSWELL, and Mr. LOEBSACK.

H.R. 1021: Mr. GRIJALVA and Mr. KLEIN of Florida.

H.R. 1023: Mr. LAMBORN, Mr. CHAFFETZ, Mr. HOEKSTRA, Mr. MCCAUL, and Mr. GALLEGLY.

- H.R. 1026: Mr. LATTA, Mr. BOOZMAN, and Mr. POSEY.  
 H.R. 1040: Mrs. BLACKBURN.  
 H.R. 1042: Mr. WITTMAN.  
 H.R. 1066: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WASSERMAN SCHULTZ, and Mr. WEXLER.  
 H.R. 1085: Mr. WITTMAN.  
 H.R. 1090: Mr. BISHOP of New York.  
 H.R. 1121: Mr. ETHERIDGE and Mr. BUTTERFIELD.  
 H.R. 1136: Ms. KAPTUR.  
 H.R. 1147: Mr. FRANK of Massachusetts, Mr. LATHAM, Mr. CARDOZA, Mr. MURTHA, Mr. LOEBSACK, and Mr. TONKO.  
 H.R. 1176: Mr. ROGERS of Kentucky, Ms. GRANGER, Mr. DUNCAN, and Mr. WOLF.  
 H.R. 1180: Mr. HENSARLING, Mr. PENCE, Mr. FRANKS of Arizona, Mr. SHADEGG, Mr. POSEY, Mrs. BACHMANN, Ms. FALLIN, Mr. WAMP, Mr. BROWN of South Carolina, and Mr. BISHOP of Utah.  
 H.R. 1189: Mr. BILBRAY, Mr. MORAN of Virginia, Mr. TAYLOR, Mr. LANCE, Mr. KING of New York, Mr. SMITH of New Jersey, Mr. HALL of New York, Mr. BURTON of Indiana, Mr. McDERMOTT, and Mr. McHUGH.  
 H.R. 1197: Mr. BISHOP of New York.  
 H.R. 1199: Mr. MARCHANT.  
 H.R. 1201: Mr. MOORE of Kansas.  
 H.R. 1204: Mr. LOBIONDO, Mr. DAVIS of Kentucky, and Mr. ROGERS of Alabama.
- H.R. 1210: Mrs. LOWEY, Mr. BACA, Mr. DRIEHAUS, Mr. GERLACH, Mr. BARTLETT, Mr. HOLDEN, Mr. DEFAZIO, Mr. MACK, Mr. WAXMAN, Mr. LOBIONDO, Mr. SMITH of New Jersey, Mrs. MALONEY, and Mr. HINOJOSA.  
 H.R. 1240: Mr. LOEBSACK, Ms. BERKLEY, Mr. BOOZMAN, Ms. BORDALLO, Mr. BRALEY of Iowa, Mr. CAPUANO, Mr. CHILDERS, Mr. CLEAVER, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DOGGETT, Mr. ELLISON, Mr. ELLSWORTH, Mr. GRIJALVA, Mr. HINOJOSA, Mr. LARSON of Connecticut, Mrs. MALONEY, Mr. MICHAUD, Mr. MITCHELL, Mr. MORAN of Kansas, Ms. NORTON, Mr. PIERLUISI, Mr. ROSS, Mr. SARBANES, Mr. SCHRADER, Mr. SNYDER, Ms. SUTTON, Mr. THOMPSON of California, Mr. UPTON, Mr. WEXLER, Mr. WU, Mr. YOUNG of Alaska, Mr. RAHALL, Mr. TERRY, Ms. MCCOLLUM, Mr. SPRATT, Mr. HARE, and Mr. MOORE of Kansas.  
 H.R. 1246: Mr. GONZALEZ, Mr. GRIJALVA, Mr. BRALEY of Iowa, Ms. WOOLSEY, and Ms. CASTOR of Florida.  
 H.R. 1254: Mr. LANCE.  
 H.R. 1263: Mr. WAXMAN, Mr. MORAN of Virginia, and Mr. DAVIS of Illinois.  
 H.R. 1270: Mr. HONDA and Mr. SPACE.  
 H. Con. Res. 14: Mr. LARSON of Connecticut, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, Ms. LORETTA SANCHEZ of California, Mr. BISHOP of Georgia, Mr. HINCHEY, Mr. SMITH of New Jersey, and Mr. SCOTT of Virginia.  
 H. Con. Res. 18: Mr. PETERSON.  
 H. Con. Res. 29: Mr. LOBIONDO, Mr. McMAHON, Mr. LANCE, and Mr. KAGEN.  
 H. Con. Res. 34: Mr. GARRETT of New Jersey.  
 H. Con. Res. 52: Ms. LINDA T. SANCHEZ of California.  
 H. Con. Res. 55: Mr. PITTS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CAO.  
 Mr. PRICE of Georgia, Mr. ALTMIRE, Mr. PETERSON, and Mr. THOMPSON of Mississippi.  
 H. Con. Res. 59: Mr. BISHOP of Georgia.  
 H. Con. Res. 60: Mr. LANCE, Mr. BURTON of Indiana, and Mr. SMITH of New Jersey.  
 H. Res. 86: Mrs. NAPOLITANO.  
 H. Res. 89: Mr. PETERSON.  
 H. Res. 109: Mr. BACA, and Mr. McHUGH.  
 H. Res. 130: Mr. ROTHMAN of New Jersey and Mr. DOGGETT.  
 H. Res. 155: Ms. RICHARDSON.  
 H. Res. 156: Mr. LAMBORN and Ms. FALLIN.  
 H. Res. 160: Ms. MCCOLLUM and Mr. HINOJOSA.  
 H. Res. 174: Mr. GERLACH.  
 H. Res. 182: Ms. LINDA T. SANCHEZ of California, Mr. HALL of New York, Mr. PAYNE, Mr. LARSON of Connecticut, and Mr. WEXLER.  
 H. Res. 201: Mrs. LOWEY and Mr. MASSA.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, WEDNESDAY, MARCH 4, 2009

No. 38

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, we continue to depend on You to guide our lawmakers on right paths. Only You know what the future holds and the resources we will need to meet our many challenges. Strengthen our Senators so that in the face of great challenges, they will be steadfast, abounding in works that honor You. Give them such confidence in Your providence that no problem will seem insoluble. In all their labors, may their primary motive be to bring glory to Your Name. May their thoughts, words, and deeds be acceptable to You, for You are their rock and redeemer. Make them totally committed to You and unreservedly dedicated to Your love.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 4, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### ORDER OF PROCEDURE

Mr. REID. Mr. President, following the remarks of the leaders, I ask unanimous consent that the Senator from Iowa, Mr. GRASSLEY, be recognized for whatever time he may consume and, following that, we will move to H.R. 1105.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### SCHEDULE

Mr. REID. Mr. President, it is my understanding there are seven amendments pending. We will dispose of those as quickly as we can. Votes on those will not be able to start until after 2 o'clock today because of Gordon Brown and other things going on here, but we will move through those as rapidly as we can, making sure people have an opportunity to speak for or in opposition. I have spoken to the Republican staff, and they have other amendments they wish to offer. We are moving along fairly well on this bill. We will recess at 10:40 this morning until noon for the joint meeting of Congress with British Prime Minister Gordon Brown.

We have a number of speakers lined up at 12 noon and thereafter to speak on the pending amendments. At 10 this morning, Senator MIKULSKI is expected

to be here to speak on one of the pending amendments.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### OMNIBUS APPROPRIATIONS

Mr. McCONNELL. Mr. President, yesterday we had votes on a handful of amendments which were aimed at reducing the overall size of the Omnibus appropriations bill. Many of us who are concerned about the spending binge we have been on thought it would be responsible to bring it back in line with the appropriations bills we passed last year. That was obviously before the economic crisis.

As the junior Senator from Indiana put it this morning in an insightful op-ed piece in the Wall Street Journal, this bill was drafted last year.

Since then, economic and fiscal circumstances have changed dramatically, which is why—

As he put it—

the Senate should go back to the drawing board. The economic downturn requires new policies, not more of the same.

That is Senator EVAN BAYH of Indiana.

I ask unanimous consent to have the article, in which Senator BAYH calls on his colleagues to vote against the omnibus or for the President to veto it, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Mar. 3, 2009]

DEFICITS AND FISCAL CREDIBILITY  
A DEMOCRATIC SENATOR SAYS NO TO A HUGE  
FEDERAL SPENDING BILL

(By Evan Bayh)

This week, the United States Senate will vote on a spending package to fund the federal government for the remainder of this

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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fiscal year. The Omnibus Appropriations Act of 2009 is a sprawling, \$410 billion compilation of nine spending measures that lacks the slightest hint of austerity from the federal government or the recipients of its largess.

The Senate should reject this bill. If we do not, President Barack Obama should veto it. The omnibus increases discretionary spending by 8% over last fiscal year's levels, dwarfing the rate of inflation across a broad swath of issues including agriculture, financial services, foreign relations, energy and water programs, and legislative branch operations. Such increases might be appropriate for a nation flush with cash or unconcerned with fiscal prudence, but America is neither.

Drafted last year, the bill did not pass due to Congress's long-standing budgetary dysfunction and the frustrating delays it yields in our appropriations work. Since then, economic and fiscal circumstances have changed dramatically, which is why the Senate should go back to the drawing board. The economic downturn requires new policies, not more of the same.

Our nation's current fiscal imbalance is unprecedented, unsustainable and, if unaddressed, a major threat to our currency and our economic vitality. The national debt now exceeds \$10 trillion. This is almost double what it was just eight years ago, and the debt is growing at a rate of about \$1 million a minute.

Washington borrows from foreign creditors to fund its profligacy. The amount of U.S. debt held by countries such as China and Japan is at a historic high, with foreign investors holding half of America's publicly held debt. This dependence raises the specter that other nations will be able to influence our policies in ways antithetical to American interests. The more of our debt that foreign governments control, the more leverage they have on issues like trade, currency and national security. Massive debts owed to foreign creditors weaken our global influence, and threaten high inflation and steep tax increases for our children and grandchildren.

The solution going forward is to stop wasteful spending before it starts. Families and businesses are tightening their belts to make ends meet—and Washington should too.

The omnibus debate is not merely a battle over last year's unfinished business, but the first indication of how we will shape our fiscal future. Spending should be held in check before taxes are raised, even on the wealthy. Most people are willing to do their duty by paying taxes, but they want to know that their money is going toward important priorities and won't be wasted.

Last week I was pleased to attend the president's White House Fiscal Responsibility Summit. It's about time we had a leader committed to addressing the deficit, and Mr. Obama deserves great credit for doing so. But what ultimately matters are not meetings or words, but actions. Those who vote for the omnibus this week—after standing with the president and pledging to slice our deficit in half last week—jeopardize their credibility.

As Indiana's governor, I balanced eight budgets, never raised taxes, and left the largest surplus in state history. It wasn't always easy. Cuts had to be made and some initiatives deferred. Occasionally I had to say "no."

But the bloated omnibus requires sacrifice from no one, least of all the government. It only exacerbates the problem and hastens the day of reckoning. Voters rightly demanded change in November's election, but this approach to spending represents business as usual in Washington, not the voters' mandate.

Now is the time to win back the confidence and trust of the American people. Congress should vote "no" on this omnibus and show working families across the country that we are as committed to living within our means as they are.

Mr. McCONNELL. Today, Republicans are going to continue bringing up our amendments, amendments that we think are better and more responsible ways to use the taxpayers' money today.

Unfortunately, it has become increasingly clear that most of our Democrat colleagues here in Congress—Senator BAYH notwithstanding—are perfectly comfortable with the breathtaking rate of spending we have been on since the beginning of the year. They want it to continue, without restraint and without any end in sight.

Amazingly, in the midst of an economic crisis, congressional Democrats want to increase the annual spending included in this omnibus by 8 percent, which, compared to last year, is twice the rate of inflation.

At a time when Americans are learning to cut back, Democrats in Congress are suggesting we double up. As Senator BAYH put it in the same op-ed:

The bloated omnibus requires sacrifice from no one, least of all the government. It only exacerbates the problem and hastens the day of reckoning. Voters rightly demanded change in November's election, but this approach to spending represents business as usual in Washington, not the voters' mandate.

Nobody wants an open-ended recession. But so far the only solution to the economic crisis that Democrats in Congress are offering is open-ended spending without any end in sight. And let's be clear about something: we cannot end a recession by digging the country into deeper and deeper debt any more than one can pay off a credit card by using it more often. And we can't tax our way out of a recession.

February was an expensive month for American taxpayers. In the month of February, Congress spent more money than we did in 7 years on the war in Iraq, the war in Afghanistan and Hurricane Katrina relief combined.

All of this spending is reason to carefully consider and pare back this massive spending bill, particularly in these areas which contain funding for 122 programs already funded in the stimulus bill.

Remarkably, even Senator HUTCHISON's amendment, which sought to find \$12 billion, or just 1 percent, in duplicative spending from two bills totaling \$1.2 trillion, was struck down.

I hope our friends across the aisle will join Republican efforts to ensure every taxpayer dollar is spent with care, and support amendments to protect taxpayer dollars.

This current spending bill is only one step in the spending process. It doesn't include the President's budget, the housing proposal, or untold trillions to stabilize financial markets and other programs

Our children and grandchildren can't afford this level of spending. They will

be the ones left to pay off the Federal Government credit card that Democrats in Congress are busy maxing out.

## HONORING OUR ARMED FORCES

SERGEANT DANIEL W. WALLACE

Mr. McCONNELL. Mr. President, I rise because our country has lost a true patriot. SGT Daniel W. Wallace of Dry Ridge, KY, was tragically killed by enemy fire while serving his country in Afghanistan on October 31, 2008. He was 27 years old.

A member of the Kentucky Army National Guard since 2006, Sergeant Wallace was on his first deployment. For his valor in uniform, he received several medals, awards and decorations, including the Bronze Star Medal and the Purple Heart.

"Sergeant Daniel Wallace was a true patriot," says Kentucky National Guard Adjutant GEN Edward W. Tonini. He "stood up and answered the call to serve his Nation in a time of need."

Sergeant's Wallace's mother, Karen Wallace, says the same thing, but in a way only a mother could.

"Danny's my fallen hero," she says.

Daniel's family lived in the town of Latonia in the northern Kentucky suburbs of Cincinnati, when he was young. When he was about 9 years old, they moved to Dry Ridge in Grant County. They moved because Karen and Daniel's father, Kenneth, wanted to trade in life in the city for the country. But Daniel didn't take it so well.

"He didn't like the move . . . because of his friends being in Latonia," Karen remembers. "He was always bored in the country, complaining about how there was nothing to do."

It would come as no surprise, however, if I told you that Daniel, like any young boy, found plenty of things to do. He liked to fish, camp and watch and play sports like baseball, basketball and football. And with three brothers and a sister, there were plenty of people to do things with.

"He loved camping," says Karen. "We'd get so tickled because he and [his brother] Alex would bet on who could make the first fire, [or] the biggest fire."

Karen did set some limits for her son, however.

"He always wanted to go hunting but we never did that," she says. And "he got mad at me for not letting him play football because he was so skinny."

Daniel started attending Crittenden-Mt. Zion Elementary School, and when he was in third grade, Karen started working there. "I was able to watch him as he was adjusting to a new school," she recalls. "The teachers liked him. . . . He was very computer knowledgeable [and] . . . the teachers would have him fix computers."

Daniel's father, Kenneth, recalls how his son was quick to look out for others.

"He always felt he had to protect the other kids," Kenneth says. "He wanted

to know who did it if something happened." Karen recalls a few times when Daniel came to the defense of his brother Alex when he was teased by other boys.

Like the rest of his family, Daniel was also very committed to his church. One way they all contributed together was as a gospel band, the Wallace Family Band. Mom and dad sang. Their sons Charles and Brian played the guitar, Alex played the drums, and Daniel played bass guitar. The whole family got into the act.

After high school, Daniel went on to National College in Florence, where he took business classes. He was studying to be an accountant. "Danny liked numbers and he enjoyed math," says Karen.

In high school and college he had a couple of jobs, working at a car dealership and as an apprentice with a steel manufacturer. But just as his family raised him to serve others through his work at church, Daniel felt moved to serve his country through military service.

"He liked the Army one hundred percent," his mother Karen says. "You couldn't have budged him out of that. . . . I've never seen him happier in all my life than after he joined the National Guard."

In the Guard, Daniel trained to be a combat engineer. His dad recalls that after his training, he was named the 218th Regiment Honor Graduate. Part of his training included learning how to deactivate explosive devices—his mother Karen recalls that "on his evaluation, it said Danny likes to blow up things."

Daniel also inspired his brother Alex to join the National Guard, and Alex became a medic.

"I'm proud of my brother," Alex says. "I'm going to keep carrying on. I know he wants me to serve my full time, which is what I'm going to do."

Daniel joined the 201st Engineer Battalion of the Kentucky Army National Guard, based out of Cynthiana, and was deployed to Afghanistan. He wrote his mother letters telling of his experiences, especially of his work to renovate the chapel for the soldiers on base.

"Danny made a library [in the chapel]," Karen recalls. "We'd send him books for the library and Danny read all of them. They were redoing the chapel outside and inside . . . he was always working in the chapel."

Daniel's family shipped him his bass guitar, and he formed a band with his fellow soldiers in Afghanistan. Karen recalls how, before his posting in Afghanistan, Daniel had played with the Wallace Family Band one last time.

"Danny came in for 15 days of R&R, [and] we got one booking in the church," she says. "Everybody was there . . . daughter-in-law, the boys, everybody. God has blessed us with our family. I've always told people that."

The members of Daniel's loving family are in our prayers today as I share

with my colleagues just some of Daniel's story. We are thinking of his son, Cody George Mardis; his daughter, Abigail Rose Wallace; his parents, Kenneth and Karen; his brother Charles, Charles's wife Robin and their children; his brother Brian, Brian's wife Jennifer and their children; his brother Alex; his sister Kim; his grandfather, Arvis Sinclair; and many other beloved friends and family members.

Daniel once asked his mother to write more letters—not to him, but to other soldiers who didn't have moms like her writing to their sons and daughters in a war zone. After Daniel's death, Karen heard from her son's fellow soldiers about how Daniel carried himself, even in the face of great danger.

"The letters I've received from the guys shows me Danny was true to God. He had a true mission over there," Karen says. He'd always say, "Mom, don't worry—God's watching over me."

Nothing could ever take away the pain of this family's loss. But I hope Daniel's loved ones know there is one other thing they should never worry about: that our Nation could ever forget Daniel's great sacrifice.

And this U.S. Senate will forever honor Sergeant Daniel W. Wallace for his service to country.

I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Iowa is recognized.

#### PRIVATE DEBT COLLECTION AMENDMENT

Mr. GRASSLEY. Mr. President, I rise for the purpose of discussing an amendment that was filed yesterday that I hope I get an opportunity to offer. I am going to touch on these points, but I thought I would highlight a couple points about this amendment.

First of all, there is bipartisan agreement in this body there is a \$290 billion tax gap—"tax gap" meaning taxes that are owed but not collected. There is also an understanding that is not written that the IRS is not going to go after taxes unpaid, through their own employees, of under \$25,000 a year. There is a feeling by some people in the IRS there ought to be more employees hired to go after the tax gap, but even if those additional employees are hired, they still will not go after those under \$25,000.

Now, we have a program in place I wish to defend in my remarks. That program in place is the IRS contracting with private collection agencies to go after the money that is owed for those under \$25,000; and to make the point, that program is working. But the bill before us, the Omnibus appropriations bill, contains a provision that would essentially kill the IRS private debt collection program, which the Senate, working through the Senate Finance Committee I serve on, only authorized a short period of 4 years ago.

The IRS implemented that program only 2 years ago.

This program, which has never been fully operational in its brief 2-year period, allows the Internal Revenue Service to use private collection agencies to collect money owed to the Government. The program has many critics, and once again they are seeking to destroy the program before we have a chance to gauge how effective the program is.

Before I discuss the merits of the program, I wish to note that an appropriations bill is not the proper vehicle to nullify tax policy. The private debt collection program was created in a tax bill within the jurisdiction of our Finance Committee, and further legislation affecting the program should be done through the committee where the expertise is, the Finance Committee. Whether you would agree with the program, I think everyone could agree on the importance of the committee structure that we use in the Senate. In other words, a committee of jurisdiction where the expertise is ought to work to change a program if it needs to be changed or if it needs to be done away with, as basically the appropriations bill would do. I would assume members of the Appropriations Committee would not want—would not want—those of us on the Finance Committee making decisions against the expertise of the Appropriations Committee.

The IRS private debt collection program facilitates the collection of tax debts the IRS would not otherwise pursue. These liabilities amount to billions of dollars a year.

A Government Accountability Office report issued in June of 2008 reported the unpaid tax debt as of fiscal year 2007 to be about \$290 billion, of which almost \$185 billion was classified as nonpotentially collectible inventory and \$25.5 billion was deemed potentially collectible but not in active collection status. The private debt collection agencies are only permitted to pursue debts taxpayers have conceded they owe.

Opposition to this program is surprising, since the Internal Revenue Service program is intended to run like similar programs at other agencies. In other words, the Department of Education uses private collection agencies to pursue delinquent student loans. The Treasury Department, which houses the Internal Revenue Service, also houses the Financial Management Service, and, ironically, the Treasury Department uses private debt collection agencies to collect small business loans.

So if it is OK for one branch of the Treasury Department to do that, why isn't it OK for the Internal Revenue Service to go after taxes owed but not paid? The only reason I can think of that private debt collection is so controversial at the Internal Revenue Service is simply the opposition to the program from the National Treasury

Employees Union. The National Treasury Employees Union is comprised primarily of Internal Revenue Service employees, and according to that union's Web site, is the largest Federal sector union in the entire country.

The other Government agencies that use private debt collectors do not have as powerful a union fighting for more Government jobs. Yet this program does not threaten the jobs of revenue agents already working at the IRS. The tax debts the private collection agencies are targeting are debts the Internal Revenue Service is not even pursuing, and likely would not pursue even if additional revenue agents were hired.

In May 2007, Acting Commissioner Kevin Brown—now this is a Commissioner of the Internal Revenue Service—when testifying before a subcommittee of the House Ways and Means Committee, confirmed that the Internal Revenue Service would not otherwise pursue these debts, even if the IRS were given additional resources. So the bottom line is this: There are no IRS jobs on the line. Rather, the National Treasury Employees Union believes the IRS should be hiring more union employees to do collections work.

In contrast, I believe if the IRS is going to hire more workers, it should be agents to do more exams—work that private contractors cannot do. Former IRS Commissioner Mark Everson stated in a letter to me on April 11, 2007, that a full-time revenue agent auditing individual tax returns historically brings in nearly \$700,000 annually.

Mr. President, I ask unanimous consent that Commissioner Everson's letter be printed in the RECORD, as well as a followup letter I wrote to Treasury Secretary Paulson on this issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,  
INTERNAL REVENUE SERVICE,  
Washington, DC, April 11, 2007.

Hon. CHARLES E. GRASSLEY,  
Ranking Member, Committee on Finance,  
U.S. Senate, Washington, DC.

DEAR SENATOR GRASSLEY: This letter follows-up on a matter that has been an ongoing concern to both the Internal Revenue Service (IRS) and you for several years now, and that you raised in a meeting with IRS senior executives on January 30, 2007. Specifically, you asked for information on the use of official time by representatives of the National Treasury Employees Union (NTEU).

Reducing the use of official time by NTEU representatives has been a significant point of negotiations between the IRS and NTEU for several years. Over time, the IRS has established greater controls over time granted to union officials to perform representational duties.

As illustrated by the enclosed chart, from 2002 through 2006, total annual NTEU time spent on union related activities has decreased approximately 14 percent, from 729,988 hours to 630,539 hours. Per your request at the January 30, 2007, meeting to quantify the data in terms of full time equivalents (FTEs), this represents a reduction from approximately 350 to 302 FTEs. To

further quantify this in terms of resource and revenue trade-offs, as you requested, historically a full-time SB/SE revenue agent auditing individual tax returns brings in nearly \$700,000 annually.

While progress has been made, the IRS recognizes that more needs to be done. The recent IRS-NTEU mid-term negotiations in 2006 produced a broad range of means for achieving operational efficiencies. These include simple time-efficiencies such as increasing the number of meetings conducted by phone and requiring stewards within the commuting area to attend in-person meetings. Other measures include establishing an annual cap of 850 hours of representational time for the vast majority of stewards, reducing the grievance procedure for performance appraisals and mass grievances from a multi-step to a one-step process, and streamlining NTEU's participation on various committees.

Reducing the amount of official time continues to be a priority and we will seek significant additional improvements in our upcoming contract negotiations. Please contact me should you require additional information or a member of your staff may call Robert Buggs, Chief Human Capital Officer, at 202-622-7676,

Sincerely,

MARK W. EVERSON.

U.S. SENATE,  
COMMITTEE ON FINANCE,  
Washington, DC, May 15, 2007.

Hon. HENRY PAULSON,  
Secretary,  
Department of Treasury,  
Washington, DC.

DEAR MR. SECRETARY: I am writing to you regarding an ongoing concern that I have with respect to the amount of official Internal Revenue Service (IRS) time used by representatives of the National Treasury Employees Union (NTEU). As you are aware, I have been a strong advocate of using IRS resources in the most productive manner possible.

Based on information former Commissioner Everson provided to me in a letter dated April 11, 2007, total NTEU time spent on union related activities for 2006 equated to 302 full time equivalents (FTEs). In terms of resource and revenue trade-offs, the letter referenced a historical figure of a full-time SR/SE revenue agent auditing individual tax returns bringing in nearly \$700,000 annually. Thus, according to IRS figures, total NTEU time for 2006 represents approximately \$211,400,000 additional direct revenue that could have potentially been brought into the United States Treasury. This figure does not account for any increase in revenue that would be gained indirectly through the increased audit activity. At a time when this Committee is increasingly looking at new methods of closing the tax gap, it is imperative that we first ensure that the IRS is effectively using its existing resources.

At the Senate Finance Committee's tax gap hearing on April 18, 2007, former Commissioner Everson stated that the IRS was in the process of trying to renegotiate the NTEU agreement, which would include a renegotiation of union activity time. Former Commissioner Everson also stated that the amount of time devoted to union activities is proportionately higher at the IRS than it is in comparison to other departments and agencies within the government. Without getting into whether taxpayers should even be funding union activity, please provide me with an analysis of IRS union activity time versus union time for other governmental departments and agencies. Please also quantify this analysis in terms of FTEs and the number of agency or department employees

who are represented by the union. What is being done in the renegotiation process to bring the IRS-NTEU agreement at least more in line with practices elsewhere in the government?

Thank you for your time and attention to this matter. I would appreciate your response by May 25, 2007.

Cordially yours,

CHARLES E. GRASSLEY,  
Ranking Member.

Mr. GRASSLEY. For me, this proves the IRS would be better off hiring more examination agencies than debt collectors. In addition to the National Treasury Employees Union's failure to discuss the success of private debt collection programs at other Federal agencies—I mentioned them, Education and one other branch of the Treasury Department—the National Treasury Employees Union also conveniently fails to mention that the private collection agencies hired by the IRS have consistently scored customer satisfaction ratings above 95 percent, while the IRS collection employees appear to be scoring at less than 65 percent.

The National Treasury Employees Union also fails to mention the amount of employee time devoted to union activities is proportionately higher at the Internal Revenue Service than it is in comparison to other Federal Departments and agencies. Commissioner Everson testified to this at the Senate Finance Committee tax gap hearing held on April 18, 2007. Just think, then, of the additional revenue IRS could be collecting if union employees were actually doing the job they were paid to do instead of spending taxpayers' dollars to lobby Congress to do away with a program that is collecting money owed under \$25,000 a year that would not otherwise be collected. Of course, they do not like that program.

Since the omnibus provision prohibiting the IRS from using 2009 appropriations to fund the program office may actually kill the program, I have this amendment before the Senate. I mean, at least it is filed. It is not before us yet. I would not support a government program that is unsuccessful, and this private debt collection program is no different. However, we do not have enough information to know whether this program is effective, and, given the success of such programs at other agencies, I believe it can be successful at the Internal Revenue Service. It surely is successful at the Education Department.

Last week, I, along with Senator HARKIN, my colleague from Iowa, and Mr. SCHUMER, the senior Senator from New York—the three of us—sent a letter to Treasury Secretary Geithner and IRS Commissioner Shulman asking for more information so we can actually make an informed decision on the effectiveness of the private debt collection program.

The letter asks for, among other things, additional information to measure the cost-effectiveness of the program, information to gauge the results of the collection agencies, and more information on the use of collection

agencies by other Government agencies. So all my colleagues are able to read the letter, I ask unanimous consent that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, February 26, 2009.

Hon. TIMOTHY F. GEITHNER,  
Secretary of the Treasury,  
Washington, DC.

Hon. DOUGLAS H. SHULMAN,  
Commissioner of Internal Revenue,  
Washington, DC.

DEAR SECRETARY GEITHNER AND COMMISSIONER SHULMAN: We are writing regarding the private debt collection program (PDC) that is being implemented by the Internal Revenue Service (IRS) and has been in place since 2006. We are aware that many critics believe that the program does not operate effectively, and they lead an annual effort to strip the IRS of all authority to implement it. But we do not believe that the necessary data has been collected and disseminated that would allow an informed decision to be made about the program's long-term effectiveness.

Make no mistake: If the program is genuinely unsuccessful, we would be among the first to concur that it should be terminated. However, we remain very concerned that IRS will terminate the PDC program before a complete and thorough accounting of the program is conducted. For example, while some are critical of the effectiveness and efficiency of the PDC program, we have yet to see solid, reliable numbers. Criticism of the program's return on investment do not account for its start-up or investment costs, and ignore the fact that the program has not been fully operational for any of its two years.

We appreciate that the IRS has decided to use an independent third party to study the effectiveness of the program, and its report may be issued as early as next week. But it is not clear that the new study will discuss ways to increase the efficiency and effectiveness of the PDC program or explain why similar programs at other federal agencies appear to be successful. For example, the Department of Education uses PCAs to collect student loan debt, and the Department of Treasury Financial Management Service uses them to collect small business loans, farm loans, and other similar debt owed to the federal government, and these programs appear to work well with little controversy.

Given the amount of uncollected tax debt, a program that was allowed to operate at full capacity would have the potential to be successful, yet the current program has only operated in fits and starts. In fact, during the past fifteen years, the Government Accountability Office (GAO) and the Treasury Inspector General for Tax Administration (TIGTA) have issued numerous reports discussing the IRS's problems in collecting delinquent debt. A list of these reports is attached. Some of the key findings include:

In its May 1993 report, *New Delinquent Tax Collection Methods for IRS*, the GAO highlighted the complexity of the IRS's collection process. GAO presented a number of options to improve the IRS's delinquent debt process, including establishing early telephone contact with debtors and utilizing private collection agencies. So there is a long track record indicating that a well-run PDC program could be successful.

In its June 2007 report, *Tax Debt Collection: IRS Has a Complex Process to Attempt to Collect Billions of Dollars in Unpaid*

Taxes, the GAO description of the IRS's collection process indicates that IRS has not experienced significant improvement in its collection function since 1993. The report also states that the total unpaid tax debt as of fiscal year 2007 was \$290.1 billion, of which \$184.8 billion was classified as non-potentially collectible inventory and \$25.5 billion was deemed potentially collectible, but not in active collection status. This would seem to be further justification for a viable PDC program.

In its December 2008 report, *Tax Administration: IRS's 2008 Filing Season Generally Successful Despite Challenges*, Although IRS Could Expand Enforcement During Returns Processing, the GAO notes that, because collections staff was reassigned to answer telephone calls regarding stimulus payments, the IRS reported \$655 million in forgone revenue through August 2008 alone, which means that the number for the whole calendar year will likely be greater. If the IRS viewed the PDC program as part of its larger collection program, rather than a stand-alone program, PCAs may have been able to complete the work of the collections staff that had been temporarily reassigned.

It is important for critics of the program to recognize that the IRS's PDC program is designed to go after tax debts that have been conceded by taxpayers, but not paid. What's more, even if the IRS enforcement budget were significantly increased, the accounts turned over to PDC are those that would still likely be ignored by IRS collection agents. In his May 2007 testimony before the Committee on Ways and Means, Subcommittee on Oversight, Acting Commissioner Kevin Brown, confirmed that IRS would not otherwise pursue these debts even if IRS were given additional resources.

We remain cautiously optimistic that a PDC program could be successful in helping to close the tax gap, but only if it is allowed to operate at full capacity. Only after that point could a determination be made about whether the program is meeting its objectives. We are hopeful that the report being prepared will provide answers to the following questions. If not, we hope that you will take the time to let us know the following key information before the IRS makes any final decision about the PDC program:

The primary argument for terminating the IRS PDC program is that it is not cost effective. In order to better understand the program's revenues and costs, we would like a monthly accounting of all funds expended on the program since its inception, including a breakdown of all costs for IRS personnel involved in administering the program (salary levels, positions descriptions, etc.), as well as costs associated with technology and travel.

We would also like to know the number of cases placed with the private agencies since the program began, including the number of cases for which the amount was collected in full, the number of resulting installment agreements, and the number of cases recalled and reasons for recall. We would also like an accounting of the commissions earned by the PCAs since the program started.

Some taxpayers choose to ignore the IRS's many letters and respond to the IRS only after it notifies them that their cases will be referred to a PCA. In these cases, where the IRS benefits from the use of the PCA's names, we would like to know why the PCAs are not compensated when those taxpayers settle those debts.

We would also like for you to describe how IRS's collection process and procedure differs from the process and procedure used by PCAs in collecting IRS debts, including the IRS's ability to make outbound phone calls,

negotiate or settle tax debts, and impose liens and levies.

Another criticism of the program is that the IRS has run out of cases that can be assigned to the current PCAs, which is why other PCAs have not been added. However, the exclusion list, which was not determined by statute but by the IRS, appears fairly extensive. In addition, as noted above, the GAO's June 2008 report indicates that, as of fiscal year 2007, there was at least \$25.5 of potentially collectible inventory that IRS was not actively pursuing. We would like to know how each of the exclusion criteria was determined.

Tables 5, 6 and 7 of the GAO's June 2008 provide a breakdown of the total delinquent debt for fiscal years 2002 through 2007. Please update these tables to add numbers for fiscal year 2008 and provide a breakdown of this amount by the exclusion criteria. We would also like to know why all potentially collectible inventory is not in active collection status and cannot be assigned to PCAs.

We would also like to know whether Treasury or any other agency has studied the cost effectiveness of the use of PCAs by Treasury or other federal agencies. If such studies are available, we would like to see them.

Finally, you may be aware that there are almost 200 jobs in both Iowa and New York that will be lost if the IRS PDC program is terminated prematurely. Given the current economic crisis, such job losses should not be forced to occur before a full accounting of the program's success is made available and/or the program is allowed to operate as originally intended. The recently enacted Economic Recovery Act, which will further strain IRS resources, is an additional reason why the PCAs should be allowed to operate until the success or failure of the program can be definitively determined.

If you have any questions regarding the above, please do not hesitate to contact our staff. We also ask that you brief our staff on the forthcoming study before the study is finalized and made public.

Sincerely,

CHUCK GRASSLEY,  
U.S. Senator.

CHARLES E. SCHUMER,  
U.S. Senator.

TOM HARKIN,  
U.S. Senator.

#### REPORTS & TESTIMONIES RELATING TO IRS COLLECTION ACTIVITIES

Ways & Means Committee, May 2007 Hearing, <http://waysandmeans.house.gov/hearings.asp?formmode=detail&hearing=562>.

GAO

May 1993, GAO/GGD-93-97, *New Delinquent Tax Collection Method for IRS*, <http://archive.gao.gov/t2pbat5/149340.pdf>.

April 1996, GAO/TT-GGD-96-1, *W&M Oversight Testimony Tax Administration: IRS Tax Debt Collection Practices*, <http://www.gao.gov/archive/1996/gg96112t.pdf>.

May 2004, GAO-04-492, *IRS Is Addressing Critical Factors for Success for Contracting Out but Will Need to Study Best Use of Resources*.

September 2006, GAO-06-1065, *IRS Needs to Complete Steps to Help Ensure Contracting Out Achieves Desired Results and Best Use of Federal Resources*.

June 2008, GAO-08-728, *IRS Has a Complex Process to Attempt to Collect Billions of Dollars in Unpaid Tax Debts*.

December 2008, GAO-09-146, *Tax Administration: IRS's 2008 Filing Season Generally Successful Despite Challenges, although IRS Could Expand Enforcement During Returns Processing*.

TIGTA

March 2007, 2007-30-066, *The Private Debt Collection Program Was Effectively Developed and Implemented, but Some Follow-up Actions Are Still Necessary*.

December 2007, 2008-10-054, Invoice Audit of Fees Paid Under the Private Debt Collection Initiative.

March 2008, 2008-20-078, Private Collection Agencies Adequately Protected Taxpayer Data.

April 2008, 2008-30-095, Trends in Compliance Activities Through Fiscal Year 2007.

Mr. GRASSLEY. It boils down to the fact that we should have a chance to obtain and review this information before killing a program that is going after money owed—\$25,000 or less—from people who have said they acknowledge they owe it, that IRS employees would not go after. This affects jobs in a couple States, and I wish to say that when we are having a program—as the stimulus bill did—to keep people from being laid off and to have people being hired, you would at least think we would not think about eliminating jobs in a couple States. I was a supporter of this program before any contracts were awarded. As I said, I will not support the program if it does not prove effective.

Given the propensity to spend the Government seems to be afflicted with, there is going to be a hunger for new sources of revenue which is going to be controversial. What should not be controversial is that we need to collect taxes currently owed in the most effective and most efficient way possible and particularly not ignore a policy of not going after money under \$25,000. Since the private debt collection program will accomplish that, I urge support for this amendment when it comes up.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The Senator from Illinois is recognized.

#### AUTHORIZATION TO APPOINT ESCORT COMMITTEE

Mr. DURBIN. Mr. President, before responding to the Senator from Iowa, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the Honorable Gordon Brown, Prime Minister of the United Kingdom, into the House Chamber for the joint meeting.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### OMNIBUS APPROPRIATIONS ACT, 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1105, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1105) making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

#### Pending:

Coburn amendment No. 596, to require the use of competitive procedures to award contracts, grants, and cooperative agreements funded under this act.

Coburn amendment No. 608, to provide for the Emmett Till Unsolved Civil Rights Crime Act from funds already provided for the Weed and Seed Program.

Coburn modified amendment No. 623, to prohibit taxpayer dollars from being earmarked to 14 clients of a lobbying firm under Federal investigation for making campaign donations in exchange for political favors for the group's clients.

Coburn amendment No. 610, to prohibit funding for congressional earmarks for wasteful and parochial pork projects.

Wicker amendment No. 607, to require that amounts appropriated for the United Nations Population Fund are not used by organizations which support coercive abortion or involuntary sterilization.

Thune amendment No. 635, to provide funding for the Emergency Fund for Indian Safety and Health, with an offset.

Murkowski amendment No. 599, to modify a provision relating to the repromulgation of final rules by the Secretary of the Interior and the Secretary of Commerce.

Mr. DURBIN. Mr. President, Senator GRASSLEY and I do not see eye to eye on this issue, and I wish to state for the record why this section was included in the appropriations bill.

First, it is hard for me to follow his argument that because the Finance Committee created a permissive arrangement where the Internal Revenue Service could enter into contracts with private companies to collect IRS debts, it somehow takes away the authority of the Appropriations Committee to even address this issue. It is a permissive statute. It does not require the IRS to sign up a private company. When the IRS does exercise the right under that statute, it involves Federal expenditures, appropriations.

My provision in this bill is not tax language. My provision in this bill says: None of the funds in this bill may be used to enter into, renew, extend, administer, implement, enforce or provide oversight of such a contract. We go directly to the spending aspects. There is no committee violation here. This is our jurisdiction.

Senator GRASSLEY's committee, the Finance Committee, does not pay for these agencies. The appropriations process does. So we are exercising our authority—no violation of committee jurisdiction, which, of course, means little to those following this debate but means a lot to those of us who serve in this Chamber.

Let me tell you what this is about. This is about collecting debts owed to the Federal Government, specifically the Internal Revenue Service, and the Finance Committee said: Let's see, if we let private collection agencies do it, whether they can save us money and do it more effectively. That is a legitimate inquiry. It is one I would be open to. I think it is reasonable to see if that might happen.

Well, let me tell you what has happened. After the Federal Government spent \$71 million in start-up costs to allow two companies, one in Iowa and one in New York, to move forward on this first phase of outsourcing programs, they started operations in September 2006. Presently, the IRS has contracts with two companies—one in Senator GRASSLEY's State of Iowa and one in the State of New York—for the collection of unpaid Federal income tax liabilities. The IRS is currently in the process of determining whether to exercise the option to extend these contracts for a 1-year period. That is why our language came in and said: Stop, don't do it. And I will explain why. There are a host of reasons.

The collection of Federal taxes, of course, is a core Government function, but I am not going to argue with the premise that we should see if we can do it with more cost efficiency by using private collectors. It is true that the information we are talking about here is sensitive information. So the IRS, of course, has access to more information about the debtors than the private collection agencies, and we want to always make certain we protect the confidentiality of certain information all American citizens share with their Government and don't believe it is going to be broadcast to any private company. So there is a natural tension here between the efforts of a private business making money collecting back taxes and the Internal Revenue Service, which has more information at their disposal in making evaluations but also a higher responsibility and duty in protecting the privacy of taxpayers with the information they provide our Government.

Let's get down to the bottom line. Using private companies to collect taxes is far more costly than having qualified, trained IRS employees do the work. I couldn't say that without evidence to back it up. Since the inception of this private collection program, the Internal Revenue Service has spent approximately \$80 million to set it up and administer it and we have received back as taxpayers \$60 million in net revenue, after paying these private companies in Iowa and New York \$13 million in commissions—\$13 million to receive back \$60 million. According to the IRS, private collection agencies were originally projected to bring in \$65 million in fiscal year 2007 and up to \$127 million in fiscal year 2008. So what happened? Instead, they raised \$32 million in 2007—less than half of what we expected—and only \$37 million in gross revenue in fiscal year 2008, about a fourth of what we expected. So their performance was dramatically less than promised, dramatically less than the IRS anticipated when they entered into these contracts.

The IRS has not identified any best practices from these private tax collectors, which was one of the stated intentions of the program. These private companies were supposed to show us

the way to collect money more effectively. So far, they haven't, and they have fallen down in their own goals in terms of collection of back taxes. The private companies have collected approximately one-half or less of what they were supposed to bring in, but they continue to be paid 21 to 24 percent in commissions on the easiest cases of all, totaling \$13 million we have paid to these private companies.

Now, Senator GRASSLEY made a reference to student loan collection. Of course, he should acknowledge, if he makes that reference, that we cap the commission for student loan collection at 16 percent. Instead, these companies in Iowa and in New York are being paid 21 to 24 percent of back taxes collected, so they are getting a premium and they are collecting far less than they said they would.

The story gets more interesting.

The IRS already has a significant collection infrastructure: thousands of trained employees. I heard Senator GRASSLEY make negative references to unions. That is his point of view. I don't share it, but I do believe union employees should be given an opportunity to be compared in their collection practices with those in private business. Let's be fair about this. This was an experiment, and the premise was that if you just turn it over to a profit-making, private company, it is going to do a better job and it will be cheaper for the Government—cheaper than relying on IRS employees who may or may not be members of the union to which Senator GRASSLEY referred. The automated collection system in the Internal Revenue Service is a critical collection operation. It collects nearly \$1.5 million per employee, per year. It works. So the employees at the IRS are collecting the back taxes as they promised they would.

Now, listen to this: The Internal Revenue Service National Taxpayer Advocate, Nina Olsen, has estimated that IRS employees collect \$32 for every \$1 spent, compared to collections by the private agencies of \$4 for every dollar given to them in commissions—8 to 1. If this is about comparing the dollar cost of collecting back taxes, the IRS employees win this 8 to 1. How in the world can anyone justify continuing subsidizing private collection agencies that can't do the job as well as the employees of the Internal Revenue Service?

According to the "Taxpayer Advocate Annual Report to Congress" in December 2008, the IRS automated system of collection—using IRS employees—collected more than three times as much as the private collectors did. They went on to say that this automated collection system in the IRS collected 13 percent of the balance due, while private collectors collected 4 percent of the balance due. By every tangible measure, the employees of the IRS are doing a dramatically better job than those in the private collection agencies.

These agencies have failed to meet the goals they set in terms of the amount of money they collect and how much they would charge the Government for all the years they have been doing this—in the 2 straight years. Is it any wonder we have questioned whether we should continue this? This is a subsidy—a subsidy to private companies that have not met the burden they said they would meet to prove to the taxpayers theirs was a more cost-efficient way to collect back taxes.

The last argument made by Senator GRASSLEY is an interesting one. He argued—even though he opposed President Obama's stimulus package—that we needed to keep subsidizing these private collection agencies because we need to create more jobs in America. In other words, this would be Senator GRASSLEY's private stimulus package for this company in Iowa. Well, I would say to the Senator that, sadly, with the state of this economy, collection agencies shouldn't have any problems finding work to do. I just don't think the American taxpayers ought to be subsidizing them. I think basic Midwestern values suggest to us that we have experimented and the experiment results are in. This has turned out not to be a good investment of taxpayers' money. As the chairman of the subcommittee that has to pay for this, I can't justify it. I can't justify it for New York or for Iowa or for any State. We tried this experiment in good faith, and the private collection agencies failed to come through as promised.

Let's put the money, as I suggest in this appropriations bill, into the trained employees, with the automated collection system, who are bringing back, by a margin of 8 to 1, more back taxes than these private companies in Iowa and New York. I believe that is reasonable, and I find it hard to understand how many of my Republican colleagues who criticize this Omnibus appropriations bill for wasting money would vote for the Grassley amendment which would continue the subsidy—wasting taxpayers' dollars—with private collection agencies that have not been as effective as the Internal Revenue Service.

Until these private companies can prove they can do the job better, do it more efficiently, do it at a lower cost, there is no reason we should continue this subsidy. A personal stimulus bill for a company in Iowa and a company in New York is something we can ill afford to do at this moment when we are trying to deal with the costs of this Government and bringing them under control.

The Omnibus appropriations bill increases funding for the IRS with a boost of over \$337 million in enforcement activity. With these enhanced funds, the IRS will be hiring new employees who can do this work efficiently, as they have proven time and time again. They have the tools, they have the options the taxpayers have a right to expect, and they will protect

the privacy of the taxpayers in the process. Section 106, which Senator GRASSLEY addresses, will ensure that appropriated funds for tax collection work will be put to optimum use within the agency rather than being diverted to outsourced Government work, which has shown that it cannot meet its promises of reducing the cost of Government and increasing collections. We know it works. Let's stick with it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. I am not going to take long to respond because I think the main point I make is this. My remarks were not addressed by the Senator from Illinois. The issue we are talking about is an IRS policy that they will not go after any amount of money under \$25,000, even though those are amounts that individuals agreed they owe.

So any comparisons of what the IRS can do versus what private debt collection agencies can do is not legitimate because you can hire more IRS employees. But I told you the policy of the IRS if they hire more employees, they will not go after amounts of \$25,000 or less and I think it is fair to taxpayers that are honest, that every dollar owed is collected. Not one dollar more. And that we shouldn't have a government policy that is not going to go after it, and this program does go after it.

He mentioned start-up costs and this is very important because you cannot judge the cost effectiveness of a program based on how much was spent on start-up costs. There are start-up costs in any Federal agency, for any new agency or program that starts out. You can't weigh the costs incurred for what was supposed to be a permanent program against the benefits of a program that hasn't been fully operational for most of the 2 years of its existence.

And the reason it hasn't been fully operational, is that the union, the taxpayer advocate, and even the chief counsel, continued to throw up roadblocks by weighing in on what type of cases the contractors could work. This means that even though the program was supposed to start in September 2006, it was months later before the contractors received the full allocation of cases they were supposed to get.

The Senator from Illinois asked what happened in regards to why the actual amounts collected to date by contractors was lower than expected. Well, that is what happened. And to his point about paying \$13 million for \$60 million of revenues. Let's be honest—the contractors are paid on a commission basis so the IRS isn't paying anything out of its pockets. The contractors are getting a percentage of the taxes they collect and they don't get paid for all the work they do that generates no collection. Because of the IRS policy to not collect taxes due under \$25,000, the \$60 million IRS did get is revenue that IRS would never have received.

He also mentioned this, there is a difference between what is paid to education debt collection contractors and what is paid to tax debt collection contractors. He is right. But there is a factor with collecting taxes that is not true in the case of the Education Department and that is the privacy issues that have been brought up. The contractors with the IRS incur higher expenses than education contractors because they don't have access to all the information IRS has because the law does protect the privacy of taxpayers. And because they have to provide all of the safeguards and protections that IRS provides, the contractors have to incur more security expenses than education contractors.

The Senator from Illinois mentioned the success of IRS's use of automated collection systems. You have to remember that there is nothing automated about the IRS's so-called automatic collection system. The contractors use automated systems to determine which taxpayer to call next. The IRS doesn't even make outbound phone calls—the only phone calls are returning phone calls when taxpayers call the IRS with questions about a letter they received.

Finally, the Senator from Illinois described my efforts to continue to fund the IRS program as my own personal stimulus plan because it will save jobs in Iowa. I want to make clear that it was expected that the IRS would contract with 10 or 15 contractors—not just 2. But because of all the roadblocks put up by the union and others, the IRS apparently claims that there aren't enough cases to provide to even these two contractors. This doesn't make sense to me since there is apparently \$25 billion of potentially collectible debt that the IRS is not pursuing. The program, if run properly, would have and should have been expanded to include other contractors. And I would also like to point out that these two contractors are national organizations and between them are likely to have offices and employees in almost all of the 50 States.

So the bottom line of our approach in this program is to make sure that the honest taxpayer is protected. And that we do not support an IRS policy that we aren't going to collect the money from everyone—a policy which is not clear to me that IRS is going to change. And we're showing that we do not accept this policy through this program. We are going after that money that no IRS employee is going to go after. And if you're going to be fair to the taxpayer that pays every dollar that they owe, it seems to me we should make every effort we can to go after all taxpayers who do not pay their taxes. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, my understanding is the Senator from Maryland is going to seek recognition next.

I ask unanimous consent to be recognized following the presentation by the Senator from Maryland.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I know the Senate is on a tight timeframe because there will be a joint session of Congress to welcome the Prime Minister of England, our greatest ally.

I rise today as the chairperson of the Appropriations Commerce, Justice, Science Subcommittee and to lay out for our colleagues what is in this appropriation and why it is needed and what compelling human needs it meets.

No. 1, why do we have to do this since we passed the stimulus? Actually, we should have done this before the stimulus. We should have done it in October. Why didn't we? We didn't do it in October because we were facing a hostile White House and an OMB Director who was hostile to the very agencies this funds. We didn't want to send this appropriations to the Bush White House because all we would have faced was one more back-and-forth parliamentary quagmire.

This appropriation keeps the U.S. Government going. What my subcommittee does is fund those agencies that are critical and crucial to the economic growth of the United States of America, that will protect the communities of the United States, and will also work to protect our planet. In terms of economic growth, this is the subcommittee that funds all science agencies with the extension of the National Institutes of Health and the Department of Energy. It comes up with the new ideas. It follows the recommendations of the National Academy of Sciences about how we can rise above the gathering storm to be competitive today and be able to be competitive tomorrow. In English, and in the diners around Maryland, that would mean jobs today and tomorrow. It is in basic research that we come up with the new ideas that lead to the new products, that lead to the new jobs.

That is what this CJS funds. At the same time, it funds the Patent Office. Our colleagues on the Judiciary committee will be giving us a new framework for the protection of patents. That is a geek word that means if you invent it, we are going to protect you, and you will be able to harvest the benefits of your new idea. We are going to protect intellectual property because it is right now, in the knowledge-driven economy, the property of choice to be protected.

This subcommittee funds research, innovation, the development of technology. It also funds the Department of Justice—gosh, a Department of Justice that even remembers what the name means. I am so excited about working with our new Attorney General.

In addition to the work of the Justice Department, it funds local law enforcement through cops on the beat and Byrne grants, and our national Federal

law enforcement agencies—the FBI, Bureau of Alcohol and Firearms, and the Marshal Service.

So if you want to know, why should we support the CJS? If you want jobs today and tomorrow, you want to vote for this appropriation. If you want to keep neighborhoods safe, you want to vote for this appropriation. If you want the marshals going after sexual predators so there are no more Adam Walshes, vote for this bill. If you want to protect violence against women, victims of domestic violence, and have the shelters and community interventions, you want to vote for this bill. If you are so proud of the great genius of the United States of America and its entrepreneurship that comes up with these new ideas, these new products, you want to vote for this bill because you want a Patent Office where you don't want to stand in line for years to be able to protect your ideas so they are not stolen or hijacked or pirated around the world. You want to vote for this bill. If you want to protect our planet—global warming is a real threat, from the standpoint of our Director of National Intelligence, who says global warming could destabilize populations, and it is a national security issue. It is not only about protecting the polar bears; it is also about protecting the Port of Baltimore, Chesapeake Bay, our coastline, and those around the world. If you want to protect the planet and our homeland, you want to vote for this bill.

In summary, these are the top 10 reasons to support CJS in the 2009 omnibus bill:

I ask unanimous consent to have them printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1. Funds the FBI, our chief domestic national security agency, to take down terror cells and dirty bombs on U.S. soil (\$7 billion).
2. Adds 85 FBI agents and forensic accounting professionals to combat mortgage and financial fraud (\$10 million).
3. Funds DEA to fight international drug cartels that finance terrorism and infiltrate our neighborhoods with heroin and meth (\$2 billion).
4. Funds ATF to partner with the military to dismantle IEDs that maim and kill our troops on the battlefield (\$1 billion).
5. Supports cops on the beat—provides \$3.2 billion for state and local law enforcement, \$2.1 billion above the previous Administration's request—to help state and local police fight gangs, drugs, crime and child predators.
6. Highest funding level ever for the Violence Against Women Act programs to combat sexual assault and domestic violence and help victims get their lives back together (\$415 million).
7. Protects our kids from predators by preventing, investigating and prosecuting crimes against children (\$234 million).
8. Advances climate research and restores satellite climate sensors cut by the previous Administration (\$270 million).
9. Enhances U.S. competitiveness and innovation by increasing science and technology research at NSF and NIST, a 7 percent increase over last year (\$913 million).

10. Restores fiscal responsibility and accountability to ensure stewardship of taxpayer dollars—prohibits funds for lavish banquets, controls cost overruns, and requires IGs to do random audits of grantees.

Ms. MIKULSKI. I am tired of the naysayers who come up with these quirky little congressionally designated projects and make them a subject of ridicule. Our country, our ship of state, right now is leaking. We can right that ship and President Obama is righting that ship. This CJS bill is the right tool to be able to do that.

What are the consequences of not passing this bill? I will tell you right now. Let's go to law enforcement. If we do not pass this bill and we put it on something called a continuing resolution, that is essentially keeping it barely afloat. The FBI will get a half billion dollars less to run their agency for this year. If Director Mueller were here, he would say this means 650 fewer FBI special agents. It means less analysts and other people fighting crime on U.S. soil. It means we cannot hire 100 new FBI specialists in forensic accounting to go after the mortgage fraud people. Remember them—the scammers, the bums? We would not be able to do that.

Let's talk about drug enforcement. There will be \$52 million less for DEA. What are some of the biggest threats facing us right now? Let's talk about Mexico. Mexico is on the verge of a state of siege because of the drug cartels that are running rampant. If you watch the news and listen to the Ambassador of Mexico and to their compelling issues down there—look at what was on "60 Minutes," where the drug cartels are roaming streets with assault rifles, shooting police chiefs, shooting elected officials, kidnapping—that is on our border. We need the DEA. Then there are the narcotraffickers in Colombia—in that long, steadfast fight where we are making progress. Then there is Afghanistan, which provides 85 percent of the world's poppy. We are going to send thousands of more troops into Afghanistan.

I am not too excited about that part, but that is a debate for another time. But what is going on in Afghanistan? They are growing poppy like Iowa grows corn. It is an enormous drug crop. What does the money from that do? First, it corrupts Government and elected officials. It corrupts the judiciary. It has a corrupting influence. So we are going to send American troops to fight and die for something that could be bordering on a narcostate?

I say, before we send in more marines, let's send in more DEA agents to work with the Karzai government to do something about the growth of poppy and the funding of the Taliban. Let's send in DEA agents. Under this, we are going to have a hiring freeze. Agents would have to take furloughs. But that is OK, that is just in law enforcement.

Let's talk about the national space agency, NASA, and the National Oceanic and Atmospheric Agency.

If we don't do this appropriation, NASA will be funded close to a half billion dollars below what is in the omnibus. This would be a major setback to developing a reliable transportation system to continue our human space flights. We are already going to go dark in space, where we are going to rely on the Russians to get us up to our very own space station. But what this could mean is the loss of several thousand jobs in Florida, Texas, Mississippi, Alabama, Utah, and Louisiana. If we don't pass this by the end of March, layoff notices will begin. Aren't we for jobs today and jobs tomorrow? Aren't we for building rocket ships and spaceships? We have to pass this bill.

Then when we look at NOAA. We all love the weather reports. We rely upon them for early warnings of tornadoes and hurricanes and, at the same time, to be able to give us traffic. Weather reports don't come from the Weather Channel. The Weather Channel gets its information from the weather services provided by our Government at NOAA. We ought to rename it the "National Oceans Atmospheric and Weather Administration." Right now, they are weathering their own storm. If this continuing resolution hits them, it means more layoffs. We won't be able to develop the right technology to predict and give the early warnings that are so important to our people.

Then I wish to talk about education. Through the National Science Foundation, and other science agencies in here, we work to promote education, to get our young people excited and participating in science and technology, so that they want to come into these exciting new possible careers, where they are going to come up with new ideas and inventions. This makes a major downpayment so we can coordinate with our new Secretary of Education and our President, who is such a strong advocate of this.

If you wish to have a country that is meeting the day-to-day needs of our own people, yet looking ahead to the long-range needs of our country, you want to vote for this appropriation. You want to vote for the subcommittee portion of this appropriation. The other reason, for those who are concerned about the issue of bipartisanship, is we developed this jointly and collegially and civilly with my colleague from Alabama, Senator RICHARD SHELBY. This bill has his endorsement and it will have his vote. Senator SHELBY and I have worked together for many years, and we believe that good people can find common ground, find an accessible center in the rough and tumble of politics that enables us to come before the Senate with a bipartisan approach to the Commerce, Justice, Science bill.

I want to thank Senator SHELBY and his staff for their cooperation and collegiality in crafting the CJS portion of the bill we are considering.

The CJS Subcommittee's top priority is keeping Americans safe from terrorism and violent crime.

To that end, our bill provides \$26.1 billion for the Justice Department, which is \$3 billion above the previous President's budget request. We fund the FBI our domestic counterterrorism agency with mission of dismantling terror cells and weapons of mass destruction on U.S. soil at \$7.3 billion, which is \$155 million above the previous President's budget request.

The CJS bill is the major Federal funding source for our State and local police departments. The previous President's budget request proposed dramatic cuts totaling \$2 billion to State and local grant funding. We reject those cuts and instead provide a total of \$3.2 billion to support our thin blue line.

Among those funds, the CJS bill provides \$550 million for COPS grants, which pay for gear and technology—such as bulletproof vests and crime scene analysis—to keep our cops safe, and to help them catch criminals. We also have \$546 million for Byrne-justice assistance grants, a formula-based program that is the main Federal funding tool for State and local police operations, which was zeroed out by the previous administration. For juvenile justice and delinquency prevention mentoring and antigang programs we provide \$374 million, which is \$189 million more than that the previous President request. Lastly, we provide \$415 million to prevent violence against women, which is the highest level ever allocated for Violence Against Women Act programs.

In addition to helping our State and locals keep our communities safe, the CJS bill funds our major Federal law enforcement agencies. We provide \$1.9 billion for the DEA to fight international narcoterrorists and drug kingpins. There is also \$1.1 billion for the Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF, to combat violent gun crime and gangs and investigate arson.

The CJS bill contains \$954 million for the Marshals Service to apprehend fugitive sex offenders and other violent criminals. We included \$1.8 billion for our U.S. Attorneys to prosecute gang leaders, gun traffickers and drug dealers. Lastly, we provide \$6.2 billion for management and construction of Federal prisons to ensure our Federal prisons are safe and secure.

These agencies are the backbone of our criminal justice system. They enforce our laws, catch criminals and keep our communities safe.

Most importantly, this bill protects the most vulnerable among us: our children. We provide over \$234 million to keep our kids safe from predators and violence.

The CJS includes \$5 million to hire 20 new U.S. marshals to track down and arrest fugitive sex offenders, \$47 million for the FBI Innocent Images program to catch deviants who use the Internet to prey on children, \$5 million to hire 25 new assistant U.S. Attorneys to prosecute sex offenders, \$70 million



for state and local law enforcement efforts to find and apprehend child predators, and \$16 million for grants to school districts to keep kids safe at school.

I am proud to report that the CJS bill follows the framework of the America COMPETES Act and makes investments to improve America's competitiveness.

The bill provides \$819 million for the National Institute of Standards and Technology, which includes \$65 million for the new Technology Innovation Program and \$110 million for the manufacturing extension partnership, MEP. This is important funding to develop new technologies and new products and make American manufacturers more competitive.

We also provide \$6.5 billion for the NSF, including \$845 million dedicated for education. These funds focus on science, technology, engineering, and mathematics, and will develop our next generation of scientists and engineers.

For the National Oceanic and Atmospheric Administration, NOAA, we provide \$4.4 billion, including: \$945 million for our weather service to predict and warn us about severe weather, and \$758 million for our fisheries service to protect our marine resources.

The bill also provides \$17.8 billion for NASA, which is \$200 million more than the previous President's budget request. We meet our obligations to fully fund the space shuttle at \$3 billion, the space station at \$2 billion, and the next generation space vehicle at \$3.1 billion this year.

Finally, the CJS bill supports an innovation friendly government by providing full funding at \$2 billion for the Patent and Trademark Office, PTO, to reduce backlogs of patent applications and protect our intellectual property; and \$430 million for the International Trade Administration to enforce our trade laws.

The CJS bill also makes important investments in America's future. We provide \$240 million for economic development grants—\$140 million more than requested by the previous administration—to help communities create jobs and opportunity. We also provide \$20 million for public television infrastructure grants.

The CJS bill funds the science we use to monitor and predict changes in our weather and climate, and make policy decisions on actions we should take to save our planet. In fact, the CJS bill funds 85 percent of all Federal climate change science.

Specifically, we provide \$1.4 billion for NASA Earth science for satellite missions that tell us how much pollution is in our atmosphere, our rainforests and ice sheets are shifting, and the height and chemistry of our oceans are changing. Funding for Earth science includes \$150 million for new NASA earth science missions, which is \$50 million above the previous President's request. This funding is recommended by the National Academy of

Science to measure our ice sheets, climate, and atmosphere so we can better predict changes to our planet.

We provide \$606 million for NASA science into how the sun affects the Earth. This helps predict and warn about events like solar flares that can knock out our communications and power grids.

The CJS has \$966 million for NOAA weather satellites, which are important early warning tools. If we can better predict and warn when tornadoes and hurricanes are coming, we can save lives and save money. We provide \$74 million to restore critical climate sensors that had been deleted from our next generation polar satellites because of cost overruns. We also include \$420 million for NOAA research to help us better understand our oceans and atmosphere and how they interact and change.

Finally, the CJS bill continues to emphasize congressional oversight, accountability and fiscal stewardship.

We meet our constitutional obligations for a timely and accurate Census by providing \$3.1 million for the 2010 Census. This will keep the Census on track, despite the previous administration's mismanagement of an information technology contract.

The CJS Subcommittee continues its oversight role by cracking down on cost overruns or mismanagement of taxpayer dollars. The bill insists on discipline and vigorous oversight by requiring each agency to notify the committee when costs of projects grow by more than 10 percent, thereby creating an early warning system.

We also require that inspectors general conduct random audits of grant funding to ensure compliance.

Finally, the bill complies fully with legislative transparency and accountability rules.

Again, I want to thank Senator SHELBY and his staff—Art Cameron, Goodloe Sutton, Allen Cutler and Augusta Wilson—for their cooperation and collegiality.

The CJS bill meets the day to day needs of our constituents by keeping them safe from terrorism and violent crime. It looks out for the long-term needs of our Nation by making investments in America's physical and intellectual infrastructure to create and sustain jobs for today and jobs for tomorrow.

For these reasons, I urge my colleagues to support it.

AMENDMENT NO. 608

Mr. President, I rise to oppose the amendment No. 608 offered by the Senator from Oklahoma. Simply put, this amendment is a solution in search of a problem. The CJS portion of the omnibus does provide funds for the Department of Justice to solve civil right cold cases. This amendment is a distraction.

Before I speak about why I oppose this amendment, however, we must first talk about Emmett Till.

Emmett Till was a 14-year-old African-American boy from Chicago who

was murdered in Money, MS, on August 28, 1955. He was dragged from his uncle's home and shot in the head. His body was dumped in the Tallahatchie River, tied to a 70-pound cotton gin with barb wire, and found 3 days later by fishermen. Emmett's mother demanded an open casket to show the world the brutality of his murder.

The murder of Emmett Till was a key event igniting the civil rights movement. Emmett's two killers never served a day in jail for their heinous crime. An all-White jury acquitted them in 67 minutes. The killers later admitted to murdering Emmett Till, but could not be prosecuted for the crime because they had already been found innocent by a jury.

In May 2004, 49 years after the murder, the Department of Justice reopened the case to finally determine if anyone else was involved in the killing. The FBI exhumed Emmett Till's body and performed an autopsy. Two years later, the FBI determined no one else was involved and officially closed the case.

On October 7, 2008, President Bush signed a law named after Emmett Till. The purpose of the legislation is to make sure Justice Department has the necessary resources to investigate civil rights cold cases.

Cold cases are extremely difficult to solve. Investigators run into many dead ends, as witnesses are hard to find and evidence can be easily misplaced, mishandled or destroyed. Additionally, investigations use up a lot of time and money resources.

However, solving these cases is important. This is about more than just bringing killers to justice. Solving these cases is about letting victims' families get on with their lives, about moving beyond racial hatred, and reconciliation.

I want to be clear I support funding for investigating cold cases. That is why I fought hard to make sure there is money in the Federal checkbook for fiscal year 2009 to support the Emmett Till law. The CJS portion of the omnibus provides the Department of Justice with the resources it needs to investigate civil rights cold cases.

To boost resources for civil rights cold case investigations, the CJS bill provide \$123 million for the Department of Justice's Civil Rights Division, which is \$7 million more than 2008, and charged with heading up the investigation and enforcement responsibilities set forth in the Emmett Till bill. We include \$151 million for funding to reduce enormous backlog of untested DNA evidence. There is a backlog of 500,000 unsolved cases with untested DNA evidence sitting in evidence lockers today.

So that State and local law enforcement have the means to carry out their roles in investigating civil rights cold cases, we provide \$30 million for competitive funds for State and local government to investigate and prosecute civil rights violations. There is also \$25

million for competitive grants to State and locals to reduce forensic evidence backlogs.

The CJS bill provides \$9.8 million for the Justice Department's Community Relations Service to train local law enforcement how to mediate racial tensions in communities. We also have \$75.6 million for the inspector general at Department of Justice, which is \$5 million more than 2008. Under the Emmett Till law, the Inspector General has the authority to investigate missing children cold cases.

In addition to cold case investigations, the CJS bill provides robust funding to enforce our Nation's civil rights laws. It includes \$1.84 billion, which is \$88 million more than 2008, for the U.S. attorneys office at Department of Justice. These are the attorneys who investigate and prosecute civil rights violations. The bill also has \$9 million for the Commission on Civil Rights, which is responsible for making agencies are complying with Federal civil rights laws and raising public awareness on civil rights. Lastly, we include \$343 million for the Equal Employment Opportunity Commission, whose mission is to end workplace discrimination. This is \$14.8 million above 2008 and will help reduce the current backlog of EEOC cases.

I urge my colleagues to oppose amendment No. 608 and support the omnibus. The omnibus gives Department of Justice the resources it needs to investigate civil rights cold cases and enforce our country's civil rights laws.

I have a letter from Attorney General Eric Holder stating his support for the goals of the Emmett Till Act. Attorney General Holder is committed to the goals of the Emmett Till Act, and this letter gives his personal commitment to continuing to use funding to pursue these serious crimes.

If the Senate does not pass the omnibus, the Department of Justice will be forced to operate at 2008 levels. This means we will have to lay off investigators and prosecutors, and civil rights enforcement and investigations will be compromised.

For all these reasons, I urge a "NO" vote on this amendment.

I ask unanimous consent that the letter to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ATTORNEY GENERAL,  
Washington, DC, March 3, 2009.

Hon. BARBARA MIKULSKI,  
Chairwoman, Subcommittee on Commerce, Justice, Science and Related Agencies, Committee on Appropriations, Washington, DC.

DEAR MADAM CHAIRWOMAN: The Department of Justice wholeheartedly supports the goals of the Emmett Till Unsolved Civil Rights Crime Act. The racially-motivated murders from the civil rights era constitute some of the greatest blemishes upon our history.

The Department is working in partnership with the National Association for the Ad-

vancement of Colored People, the Southern Poverty Law Center, and the National Urban League to investigate the unsolved racially-motivated violent crimes committed more than 40 years ago. The FBI has prioritized the top dozen of these cases, though there are more than 100 unsolved murder cases from the civil rights era under review by the FBI.

You have my personal commitment that the Department will continue to pursue these serious crimes in those matters in which the law and the facts would permit effective law enforcement action. We will continue to use our resources and expertise to identify and locate those responsible for these crimes and prosecute them whenever possible, consistent with the Principles of Federal Prosecution.

Sincerely,

ERIC H. HOLDER, Jr.

Ms. MIKULSKI. It is time to move the appropriations. We have to make sure our Government can function so our economy can function.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, prior to the statement by the Senator from Maryland, I was listening to the discussion between Senator GRASSLEY and Senator DURBIN on an issue that I know Senator GRASSLEY feels strongly about. I don't believe there is an amendment yet offered. I hope it is not offered, frankly. I have great respect for the Senator from Iowa, Mr. GRASSLEY. He and I have worked together on a range of issues, and he is a good legislator. He and the Senator from Illinois, Mr. DURBIN, were having a disagreement about this.

I come down on the side of the Senator from Illinois. This discussion is about the issue of using private collection agencies to collect certain Internal Revenue Service delinquent taxes. First, let me say that I think people who are delinquent on their taxes ought to be squeezed a bit to pay them. Unless there is some extraneous circumstance, I think most Americans voluntarily pay their taxes. They do not necessarily like to but they do because that is part of the cost of citizenship in this country. We have to do things together. We build roads together, and we have a law enforcement function in our communities together. We build schools, we have defense—we do all these things together. It costs money, so we pay taxes. That's part of the cost of citizenship.

There is great disagreement at what level those taxes should be and who actually pays it. I understand all that. But because we have a responsibility to pay some taxes and because there are some who do not, we have taxes that are delinquent in the Internal Revenue Service that need to be collected.

The Internal Revenue Service has on two occasions begun experiments with hiring private collection agencies to collect those taxes. The experience with those experiments has not been good. Because there has been a great move toward privatizing everything,

we have hired private collection agencies to collect lower level delinquent taxes and, in fact, we have actually lost money in doing so.

It is almost unthinkable that someone who is going to collect taxes is going to lose money doing it. That is like being in business to sell tomatoes and someone is going to give me the tomatoes and you lose money.

Here is what the taxpayer advocate says. The tax advocate is someone who works independently inside the Internal Revenue Service on behalf of taxpayers. Taxpayer Advocate Olson says that since its inception—this latest iteration of using private collection agencies—the IRS has spent roughly \$80 million to set up and administer this program to collect delinquent taxes. They have spent \$80 million but collected net revenues of only \$60 million.

Think of that. You hire some private companies to collect delinquent taxes. It costs \$80 million to get it going and administer it, and you collect \$60 million. I took rudimentary math in a high school senior class of nine students in a town of 300 people. I can understand that equation. You spend \$80 million and collect \$60 million. It means you lost \$20 million. It makes no sense to me.

By the way, the firms that did this also made \$13 million in commissions. That is part of the shortfall here.

It is also estimated by the taxpayer advocate in the Internal Revenue Service that had they not hired a private collection agency and instead hired collectors at the IRS, they would have collected 13 times more money. This is about, in my judgment, common sense and waste. Common sense suggests you select the best alternative for collecting these taxes. The alternative that would give the taxpayers the most for their investment and waste is about deciding you are going to hire private collection agencies and spend \$80 million and collect \$60 million.

Let me make a couple of observations about what the tax advocate has said about these issues. The tax advocate has said—and again, this is an employee inside the Internal Revenue Service:

Private debt collection initiatives are failing in most respects. . . . Not meeting revenue projections, its return on investment is dismal. Private collectors are no better at locating or collecting tax liabilities than the IRS itself.

If the taxpayer advocate that we fund inside the Internal Revenue Service to look after the taxpayers says this is a failure, let's decide it is a failure.

The underlying legislation brought to the floor in this omnibus package effectively says let's get rid of this program. Let's have the collections done as they should have been done and were done for a long time at the Internal Revenue Service. They will not lose money. We will collect 13 times more revenue, in my judgment, based on the estimates.

Former IRS Commissioner Mark Everson in congressional testimony said:

I have freely acknowledged it is more costly to use private collection agencies than it would be were the IRS to do it.

That is from an IRS Commissioner. Former Acting Commissioner Kevin Brown told the House Ways and Means Committee:

We can do it more efficiently. We have the tools under the law that obviously are going to lead us to being more efficient.

My only point is, I hope there is not an amendment on this issue. I have great respect for my colleague from Iowa. But I think this is a program that should not have been started. Now that it is started and losing money, it ought to be abandoned. If we are looking after waste, fraud, and abuse issues and trying to protect the American taxpayer and shut down the waste of taxpayers' money, there is no better candidate, in my judgment, than the candidate that is in this omnibus package and this particular subcommittee by which we shut down the use of private collection agencies that have actually lost money for the American taxpayers. My hope is we do not have an amendment on this point. In any event, it is long past the time for us to have shut down a program that is costing the American taxpayers money—\$20 million to hire private tax collectors who are collecting less money than it is costing us to hire those collectors.

One might, by the way, look at this and say: Man, how can that be controversial? It seems to me that is a slam dunk, that is common sense. If that is the case, if that is what you think, you do not understand how the system works because even things that are demonstrable failures are often hard to shut down. This is an example of that. We are close to getting that done.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE PRIME MINISTER OF GREAT BRITAIN

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 12 noon in order to attend a joint meeting of Congress.

Thereupon, the Senate, at 10:40 a.m., recessed until 12 noon, and the Senate, preceded by the Deputy Sergeant at Arms, Drew Willison, the Secretary of the Senate, Nancy Erickson, and the Vice President of the United States, JOSEPH R. BIDEN, Jr., proceeded to the

Hall of the House of Representatives to hear the address by the Prime Minister of Great Britain.

(The address delivered by the Prime Minister of Great Britain to the joint meeting of the two Houses of Congress is printed in the Proceedings of the House of Representatives in today's RECORD.)

Whereupon, at 12 noon, the Senate, having returned to its Chamber, reassembled and was called to order by the Presiding officer (Mr. CASEY).

#### OMNIBUS APPROPRIATIONS ACT, 2009—Continued

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, 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. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 596

Mr. INOUE. Mr. President, amendment No. 596, offered by the Senator from Oklahoma, prohibiting funding from being used for no-bid contracts would appear on its face to be a good amendment, an amendment that some are asking: Why would I vote against this?

When this amendment first appeared as an amendment to the recovery act, the Senate passed it by a unanimous vote because it appeared to be a good-government amendment. However, what we quickly learned as we began conference negotiations with the House is that the consequences of this amendment are more far reaching than simply prohibiting no-bid contracts.

Because of the way this amendment is drafted, it is destructive to small business and minority-owned businesses in this country, as well as to Native American funding. This amendment states the only procedures that can be used to award funds in this act are the procedures in accordance with only section 303 of the Federal Property and Administrative Services Act. As a result, this amendment prohibits agencies from making any awards to small businesses through statutes that have been enacted over the years that provide assistance to small businesses, including small veteran-owned businesses, service-disabled, veteran-owned businesses, minority-owned businesses, tribal enterprises, women-owned businesses, HUBZone-qualified businesses, and other entities covered through the SBA programs, as well as the Javits-Wagner-O'Day Act, just to name a few.

Mr. President, in terms of Native American funding, this provision would essentially overturn the so-called "638" contracts whereby a tribe contracts with the Bureau of Indian Affairs or Indian Health Service or other agency to

perform the function of that agency. These contracts are not competitive pursuant to the Indian Self-Determination Act and other statutes enacted to help Native Americans.

In fact, efforts were made to correct this language during the conference negotiation of the recovery act so that small businesses—the backbone of this country—and Native American funding would not be unnecessarily penalized by language that combined the broad dismissal of authorization statutes and the narrow citing of one procurement law. Even with the significant improvements made to the original text, the Senator from Alaska, who is the ranking member on the Energy and Natural Resources Committee, asked that I enter into a colloquy with her during consideration of the conference report to clarify that the language did not impact existing Federal procurement law applicable to programs that allow for set-asides and direct-award procurements.

Mr. President, I cannot speak to the intentions of the Senator from Oklahoma as to what he wants to accomplish with this amendment. To be clear, however, I can speak to the consequences of the pending amendment. It will have a destructive impact on the small business programs and Native American programs mentioned above.

Do we really want to prohibit small veteran-owned businesses, service-disabled, veteran-owned businesses from Federal funding opportunities unless they compete in the same manner as large corporations? Do we really want to prohibit small women-owned businesses from Federal funding opportunities unless they compete in the same manner with large corporations? Do we really want to say our Federal agencies must ignore existing Federal procurement laws that govern these small business programs and Native American programs and allow only these small businesses to compete subject to section 303 of the law?

This amendment systematically ignores years of Small Business Committee and Indian Affairs Committee authorizations enacted into law by insisting that all contracts be awarded through one specific section of one specific law. This is the exact language the Senator from Oklahoma offered during Senate consideration of the recovery act and not the provision that was amended after Members were made aware of the negative impacts on our small business community.

Consequently, while it appears to be a good-government amendment, it is in fact the opposite. If this amendment is adopted, it will cause significant disruptions to small businesses across this country, and I don't wish to be part of that effort. Small businesses make up 99.7 percent of our Nation's employers and 50.3 percent of our Nation's private sector employment. Denying the ability of these small businesses to compete on a level playing field would severely impact small businesses that are

already struggling to stay afloat during the current economic downturn.

Given the information we have learned since this amendment was first proposed several weeks ago, and given the fact the language before us does not take into account and address the many problems raised after it was first proposed, I encourage my colleagues to oppose this amendment. It is the least we can do for our small businesses, particularly given the economic crisis we are currently in.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

AMENDMENT NO. 608

Mr. COBURN. Mr. President, I would like to speak a few minutes on the Emmett Till amendment that I have up. We heard this morning from the Honorable Senator from Maryland, utilizing the letter from the Attorney General saying they would work hard in approving and working on the Emmett Till Unsolved Civil Rights Crime Act. However, the defense for not approving my amendment was the fact that the Justice Department is going to work hard on it anyway.

I would note for my colleagues that is exactly the opposite amendment that we had last year when we were trying to pass this bill, when it was my contention that we didn't need additional money and that the Justice Department could do it. What we heard almost unanimously outside this Chamber is they couldn't do it without funding.

So now we have an amendment that actually puts in funding to go after these perpetrators of these heinous crimes. Yet we don't want to do it because now the very excuse we said wasn't good enough last year is good enough this year.

That is disloyal to the cause, No. 1; and, No. 2, it does not make any sense in light of the very statements made by some of the very same Senators last year.

The fact is, not funding this will make a real difference in the number of cases that get brought to prosecution. We have a letter from the Attorney General that says he will try, but what we are talking about is giving him more money so he does not have any excuse for not trying—which lines up exactly with the reasoning behind the appropriations bills on almost every other topic.

I say to my colleagues, having a letter which was generated last year in my support for trying not to increase the funding—which was said that wasn't adequate, that we needed funding—now the fact that you refused to fund something you promised to fund and say it will get done anyway does not speak very well of our effort in that behalf.

It is my hope the Senate will look hard and long at this. You cannot have it both ways. You cannot say you need to authorize funding, we need to have funding, and send out a press release

saying you authorized \$15 million a year for the next few years to do something and then have a chance to fund it and not fund it and say we didn't need to authorize the funding in the first place. It is hypocritical, in my opinion, and my hope is we will give great and concerted consideration to my amendment.

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. ENSIGN. 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. ENSIGN. Mr. President, very soon I am going to talk about an amendment I want to offer on the DC Voucher Program for low-income kids. But first I want to talk about the bill in general for a few minutes.

Yesterday, I talked about the spending bill we have before us as being 8 percent over spending from last year on various programs that are contained within the bill.

We just had Secretary of Treasury Geithner before the Senate Finance Committee. I asked him a question. I said: I applaud the President for hosting a fiscal responsibility summit just last week at the White House. I think that was a great thing. It set some very important goals for us to be fiscally responsible to the next generation. I told him this administration had an opportunity to say these are last years bills, drafted under a different administration. But rather, they said, we are going to look the other way; we are not going to hold to our "no earmarks" pledge or fiscal responsibility pledge on this bill, we are going to do that on future things.

But the problem is, it is not just this bill that increases spending by 8 percent. This bill gets added into the baseline. This extra \$23 billion gets added into this year's baseline, which means that next year's the baseline goes up and the budget for the next year after that goes up, and up and up, so this \$23 billion increase in federal spending ends up being several hundred billion over 10 years. That is not what we should be doing now.

We have entitlements that are going to be exploding. Every family in America today is looking for ways to cut their budget. We are hearing that the movie industry is actually doing pretty well right now because people are saying: That is actually a little luxury I can afford, because they can't afford some of the bigger luxuries they wanted. Instead of buying cars or big-purchase items, they are buying smaller things. That is why Wal-Mart seems to be doing well at this point. People are looking for values.

Businesses across the country are looking to cut expenses. They are looking to cut wasteful spending. Every bu-

reaucracy, whether it is private or public, grows over time, so businesses are looking for ways to be able to handle these tough economic times.

Local governments and State governments are forced to live within a budget. So what are they doing? They are making tough choices right now. Even with the money the Federal Government sent them, they are still having to make difficult choices, so they are looking for what wasteful spending is out there and what ways they can cut back on waste.

The one place that seems immune to cutting wasteful spending is the Federal Government, and the people responsible for that are right here in this Chamber and in the Chamber across the Capitol. We control the purse strings. This is not a time for us to increase spending. This is a time for us to ask every Federal agency, department, program out there: How can you save money right now? How can you cut administrative costs? Which programs are duplicative? Which programs are working and which ones are not? Let's take the money away from the programs that are less efficient right now, let's cut back on bureaucracy instead of expanding the bureaucracy at this point. I would say this is really an irresponsible moment for this Congress.

I applaud two Members from the other side of the aisle, Senator EVAN BAYH and Senator RUSS FEINGOLD. They have come out in opposition to this bill because they said pretty much the same things I was saying this morning. Senator EVAN BAYH from Indiana wrote a great opinion editorial today in the Wall Street Journal laying out why this is an irresponsible bill and why he is going to be opposing it.

If we are going to care about our children and our grandchildren, we cannot wait a year or 2 years. We need to be fiscally responsible today. We should have been doing it in the past years as well. I agree there has been irresponsible spending in this body by both sides of the aisle and by the previous administration, but that is no excuse for us to say we can just continue it.

Federal spending has been rising and rising, much of it off budget. I agree with the Democrats when they criticize Republicans in the previous administration for off-budget spending. I have been one of the people up here saying the tricks we were playing with the budget on defense were dishonest. They were trying to say they were not increasing spending because it would take money away from defense, knowing it would be added on later so they could increase other spending bills. That was dishonest. That was dishonest budgeting, and it is time to get to honest budgeting.

But it is also not just honest budgeting we need to get to. We need to get to fiscal responsibility. So really take a look at what we are doing here. Think about the next generation and

future generations. Do we really want to add this kind of debt burden, where they have to pay hundreds of billions of dollars and even trillions of dollars in interest just because we were unwilling to take tough votes here in the Senate?

The second issue I wish to talk about is the issue of DC choice. The schools in Washington, DC, are some of the worst schools in America. We brought this issue up last week, and we were able to get an agreement that, instead of having a vote on the DC voting rights bill, the majority leader would give us time on the Senate floor to reauthorize the program. It is a program that says for very low income kids in the District of Columbia, we are going to experiment and see if maybe we can give them a decent education.

The District of Columbia spends around \$15,000 a year per student on public school education. We said we will give them a \$7,500 voucher towards the ability to go to a private school, a school of their choice. The number of people who want to get into this program is incredible. Why? Because DC schools are failing too many children. DC schools are mostly made up of minorities, and we are trapping those very minorities into a school system that by and large does not work. So the DC voucher system was put in to at least take a few of those students out and see if they can do better in a different setting. Does it work? Some people say we are not measuring it right. All you have to do to know whether it works or not is to talk to the parents and to the students who have been involved in the program. Guess what. They want it to continue. As a matter of fact, they would like to see it expand. But what are we doing? This bill all but guarantees its elimination. How does it do that? If this language is not removed from the omnibus the program would be effectively cut. The omnibus contains language to eliminate the program after the 2009–10 school year unless congress reauthorizes it and DC City Council approves it. We know where the votes are on the DC City Council. The votes on the DC City Council would kill the program. The teachers unions in the District of Columbia, as they are in most cases, are totally opposed to any kind of voucher system. They believe it is a threat to their power base.

I am concerned about the kids and their education. That is all I am concerned about. If this program is going to work—and it seems to be working based on the interest of the number of families who want in it and based on the desire of the families who are in it to continue in it—then that is what we should be concerned about.

I am going to be offering an amendment that would strike the language in the omnibus bill and would allow us to authorize it this year in the Senate. That is the right thing to do, to make sure these kids still have a chance to get a good education in the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I come to the floor to speak in opposition to an amendment offered by the Senator from Oklahoma, who singles out two instances of congressionally directed funding that were included in the fiscal year 2009 Omnibus appropriations bill under my name. The Senator has claimed that these earmarks are inappropriate or wasteful and should be removed from the bill. One provides \$5.7 million for competitive school modernization grants in my State of Iowa. The other provides \$1.8 million for national research into swine odor and manure management at the Soil Tilth Laboratory in Ames, Iowa.

At the outset, as a constitutional matter, I first take issue with the premise underlying the amendment of the Senator, the idea that Congress has no business directing the expenditure of Federal moneys through congressionally directed funding; that somehow there is something inherently wrong or evil in this practice and that only the executive branch should determine the details of where moneys are to be spent. This stands the Constitution on its head. Article I, section 9, expressly gives Congress the power of the purse, both to collect moneys—levy taxes—and to direct where that money is to go. I would say that the Executive, the President of the United States, does not have the constitutional authority to spend one single dime of our taxpayers' money. That authority has been given to the President, the executive branch, over the last 200 years by the Congress, but there is no constitutional basis for the President spending any money. So, therefore, that is inherently a constitutional function of the Congress. At any moment, at any time, if we want to, we can pass legislation taking all that money back here and saying the President cannot spend a dime unless we say so. We do not want to do that, obviously. But we could. We would be in our constitutional right to do so. So there is not something inherently wrong with Congress directing funding. In fact, I would say it is more appropriate for Congress to do that than for the President.

It is an odd practice—if the President requests it in the budget, it is not an earmark, but if we put it in, it is an earmark.

Someone please tell me the logic of that. So, again, I basically disagree with sort of the underlying premise that somehow executive branch employees, all those bureaucrats, have a much better understanding of where and how Federal funds should be spent most effectively in our States and in our districts.

Now, again, over the years we have permitted that to happen, but we, through our oversight functions, can look at how that money is being spent, and through our congressionally di-

rected funding can decide how some of that is spent. So it is not a constitutional issue. It is not a constitutional issue, at least as far as Congress goes, as far as directing where spending should be made.

But I want to talk about these two earmarks mentioned, both of which address significant needs both nationally and in my State of Iowa. I will talk about the second earmark, funding research into swine odor and manure management later in my remarks.

I want to say at the outset, I am proud of both of those earmarks or congressionally directed spending, and I stand behind them. I believe the Senator from Oklahoma's attempt to strike them from the bill is extremely shortsighted and misguided, quite frankly.

So let me spend a few minutes discussing why I included these items in the bill. Let me start first with the \$5.7 million for competitive school modernization grants. For years I have argued that the genius of our education system in America is its diversity; local school districts deciding what is taught, what books to buy, what teachers to hire, how to run their schools. We do not have, as some other countries have, a top-down structure where the central government decides exactly what is to be taught, how it is to be taught, and everybody gets the same thing. I have been to those countries. A lot of them tout their educational system. But, quite frankly, it does not have the kind of creativity and diversity and spontaneity that our diversified education has in this country. So that is the genius of the American system of education.

The failure of the American education system is how we pay for it. I wish someone would show me somewhere in the Constitution where it says that elementary and secondary education in America is to be paid for by property taxes. You will look and you will not find it anywhere in the Constitution. So why do we do it that way?

Well, I delved into the history of this, and it kind of goes like this: In the early days of the founding of our country, before we were a nation, in the Colonies, people wanted to have a free public education. Well, it was free for white males at that time, but, nonetheless, free. But since we had no taxing system other than tariffs and property taxes, that was the only way they could pay for it. So tariffs and property taxes became the support mechanism for local schools in the Colonies, and that kind of continued on. It continued on. The tariffs went by the wayside, so then it became a property tax-based function for paying for elementary and secondary schools in America. The first time the Federal Government ever got involved in education in any way whatsoever was in 1864 with Morrill, the bill that Lincoln signed for setting up land grant colleges and universities. That was the first time, and that was only higher education. That was higher education.

The next time the Federal Government got involved in education was almost 100 years later. It was after World War II when we set up the GI bill to pay for our young veterans to go to college, and then that was higher education.

Then we had the Eisenhower program, the National Defense Student Loan Program in the 1950s. Again, higher education. The first time the Federal Government ever got involved in elementary and secondary education was title I, providing some Federal help to low-income schools to try to help right this imbalance out there.

Then we had the Education of the Handicapped Children's Act, which later became IDEA, the Individuals with Disabilities Education Act. So the Federal Government has not been involved—well, unless you want to take the School Lunch Program. The School Lunch Program and breakfast came along later, but the School Lunch Program, which came in after World War II as a feeding program, not as an educational program. I forgot to mention that.

So the Federal Government's involvement in elementary and secondary education has been as of late and very small, only title I, and basically IDEA, the Individuals with Disabilities Education Act.

Jonathan Kozol wrote a book in the eighties called "Savage Inequality," and this was the savage inequality: What he talked about is how he traveled around America and how he found there were some great schools and great facilities in one place, and very bad schools with bad facilities in another place. He asked the question why. Why is this? Well, it was because if you happened to be born and raised in Fairfax County, for example, where there is a high income level and very high property taxes, you get great schools. If you are born and raised in Bedford-Stuyvesant, or in inner city south Los Angeles, or in some rural areas of Iowa or Missouri or Oklahoma, Kansas, chances are you got very low property taxes and you got poor schools.

So he asked the question, and then I asked the question: Why should where you are born, the circumstances of your birth and where you are raised, why should that be determinative of the quality of the physical school you have? Why should that determine it? That is the savage inequality of our educational system.

Well, I began thinking about this some years ago on how we would kind of right this system, how we would tend to solve this imbalance, on the one hand by not interfering with the genius of the American school system, which is, who is hired and who is fired, who teaches, what they teach, the textbooks, all that, how do we not interfere with that, but at the same time try to balance these savage inequalities.

Then one day it occurred to me. I was walking out of my office one day. This

is many years ago, back in the late eighties. And I have on my wall, right by the door that goes out of my office, a framed piece of paper. It is a little orange card. It has always been there. I have always kept it there to remind me of something. It is my father's WPA card, when he worked on the WPA in the 1930s.

It occurred to me that when I was a teenager, my father took me to visit Lake Ahquabi, which is a lake south of Des Moines, which is now still being used as a recreational lake. They built that; still being used today.

He took me to visit a high school, Cornerstone, WPA, 1940, that he had worked on; still being used today. I dare say there are schools all over America that are still being used, built by the WPA. Finally it occurred to me that perhaps one role the Federal Government could take in helping to balance these savage inequalities of rich areas versus poor areas in terms of the quality of the school facilities is to be involved in modernizing and building new schools and getting the technology into these schools. That way you do not interfere with who is hired, who is fired, what is taught, what textbooks to buy. You are only helping to build new schools. We did that in the 1930s and we have been using a lot of these schools ever since.

So I might add, as an aside, that when I sought the nomination of my party for President in 1991 and 1992, this was one of my platforms. I talked about the need to invest in the infrastructure. I called it the blueprint for America. On my document I had a picture of a blueprint. Part of it was building and remodernizing schools through the Federal taxing system, rather than relying on property taxes.

Well, I didn't win the Presidency, obviously, but I continued in that endeavor. I could not quite get it through, although we did have 1 year finally we got it through. In 2000, the last year of the Clinton administration, we got \$1 billion for a national program of modernizing and helping to modernize schools. That was reduced down to about \$800 million. It went out 1 year. The next year President Bush came in and the program got ended. So we did have 1 year of it and, quite frankly, that 1 year, that money went out quite well and did a lot of innovative, good things with schools all over America.

Since I could not get the Federal Government to do this in the broader basis, I decided to see what would happen in my State of Iowa if we started doing this, what would happen, how would this work. So since 1998, I have been fortunate to secure funding for my State's schools in this regard.

The actual allocations are funds are not made by me, they are made by the Iowa Department of Education, which undertakes a grant competition to select the most worthy and needy school districts that receive these grants for a range of renovation and repair efforts.

There are kinds of pots. One pot is for fire and safety, which requires no match. The other is for building and renovation which does require a local match.

Now, I might say that since 1998 this Federal funding has leveraged public and private funding so the dollars that have gone out there have multiplied tremendously. I think my colleague called the funding unfair and wrong. He believes it is unfair that Iowa's schools receive funding while children elsewhere in the United States are forced to learn in antiquated, crumbling school buildings.

Well, I agree with my friend from Oklahoma. He is correct in one respect. There is indeed a persistent and unfair disparity in the quality of schools across the country, the savage inequalities, I just mentioned. Jonathan Kozol wrote the book about it in the 1980s.

In fact, for the last several years, local spending on school facilities in affluent communities is almost twice as high as in our poorest communities.

So I ask the question again, why should the circumstances of your birth, where you are born and where you are raised, determine the quality of the school you go to? Why should it? So we tried to alleviate this imbalance. Sure, you want every State in the Nation to have this. As I said to my friend from Oklahoma, he may not have heard this, in this year 2000, we did get it through for every State. But that was only 1 year, and then in 2001 the Bush administration came in and stopped it. But in that 1 year, it did go out.

Now, again, and most recently in the stimulus bill, in the American Recovery and Reinvestment Act, we did in the Senate put in \$16 billion for school construction and renovation to go out all over America. I was happy about that. I thought this was something that would put people to work, stimulate the economy and build schools for our kids, get new technology into our schools.

Well, because of opposition on that side, that was stricken from the bill. In the conference it was stricken. So, again, I do not mean to have this only for Iowa, I would love to do this for the entire United States.

So again, if I could not do it there, at least I wanted to see what would happen in the State of Iowa. And I can tell you that over the years, each Federal dollar that has gone into my State for this has leveraged an additional \$5-plus additional from public and private sources.

How does that happen? Well, a lot of times school districts would try to pass a bond issue. They could not pass it to renovate or something, because they are poor people, you know, and this means raising property taxes. We have a lot of elderly in Iowa. Raising property taxes is hard when they are on a fixed income.

So they don't vote for the bond issues. All of a sudden they applied for one of these competitive grants to the

Department of Education in the State of Iowa. The State of Iowa gave them a grant, but they had to match. Guess what happened. They passed the bond issue and built new schools. It has leveraged private involvement, people with businesses, endowments, and even individuals who have come forward to put money into local schools because they had this grant.

I ask unanimous consent to print in the RECORD some letters I received. One is from Paula Vincent, superintendent of the Clear Creek Amana School District. She points out that receipt of a school construction grant was instrumental in her district passing a \$2.5 million bond referendum to build two new schools. Prior to receiving the grant, her district did not have a history of passing bond referendums for school improvement. Not only did this bond referendum pass on the first vote, but it broke records for voter turnout and has led to additional support for school infrastructure from surrounding communities. She estimates that an initial \$100,000 grant led to an additional \$28 million in local funding to improve school buildings. That is way over 5 to 1. That may be an anomaly, but that is what she says happened in their area.

I have other letters from individuals on these grants and what it has done.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CLEAR CREEK AMANA  
COMMUNITY SCHOOL DISTRICT,  
*Oxford, IA, March 3, 2009.*

Hon. TOM HARKIN,  
*First Ave. NE,  
Cedar Rapids, IA.*

DEAR SENATOR HARKIN, Thank you for your continual advocacy for facility construction and renovation. As you know, Clear Creek Amana was fortunate to receive one of the Iowa Demonstration Construction Grants to aid in the construction of a new elementary school.

This half million dollar Harkin grant was helpful to our district in successfully passing a twenty-five and a half million dollar general obligation bond referendum to build two new schools. In Iowa, school districts must receive a super majority, sixty percent approval, to pass any bond issues. Our community did not have a history of passing bond referendums for school improvement prior to this latest attempt and had never passed a bond referendum on the first vote. Not only did the community approve the bond referendum on the first vote, but also broke previous voter turnout records. The federal support was one of the factors members of our community listed as a reason they voted in favor of the proposed bond referendum.

The positive success of the bond referendum led to additional community support from cities within the school district boundaries. For example, the City of North Liberty provided land for the new elementary school, street and utility access to the construction site and an additional half million dollars toward the construction of the new elementary school. Likewise, the city of Tiffin and the Iowa Department of Transportation are partnering with the district to widen the highway leading to the new high school. Using conservative estimates, the half million dollars of federal support leveraged an additional twenty-eight million dol-

lars to improve the school facilities within the Clear Creek Amana District.

Having resources to construct new buildings allowed us to take advantage of the latest information regarding excellent school design. With the assistance of our architects and engineers and the cooperation of students, staff and community members we are confident that our new schools will provide improved learning environments for CCA students and staff. A few of our design features include: increased student and staff access to technology; updated science labs and equipment; flexible teaching and learning spaces with planned areas for small and large group instruction; common areas for teacher teams to plan, and study together; shared school and community spaces such as pre-school, library/media center, physical fitness areas, before and after school space and shared gym space; and added safety features such as controlled building access with limited exterior door entry points, electronic door controls and sprinkler systems.

Again, federal support through the school construction grants played a key role in making these improvements to the overall safety and quality of the learning environment in our schools possible.

Federal school construction dollars also have a positive impact on environmental concerns. We were able to incorporate multiple energy saving features into the design of the new buildings by participation in the Commercial New Construction Program provided by the Weidt Group, Minnetonka, Minnesota, and funded by the local utility companies.

The benefits of building an energy efficient building include a cash rebate from the utility companies of about \$250,000 as well as lower operational costs for the lifetime of the new buildings. Many of the selected energy strategies also contribute to the quality of the learning environment (natural lighting, temperature controls in each classroom). We believe these energy-efficient strategies add significant investment value to the buildings and minimize many negative environmental impacts typically caused by new construction.

We have experienced a significant benefit from a modest federal investment in school infrastructure. We have every reason to believe our students will benefit from the improved learning environment in our new schools and we expect we will see some of this benefit in higher student achievement. Higher achievement by our nation's children ultimately translates to a brighter future for all of us when these children take their place as contributing members of the workforce and of the educated citizenry essential for a democratic society.

Thank you for your work in including school infrastructure support in Federal legislation.

Sincerely,

PAULA VINCENT,  
*Superintendent.*

CORNING COMMUNITY SCHOOLS,  
*Corning, IA, March 3, 2009.*

Senator TOM HARKIN,  
*Hart Senate Office Building,  
Washington, DC.*

DEAR SENATOR HARKIN, With all due respect, I would like to express my concern about an amendment that has been offered to eliminate the Harkin Fire Safety Grants. I am the superintendent of Corning Community Schools in southwest Iowa. Our school is located in Adams County which is one of the poorest areas, of not only our state, but of the country. Our local patrons are willing, but unable, to raise enough funds to maintain our school facilities which were built in the 1930s. It is only through the Harkin Fire

Safety Grants that we are able to keep our facilities open and provide a safe environment for our children to work and play in. The Harkin grants have allowed us to make our buildings handicapped accessible, so all children are given equal opportunity to attend classes on the second and third floor of our facility. The Harkin grants have created an equal playing field so the children of our district have the same safe environments as wealthier districts. The Harkin Fire Safety Grants have provided handicapped doors, fire alarm systems, warning devices, and fire safe doors. Without these funds our school would have been closed down and children would have been forced to travel long distances to other schools.

I truly applaud your efforts in providing these funds for schools. Considering all of the foolish ways the government spends money, I can't believe that anyone would want to end this program. The Harkin Fire Safety Grants provide funds that are making a difference in the lives of children. What could be better? I encourage you to continue the good fight for the poor people of Iowa. I encourage you to continue to fight the shifting of funds to "bail-out" private businesses at the expense of our children and the future of this great nation. If there is anything I can do to help preserve these funds, please let me know. On behalf of the Corning Community School District, the patrons of Adams County, and most of all the children of our district, we thank you for these funds.

Respectfully,

MIKE WELLS,  
*Superintendent.*

DES MOINES PUBLIC SCHOOL SYSTEM,  
*Des Moines, IA, March 3, 2009.*

DEAR SENATOR HARKIN, As a member of the Des Moines School Board I would like to thank you for all the work you have done to enable our school system to receive Harkin Grants. Without them our urban school district would be lagging behind in both infrastructure and fire safety needs.

The Des Moines Public School System is an urban school district with a free and reduced lunch rate above 50 percent. We have received a total of 8 Harkin Grants in the amount of \$4.275 million dollars. We have used the Harkin Grants in a number of our buildings. For example, we have been able to use the infrastructure portion of the Harkin Grants to add to our renovations at Moulton School, Capitol View Elementary and Carver Elementary. All three of these schools have a free and reduced lunch rate over 79 percent. The Harkin Grants have helped to bring 21st century buildings to students of all economic backgrounds. Harkin Grants have also been used to help Des Moines East High School with its renovation expansion to meet the needs of its urban population. We have also received Harkin Grants for renovations at one of our downtown schools. Without this funding our urban school district would be lagging behind our suburban counterparts.

Our nearly 30,000 students have also become safer at school through the fire safety component of the Harkin Grants. That portion has been instrumental in allowing us to keep our children safer in a school district that does not have the resources of many suburban schools. They have helped to bring our buildings to a superior level of safety.

In conclusion, as a board member of the Des Moines Public School System, I would like you to know how important your Harkin Grants have been in renovating some of our high poverty schools and in keeping all our students safe. Programs like the Harkin Grants have helped us immensely. You will never know how much these grants mean to

an urban system like the Des Moines Public Schools.

Gratefully yours,

PATTY J. LINK,  
*Director, Board of Education.*

Mr. HARKIN. Rather than trying to deprive the schoolchildren in Iowa of this funding, I encourage the Senator from Oklahoma to extend this program to his own State and to all other States and the District of Columbia. In the coming weeks, I will reintroduce the Public School Repair and Renovation Act, which I have been introducing for some time, which would create a competitive grant program for schools across America to receive funds to repair and renovate school facilities based upon the successful program we have had in Iowa. Were some mistakes made in the beginning? Yes. But the Department of Education, over the last 10 years, has figured out how to do this, how to separate the two pots—one for fire and safety with no match requirements, one for buildings and innovation requiring a match—and then taking in the proposals on a competitive basis and deciding where the money should go. I encourage the Senator from Oklahoma to support this bill. I ask him to be an original cosponsor to get this out to schools all over the country.

Now let me also talk about the \$1.8 million I secured in this bill for research into swine odor and manure management. That always brings a smile to everyone's face. David Letterman will be talking about it and Jay Leno will be talking about it, \$1.8 million to study why pigs smell. I suppose that is the way they will couch it. We all know how the game is played. Critics will take something such as this with a funny sounding name or purpose, hold it up for ridicule. For some reason, especially outside rural America, the very word "manure" seems to be cause for laughter and levity and jokes. In farm country, manure and odor management are profoundly serious challenges that can be mitigated through scientific research. I urge the Senator to visit farms in his own State. Ask his own farmers and neighbors about whether it is worthwhile to conduct research into animal odor and manure management.

If I am not mistaken—and I may be—I believe the attorney general of Oklahoma, a few years ago, brought an action against the neighboring State of Arkansas in terms of some of the effluent coming into Oklahoma and this raised questions of manure management and how it is put on the land and such. That is what this research is about. Some people living in rural America are concerned about livestock agriculture and its environmental impacts. So it makes good sense to fund research that addresses how rural communities and livestock agriculture can coexist.

I wish to point out this item did not originate as a congressionally directed earmark. This research unit of the Ag-

riculture Research Service originated administratively within the U.S. Department of Agriculture to conduct scientific research to address significant challenges facing livestock agriculture. This item is only included as an earmark now because the last Bush budget proposed to terminate a number of on-going agricultural research projects in order to come in at a lower funding level, knowing full well this needed research would likely be restored by Congress, which is what we are doing. But it didn't originate here in Congress. It originated administratively.

Let me also point out to the Senator from Oklahoma, this is not a project for the State of Iowa. It provides funding for the Agricultural Research Service which is the main in-house research arm of the U.S. Department of Agriculture. The mission of ARS is "to find solutions to agricultural problems that affect Americans every day from field to table."

One might say the money is going out to ARS in Iowa. That is because that is where they do the research. If ARS was doing research on peanuts, they would probably be doing it at an ARS research facility in Georgia. If they were doing it on cotton, they would be doing it in Mississippi or someplace not in Iowa. So why are they doing it in Iowa? Because one-fourth of all the hogs in America are produced in my State. We are the No. 1 producer of pork, and we are very proud of it. The pork industry is critical to our State's economy. But as the demand has grown for pork and as we produce more pork, one can understand that the management problems of what to do with the waste has become very serious, not only for the odor problems but for the waste itself.

At any given day, we have 20 million hogs living in Iowa. Think about it, 20 million. A lot of farmers use the the manure from hogs as fertilizer. The Department of Agriculture, soil scientists, and others have encouraged that. But there can be odor problems and other environmental impacts. So that is what this research seeks to resolve. It looks at improving nutrient or feed efficiency in swine. This research would help the livestock industry make better use of co-products from the production of biofuels, which is a growing industry in our State and the Nation. Quite frankly, we can't feed the byproducts to swine like we can cows. They are not a ruminant animal. But this research is looking at how to improve those byproducts for swine—everything from the feed to the byproducts and odor—to improve the quality of life for those who live in rural areas. We have had swine odor and manure management challenges in my State. And not only in Iowa; as chairman of the Agriculture Committee, I have visited North Carolina and have witnessed the same issues there too. So how do we alleviate this? How do we make it possible for a very good industry, the swine industry, to meet the demand

and at the same time be good neighbors and do it in an environmentally sound way? That is what this money is for. The research doesn't only help Iowa it helps all across the country because it is research conducted by the Agricultural Research Service. They are doing it in Iowa because that is where most of the hogs are. Congress didn't originate it here. It originated with the administration.

A lot of States share the same problem we do with odor and waste problems. I suppose we will hear a lot of jokes on David Letterman and Jay Leno. A lot of other people will be making jokes about this money for manure. Keep in mind, this is not wasteful or unnecessary or frivolous. This is very important to the daily lives of the people of my State and every other place where we raise swine.

I appreciate this opportunity to share with my colleagues my reasons for including these two items in the Omnibus appropriations bill. I stand here and say, unequivocally, I am proud of both of them. I believe the effort to remove them from the bill is misguided. I urge colleagues to vote against the Coburn amendment.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Oklahoma.

Mr. COBURN. Madam President, it is interesting, the first of the Senator's remarks had to do with the Constitution. He conveniently skipped over article I, section 8, and went straight to article I, section 9. If you read what Madison and the Founders wrote about article I, section 9, they had a very limited scope for what we ought to be doing. As a matter of fact, the trouble we find ourselves in today is because we have abandoned the enumerated powers of the Constitution. We have excused them and we have said: We should fund it all.

As far as education, Federal funds fund 20 percent of education but 80 percent of the problems. If you think our schools are successful, look at our scores compared to everywhere else in the world. Our scores started going down when the Federal Government started getting involved in education, not prior.

The other assumption is, you have to have a great building to have a great education. That is absolutely wrong. Education is based on the incentive of the children, the quality of the teacher, and the control of discipline. You can teach as well in a Quonset hut as you can the most modern school, if you have motivated kids, great teachers, and great control of the classroom.

The purpose for trying to eliminate these earmarks isn't necessarily that they are wrong. They are truly unauthorized, but that would be a totally different story if a group of peers had said these are priorities, but they haven't. The problem is, is it a priority now, when every penny you will use, whether it is the new school program you want me to cosign or the earmarks



you have in the bill today, is going to be borrowed from your grandchildren.

The very schools you are going to build in Iowa, that we are not going to build in the rest of the country, by leveraging Federal dollars are going to be charged to the kids of the kids who are there. They are going to pay for it. It is not about whether it is right or wrong; it is about whether it is a priority, whether we ought to be doing it now.

The Agricultural Research Service is a fine organization. Every time we need money for agriculture, we steal money from the Agricultural Research Service. There is nothing wrong with studying manure and its application as both a fertilizer, soil enhancer, and other things. There is nothing wrong with studying the other aspect of the odor. We slaughter 10,000 hogs a day in one plant in Oklahoma. I know exactly what it smells like. I have traveled every farm area in my State. As a matter of fact, to me a lot of it smells pretty good compared to what you smell in the cities. But the fact is, is it a priority that we spend that money now?

The real problem we have isn't earmarks. It is two: One is, we give this document short shrift; No. 2, we have become parochialized. We forget what our oath was that we signed when we came in here, to uphold the Constitution, to do the right things for this country as a whole in the long term and do the best things we can for the future of the children who follow. But what we have turned into is what can we take home; how do we look good at home; how do we send Federal dollars home.

The reason the stimulus bill was bad is because we took the lack of fiscal discipline in this body and we transferred it to every State house in the country. Ask any Governor what is happening now that we have passed the stimulus. The hard choices will not be made in the States. So the future prospect for fiscal discipline in the States is now gone. The next time they have problems, they will be counting on us. We have now transferred our bad habit of being fiscally irresponsible to the States.

I think it is ridiculous that at this time in our Nation, when we are going to have a \$1.7 trillion deficit, we would spend the first penny on anything other than a necessity because when we have a \$1.6 trillion deficit, it is not just \$1.6 trillion, it is \$1.6 trillion we are going to borrow over the next 30 years, and we are going to be paying awfully high interest rates. It is not very long—2015—when we are going to be at 40 percent of the budget going to interest. There will not be a Harkin school program for Iowa in 2015 because there will not be any money. We will not be able to borrow any more money because the interest rates and the cost to borrow it will be too high because the rest of the world will doubt whether we can pay back the money.

So the prudence I am asking for in trying to eliminate some of the ear-

marks is to think about the long term rather than the short term, to think about what is best for our country in the long term, not what is best for us and how we look at home, and to do what is within the framework of the Constitution.

The final point I will make: Presidential earmarks ought to have exactly the same dealing as we do with congressional earmarks—get them authorized, put them in a list of priorities, and then fund them. But do not send an earmark to the floor that is not authorized by the Congress and the relevant committee it comes through.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I appreciate the engagement by my friend from Oklahoma on this issue. But I will point out, first of all, one little mistake I think the Senator might have made. The research for the ARS for the swine research is well within the authorization the Agriculture Committee provided in the farm bill. It is well within their purview. So it is not outside their purview whatsoever. Again, I say the reason we put it in there: It has been administratively asked for before, but the Bush administration in the last year did not include it because they wanted to cut down their request, knowing full well we would probably fund it, which we have done here. But I just wanted to point that out.

Interestingly, the Senator mentioned article I, section 8, of the Constitution. Article I, section 8, of the Constitution, I would point out, is very clear:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the Defense and general Welfare of the United States. . . .

To borrow money on the credit of the United States; . . .

Et cetera, et cetera.

Well, Congress—Congress, it says—has the power and authority to provide for the general welfare and to borrow money. I do not like to borrow money more than anyone else. But the Senator from Oklahoma said something about: Well, the money we are using to build these schools is borrowing from our grandchildren. I cannot think of a better thing to borrow from our grandchildren than to build better schools. As I pointed out, my father worked on WPA. I have his WPA card hanging on the wall of my office. They built schools all over America, schools which we are still using today. In fact, one of the Iowa Department of Education grants went to a middle school—it used to be a high school—it is a middle school that was built by WPA and had been in such disrepair, but the building itself was sound. They just had an old heating plant. Kids were getting sick. It was cold and drafty in the winter-time. They got a grant. They came in. They put in a new geothermal heating system. They put in double-paned windows. Here is a school built by WPA in

1939 and, with just a little bit more money, today is going to be used for another 50 more years for kids. So I say, if we are going to borrow from our grandchildren, let's build them better schools so the kids today will be better educated and will make more money and so our grandchildren will be better off.

Lastly, my friend from Oklahoma says that better buildings do not lead to better schools. He said: You could learn in Quonset huts, you could have a better education in a Quonset hut, I guess, than in some of our better schools. Well, I do not know how to respond to that. If you have a Quonset hut, are you going to have the up-to-date, latest technology in terms of the Internet? Probably not. Are you going to have up-to-date technology in terms of a science lab? Probably not. Physics lab? Probably not. Biology lab? Probably not. So what kind of education are you going to get in that Quonset hut? If we are sending our kids to school in Quonset huts, what are we telling them about how we value education? I dare say the nicest things that our kids should see in their daily lives ought to be where they go to school. They ought to be the brightest, the best lit, the best built, with the latest technology, with the best teachers and the best material. Then we are saying to our kids: Here is what we value.

So I could not disagree more with my friend from Oklahoma that kids will learn as well in a Quonset hut as they can in a nice building. All you have to do is look at the test scores of kids from schools that are in areas where they have high property taxes, a lot of wealth. Just look at those test scores and look at the scores of the kids who come from your poverty areas and rural areas. I do not mean just inner city but rural poverty areas. Look at their test scores. That will tell you something right there. Why? They cannot afford to hire the best teachers. They cannot afford to pay more for their teachers. They cannot afford to have the best laboratory and equipment and Internet technology for our kids.

So I could not disagree more with my friend from Oklahoma. I believe one of the most important things we can do in the Federal Government is to provide funds for the building and rebuilding and modernization of our schools all over America. As I said, I am sorry we are not doing it nationwide. We tried, and we will try again. But it is the one way we can help our local property taxpayers, help our kids—not interfere with what they are taught or how they are taught or what teachers they hire or what books they use. Let's take a page from what we did in the 1930s. Let's do it again. Let's build more schools all over America and make them modern and up to date for our kids so our grandkids will have a better life.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

## AMENDMENT NO. 610

Mr. LEVIN. Madam President, amendment No. 610 would strike from the bill funding for a number of projects. One of the projects which would be stricken is funding which I requested for the redevelopment of part of old Tiger Stadium and its ballfield. It is in an economically distressed area of Detroit called Corktown. I support funding of this project from the Economic Development Initiatives account. The purpose of that account is for projects such as this.

Historically, old ballparks have been demolished after Major League teams move out. Members of the community in Detroit, where I live, recognized the economic development value in old Tiger Stadium and its ballfield, so they formed a nonprofit organization called the Old Tiger Stadium Conservancy to help preserve a piece of this part of Detroit and its baseball history and to help revitalize the economy of downtown Detroit, because this is very close to the downtown in an area called Corktown.

The conservancy has been working with the city, which owns the stadium. This is a stadium owned by the city of Detroit. They worked on a plan to preserve part of this stadium—the original part of the stadium, which had been called Navin Field 140 years ago—and to do this for a number of purposes; mainly, so that youth leagues would be playing on that field.

That field and that piece of the stadium are a huge magnet for economic development. So to preserve that field—that field of dreams—and to redevelop that part of the stadium's structure and the adjacent land and to use the adjacent land for retail shops, restaurants, and other commercial and entertainment attractions will bring economic activity into a distressed neighborhood and into the city of Detroit.

Now, it was said yesterday, I believe, that it did not make sense for this fund to preserve an old stadium we are not going to do anything with. That is just simply not accurate. There is huge interest by developers in this old piece of Tiger Stadium and the field it is part of. Part of this old stadium has been demolished, demolished by the city, so what is left is a piece of this stadium, essentially between first and third base. This field and this piece of the stadium is nothing short of an anchor for the economic development project that will bring much needed jobs to a part of the city that desperately needs them. The conservancy has already received a number of letters of interest from local organizations and financial institutions expressing the desire to participate in the redevelopment, to bring commercial operations into the remaining stadium structure and the neighborhood area.

For too many years, economic development in this area has been stymied because of the unpredictable status of what was to happen to this property at

the corner of Michigan and Trumbull, right near downtown Detroit. So there is now a new excitement, not only for the expectation of sports activities on the field, where youth teams will come and play, but also for the adjacent commercial retail, sports training programs, and other activities that will be attracted to the site.

According to the Housing and Community Development Act of 1974, the Economic Development Initiatives account, which this is part of, will benefit persons of low- and moderate-income and may be used for a number of purposes, including the restoration and preservation of historic properties and for economic development to improve the use of land for residential, commercial, industrial, recreational, and other needed activity centers. This project is what the 1974 act had in mind because it reuses part of a historic structure which has been sitting vacant for a decade and maintains its historic field as a recreational and commercial center of economic growth in a low- to moderate-income neighborhood in the city of Detroit.

So I hope this amendment will be defeated. This is an expenditure that comes from an important fund called the Economic Development Initiatives account. That fund is going to be spent in any event, and I can think of a few other things which also should come out of that account, but this is surely one of them. I hope this amendment is defeated and these funds are retained.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I rise to speak in support of funding in this bill for the American Lighthouse Foundation. This allocation was recommended to the Appropriations Committee by Senator SNOWE and by me. Now, I can understand why those who are unfamiliar with this program might view this as an easy target. That is why I have come to the floor to explain to my colleagues, who may not be familiar with this program, why it is important and why it warrants Federal support.

The nonprofit American Lighthouse Foundation in Rockland, ME, partners with the U.S. Coast Guard to protect, restore, and preserve federally owned historic lighthouse properties. Let me repeat that. These are federally owned, and I wonder if the sponsor of this amendment understands that is the case.

The Coast Guard leases lighthouses to the American Lighthouse Foundation in an effort to help support restoration because the foundation raises private funds that help to relieve some of the burden that otherwise would fall on the American taxpayer.

The three Maine lighthouses that will directly benefit from that funding—Owls Head, Pemaquid Point, and Wood Island—are maintained by the U.S. Coast Guard as active aids to navigation. Let me repeat that point.

These are active aids to navigation. The Presiding Officer knows how important that is. These lighthouses perform a vital function for Maine's lobster and fishing industries, as well as for commercial shipping and recreational boaters. They are critical active navigation aids.

I would also note the American Lighthouse appropriation is a direct investment in Federal property, a responsibility that dates to 1789 when the first Congress extended Federal funding to lighthouses. This isn't new. This isn't something the Senators from Maine dreamed up when we were trying to come up with worthy projects. This goes back to the beginning days of our Republic.

By working in partnership with the Coast Guard, the foundation has been able to raise funds from the private sector. Over the past decade, the foundation has invested more than \$2 million in restoring lighthouses throughout New England, and in the process, saved the Federal Government much money by improving these sites with private sector dollars. So this is a wonderful public-private partnership. It is the kind of partnership we in Congress like to see and that we promote.

So, again, let me make three points I have to believe that the sponsor of this amendment was not fully aware of: First, that these lighthouses are federally owned; they are Federal property. Second, they house within them active aids to navigation maintained by the Coast Guard—the lights, the horn. These active aids to navigation are used by our fishing industry, our lobstermen, by commercial shippers, by recreational boaters. These are active lighthouses. Third, this is a public-private partnership. The foundation raises millions of dollars from private sources to help restore these lighthouses that contain aids to navigation used by the Coast Guard. Thus, the burden is shifted from the Federal Government to the private sector, and that is extremely helpful.

So I think this is a great example of why it is important that those of us who are sponsoring this funding come to the floor and explain it. I think when that is done, it casts a whole new light on the purpose of this funding and why it deserves Federal support.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

## AMENDMENT NO. 623

Mr. INOUE. Madam President, I wish to speak on amendment No. 623, an amendment submitted by the Senator from Oklahoma, because it is most troubling for several reasons.

First, this amendment presumes guilt without the benefit of the full legal process. Second, it presumes that the 14 clients actively or knowingly participated in the alleged activities of the firm without any evidence to support that assumption. Third, the amendment will punish the clients for having funds allocated to their projects

without any knowledge of wrongdoing. Fourth, it makes the assumption that Members requested these projects because of ties to the lobbying firm rather than because these projects addressed the needs of their constituents.

The last thing we in this body should do on matters such as this is rush to judgment. Yes, we know the firm was raided by the FBI, and we also know the firm is in the process of being disbanded, but we also know no one from the firm has been convicted of any crime. In fact, as far as we know, no one has even been indicted for a crime. Further, there is nothing to suggest that the clients themselves are being investigated, much less guilty of some Federal offense. There has been absolutely no indication by anyone involved in the actual investigation that any of the clients of the PMA firm were involved in any illicit activity.

Under our legal system, everyone is presumed innocent until proven guilty, but under this amendment we will presume such guilt. We will presume guilt even of those who are not under investigation. It is not the responsibility of the Senate to presume guilt. That determination should be left to the courts based on evidence presented by Federal investigators.

Our "evidence," however, is based on press reports. But even in this most questionable evidence, there has been no assertion that the clients were involved in any type of criminal activity and certainly none has been accused of any wrongdoing. Nonetheless, the amendment would deny funding for projects included in this bill by Members of the House and the Senate. The projects were approved by the relevant subcommittees and displayed publicly on the Internet.

Rather than assuming guilt, what we should assume is that Members who asked for these projects did so because they believe they will serve the needs of their constituents. We have no information that indicates that funds were recommended for these programs because of the efforts of any lobbying firm. We can't even say with certainty the funds were included at the behest of this particular lobbying firm. I would point out that the Senator from Oklahoma must also not be so sure since he has modified his amendment to remove one of the projects which he originally had on his list.

Are we seriously considering voting to cut funds for projects because we think they might—they might—have been related to a firm which is under investigation, even though the projects' advocates are not under investigation?

As do many of my colleagues, I meet with lobbyists every year—dozens of them. They seek hundreds of millions of dollars in earmarks in appropriations bills. I am not the only Member in this situation. Incidentally, the firm is not a Hawaiian firm, although the projects involved are Hawaiian. For the most part, the lobbyists with whom I

meet request funds for projects pertaining to my State of Hawaii. But as do most Members of Congress, I seek funding only for ones which I believe will have the greatest benefit for my State and for its citizens and which hold the greatest promise for achieving a larger national objective. This is what we were elected to do—to serve our constituents.

Why do we presume guilt in this instance instead of innocence? Why do we assume wrongdoing by clients because they hired this lobbying firm? Why should we assume Members requested funds because of the efforts of the lobbying firm instead of the merits of the programs?

I can't speak personally of any of these projects because most of them were included by the House and agreed to by our subcommittees, but I do believe most Members act responsibly. I, for one, am willing to give the Members who sponsored these projects the benefit of the doubt that they did so because they believe the projects were meritorious and worthy of their support. I am not willing to presume our Members are guilty of wrongdoing because their constituents hired some lobbyist who might—and I emphasize the word "might"—have been engaged in some illegal activity.

Do any of us seriously believe the Members who sponsored these programs in their States and districts did so for any reason other than it benefited their constituents or they believed in the work the clients are engaged in? For every Duke Cunningham willing to trade earmarks for cash, there are 534 other Congressmen and Senators who would never think of doing such a thing. I do not believe we should impugn the motives of the Members who sponsored these earmarks, and I can think of no reason to do so.

I recognize this is what we call a tough vote. Many Members might wish to vote in favor of this amendment because they fear the news spot that says they supported crooked earmarks. But my colleagues should understand if we don't stand up for this institution—the Senate—and its Members, no one else will. We should all recognize the next time this could be your earmark or mine. You could be the one standing on the Senate floor forced to defend yourself because someone is accused of wrongdoing, even though that matter is completely unrelated to your behavior.

This is actually a simple matter. There is no evidence to support wrongdoing by the Members involved. There is no evidence to suggest these projects are not meritorious. There is no evidence to suggest the clients who engaged in these projects did anything wrong.

Finally, we cannot be certain anyone engaged in any wrongdoing. This amendment sets a course down a slippery slope that is unnecessary. Federal laws already provide remedies to re-

coup funds depending on the circumstances if our legal system determines laws were broken. Funds can be rescinded and improper payments can be recovered by the agencies involved.

Finally, the agencies have their own rules and regulations to follow if they believe there is any impropriety involved. We should allow the legal process to work and then assess an appropriate response based on the results. We should not convict the clients and Members and enact punishment before we even know whether a crime has been committed. Therefore, I urge my colleagues to oppose this unfair amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his request?

Mr. INOUE. I am sorry. Yes, I withhold.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWBACK. Madam President, I thank my colleague from Hawaii, with whom I have had the great pleasure of serving in this body, for withholding that request.

I come to the Senate floor today to address the Omnibus appropriations bill, as well as to address one of the major needs of a major industry in our State.

I would ask my colleagues to think about this for a second: If there was a business in the United States they knew about that contributed annually around \$150 billion to the U.S. economy; employed 1.2 million people, mostly in the manufacturing sector of the economy; is a major export driver with 40 percent of their production—40 percent of this \$150 billion going to overseas sales, contributing to the economy, contributing as a multiplier, and a significant multiplier—to the economy, I think most people would say: What is the business and how do we support it? How do we move it on forward in these tough economic times, if the business is having a great deal of difficulty? The one major thing they are asking from the Government now is not to badmouth them, not to talk them down. It is to be positive about this business instead of being down. So of all the businesses we have coming to us asking for money, for support and grants and these sorts of things, we have one that is a major industry, an exporter, and a major manufacturer. They want us not to badmouth them anymore. We should be able to comply with that request, and we ought to.

I am talking about the general aviation industry, which is this \$150 billion industry, flying 1.2 million people, primarily in the manufacturing sector. It is a major exporter that is growing but is having enormous difficulty in this economic and global climate because so much export was going overseas. Federal officials are making fun and saying people should not fly on these business aircraft; they should not use these things. They are making it a matter of derision.

The industry is simply asking us not to do that; help us out, don't talk us down, don't hurt us. The industry is appreciative of the bonus depreciation that was put in the stimulus package, and I am also appreciative of that. I hope it can help. It doesn't help when the President and others say people are disappearing on private jets and flying around the country.

I think it is helpful to present a few facts on the actual situation and say who actually uses business aircraft and where they go. Eighty-six percent of the passengers on business aircraft are not company senior officials but instead are mostly midlevel employees, including salespeople, engineers, and other technical specialists. These companies have operations in a number of different places. They can't get into convenient commercial airports, and they use business aircraft to get these people back and forth between various sites very efficiently.

A lot of my colleagues don't realize there are some 5,000 airports nationwide, but only 500 are served by commercial airlines. So 10 percent are served by commercial airlines and the other 90 percent are not. How do you get in and out of all the other 90 percent, other than by using business aircraft—whether it is propeller or jet? They are what ends up connecting a lot of people on a rapid basis throughout the country. That is important for people to realize. Without the use of a lot of business aircraft, you are going to have much more inefficiency in companies, a lot more difficulty getting people from point A to B.

In a lot of cases, you have emergency situations where you have business aircraft moving people who are very sick from one place to get them to a critical hospital; it gives them access. Behind all this and the numbers I am talking about, you have a bunch of people working for these companies.

I will show you some pictures of people in my State. I am proud of the work they do in business aircraft. This is King Air by Beechcraft. The assembly line is back here. I have been in these factories a number of times. It is an interesting and cool business. It is one a lot of places around the world are trying to steal from the United States. The Japanese, the Brazilians, and certainly the Chinese are trying to take this manufacturing business from the United States. We are the center of business aviation and of the construction of these planes for the world. As you might guess, it is a high-wage, high-skill manufacturing field. It is a great business. Consequently, you have a number of other competitors trying to break into this field at the same time our Government is talking down this business in the United States. The workers in my State who are making these great quality aircraft are saying: Just don't talk bad about us.

I have some other pictures I wish to show you of other people in this business. I want individuals to be able to

see this. Behind every discussion, you have the people who make the aircraft. Most people who see this aircraft probably say there is probably somebody well-to-do inside. But more likely it is an engineer, a salesperson or a technician. These are the people building it. This is a Hawker 4000. It is a great aircraft that came out. I will show another aircraft. These are made in Wichita, with a lot of suppliers from the entire region and the country that are going into making these aircraft. These are some of the volunteers, the employees working here, volunteering in the community and this is from the Christmas season and this is soccer. Here are some of their products. I will show another one as well, so people can get an idea of who all is involved in this picture. This is the rollout of an aircraft, a Cessna. This is the celebration of the rollout of the first Sovereign jet. You can see in the picture the people involved in this.

I hope my colleagues will take note that when they use a cheap shot to say we should not have these guys using business aircraft, 90 percent of your airports would not be accessible if people were not using these. These are experts getting to various operations. The corporations would be far less efficient, and they would lose the connection for people to be able to make it to medical services that are critical in some places in the country. There is a lot of good this business does, and it is a business dominated by the United States. We need to support it, not hurt it.

Finally, on an amendment I hope comes up on a separate issue in the omnibus bill, there is a sunset of the DC scholarship program. I raise the point to my colleagues that this has been a very successful program, with a strong support base from the people who are using it and a desire to continue to use it. I think we ought to continue it rather than sunset this particular program.

In the omnibus bill, the opportunity scholarship program is sunsetted unless there is reauthorization that takes place. Hopefully, that will occur this year, and reauthorization will occur.

Listen to who is participating in this program, and if it is sunsetted, who cannot continue to participate. The average annual income of the people participating was around \$22,800, far below the eligibility level for this program, which is 185 percent of the Federal poverty level or \$39,000. The actual number is \$22,736, and that is the average annual income of the people participating. Just over 1,700 students are participating in the program. They are trying to get into schools that are better for their kids because the DC Public Schools have not served them well.

The DC Public Schools' per pupil expenditure is the highest in the country at \$15,000. The DC class size is one of the lowest in the country; it is a 14-to-1 student to teacher ratio. Yet reading scores continue to languish near or at

the bottom of national assessment in the Nation. Recent data shows that 69 percent of fourth graders in the DC public schools are reading below basic levels. DC students ranked last in the Nation in both SAT and ACT scores. Forty-two percent of DC students drop out of school compared to 31 percent nationwide.

People fudge with figures and say it doesn't mean this or that, but what you have are 1,700-plus students who have opted to use a scholarship to get into a private school that they are very happy with, that they are performing well in, and that the parents are happy with, rather than the DC Public School System that, by and large, is not serving students well, and the longer you stay in that system, the poorer you are doing.

Most representatives, Congressmen and Senators, who have children and grandchildren in DC don't send their children to public schools. As a matter of fact, I don't know if anybody in this body does. Yet we consign people who don't have the income ability to get out of the DC public system into a school system that has failed students. A number of efforts are being made to change this system. I applaud the efforts by the mayor's office and the superintendent of schools, Michelle Rhee. But if you are in the system, these changes are taking time to make and you don't have time when you are going through the first, second, third, and fourth grades. Each year you are losing ground.

Here is a group of students who have found a way to get into a better situation. We should not take that away. It is wrong for us to take that away. I know they believe it is wrong to take that away. I urge my colleagues to not let this program be sunsetted but to re-establish it. I would like to see it expanded so more students could take advantage of it as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

AMENDMENT NO. 608

Mr. INOUE. Madam President, may I associate myself with the comments of the chair of the Commerce, State, Justice Subcommittee regarding the amendment proposing an earmark for the Emmett Till Unsolved Civil Rights Crime Act.

Make no mistake, no one in this Chamber is interested in denying funding to resolve unsolved civil rights cases—no one. But what we are interested in doing is passing this bill as quickly as possible, so that the Department of Justice has the necessary and adequate funding to pursue these cases.

This amendment slows down that process. This amendment earmarks \$10 million with existing funding for the Weed and Seed Program, which is an authorized competitive grant program under title I of the Omnibus Crime and Control and Safe Streets Act, which funds communitywide strategies to reduce violent crime, drug abuse, and gang activities.

This authorized program has nothing to do with resolving unsolved civil rights cases. Yet this amendment takes almost half the funding in one authorized program designed to combat violent crime and gang activities and earmarks it for a different program that already has millions in funding available for this effort.

I am confident this administration's Department of Justice will be using its resources to solve as many of these cases as possible.

The Department of Justice has at its disposal \$123 million provided for the Civil Rights Division, \$151 million in funding to reduce the backlog of untested DNA evidence, and \$30 million for State and local governments to investigate and prosecute civil rights violations.

These are just a few of the many authorized civil rights-related programs for which the subcommittee chair has provided increased funding for the fiscal year 2009.

The best way to fund initiatives of the Emmett Till Unsolved Civil Rights Crime Act is to pass this measure—the underlying measure—now and send it to the President for his signature. The amendment of the Senator from Oklahoma detracts from that effort, while providing no overall benefit.

I yield the floor and suggest the absence after quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I think it is a good time to take stock of where we are on this bill and to give my thoughts and feelings to my colleagues on why it is so important to get it done and move it swiftly.

The bill that is before us is unfinished business. It is an Omnibus appropriations bill that finishes up the funding for this year. The reason we are in this situation is for a variety of reasons, including an election, and the appropriations bills did not get done. Some of them did, but most of them did not get done. This bill wraps them up in a package, and here is where we are. We have two choices: Either we pass this bill the way it is or we go back to the continuing resolution which takes us back a year and a half ago.

It is very important for us to consider that point because a year and a half ago, life in America was very different. A year and a half ago, we were not in the jam we are in now economically. We did not see homes being lost at such a rapid rate. We did not see unemployment figures going into the double digits in some of our States, including California, which I am so proud to represent, my State. But it has over 10

percent unemployment at this time. If we go backward, as Senator MCCAIN is suggesting, and other colleagues, if we go backward to the continuing resolution approach where we ignore everything that has happened, then we have a budget for this year that is irrelevant in many aspects.

Why do I say that? In this particular omnibus bill—which I am sure has flaws, because nothing in life is perfect—we do address the housing crisis. In this omnibus bill, we do give the SEC, the Securities and Exchange Commission, the funding it needs to move against these Ponzi schemes and these frauds that are being perpetrated on the people. In this bill, we do more for education. We do more for health care. In this bill, we step up to the best of our ability to address some of these problems.

We know that if any of these amendments are adopted, it is going to weigh this bill down because the House has acted and said basically: This is last year's business; we don't want to get bogged down with it. Either take it or leave it. That is where we are.

As I have said often on this floor, we usually do not have a chance to get the perfect bill around here. It is very difficult to get the perfect bill, unless each of us wrote it his or her own way. Then it would be perfect for us.

Clearly, there are issues with this bill. But I want to say again, if you were sitting with your family and you went back to last year's budget and all of a sudden you realized that in the last 12 months, things had radically changed in your family—let's say you had a child who got sick with a terrible disease, let's say that your grandma had to go into a nursing home and she needed certain things—you would realize that last year's budget does not fit what your requirements are. You would have to address your child's health, your grandma's situation to be relevant for the year.

It doesn't always mean spending more money. I am not suggesting that at all. But this omnibus bill does respond to the needs of our people. Put that together with the stimulus bill, which is finally beginning to bear fruit out there—and I am excited about it because we are starting to see the funding flow to our States, we are starting to see people get back to work. Once we do this, it is another boost to the people of our great country.

These amendments that are coming at us at the end of the day, I believe many of them are meant to weigh this bill down, to take this bill off course. I am going to talk about a couple of those amendments.

Senator COBURN has an amendment for he says, the worst projects in the world—whatever he calls it. He is going after them. And one of those projects that he picks is one I was proud to get in here. So I want to talk about it because I am proud of it. The way Senator COBURN describes it, you wouldn't know what I did.

He says there is money in the bill for the Great Park in Orange County. But what he doesn't say is there is funding in here, and it is not that much funding compared to a lot of these items—\$475,000 to restore the El Toro Marine Corps Air Station hangar No. 244. This hangar was opened in 1943 to house aircraft during World War II. The hangar is being renovated. It is being turned into a military history museum and a welcoming center for the park.

This particular \$475,000 is not going for anything other than the renovation of this hangar to bring it back to life, to serve as a tribute to our veterans and to their military service. It will be on the site of what used to be a leading military installation on the west coast. Millions of U.S. military personnel during World War II, Korea, Vietnam, and the Cold War passed through El Toro. This base reuse project honors our military history and the service and the sacrifice of our military men and women.

This is not the first time my Republican friends have gone after veterans. I had another funding request. We were able to win that one, and we will win this one, too. I believe it. They were going after a program to help disabled veterans get back to a normal life. They actually did that. But we beat them then, and we will beat them now.

The hangar needs a number of repairs and upgrades to make it suitable for public use. This deals with the upgrade of electricity, fire safety systems. And 100 jobs will be created. Not bad. Mr. President, 100 jobs will be created through the rehab of this building, and another 10 to 20 full-time jobs will be created to staff the facility when it is built.

Here is the thing. Orange County, in which this particular project resides, is a Republican county. Registered Republicans outnumber registered Democrats by 235,000 voters, and they voted for this project 58 to 42 percent in an election where 500,000 votes were cast. Yet I have a Senator who comes on the floor and tries to say this is some frivolous, horrible project. I resent it, and so do the veterans resent it.

I ask unanimous consent to have printed in the RECORD a series of letters from veterans very concerned about Senator COBURN's amendment.

There being no objection, the material was ordered to be printed in the RECORD as follows:

MARCH 3, 2009.

Senator BARBARA BOXER and MEMBERS OF CONGRESS.

DEAR SENATOR, I am taking this opportunity to formally thank you for all the success Orange County has experienced with the redevelopment of the former Marine Corps Air Station El Toro. If you had not taken a leadership role in helping the Orange County voters decide the future of the surplus military property at El Toro, I am certain our aspirations for a Great Park at the site would not have materialized.

Now, as the Orange County Great Park Corporation's lead sponsor for the development of a heritage museum honoring the contributions of our community to the defense of this great country, I must seek your

support once again. In the creative scheme to preserve an in-tact 1943 vintage U.S. Marine Corps squadron area, including two logistics buildings and a squadron administration-headquarters facility, and a historic hangar (hangar #244) our corporation seeks federal funds to help defray renovation costs.

The veterans and civilian employees who worked, transited, or were stationed at MCAS El Toro would be the primary beneficiaries of your successful efforts. We will incorporate the restoration of the subject buildings into an education program for local students—least we allow history to be forgotten.

My heartfelt request comes to you not only from a retired U.S. Marine Corps aviator, citizen activist with a twenty year experience defending the voters rights to decide the former MCAS El Toro's final design and use, but, also from my experiences as a Director at the Orange County Great Park Corporation and as a Commissioner of the California State Parks and Recreation Commission.

Our heritage museum needs your resolute support at this critical point in time. Please present this message to your fellow member of Congress.

Respectfully,

WILLIAM GUSTAV  
KOGERMAN,  
*LtCol USMC (Ret); Director, Orange County Great Park Corporation; Commissioner, State Parks and Recreation Commission.*

MARCH 3, 2009.

Re: Renovation of Hangar #244 at MCAS El Toro.

MEMBERS OF CONGRESS: I have recently been informed that funding for the renovation of hangar 244 at the Great Park has been withdrawn. This is a travesty. MCAS El Toro once stood as an American symbol of freedom, providing a sense of security and an abundance of opportunity for surrounding communities. It would be a shame to allow the last remaining hangar standing at the Great Park to fall rather than serve as a reminder of the service this once great post served to the residents of Orange County and Southern California.

I strongly support the renovation of hangar #244.

JOHN ROTOLO,  
*GySgt USMC (Ret).*

Both while in the military and since, I have traveled abroad. As a nation, we have done very little relative to our European counterparts to preserve historic treasures. This persistent desire to upgrade and update leaves our society at a historical disadvantage. Our society quickly forgets our roots and those who have fought to preserve them. As a result, the patriotic nature of our society has been damaged because we've underfunded the preservation of sites such as Hanger #244.

This past January, I was in the UK and visited Winston Churchills' Museum and Cabinet War Rooms (<http://cur.iwm.org.uk/>). This is a fine example of how preserving historic military locations can communicate to the masses, the greatness of the military and its ability to produce such leadership. The people that I was with that day expressed great pride in their country, what they stood for and the military's accomplishments.

As a former Sergeant in the USMC stationed at MCAS Tustin, I had spent considerable time at MCAS El Toro. Geographically, I would suggest that MCAS El Toro's loca-

tion and ease of access is an ideal location for a historic landmark. I stand behind your initiative to renovate hangar #244 at MCAS El Toro and wish that your funding returns with due speed.

Regards,

DAVE RISTOW,  
*Chief Financial Officer, KSS Retail*

LTCOL CLIFTON WALLACE USMC (RET),  
*Irvine, CA.*

Re: MCAS El Toro Hangar #244.

MEMBERS OF CONGRESS: I would like to publically add my emphatic support for the project to renovate Hangar 244 at the former Marine Corps Air Station El Toro, California now the Orange County Great Park. I served as a pilot at MCAS El Toro from 1977 until I retired from the Marine Corps in 1999 and feel it is extremely important that Hangar 244 be renovated and restored to its historical condition.

Hangar 244 is an original hangar from the 1940s and the last remaining historic hangar at the Great Park. It must be renovated and preserved to not only preserve the building but also the heritage of five decades of service to our nation's defense. The Great Park intends to build an aviation/heritage museum at the site and Hangar 244 will be a historic center piece for this new museum.

On October 2, 2008, the Orange County Great Park Corporation conducted an "El Toro Homecoming" event which honored veterans from World War II that were stationed at MCAS El Toro. Several hundred WWII veterans attended this historically important and emotional tribute conducted in Hangar 244 resulting in rich memories and moving stories by the men and women who served our nation during this time of great need. I strongly encourage support for the Hangar 244 renovation project and strongly request that funds for this project be restored.

Semper Fi,

CLIFTON WALLACE.

COL THOMAS Q. O'HARA USMCR (RET),  
*Lake Forest, CA.*

CEO Orange County Great Park,  
*Irvine, CA.*

SIR, I would like to express my wholehearted support for the renovation of hangar #244 at the former Marine Corps Air Station El Toro, CA now the Orange County Great Park. I served at MCAS El Toro in the 1960s, 1970s, 1980s, and 1990s and feel it extremely important that hangar #244, an original hangar from the 1940s, and the last remaining historic hangar at the Great Park be renovated and preserved to not only preserved the building but also the heritage that over five decades of service to our nation is represented by that last hangar. The Great Park intends to build an aviation/heritage museum at the site and hangar #244 will be a historic center piece for the new museum. I strongly encourage support for the renovation project and hope funds for this project are restored.

Semper Fi,

TOM O'HARA.

Mrs. BOXER. Mr. President, here is one letter. It is to Members of Congress signed "Semper Fi, Clifton Wallace." He is a retired marine. He says:

I'd like to publicly add my emphatic support for the project to renovate Hangar 244 at the former Marine Corps Station El Toro, California now the Orange County Great Park. I served as a pilot . . . from 1977 until I retired in 1999 and feel it is extremely important that Hangar 244 be renovated and restored to its historical condition.

Hangar 244 is an original hangar from the 1940s and the last remaining historic hangar at the Great Park. It must be renovated and preserved to not only preserve the building but also the heritage of five decades of service to our nation's defense. . . .

He says:

On October 2, 2008, the Orange County Great Park Corporation conducted an "El Toro Homecoming" event which honored veterans from World War II that were stationed at [this base]. Several hundred WWII veterans attended this historically important and emotional tribute conducted in Hangar 244 resulting in rich memories and moving stories by the men and women who served our nation during this time of great need. I strongly encourage support for the Hangar 244 renovation project and strongly request that the funds [be there].

That is one. And this goes on veteran after veteran. Senator COBURN comes to the floor and talks about the Great Park and the free balloon rides that the kids have there. What does that have to do with this line item that turns this hangar into a museum for those who put their life on the line? I will say, Senator COBURN has gotten them so riled up and so worked up and so upset. For what reason? None that I can see.

So here is a circumstance where we have a line item our veterans want. One of them talks about visiting Europe and saying how much more the Europeans have preserved these memories of their fighting men and women compared to our country and he begs Senators not to strip this out.

Here we have a circumstance where Senator COBURN is saying I have a line item that is about "the Great Park," but he does not say what the purpose of the line item is: to restore the hangar and turn it into a military museum and a visitor center to celebrate those who have given so much to our Nation.

Then we have another amendment by Senator MURKOWSKI. What she wants to do is go back to the bad old days of the Friday night midnight rules that the Bush administration took at the very end of their days here. The midnight rules were put in place and ran roughshod over the rights of the public to participate in the rulemaking process.

The language in the bill goes back to the status quo ante. In other words, it goes back to before the Bush administration issued its midnight rules.

On December 11, 2008, almost 35 years to the day after the Endangered Species Act became law, and after the Republicans lost the election, the Bush administration issued a midnight rule which allows Federal agencies to decide unilaterally that consultations with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service are not necessary when there is any type of development proposal. That midnight rule made a mockery of the process we are supposed to follow.

According to press reports, a Department of Interior e-mail indicated the Fish and Wildlife Service received 300,000 comments on the proposed rule. The agency reviewed 200,000 of these

comments in 32 hours. This is an average of 6,000 comments every hour. Let's face it, Mr. President, I don't care how many people you had looking at these comments, it is not possible that they could have reviewed the outcry from all over the country.

Now, who agrees with me? Dozens of groups. I am going to read some of the groups that said: No, don't do this. Yet they did it anyway:

The Audubon, American Rivers, Arizona Wilderness Coalition, Californians for Western Wilderness, Center for Biological Diversity, Defenders of Wildlife, Endangered Species Coalition, Friends of Red Rock Canyon, Friends of the Missouri Breaks Monument, Grand Canyon Wildlands Council, the Trust for Public Land, the Wilderness Society, Union of Concerned Scientists, World Wildlife Fund, Partnership for the National Trails System, Natural Resources Defense Council, Oregon Natural Desert Association, National Trust for Historic Preservation . . .

I am not reading them all, Mr. President, so I ask unanimous consent to have printed in the RECORD the entire list.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Audubon, American Rivers, Arizona Wilderness Coalition, Californians for Western Wilderness, Center for Biological Diversity, Cienega Watershed Partnership, Defenders of Wildlife, Earthjustice, Endangered Species Coalition, Friends of the Agua Fria National Monument, Friends of Red Rock Canyon, Friends of the Desert Mountains.

Friends of the Missouri Breaks Monument, Friends of the Sonoran Desert National Monument, Grand Canyon Wildlands Council, Grand Staircase Escalante Partners, Idaho Conservation League, International Dark-Sky Association, League of Conservation Voters, National Parks Conservation Association, National Trust for Historic Preservation, National Wildlife Federation, National Wildlife Refuge Association, Natural Resources Defense Council, Oregon Natural Desert Association.

Partnership for the National Trails System, Rincon Institute, San Juan Citizens Alliance, Scenic America, Sierra Club, Sky Island Alliance, Snake River Raptor Volunteers, Soda Mountain Wilderness Council, Southern Utah Wilderness Alliance, The Trust for Public Land, The Wilderness Society, Tuleyome, Union of Concerned Scientists, World Wildlife Fund.

Mrs. BOXER. Mr. President, you have the Bush administration, after they lost the election, take this step, not even looking at the peer-reviewed scientific evidence. The CRS—the Congressional Research Service—said there appears to be little additional protections by this act.

So they had two of these midnight rules. One dealt with the consultations they are supposed to have with environmental agencies before permits are given; the second one had to do with the polar bear. The Bush administration determined that the polar bear is a threatened species, and we all know, just from a little bit of reading or watching TV, that the polar bear is endangered or, I would say, certainly threatened because the ice habitat is melting literally under their feet. The Endangered Species Act applies to the

polar bear. Oh, no, the Bush administration said, we are going to deny key protections for the polar bear under the Endangered Species Act. So they unilaterally decided by a rule that the only thing that will apply to the polar bear is marine mammal protection, not the Endangered Species Act, and the Bush administration put in this special rule without any notice or comment. They simply decided they wanted to eliminate the ESA's protections for the polar bear, and once again they ran roughshod over the process.

So in this omnibus bill, this is all we do. We say let's go back to regular order. Let's go back to the status quo ante. Let's go back to the way it was before these midnight rules were passed. I am very disappointed we have to vote on this because I think it is a matter of common sense and pride in the place we work. We need to follow a process.

It has nothing to do with how one feels about the polar bear. Frankly, I am heartbroken when I see what is happening to the polar bear. Other people may not be moved by it, may not be touched by it. But it doesn't matter how one feels about the polar bear. What matters is that we stand for the laws we passed in this great country under Republican and Democratic administrations, and the Endangered Species Act was one of those. If we see it isn't working, we can take steps, but let's not shortcut the process. So I hope we will oppose the Murkowski amendment.

Again, not everybody will agree with me the polar bear deserves protection under ESA. Not everybody will agree with me that before a permit is granted there ought to be consultation with Fish and Wildlife. Frankly, I think that is a very modest and moderate position to take and a commonsense position. But don't support an amendment which just says: To heck with what the public says. We don't care. It doesn't matter. Cut it short. Remove the Endangered Species Act. Remove the consultation process. That is not a way to go, and especially for the Bush administration to do it after the election, on one of those late-night announcements. Let's give this administration a chance to take a look at both of these rules, take a look at making sure the scientists are listened to, the public is listened to.

So, again, in closing, I want to say this in summing up. Senator COBURN has attacked the veterans in my State by calling a line item in this bill one of the worst projects in this bill. He actually did. The veterans in my State are up in arms, and I put the letters in the RECORD and I hope we will vote against the Coburn amendment. The way he has presented it is so unfair to my veterans. He talks about free balloon rides and the Great Park. The funding here is simply to refurbish a historic hangar, the only hangar at El Toro that can be preserved to remember these veterans. So I hope we will vote that

down, and I hope we will vote down the Murkowski amendment because if you vote for her amendment, friends, what you are saying is the process should be truncated; that it doesn't matter who the President is—President Obama.

In other words, if you vote for this as a process, you are saying to this new President: Well, we support your being able to just decide whatever you want; to ignore the public comments, ignore the scientists; just get up and do whatever you want at midnight. I think that is wrong, and I don't care if the President is Republican or Democrat, we shouldn't do it that way. It isn't the right way to do it.

So I hope we will take a stand against that kind of government, and I hope we will take a stand in favor of my veterans. I hope we can, in fact, pass this bill and get on with our business because the option is to go back to a bill that was written—basically, it goes back to the old budget, before we had all the problems we have now. I think it is looking backwards. I think it is putting our government in reverse at a time when we need to move forward with confidence. I believe passing this bill is an important part of what we need to do this week.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 623

Mr. MCCAIN. Mr. President, I rise to briefly discuss the amendment that has been proposed by the Senator from Oklahoma, Mr. COBURN, to prohibit funding for PMA-related earmarks.

A lot of Americans don't know who PMA is, Mr. President. In fact, I didn't until recently, but it is very interesting. The Coburn amendment, by the way, would strike 13 projects where funding is directed to clients of the PMA Group, a lobbying firm currently under Federal investigation for corruption.

Today, we have before us a massive omnibus spending bill totaling nearly \$410 billion that contains over 9,000 earmarks. Perhaps even more troubling than the number of earmarks is to whom and how some of this funding is being directed. Contained within this legislation are 13 earmarks totaling over \$10 million directed to clients of the PMA Group.

Mr. President, the PMA Group is a lobbying firm that was recently forced to close its doors after the home of its owner and offices were raided last November by the FBI for suspicious campaign donation practices. That investigation continues to this day.

Well known for its deep ties to Capitol Hill, the PMA Group has a long and lucrative history for securing earmarks for its clients, including approximately \$300 million in the fiscal year 2008 Defense appropriations bills—none of them authorized, by the way—\$300 million.

There have been many accusations against the PMA Group, including using straw donors to further spread

their wealth to curry favor with influential Members of Congress. A February 14, 2009, Washington Post article examined campaign contributions reportedly given by members of the PMA Group and found "several people who were not registered lobbyists and did not work for the lobbying firm," including a 75-year-old California man who, despite being listed in financial disclosure documentation as a donor and PMA employee, had never even heard of the firm.

Mr. President, I ask unanimous consent to have printed in the RECORD that complete article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 14, 2009]

DESPITE LISTING, DONORS DON'T WORK FOR FIRM BEING PROBED

(By Carol D. Leonnig)

Marvin Hoffman is listed in campaign finance records as one of the many lobbyists with the powerful PMA Group donating money to lawmakers. But Hoffman is a soon-to-retire information technology manager in Marina del Rey, Calif., who has never heard of the Arlington lobbying firm or the Indiana congressman to whom he supposedly gave \$2,000.

"It's alarming that someone is stealing my identity somewhere," Hoffman, 75, said in an interview. "I've never heard of this company."

Another contributor listed as a PMA lobbyist is, in fact, a sales manager for an inflatable boat manufacturer in New Jersey. John Hendricksen said he did make campaign donations but never worked at PMA and does not know how he ended up listed in records that way.

These errors, along with other unusual donations linked to the firm, come as the Justice Department examines allegations that PMA may have violated campaign finance laws. The offices of PMA, which ranked last year as the 10th-largest Washington lobbying firm by earnings, were raided in November by FBI agents and Defense Department investigators.

Federal investigators are focused on allegations that PMA founder Paul Magliocchetti, a former appropriations staffer close to Rep. John P. Murtha (D-Pa.), may have reimbursed some of his staff to cover contributions made in their names to Murtha and other lawmakers, according to two sources familiar with the investigation. PMA has long had a reputation for securing earmarks from congressional appropriators, particularly for defense contractors, and it has donated generously to influential members of Congress. Magliocchetti personally gave \$98,000 in campaign donations last year, according to campaign records.

Federal election laws limit the amount of money individuals may contribute to candidates, but lobbying firms often show their clout by collecting and bundling contributions. It is illegal for employers to reimburse donors for their contributions.

The Washington Post examined contributions that were reported as being made by PMA employees and consultants, and found several people who were not registered lobbyists and did not work at the lobbying firm. It is unclear whether the donors misidentified as PMA associates are part of the federal probe.

A PMA spokesman said the firm's management does not know Hoffman or Hendricksen and does not know how the errors were made

in reports to the Federal Election Commission.

"It's up to the campaigns to report contributions in their FEC filings," said PMA spokesman Patrick Dorton.

FEC spokeswoman Mary Brandenberger said she has not often seen such misidentified donations, but if a complaint were received, the commission would first question the campaign about its record-keeping.

Jan Witold Baran, a campaign finance and ethics expert and Wiley Rein lawyer, said the errors pose serious questions and should be cleared up.

"It's true that candidate campaigns have the responsibility for disclosure, but the information they obtain usually comes from the contributor or the person who solicited from the contributor," Baran said. "The question is: Where did that information come from?"

Murtha aide Matthew Mazonkey said the congressman was not the recipient of the erroneous donations.

PMA, founded in 1989 by Magliocchetti, a former Murtha aide to the House Appropriations Committee, has enjoyed a high success rate in winning earmarks for its clients, which include such major defense contractors as Lockheed and General Dynamics. PMA also represents a circle of lesser-known but also successful contractors such as Argon ST, MTS Technologies, DRS Technologies and Advanced Acoustic Concepts. Many PMA clients have opened offices in Murtha's western Pennsylvania district, donated generously to him, and received millions in earmarks requested by the congressman.

In the last election cycle, PMA and its clients donated \$775,000 to Murtha's campaigns. Last year, those clients received earmarks worth \$299 million and arranged by Murtha and his colleagues.

The majority of PMA's 35 lobbyists had worked on Capitol Hill or at the Pentagon. Several of the top lobbyists were also PMA directors and had ties to lawmakers.

Two men listed in campaign finance reports as together giving \$30,000 to lawmakers and being part of the PMA Group team are not Washington lobbyists at all. They live and work in the Florida resort community of Amelia Island, where PMA founder Magliocchetti has a beachfront condominium. Both are listed as directors of PMA.

John Pugliese had been a sommelier at the posh Ritz-Carlton Hotel on the island, his family said. Jon C. Walker is in charge of golf marketing at the neighboring Amelia Island Golf Club, according to club personnel and its Web site. They each donated identical amounts to the same lawmakers, in 12 installments each, almost always on the same date.

Walker and Pugliese did not return repeated phone calls and messages.

Pugliese is listed as a PMA Group "associate," and Walker is a PMA Group "consultant" in finance records.

Rebecca DeRosa, who is listed as a part-time accountant at PMA and director, recently married Magliocchetti and has given generously on PMA's behalf for several years. Last year alone, she personally gave \$73,000 to lawmakers and congressional political action committees, records show. For most of those donations, she is listed as a PMA employee. Her donations included \$22,000 to the Democratic Congressional Campaign Committee and \$4,250 to Rep. James P. Moran Jr. (D-Va.).

DeRosa did not answer her phone or returns calls to the Gaithersburg office of the DRS subsidiary, where she is listed as an employee.

Mr. MCCAIN. An article from the Congressional Quarterly on February

19 noted another curious statistic from the PMA Group's financial disclosure forms. Somehow during the course of the last four election cycles, PMA's political action committee reported expenses of \$18. Now, I have heard of businesses trying to cut overhead costs, but spending \$18 over 8 years doesn't pass the smell test.

I don't use the word "corruption" lightly, Mr. President. I don't. But we have seen the abuses of the appropriations process before, and we obviously haven't learned. Whether it was Jack Abramoff bilking millions of dollars from numerous Indian tribes or Duke Cunningham steering high-value defense contracts to firms that carried his favor through bribes and extravagant trips around the world, we have a broken system that breeds this sort of behavior.

Let me remind you there are former Members of Congress and staff members who now reside in Federal prison. The allegations against the PMA Group are serious and troubling, and we in Congress should treat them as such. How in the world do we approve 13 earmarks that were obtained by a group that has been raided and shut down by the FBI? How do we tell the American people we did such a thing—\$10 million and over \$300 million in last year's Defense appropriations bill?

Mr. President, the American people, sooner or later, are going to hold us accountable. Why should we approve earmarks from an organization that is clearly in violation of numerous laws, including having the FBI raid them and shut them down? They have all said they are no longer in business anymore, and clearly there are people listed in campaign finance reports—and I will quote again from the Washington Post article:

... giving \$30,000 to lawmakers and being part of the PMA Group team are not Washington lobbyists at all. They live and work in the Florida resort community of Amelia Island, where PMA founder Magliocchetti has a beachfront condominium. Both are listed as directors of PMA.

And the article goes on and on, Mr. President.

"John Pugliese had been a sommelier at the posh Ritz-Carlton Hotel on the island," his family said. John C. Walker is in charge of golf marketing at the neighboring Amelia Island Golf Club, according to club personnel and its Web site. They each donated identical amounts to the same lawmakers, in 12 installments each, almost always on the same date.

I will talk some more about this before this is over because the American people are beginning to figure it out. The American people are rising up in strenuous objection to this kind of process, with 9,000 porkbarrel earmark projects on them. Some of them are of value. Some are not. We do not know because it did not go through the authorization process these projects need to go through to be properly vetted and authorized by the authorizing committees.

We are not through with this bill, I am happy to say. I will be talking a lot



more about it, and the American people are talking a lot more about it. There have been some statements made that I am angry. I am angry, but I am not nearly as angry as the taxpayers are. I am not nearly as angry as the people who see that we are going to give \$10 million in earmarks that were obtained by a company, a lobbying outfit, that has been raided and shut down by the FBI.

I urge my colleagues to vote in favor of the Coburn amendment to remove at least the \$10 million from this porkbarrel bill that was obtained through an organization of questionable credentials, questionable donors, and certainly—according to the FBI, having shut them down—being people who do not deserve to be able to have \$10 million of the taxpayers' dollars.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I come to the floor to speak against Coburn amendment No. 596, not the amendment Senator McCain was speaking to, and also to put some personal remarks in the RECORD in a few minutes. I understand some of my colleagues are here to speak as well, but since I am on the floor, I would like to make a comment about PMA.

I do not know PMA. I don't know the organization. But the Senator from Arizona certainly knows there are processes and ways to get at this other than amending this bill, which has a very tight deadline and is very important to all of the agencies of this Government.

He raises some legitimate points. He is angry. Many of us are angry about this process that has gone too far. But may I remind my colleague from Arizona that this Democratic-led Congress has reduced the number of earmarks by 50 percent, has made every single one transparent, has gone through an open and public process, and none, to my knowledge—on the testimony of the chairman of the committee who is on the floor now—has been put in at any time in a closed-door conference session, which was done routinely when the other side was in charge. While it is not perfect, while investigations must continue to go on and people must be held accountable, the Senator from Arizona knows he is not the only one angry, he is not the only one helping to lead this reform effort. President Obama himself has done a great deal of work on this subject, and we will continue to.

The second point I would like to make as an appropriator and one who does have directed spending in this bill is that since when did every authorizing committee turn out to be perfect in their authorization language? Since when did every bill that goes through every committee come out to a perfect end? We have a long list of bills and authorization programs that did not work, that were ineffective. So since when is it appropriate to come and say

every authorization is perfect, but those things that were debated openly in the appropriations committee—testimony given, evidence in support of some of these programs—are all put in sort of a subcategory? I resent that.

This is a balance between authorizers and appropriators. It always has been and probably always will be. What we need to do is get back to a balance, which was completely out of whack when the Republicans were in charge of the budget process. As Democrats are trying, with some of our colleagues' support, to get a handle on this situation, I think the public is at least pleased that we are moving in that direction. We do have a ways to go. I certainly will admit that. With the leadership of Senator INOUE, I think we are making some progress.

AMENDMENT NO. 596

On the Coburn amendment No. 596, I rise in opposition to it. It is a difficult amendment to oppose because on its face it seems as if it makes a great deal of sense. In fact, there was a strong vote for it on another bill. But I rise in opposition on this point alone: The amendment calls for everything in the bill to be competitively bid. On its face, it sounds like the right thing to do. Most people do put contracts out for competitive bid in the private sector. But there are any number of times the private sector does not do that. In the public sector, there are any number of reasons—whether it is special intelligence procurement; whether it is in the small business sector; whether it is programs that reach out especially to veterans where there are certain new technologies that have to be sole-sourced and not competitively bid—there are any number. The Senator from Oklahoma knows that very well. He is actually on the Homeland Security Committee and, I believe, the subcommittee that has jurisdiction. Mr. President, you and I serve on that committee with him. There is a way to go about narrowing or making sure that most of the Federal procurement is done through competitive bid. Not on this bill. Not this day. Not at this time.

It is not as if there are not some good arguments, but that is the problem with these amendments. They are not here to try to change and reform, contrary to what the others talk about. They are here to stop, to delay, to derail, to cause something to fail. They are not here in a constructive way.

That is why I am urging my colleagues to oppose Coburn amendment No. 596, to vote down the McCain and others amendments that have been offered—not because they do not have some kernels of truth in what they are trying to do, but this is not the time to do it and this is not the bill.

Finally, because I know my colleague from Missouri is here to speak, and others, I wish to take a moment, if I may, to pay tribute to a young man who worked for me for many years—actually, for 12 years.

(The remarks of Ms. LANDRIEU are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Missouri is recognized.

(The remarks of Mrs. MCCASKILL and Mr. UDALL of Colorado pertaining to the submission of S. Res. 63 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. UDALL of Colorado. Mr. President, 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. DORGAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 596

Mr. DORGAN. Mr. President, we will vote this afternoon on a number of amendments to the Omnibus appropriations bill. I want to comment briefly on one of them, and that is the Coburn amendment No. 596. That amendment presumably requires competitive bidding procedures to award contracts. That is a subject for which I have very strong support. I am all in favor of competitive bidding. I am tired of seeing sole-source contracts and contracts that go to special companies. I have held 18 hearings on the subject of contracting in Iraq. I have seen the most unbelievable waste, fraud and abuse that has ever happened in the history of this country. So sign me up as somebody who believes in competitive bidding and contracts. But let me make the point that this amendment goes way beyond the goal of requiring competitive bidding in support of saving the taxpayers money. This amendment does something much more than that.

This amendment—because it has not come through a committee and is not the product of a committee hearing—people don't understand. For example, it would set back 30 years of progress with respect to Indian communities and tribal governments where we have pursued something called Indian self-determination. The approach for self-determination on Indian reservations is to allow those tribal governments to access some of the funds in the programs designed explicitly for tribal governments dealing with housing, health care, education, and law enforcement. This amendment would essentially deny them opportunities to access those funds and move them off into a completely different process. It undermines the whole notion of self-determination for Indian reservations.

I know that is not what was intended by the author. I know that is not what was intended. But we should not, in any event, here in the twelfth hour, consider amendments that have not been the part of any hearing I am aware of. We should not pass legislation that would have the consequence

of undermining 30 years of progress. This progress is moving towards self-determination on Indian reservations where tribal governments are able to access those funds explicitly to best use them to benefit their tribal government.

We have the most significant poverty, unemployment, health care crisis, and homelessness anywhere in this country on Indian reservations. Many of them are living in Third World conditions. Health care is being rationed. It ought to be front-page news. Forty percent of the health care needs for American Indians is unmet. We have kids and elders dying because the money isn't there to provide adequate health care. The same is true with respect to education and housing. We have tried over the period to begin moving in the direction of self-determination in which, rather than have someone in some agency decide how tribes must address their housing or health care issue, self-determination for tribes allows them to begin to use that funding to best address their needs. I don't think anybody wants to upend the program. That wouldn't make any sense. We don't want to have a circumstance where we subvert progress that we have made in recent years on self-determination for Indian tribes.

This is only one issue. I am sure there are dozens with respect to this amendment. I couldn't support an amendment that, while it sounds good, has significant, unintended consequences for the first Americans. The first Americans were here to meet us, they are those who now live in substantial poverty, and those for whom legislation dealing with self-determination has tried to help by moving in a different direction. We should not undermine that. We should not in any way injure that approach to try to improve life on American Indian reservations. That is not the intent of the author, but I know that will be the consequence.

I hope my colleagues will join me in voting against the amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEMINT. 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.

Mr. DEMINT. Mr. President, it was great to hear Mrs. MCCASKILL, the Senator from Missouri, speaking on the floor. She has been a real champion of fighting one of the real causes of excess spending and waste in Washington. She came down to talk about earmarks. In this case, she was talking about Republican earmarks. I congratulate her because we have to go after them all. If there is one thing in this whole Con-

gress that is bipartisan, it is earmarks. If America wants to know how well bipartisanism works, you can look at earmarks because when it comes to wasteful spending, there is great bipartisan agreement here in the Congress that as long as we get our pork, as long as we get our political projects we can take back home, then we will vote for whatever is in the bill no matter how big it is.

Senator MCCASKILL, though relatively new to the Senate, has been willing to take on not just my party but her own in fighting this root cause of much of the wasteful spending in Washington. So I commend her very much for coming to the floor, not just today but many other times.

She has worked with me on several earmark-related bills. She supported a 1-year moratorium on earmarks, which then-candidate Senator Obama flew back to vote to suspend earmarks for a year so we could look at ways to reform them so we would not continue this pattern of very wasteful spending.

I honestly believe the reason we are looking at trillion dollar bills today is because of this whole earmarking process. This \$400 billion Omnibus appropriations bill we are considering this week, I am convinced would be voted down if the leadership on both sides had not sprinkled earmarks for about every Member of the House and the Senate. It is a way to pass bills that otherwise would not pass.

I do need to correct one thing Senator MCCASKILL mentioned, which is this idea that since the Democrats took over the majority, they have cut earmarks in half. I wish that were true, but, unfortunately, it is not. If you look at this chart I have in the Chamber, earmarks have grown under bipartisan agreement for years.

As we came into 2006, we began—several of us in the Senate and the House were putting increasing pressure on both sides to cut the number of earmarks, and they dropped a little bit. But this lower figure here, as shown on the chart, came as the Republicans had lost the majority in the election but had not yet given up the majority in that January. A number of us held back an omnibus bill with thousands of earmarks in it, and we ended the year 2007 with less earmarks than we had had in almost 10 years.

But, as you see, under the Democratic majority, it is already back to the second highest number, counting this omnibus we are talking about this week with over 9,000 new earmarks which are totally unnecessary, totally against the things that have been said in the last election, that in 2009, at least counting as of this week, we are nearly at 12,000—the second highest in history. So neither party can boast we have done anything significant about earmarks.

As America looks in, they are becoming increasingly outraged at this flagrant waste we are shamelessly involved with every week. So I commend

Senator MCCASKILL for taking on both parties, senior Members in both parties, on this earmark issue.

But the real issue now comes back to leadership in our country, and is there anyone in Washington with the power to change this who is willing to take on the issue. My hope has been since the last election that while I know I will disagree with President Obama on a number of things, it was my understanding and my hope he would keep his word on fighting earmarks. He certainly talked about it during his election.

He said, in April of 2008: We can no longer accept a process that doles out earmarks based on a Member of Congress's seniority rather than the merit of the project.

He said, in October of 2008: We need earmark reform, and when I'm President, I will go line by line to make sure we're not spending money unwisely.

But, last week, his Budget Director said: This omnibus we are talking about this year is last year's business. We just need to move on.

So I guess this week we have suspended the Presidency, we have suspended hope and change, and we have gone back to nearly 12,000 earmarks.

Senator MCCASKILL said: Do not take anyone seriously who says one thing and does another. That is the worst sin of all.

What I am afraid of, at this point in the new Presidency, is that the only change that has occurred in Washington is the change with the President himself. This is an issue he said he would help us on. This is an issue he said he knew was a core problem of waste and corruption here in Washington. This is not a Republican or Democratic issue. Neither party can sit down here and say they are righteous in this. But both parties need to come to the understanding, the realization, that this earmarking process is destroying our whole work as a Congress.

You see, what this has done is this has trained the American people to believe that our purpose here in Washington is to take money home to our States and congressional districts. It is teaching the American people that we use earmarks as a reward to help those groups and organizations that helped us get elected. Or we use taxpayer money to bail out people who have been irresponsible in their decision-making.

But what we have forgotten is that our constitutional oath is to defend and protect the Constitution of the United States of America, not to get projects for our district. But what earmarking has done has perverted the whole purpose of this Congress. Instead of working on fixing a Tax Code that is destroying our economic base in this country, and overseeing our financial system to keep it from financial collapse, and fixing Social Security and Medicare so we can keep our promises to seniors, and defending our country by funding the military properly—instead of doing that, we spend most of

the year here in Washington figuring out which local roads and bridges and water and sewer plants and bike paths we are going to build.

In this omnibus bill or ominous bill—whatever you want to call it—it is hard to read the list and then think about the rhetoric of how treacherous these times are, how difficult they are, and that every penny we spend of taxpayer money has to go to help our economy and help the American people.

What does \$1.8 million for swine odor and manure management research have to do with these difficult times we are in, or \$200,000 for a tattoo removal violence prevention outreach program, or \$75,000 for a Totally Teen Zone where people can play Xbox?

Folks, if I read this, it is only going to make you madder and madder and madder. This is a mix of Republican and Democratic earmarks. You would hear a lot of Senators say: I know this is a bad bill, I know it is wasteful, but I have something in it for back home. I can't vote against it.

There is only one person in Washington who can stop all this because Congressmen and Senators will say, similar to a bunch of drunks: I am not going to drink as much tomorrow. But they don't have the power to stop themselves. I have become convinced, after 10 years of being in the House and the Senate, we don't have the power to stop ourselves.

There is one person in Washington who can lead on this issue and he said he would lead on this issue and he said this is a change we could expect from his administration. The President should veto this omnibus bill with over 9,000 earmarks in it—9,000 of what I am reading here. It takes money. They say: It is not that much money; oh, it is just \$7 billion or \$8 billion or whatever; but the reason we are passing a \$400 billion bill that we should not be passing right now is because it has these earmarks in it.

The reason you won't see very many people on the floor of this Senate come in and vote no is because they have something in it for back home that they have already done a press release on, taking credit and beating their chests for taking home the bacon, but the taxpayers are paying for it. Folks are getting more and more outraged, and I am, too, because I have children and I have grandchildren now and I know we are taking all these millions of dollars and putting it on their backs for the rest of their lives and taking credit for our little projects in our press reports.

There is only one person who can stop this; the person America counts on today for changing the way we do business in Washington. After only a month in office, if this system has changed him rather than him changing the system, then we are all in trouble. We have not reduced earmarks, and we are on track to have the highest number of earmarks in history within the next year, in a bipartisan fashion.

There is nothing noble about combining bad ideas from both parties and calling it bipartisanship, and that is what we are doing here today.

I would encourage the President to threaten a veto of this bill, to follow through on a veto of this bill, and make this Congress send this bill back to committee and do the things America needs instead of the things we want politically to help us get elected in our next election that is coming up.

I wish to thank, again, the Senator from Missouri, Mrs. MCCASKILL, for bringing up this issue and having the courage to fight both parties on a very important issue to our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, on behalf of the leadership, I ask unanimous consent that the Senate now proceed to vote in relation to the Coburn amendment No. 596; that no amendment be in order to the amendment prior to a vote; that upon disposition of amendment No. 596, the Senate resume consideration of the Coburn amendment No. 608; and that there be 20 minutes of debate remaining with respect to the amendment, with no amendment in order to the amendment prior to a vote in relation thereto; with the time equally divided and controlled between Senators LEAHY and COBURN or their designees; that upon the use of that time, the Senate proceed to vote in relation to amendment No. 608.

The PRESIDING OFFICER. Is there objection?

Mr. INOUE. Mr. President, I wish to clarify the time. There is no time at this moment, but it will be soon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, prohibiting no-bid contracts is a laudable goal. With billions of dollars wasted on no-bid contracts by the previous administration, it is a goal that Democrats and Republicans should embrace.

But Amendment No. 596 which is disguised as a good government amendment does far more harm than good.

This amendment would require that only procedures in accordance with section 303 of the Federal Property Administrative Services Act would be eligible to receive funds.

The result would be to strictly limit opportunities for small businesses, minority-owned businesses and Native Americans to receive agency contracts.

The Indian Self-Determination Act and the Native American Housing Assistance and Self-Determination Act allow tribes to provide governmental services to their members by entering contracts and receiving grants. Requiring these contracts and grants to go through a competitive process would undermine the purposes of tribal self-determination.

The tribes in Nevada and throughout America know how to best serve their members' interests. Tribes enter contracts with the Bureau of Indian Af-

fairs and the Indian Health Services to provide these services. This amendment threatens their authority to do so.

Enacting this amendment would roll back years of Small Business and Indian Affairs Committee authorizations by requiring that all contracts be awarded through just one specific section of one specific law.

Small businesses employ more than half of our country's private sector workforce. If we pass this resolution and deny these small businesses the ability to compete on a level playing field, we will be severely impeding our country's desperately needed job creation engine.

Congress has authorized a number of procedures over the years to help small businesses, veteran-owned businesses, minority-owned businesses and tribal enterprises gain access to government contracts. We have done so on a strong bipartisan basis because we recognize that small businesses are able to provide the same level of skill and service as their larger counterparts. We should continue giving these small companies a fair chance to earn business, prosper, grow and create the jobs our country desperately needs.

Mr. INOUE. Mr. President, I ask for the yeas and nays on the Coburn amendment No. 596.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 57, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—38

Alexander	Ensign	McCain
Barrasso	Enzi	McCaskill
Bayh	Feingold	McConnell
Bennett	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Gregg	Shelby
Burr	Hagan	Specter
Chambliss	Hatch	Thune
Coburn	Inhofe	Vitter
Corker	Isakson	Voinovich
Cornyn	Klobuchar	Warner
Crapo	Kyl	Webb
DeMint	Martinez	

NAYS—57

Akaka	Byrd	Durbin
Baucus	Cantwell	Feinstein
Begich	Cardin	Gillibrand
Bennet	Carper	Harkin
Bingaman	Casey	Hutchison
Bond	Cochran	Inouye
Boxer	Collins	Johnson
Brown	Dodd	Kaufman
Burr	Dorgan	Kerry

Kohl	Mikulski	Schumer
Landrieu	Murkowski	Shaheen
Lautenberg	Murray	Snowe
Leahy	Nelson (FL)	Stabenow
Levin	Nelson (NE)	Tester
Lieberman	Pryor	Udall (CO)
Lincoln	Reed	Udall (NM)
Lugar	Reid	Whitehouse
Menendez	Rockefeller	Wicker
Merkley	Sanders	Wyden

NOT VOTING—4

Conrad	Kennedy
Johanns	Sessions

The amendment (No. 596) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 608

The PRESIDING OFFICER. There will now be 20 minutes of debate prior to a vote on amendment No. 608 of the Senator from Oklahoma. Who yields time?

The Senator from Oklahoma is recognized.

AMENDMENT NO. 608

Mr. COBURN. Mr. President, this amendment is a very straightforward amendment. This Senate made a commitment last year through the Emmett Till Unsolved Civil Rights Crime Act that we would fund in this bill money to be applied to the Justice Department to start and bring up to a level that is appropriate the funding of the investigative, prosecutorial, and other necessary agencies with which to go after these unsolved crimes.

The reason it is important is that in most of these crimes, the witnesses are very elderly. So the timeliness of it is very important.

It is interesting today that the other side produced a letter from the Attorney General that states exactly the opposite position they took last year when I opposed trying to get the money to pay for this bill. They bring forth a letter that says Attorney General Holder is going to make sure we try to do this within the funds he has. That is the very argument I made last year, but it was not good enough. So we had hundreds of press releases go out on all these things we are going to do on the Emmett Till Unsolved Civil Rights Crime Act. Yet when it comes time to fund it this year, we cannot find \$10 million in a \$410 billion bill to do it. Either we mean to do it and we mean to uphold the promise we made to this group that has worked hard to have that bill passed or we are full of hot air.

This amendment takes \$10 million from a program that has questionable results in half of its grant money. I will not go into the details of it. Yet we will not fund this bill. I said last year on the Senate floor, we will see if you fund it. And sure enough, you didn't fund it. So you didn't keep your commitment, you didn't keep your commitment to Alvin Sykes, a guy who has worked 10 years to get that

bill passed. And now we come up and say we will take care of it through the administration, which was the very argument I used that said we didn't need increased authorization. Now all of a sudden you say that is good enough. Well, it is not good enough. It breaks your commitment to fully fund this program to bring to justice those who committed these terrible crimes.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, how much time is available in opposition to this amendment?

The PRESIDING OFFICER. Ten minutes.

Mr. LEAHY. Mr. President, I recall the young man who killed his parents and threw himself at the mercy of the court saying: You have to give me mercy, I am now an orphan. I have heard that line used before on this floor and I use it again in this instance because I hope we can tell the truth about what happened on the Emmett Till Unsolved Civil Rights Crime Act.

I worked very hard over the last two years with Senator DODD and Congressman LEWIS to pass the Emmett Till Unsolved Civil Rights Crime Act to provide resources for the Department of Justice and Federal Bureau of Investigation to investigate and prosecute decades-old unsolved civil rights cold case crimes. It could have been law earlier had not Republican opposition obstructed its enactment. We tried to get this bill through the Senate. It was being held up. Now, after the efforts to stop it from becoming law in the first place, we are told: Oh, my gosh, my Emmett Till bill, which I love so much, you are not funding it right. That is not right. This should have been a non-controversial bill and it should not have taken several Congresses to pass.

Indeed, passage ended years of opposition by Senator COBURN and others across the aisle. In June 2007, we unsuccessfully attempted to get Senate consideration and passage of the bill by unanimous consent. Senator COBURN placed a hold on the Till bill. The Senator from Oklahoma also announced that he opposed the Till bill because the FBI is already investigating and prosecuting old civil rights cases and because crimes committed before 1970 cannot be prosecuted under most Federal civil rights statutes.

Majority Leader REID included the Emmett Till bill in the Advancing America's Priorities Act, S. 3297, last summer. It was still opposed by the Senator from Oklahoma who objected to its consideration.

I worked for months to have it considered and passed as a separate stand alone measure. I have to thank Senator DODD and Representative JOHN LEWIS for their leadership and hard work in persevering and getting it through the full Senate over the objection and the roadblocks of the Senator from Oklahoma. I was happy when he finally ended his opposition, after much public

criticism, and I told him so at the time. After he lifted his hold, the full Senate passed the Till bill unanimously by voice vote. Senator COBURN announced that he "can't convince" his colleagues that "there are plenty of funds" at Justice to probe these old crimes, so he decided to lift his hold.

I am glad that Senator COBURN finally ended his opposition to the Emmett Till bill. I know that he now likes to emphasize that he belatedly became a supporter of the bill, but that was after years of having stalled its passage. Regrettably, the current Coburn amendment appears to be as mischievous as was his unsuccessful amendment to the District of Columbia House voting rights bill last week. It should suffer the same fate. It should not delay or deter passage of the Omnibus appropriations bill that needs to be passed by the Senate and signed by the President this week.

This special "earmark" that the Senator from Oklahoma is proposing is just not needed. Its functional impact if accepted would be to prevent enactment of the Omnibus appropriations bill this week and force it to be reconsidered by the House of Representatives. At a time when confidence and funding of our Nation's institutions is critical, we should not be playing games with funding. We need to get it done. We need to work together to solve the Nation's problems.

In fact, this Omnibus appropriations bill increases funding for the Justice Department, specifically for the Civil Rights Division, and already increases funding available to Emmett Till-type investigations and grants. I doubt that anyone in the Senate is a stronger supporter of Federal assistance to State and local law enforcement than I. Providing that support will take place when the Omnibus appropriations bill is enacted and we can provide the increased funding at last year's appropriated levels and the funding in the continuing resolution. I believe the best way to move forward, if we support the Emmett Till bill and care to solve unsolved civil rights era crimes, is to pass the Omnibus appropriations bill without adding this additional, unnecessary "earmark."

The able chair of the Appropriations Subcommittee, a long-time supporter of the Emmett Till bill, has set forth, not only does the Civil Rights Division get more funding under the bill, not only does the inspector general receive more funding under the bill, but \$30 million is available under the bill for competitive funds for States and local jurisdictions, including for investigating and prosecuting civil rights violations. In addition, the increased funding for U.S. attorneys' offices, something for which some of us have been fighting for years, is significant; the funding for grants to State forensic labs is significant; and there is more than \$150 million to reduce the backlog of offender profiles and untested DNA, something we have fought for in the Debbie Smith Act for years.

Does anybody doubt Attorney General Holder is sensitive to these matters? Of course he is. Our first African-American Attorney General does not need to be lectured or mandated on investigating heinous crimes committed against African Americans during the civil rights era. He has spoken about his dedication to restoring the Civil Rights Division. He will demonstrate his commitment. Indeed, in his recent letter to Chairwoman MIKULSKI he reiterates the Justice Department's "wholehearted" support for the goals of the Emmett Till Unsolved Civil Rights Crime Act, notes some of the actions the Department has already taken, and states his "personal commitment" to pursue these matters. Ironically, Senator COBURN voted against the nomination of Eric Holder, as well.

I join Chairman INOUE, the distinguished chair of the Appropriations Committee; Chairwoman MIKULSKI, the chair of the Appropriations Subcommittee; Senator DODD, the author of the Emmett Till Unsolved Civil Rights Crime Act; and the majority leader in opposing this amendment at this time on this legislation.

Our interest is actually in going after these unsolved crimes, not in trying to add a poison pill amendment to the bill on the Senate floor. That is what we did, we fought for years over the objection of the Senator from Oklahoma to get the Emmett Till bill passed. Let's not now kill it with an amendment on the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I will be very brief. Senator LEAHY described the situation very well. One name that was not mentioned in the discussion here was Jim Talent, a former colleague of ours from Missouri, a former Republican Member of this body who was the principal author of the Emmett Till legislation. I was his cosponsor, and when he left, I became the lead sponsor and others joined on both sides of the aisle to adopt this legislation to pursue unsolved civil rights cases.

I say to my friend from Oklahoma, I am pleased we resolved it. He had some problems not so much with the idea of investigating unsolved matters. His concern was, if I recall, whether the matter ought to be authorized without having an offset at the time. As I recall, that was the debate.

We went a year, maybe longer, while this was held up and we were not able to adopt it. The argument is that had we done so, when it finally passed unanimously in this body, it was after the Commerce-Justice-Science appropriations bill was adopted. So it was too late to get the funding in that proposal. As a result, we ended up with an authorization.

As Senator LEAHY has pointed out, Eric Holder has testified, in fact, I think, in response to questions of my friend from Oklahoma, whether there would be funding for this program dur-

ing either his confirmation hearing or an appearance before the committee. He responded there was adequate funding. He said—I think his quote was at the time he would "figure out ways to try to move money around" to investigate and prosecute these crimes.

Of course, under this omnibus bill before us, Department of Justice funds can be used to investigate unsolved civil rights crimes. The money includes \$123 million for the Civil Rights Division at the Department of Justice responsible for investigating cold cases, which is \$7 million more than the fiscal year 2008 levels. There is an additional \$30 million for competitive funds for State and local governments. Eligible activities include expenses associated with investigating and prosecuting civil rights violations that are criminal in nature.

Obviously, as Senator LEAHY and others have pointed out, it is critically important we get this omnibus bill done or funding altogether will be eliminated. I say it is time we move forward. This has been an important matter, the fact that we received unanimous support on this effort back a few months ago.

Jim Talent, who came up with the idea, thought we ought to pursue these matters. I thought it was a worthy one. That is why I joined him in it. On a bipartisan basis, we stepped forward. It would be unfortunate at this hour to take this omnibus bill, which has resources to do that, to reject this and obviously send the whole matter into conference, which would delay the funding that is appropriated in this bill.

With that, I respectfully say to my friend from Oklahoma that I appreciate his support of the underlying concept and bill, that we pursue these matters of unsolved civil rights cases. I welcome his participation in that. I strongly urge my colleagues respectfully to reject the amendment so we can move forward and provide the funding necessary for the bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, first, I regret the inference that my obstruction to this bill was anything other than financial. To me it is a fairly low blow to imply, by the chairman of the Judiciary Committee, that I had a motivation other than financial. I am known in this body for trying to make us more efficient and to save money.

The second thing is it is laughable to call it an earmark. It is authorized. That is what we passed last year. It is authorized. It is authorized by 100 Senators. The commitment that was made was that we would fund it.

One of my negotiations for finally agreeing is that if you are going to do this and you are going to authorize it at \$15 million a year, you ought to at least fund it since the very statements were that we didn't have the money within the Justice Department to do

this the way the Justice Department was funded.

There is not one mention of this bill in either the report language or the text of the bill related to this particular act. So what we see is cover.

I truly wish to see us solve all these. But the game that is being played today is somebody forgot to fund it.

The final point I will make before my time runs out is that if this gets added, we are not going to not fund this. This bill is still going to pass, we are still going to do the hard work, and we are still going to fund the agencies. To imply otherwise is disingenuous.

This amendment was put up in a sincere effort to keep a commitment to Alvin Sykes, not to create mischief, not to be a bill killer, but to create a commitment. The last thing I told Alvin Sykes: You got it authorized. Your problem is going to be getting it funded. He was assured by the office of Senator DODD and others that it would be funded. And what do you know, the bill comes through and it is not funded. I don't know if it was a mistake. Just say it was a mistake and we will take care of it in the next bill. But to deny the fact we made a commitment and now are not keeping it and assign all sorts of motives different than what they are is pretty distasteful, I would say.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I was going back over the notes of what I said. I don't find anything where I ascribe any motives to the Senator from Oklahoma. I am shocked that he thought I had. If there is any implication in the record that I was ascribing motive to my friend and valued member of the Senate Judiciary Committee, it certainly was not intended. I did, however, relate the fact that he held up the bill for some considerable period of time. That is a fact. That is in the RECORD. That is known. I will let him explain why he held it up. I ascribe no motives. In fact, in my 36 years in the Senate, I have not ascribed motives to any colleague of mine, even if he or she placed a hold on a bill. I am not about to start now. The fact is, the Senator from Oklahoma did place a hold on the important Emmett Till bill. The fact is, the full Senate did pass it over his objection. The fact is, we do have a letter from Eric Holder, the Attorney General, promising that his Justice Department has already, and will continue, to commit its resources towards prosecuting civil rights era cold cases. The fact is, the money we want to have is already in the bill we consider today. And the fact is, we have to pass this bill with the appropriations in here, including for the Department of Justice, so we can move forward as a nation. We must ensure that the Emmett Till bill is more than simply a statute. It must also be an answer to the hopes of all Americans that justice might finally occur in

so many of the unsolved civil rights cases.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from Eric Holder.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ATTORNEY GENERAL,  
Washington, DC, March 3, 2009.

Hon. BARBARA MIKULSKI,  
Chairwoman, Subcommittee on Commerce, Justice, Science and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MADAM CHAIRWOMAN: The Department of Justice wholeheartedly supports the goals of the Emmett Till Unsolved Civil Rights Crime Act. The racially-motivated murders from the civil rights era constitute some of the greatest blemishes upon our history.

The Department is working in partnership with the National Association for the Advancement of Colored People, the Southern Poverty Law Center, and the National Urban League to investigate the unsolved racially-motivated violent crimes committed more than 40 years ago. The FBI has prioritized the top dozen of these cases, though there are more than 100 unsolved murder cases from the civil rights era under review by the FBI.

You have my personal commitment that the Department will continue to pursue these serious crimes in those matters in which the law and the facts would permit effective law enforcement action. We will continue to use our resources and expertise to identify and locate those responsible for these crimes and prosecute them whenever possible, consistent with the Principles of Federal Prosecution.

Sincerely,

ERIC H. HOLDER, Jr.

Mr. LEAHY. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 20 seconds remaining.

Mr. LEAHY. Mr. President, I withhold the remainder of my time.

The PRESIDING OFFICER (Mr. BURRIS). The Senator from Oklahoma.

Mr. COBURN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There is 4½ minutes remaining.

Mr. COBURN. I thank the Chair.

You know, it is interesting, when I hold bills it is hardly ever on policy. Every one of you got a letter from me—everybody in this body—which said I will oppose all new legislation if you are spending new money unless you decrease authorization somewhere else. The American people get that.

You can't keep growing the government and promising we will do things. So we are seeing it wrung out—the true operations of the Senate—because what we are doing is promising something, but when it comes down to dividing the pie, we don't have the money. So instead of recalling our press releases, we don't fund them. We don't keep our commitments.

No wonder the American people don't trust Congress. We play games. We manipulate. This is something that should have had, and was committed to having, a line item in the appropriations bill to make sure this money funds what is necessary on a timely basis.

The letter the chairman of the Judiciary just submitted for the RECORD has already been submitted for the RECORD. It was submitted this morning. But it is ironic that the very argument I used in trying to get them to offset this bill last year is the very argument they are using now to say we don't need to have a line item in the appropriations bill for it. It wasn't a good enough argument last year, but it is a good enough argument now that you don't want to fund this directly.

This is a matter of timing. We ought to put the money in this on a timely basis to make sure we solve these crimes. The witnesses are dying and the information is going away. Justice denied comes about because we are delaying justice. Regardless of the good intentions of the Attorney General, we can force them to spend this money in that way, and the way to do that is to put a line item in the bill.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. Mr. President, there is very little time left to the Senator from Vermont. I serve on both the Appropriations Committee and also as Chairman of the Senate Judiciary Committee, the committee that has oversight over the Department of Justice. The amendment of the Senator from Oklahoma to fund the Emmett Till bill is unnecessary and would kill the overall appropriations. I will oppose it.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Oklahoma.

Mr. COBURN. Mr. President, this amendment would not kill this bill. What it will do is, it will go back to the House, and they will have to agree to it. Everybody knows that. We have known this day was coming for a long time. Whatever the outcome, the fact is, those commitments weren't kept. We didn't do what we told the very people who worked very hard to accomplish this we would do, and it sheds a light on our body that should not be there.

Mr. President, I yield back the remainder of my time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the Coburn amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nebraska (Mr. JOHANNES) and the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 58, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—37

Alexander	Crapo	McCain
Barrasso	DeMint	McCaskill
Bennett	Ensign	McConnell
Bond	Enzi	Risch
Brownback	Graham	Roberts
Bunning	Grassley	Shelby
Burr	Hatch	Specter
Chambliss	Hutchison	Thune
Coburn	Inhofe	Vitter
Cochran	Isakson	Voivovich
Collins	Kyl	Wicker
Corker	Lugar	
Cornyn	Martinez	

NAYS—58

Akaka	Gregg	Nelson (FL)
Baucus	Hagan	Nelson (NE)
Bayh	Harkin	Pryor
Begich	Inouye	Reed
Bennet	Johnson	Reid
Bingaman	Kaufman	Rockefeller
Boxer	Kerry	Sanders
Brown	Klobuchar	Schumer
Burr	Kohl	Shaheen
Byrd	Landrieu	Snowe
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Lieberman	Udall (NM)
Dodd	Lincoln	Warner
Dorgan	Menendez	Webb
Durbin	Merkley	Whitehouse
Feingold	Mikulski	Wyden
Feinstein	Murkowski	
Gillibrand	Murray	

NOT VOTING—4

Conrad	Kennedy
Johanns	Sessions

The amendment (No. 608) was rejected.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was not agreed to.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. We have a couple more amendments offered by the Senator from Oklahoma that we are going to try to dispose of this evening. It is my wish that we could do that about 5:30 this afternoon. So people who wish to speak on the remaining two Coburn amendments should come and do that.

We do not have an agreement yet to that effect, but we are sure going to try to get to that. As everybody knows, there is an event at the White House that Senator MCCONNELL and the chairmen and ranking members have been invited to attend. We are going to do that. We are going to move through as many of these amendments as we can tonight. I would like to only get those two amendments voted on.

That means we have three that have already been filed, so we are going to come in early in the morning and start working on those. It is my understanding that there are a number of other amendments people want to offer. But I should alert everyone, we are kind of winding down. We have tomorrow to work on this. But I would hope everyone would understand we have been through a lot of amendments, with no prerequisites as to what they are, and I think that unless something untoward happens, I am going to

file cloture on this tonight for a Friday morning cloture vote.

We will have to see at that time how many amendments we can dispose of tomorrow to see what the temperature of the body is. It would certainly be possible, with a consent agreement, that we can dispose of this tomorrow. But it is up to the Senators as to what they want to do. As I have indicated, the CR expires on Friday. So we have to do something. I have told people this, but so there is no misunderstanding, I have spoken, in fact with the Speaker last night, had a meeting with her about 4:30 in the afternoon. She said: We have put our Members through a lot over here on this appropriations bill. I am not going to put them through any more. If there are any amendments, we are going to do a CR for the rest of the year.

But the information I have given the Senate is nothing new. I said that earlier this week. So we have had good debate on all these amendments. I hope it continues.

AMENDMENTS NOS. 607 AND 635

Mr. KYL. Mr. President, while the leader is still here, I ask unanimous consent that the Thune amendment No. 635, and the Wicker amendment No. 607 be modified with the changes that are at the desk.

Mrs. BOXER. Reserving the right to object, I have not seen those modifications.

Now I am being told they are very minor. In that case I will not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 607 and 635), as modified, are as follows:

AMENDMENT NO. 607

On page 927, strike line 14 and all that follows through page 929, line 20, and insert the following:

(b) AVAILABILITY OF FUNDS.—Funds appropriated under the heading “International Organizations and Programs” in this Act that are available for UNFPA and are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the “Global Health and Child Survival” account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under “International Organizations and Programs” may be made available for the UNFPA for a country program in the People’s Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under “International Organizations and Programs” for fiscal year 2009 for the UNFPA may not be made available to UNFPA unless—

(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.

(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR WITHHOLDING OF FUNDS.—

(1) IN GENERAL.—Not later than 4 months after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives indicating the amount of funds that the UNFPA is budgeting for the year in which the report is submitted for a country program in the People’s Republic of China.

(2) DEDUCTION.—If a report submitted under paragraph (1) indicates that the UNFPA plans to spend funds for a country program in the People’s Republic of China in the year covered by the report, the amount of such funds that the UNFPA plans to spend in the People’s Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the President to deny funds to any organization by reason of the application of another provision of this Act or any other provision of law.

AMENDMENT NO. 635

On page 458, after line 25, insert the following:

EMERGENCY FUND FOR INDIAN SAFETY AND HEALTH

For deposit in the Emergency Fund for Indian Safety and Health established by subsection (a) of section 601 of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (25 U.S.C. 443c), for use by the Attorney General, the Secretary of Health and Human Services, and the Secretary of the Interior in accordance with that section, \$400,000,000, to be derived by transfer of an equal percentage from each other program and project for which funds are made available by this Act, notwithstanding the limitation contained in section 3: *Provided*, That, not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report regarding the transfer.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, in deference to the majority leader’s request, I will not ask that amendment No. 635—

Mr. REID. Would my friend withhold for a unanimous consent request?

Mr. KYL. I will.

Mr. REID. Mr. President, I ask unanimous consent that the votes in relation to the Coburn amendments Nos. 610 and 623 occur at 5:35 p.m. today with no amendments in order to either amendment prior to a vote; and that the votes occur in the order listed with 2 minutes of debate equally divided prior to the second vote; and that the second vote be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object, I will not object, but I would like to make an inquiry, if I could, of the majority. I have been trying to get up a noncontroversial amendment for a long period of time. It is one that has actually been on this legislation since 1996, supported by Democrats and Republicans. I have to have an opportunity to get this thing up.

Mr. REID. Mr. President, I indicated to the Republican floor staff that that is one amendment we are aware is going to be offered. We hope to be able to start offering those as soon as we finish the votes this evening—at least yours and maybe a couple others we will consider, the one amendment Senator KYL is going to speak on now.

I asked Senator KERRY, the chairman of the committee, to take a look at it before we make an agreement on it, but yours is one we are aware of. We understand it. We are ready. I would only say to my friend from Oklahoma, I do not know what word you used—noncontroversial or whatever it is—that is in the eye of the beholder.

Mr. INHOFE. That is also in the eye of the majority of Democrats and Republicans in the last 17 years.

Mr. REID. But the majority has changed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, I was going to offer for consideration my amendment No. 634, but I will do that after the second vote at the request of the majority leader. Let me take a couple minutes right now to explain what this amendment is.

During the Presidential campaign, President Obama said:

If we can impose the kinds of sanctions that, say, for example, Iran right now imports gasoline, even though it’s an oil-producer, because its oil infrastructure has broken down, if we can prevent them from importing the gasoline that they need and the refined petroleum products, that starts changing their cost-benefit analysis. That starts putting the squeeze on them.

Indeed, I think the President is exactly right about that. I know of no disagreement with that proposition. I also think there would be no disagreement with the proposition that U.S. taxpayers should not be supporting Iran’s energy sector. As a result, I have offered or I will be offering this amendment No. 634 that does exactly that. It says very simply: That none of the funds made available in this appropriations legislation, can go to companies helping Iran either import or export energy or energy-related goods.

It also does give the President the authority to waive the provision if he deems it necessary for a valid national security reason.

Two quick points for colleagues who may say: Well, of course, we are not going to allow any of this money to go to companies that provide this kind of relief to Iran’s energy sector. I would note two examples. Senator LIEBERMAN and I sent a letter to the Export-Import Bank last October because the bank gave \$900 million to loan guarantees to a company that was exporting gasoline to Iran. When we asked the bank whether it thought the taxpayers should be funding those kinds of benefits to Iran, one of the points raised in the response to me, one that was, by the way, rather indirect in answering the question I asked was:

The Ex-Im Bank generally is prohibited from taking foreign policy determinations

into account when making credit decisions pursuant to its Charter.

Well, of course, those are the kinds of considerations the American taxpayers would want to be taken into account. I would also note, on Monday, the Wall Street Journal noted that several of our colleagues from the other body wrote to the Secretary of Energy concerning a purchase of crude oil from another company doing business in Iran's energy sector. In this case, the company is named Vitol, a Netherlands trading firm that was fined \$17.5 million after a jury convicted the company for criminal misdeeds related to the oil-for-food scandal.

Obviously, the U.S. Government should not be doing business with a company such as that.

Mr. President, I ask unanimous consent that a piece from the American Foreign Policy Council by Orde Kittrrie and carried, I believe, in the Wall Street Journal, be printed in the RECORD at the end of my comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. I would hope when my colleagues have an opportunity to vote on this amendment, they will agree that ensuring the appropriate use of American taxpayer money is important, it is one of our obligations. We agree with the President that is the kind of thing we can do to put some pressure on Iran, and as a result, we should not be sending our money to companies that would be supporting the energy sector in Iran.

I appreciate my colleagues' consideration of the amendment when we have an opportunity to offer it, debate it, and vote on it.

#### EXHIBIT 1

[From the Wall Street Journal, Nov. 13, 2008]

#### HOW TO PUT THE SQUEEZE ON IRAN

CUTTING OFF ITS GASOLINE IMPORTS MAY BE THE ONLY PEACEFUL WAY TO GET TEHRAN TO ABANDON ITS NUCLEAR WEAPONS PROGRAM

(By Orde F. Kittrrie)

If Barack Obama is to persuade Iran to negotiate away its illegal nuclear weapons program, he will first need to generate more leverage than what the Bush administration is leaving him with. The current U.N. sanctions have proven too weak to dissuade Tehran's leaders, and Russia and China seem determined to keep those sanctions weak. Meanwhile, the regime continues to insist there are no incentives in exchange for which it would halt or even limit its nuclear work.

However, Tehran has an economic Achilles' heel—its extraordinarily heavy dependence on imported gasoline. This dependence could be used by the United States to peacefully create decisive leverage over the Islamic Republic.

Iranian oil wells produce far more petroleum (crude oil) than Iran needs. Yet, remarkably for a country investing so much in nuclear power, Iran has not developed sufficient capacity to refine that crude oil into gasoline and diesel fuel. As a result, it must import some 40% of the gasoline it needs for internal consumption.

In recent months, Iran has, according to the respected trade publication International Oil Daily and other sources including the U.S. government, purchased nearly

all of this gasoline from just five companies, four of them European: the Swiss firm Vitol; the Swiss/Dutch firm Trafigura; the French firm Total; British Petroleum; and one Indian company, Reliance Industries. If these companies stopped supplying Iran, the Iranians could replace only some of what they needed from other suppliers—and at a significantly higher price. Neither Russia nor China could serve as alternative suppliers. Both are themselves also heavily dependent on imports of the type of gasoline Iran needs.

Were these companies to stop supplying gasoline to Iran, the world-wide price of oil would be unaffected—the companies would simply sell to other buyers. But the impact on Iran would be substantial.

When Tehran attempted to ration gasoline during the summer of 2007, violent protests forced the regime to back down. Cutting off gasoline sales to Iran, or even a significant reduction, could have an even more dramatic effect.

In Congress, there is already bipartisan support for peacefully cutting off gasoline sales to Iran until it stops its illicit nuclear activities. Barack Obama, John McCain and the House of Representatives have all declared their support.

On June 4 of this year, for example, Sen. Obama said at a speech in Washington, D.C.: "We should work with Europe, Japan and the Gulf states to find every avenue outside the U.N. to isolate the Iranian regime—from cutting off loan guarantees and expanding financial sanctions, to banning the export of refined petroleum to Iran."

He repeated this sentiment during the presidential candidates' debate on Oct. 7: "Iran right now imports gasoline . . . if we can prevent them from importing the gasoline that they need . . . that starts changing their cost-benefit analysis. That starts putting the squeeze on them."

How do we stop the gasoline from flowing? The Bush administration has reportedly never asked the Swiss, Dutch, French, British or Indian governments to stop gasoline sales to Iran by the companies headquartered within their borders. An Obama administration should make this request, and do the same with other governments if other companies try to sell gasoline to Iran.

But the U.S. also has significant direct leverage over the companies that currently supply most of Iran's imported gasoline.

Consider India's Reliance Industries which, according to International Oil Daily, "re-emerged as a major supplier of gasoline to Iran" in July after taking a break for several months. It "delivered three cargoes of gasoline totaling around 100,000 tons to Iran's Mideast Gulf port of Bandar Abbas from its giant Jamnagar refinery in India's western province of Gujarat." Reliance reportedly "entered into a new arrangement with National Iranian Oil Co. (NIOC) under which it will supply around . . . three 35,000-ton cargoes a month, from its giant Jamnagar refinery." One hundred thousand tons represents some 10% of Iran's total monthly gasoline needs.

The Jamnagar refinery is heavily supported by U.S. taxpayer dollars. In May 2007, the U.S. Export-Import Bank, a government agency that assists in financing the export of U.S. goods and services, announced a \$500 million loan guarantee to help finance expansion of the Jamnagar refinery. On Aug. 28, 2008, Ex-Im announced a new \$400 million long-term loan guarantee for Reliance, including additional financing of work at the Jamnagar refinery.

Or consider the Swiss firm Vitol. According to International Oil Daily, Vitol "over the past few years has accounted for around 60% of the gasoline shipped to Iran." Vitol is

currently building a \$100 million terminal in Port Canaveral, Florida.

Last year, when Minnesota Gov. Tim Pawlenty discovered that an Indian company, Essar, was seeking to both invest some \$1.6 billion in Minnesota and invest over \$5 billion in building a refinery in Iran, he put Essar to a choice. Mr. Pawlenty threatened to block state infrastructure subsidies and perhaps even construction permits for the Minnesota purchase unless Essar withdrew from the Iranian investment. Essar promptly withdrew from the Iranian investment.

Florida officials could consider taking a similar stance with Vitol.

The Minnesota example is not the only precedent. U.S. outreach to foreign banks and to oil companies considering investing in Iran's energy sector has reportedly convinced more than 80 banks and several major potential oil-field investors to cease all or some of their business with Iran. Among them: Germany's two largest banks (Deutsche Bank and Commerzbank), London-based HSBC, Credit Suisse, Norwegian energy company StatoilHydro, and Royal Dutch Shell.

A sustained initiative may be able to convince most or all current and potential suppliers that the profits to be gained from continuing to sell gasoline to Iran will be dwarfed by the lost loan guarantees and subsidies and foregone profits they will incur in the U.S. from continuing to do business with Iran.

Last Sunday, a group of 60 Iranian economists called for the regime to drastically change course, saying that President Mahmoud Ahmadinejad's "tension-creating" foreign policy has "scared off foreign investment and inflicted heavy damage on the economy." The economists said the current sanctions, as weak as they are, have cost Iran billions of dollars by forcing it to use middlemen for exports and imports. Halting Iran's gasoline supply could contribute to reaching a tipping point—at which economic pressures and protests convince the regime its illicit nuclear program poses too great a risk to its grip over the Iranian people.

If the federal and key state governments in the U.S. were to make it their goal to achieve a halt by companies selling gasoline to Iran, it could be a game-changer. It may be our best remaining hope for peacefully convincing Iran to desist from developing nuclear weapons.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I rise this evening to address criticism that has been raised by some of our Republican colleagues about the Omnibus appropriations bill that is before us today. As I have talked about repeatedly, this bill that is in front of us now is very critical. At the end of this week, a few days from now, the continuing resolution we have been operating under is going to expire. At that time, the Government will shut down if we do not take action.

This bill we are talking about keeps the Government running at a time when we desperately need Federal employees on the job working to help our economy recover. Our communities are counting on the money and the work in this bill. This bill fulfills the commitment we made to our communities back in June and July, when we marked up these appropriations bills. It ensures that the basic needs of Government, from housing to law enforcement, to transportation safety are met



and that our agencies keep up with inflation.

I have come to the floor because some of my colleagues on the other side of the aisle have been raising questions about the 1 percent of funding in this bill that they call earmarks. I wish to spend a minute talking about that 1 percent of this funding.

The fact is, this is money that is being directed to critical needs in our communities, projects that our local leaders say they badly need so they can keep people safe or help them fund housing or ensure that local businesses stay strong.

Opposing that money means opposing new jobs, updating infrastructure and economic opportunity in local communities, including many in my home State at a time when communities across this country need all the help they can get to recover from this economic crisis. For example, this bill includes \$3 million to help widen a very dangerous stretch of road between Walla Walla and Pasco in my home State of Washington.

Now, in the last 18 years, there have been over 1,000 accidents on that stretch of highway. Over 400 people have been hurt and more than 30 people have died. It is so dangerous a stretch of highway that local officials formed a coalition just to fight for funding to widen that highway. I have been very proud to work with them to help make their community safe. The sooner we can get that highway fixed the better.

This bill also includes \$3 million to reimburse communities in Washington State for some of the cost of protecting our northern border. Now, most of the communities on our northern border are very small. But they bear the large burden of protecting our Nation from international criminals, including drug dealers and potential terrorists, and jailing international fugitives.

In fact, in Whatcom County, in the northern part of my State of Washington, they spend about \$2 million from their general fund, from the county's general fund, every year to process these border-related criminal cases. They shoulder, this poor little county, an unfair burden in return for keeping all of us safe.

Those police and sheriffs along the border have made it clear to me that they need help. I was glad to work in this bill to help ensure that the Federal Government, us, is stepping up to support that local county.

This bill includes over \$700,000 to build 83 studio apartments for chronically homeless and mentally ill people in Seattle, with at least a third of the space designated for homeless veterans. Because of this housing money, they are going to have a stable place to live. It will prevent some of the most vulnerable people in our community from falling through the cracks and allow them the chance to focus on getting treatment and rebuilding their lives.

Cascade Supportive Housing is a key part of King County's 10-year plan to

end homelessness. Not only will this money help the people who live there, it will take a burden off the social safety net and ultimately save all of us money in services we would have had to provide. So like all of the projects listed, this might not have gotten Federal support if that community had not come to me as their Senator and if I had not been able to work hard, as my job is, to secure money in this appropriations bill. I am proud I can include funding for programs that help my constituents.

We have heard these projects called insulting and wasteful. Tell that to the commuters in Walla Walla. Tell that to the families trying to keep their homes in Seattle. Tell that to law enforcement personnel in Bellingham in Whatcom County.

Washington State is 2,500 miles away from this Nation's Capitol. When I come to DC, it is my responsibility to fight for my home State. I don't want to leave the decisions about what is best for Washington up to a bureaucrat in an agency who has never been to or even heard of Walla Walla or Pasco or Blaine, who has no idea who the people in those communities are or what their needs are. The Founders of our Constitution didn't want that either. In fact, our Nation's Founders made it clear that the administration has no right to spend money without congressional approval. They believed the people, through their representatives—and that is all of us—should make those decisions. Without congressionally directed spending, the President would have unprecedented power to determine where all of our taxpayer dollars are spent.

It is easy for critics to pull out projects that may sound funny to them or make an easy cable news story. They do this and then try to paint every bit of congressionally directed spending with one brush. I reject those efforts. I reject the notion that each and every bit of spending we direct is correct or wasteful. My constituents do too.

Additionally, unlike the pictures some of my colleagues are trying to paint, none of this spending is secret. Last Congress, Democrats led the most sweeping ethics and earmark reform in history. This year, the Appropriations Committees in both the House and Senate went out of their way to voluntarily bring that transparency to a new level. Last year, we reduced earmark spending by 43 percent. After President Obama won in November, we then went back and cut it by 5 percent more. Each and every earmark in this bill now has a name attached to it. Anyone who wants to can go online and find out who is asking for money and for what. That is the accountability and the transparency our constituents deserve and we have provided.

Secondly, Democrats are not the only ones directing money in this bill. Nearly half of the earmarks Republicans object to were inserted by Re-

publicans themselves. This bill directs \$475,000 to build an emergency shelter at a Women's Bay in Alaska; \$475,000 to Harbor Homes in Nashua, NH, to build housing for honorably discharged homeless veterans; \$475,000 for the construction of a residential substance abuse treatment center for women and their children in Sioux Falls, SD; \$617,000 for a new building for the Houston food bank in Houston, TX; and \$190,000 to build low-income housing in New Orleans. These and dozens of other projects are going to help families who are hungry or veterans who are homeless. They will enable parents to get access to high-quality childcare and families to find safe, affordable housing. They are good projects, and I am sure the Republican Senators who put them in these bills did so because they know this money will make a real difference for people in their communities. They know that if they didn't fight for funding in this bill, it is going to be up to some DC bureaucrat who might not know that the Houston food bank needs a new roof or that there is a real need for an emergency shelter at Women's Bay, AK. All of these create jobs. They direct money to vital infrastructure needs. They help strengthen communities for the future.

Senators who oppose this bill say it is full of waste. I doubt any of the Senators who asked for this money would say their project was money gone to waste. I bet neither would the communities that need the money to help shelter families or support businesses or keep people safe.

The point is, just as I don't expect a Senator from Oklahoma or Arizona to know the needs of Walla Walla or Bellingham, I don't want to tell another Senator that I know their State better than they. We have huge needs in this country today. We cannot afford to tie this bill up any longer on petty, baseless arguments. We cannot afford to risk shutting down the Government at the end of the day.

I urge colleagues, let's get this bill passed. Let's move forward. Let's get to work addressing the real problems Americans face every day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, I ask permission to speak as chairman of the Senate Committee on Appropriations Defense Subcommittee. I realize the Defense bill is not part of this package, but I have become quite concerned with the debate because I am certain many of my fellow Americans are now reaching the conclusion that earmarks are evil, that it is a waste, the money is down the drain.

I would like to share with my colleagues and refresh their memory as to what some of the funds have been spent for. This may come as a surprise to many Americans, but breast cancer research is in the Defense bill. It is an earmark. The National Institutes of Health has just declared that the finest

research on breast cancer is that program. That is an earmark because no one wanted to put in money for breast cancer. Now it is becoming the fad of the Nation. It is popular. But it took an earmark to begin that program. We have spent millions of dollars.

Then we have an aircraft called the C-17. It is now the most productive and the best working aircraft we have to carry cargo and personnel. Then we have the F-22, a fighter plane that requires a landing space just about the size of this room. I am citing these because these have shortened a war in Iraq. There is also the Predator, the unmanned vehicle. We send a plane out with no pilot, but it sends back signals and photographs, makes it possible for the men and women on the field to know what is on the other side of the mountain. That is an earmark. It did not come out of the mind of the President of the United States or from the Defense Department. It came from the minds of the members of the committee. I dare anyone to suggest that these are evil products. It has helped to shorten the war. It has helped to save lives. It will bring back the brave and courageous men and women from Iraq.

Yes, there are many more I can cite. But I think these few should remind us that earmarks are not evil.

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. McCAIN. 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. McCAIN. Mr. President, the Coburn amendment concerning the removal of line item appropriations from the bill that were sponsored by a group called PMA is pending before the Senate. I think it would be of interest to my colleagues to have some additional information about this organization.

I have mentioned before this organization's offices were raided in November in connection with an FBI investigation into its campaign contribution practices. According to multiple news accounts, the Associated Press reported Tuesday that the home of the founder of the PMA group, former House appropriations aide Paul Magliochetti, was also raided. Also, by doing some cursory research, we became aware that CQ reported last week that 104 Members of the House sponsored or cosponsored earmarks for clients of the PMA group in a single bill—the fiscal 2008 Defense appropriations bill. That set of lawmakers got \$1.8 million in campaign contributions from the PMA group and its employees between 2001 and 2008. I also pointed out earlier today there was a Washington Post story as well as others reporting that there are campaign contributors who are listed as being contributors who have no knowledge, nor

have ever been involved, in making campaign contributions.

I also noted that the payment for inserting the 14 appropriations—the 14 projects—in this bill to PMA Group comes to a total of \$2.185 million. That is not a bad business for 1 year, to get paid \$2.185, nearly \$2.2 million of the taxpayers money—for getting porkbarrel projects inserted in appropriations bills. It is another reason why we should take these projects out. Many of these projects have been going on for some time and have been receiving very large amounts of Federal dollars for a long period of time. Most of them are doing the business that could be done by the National Science Foundation or done by the Department of Defense in competitive bidding, and many other ways that funding for these various companies and projects could have been implemented. Instead, they were inserted in an appropriations bill without authorization, without hearings, and without scrutiny. It is a very large amount of money—over \$10 million which is being appropriated—and I am sure the payment to that lobbying group comes out of the money they are able to secure through this process.

So a cursory examination of the 14 projects identified revealed over \$2 million paid to PMA as a fee for their services of a lobbying group that secured the earmarks. I think it is another reason why the Coburn amendment should be adopted. If the Coburn amendment is not adopted, then clearly, it is not only business as usual in Washington, but it indicates without a doubt that even if the FBI raids your headquarters, even if the home of the head of the lobbying group is raided by the FBI, your projects will still be inserted into appropriations bills without authorization, without scrutiny, and without competition.

This is a very important vote that is coming up. It is only—when I say “only”—\$10 million, but this organization, PMA, has been able to secure hundreds of millions of dollars over the years for various entities. If we go ahead and do not remove these projects, then it is not only business as usual in Washington, it has hit a new low.

I wish to thank the Senator from Oklahoma for his courage. I am aware, as he is, that it is not the most popular thing to do, to come to the floor and try to eliminate these projects and help work to reform the system that is obviously badly broken.

I note the presence of the majority leader on the floor. I did note his quote today where he said that the amendment is “a nice try, but there’s no lobbying organization I know of that is earmarked.”

Well, they are identified in the bill as according to the legislation or rule we passed last year. It may be a nice try, but I want to assure the majority leader that as long as I am here, I will come to this floor and I will go to the

American people and try to stop this terrible waste of their tax dollars at a time when Americans are experiencing the most difficult of times.

With that, I thank the Senator from Oklahoma again for his courage and his hard work.

I yield the floor.

Mr. COBURN. Mr. President, could I inquire of the Chair what the order of business is now?

The PRESIDING OFFICER (Mr. SCHUMER). Votes are scheduled to begin at 5:35.

Mr. COBURN. Do we have any arrangement for the division of time?

The PRESIDING OFFICER. No, there is no such arrangement.

Mr. COBURN. I ask unanimous consent to be recognized and to share that time with anybody in opposition.

Mr. REID. Mr. President, I think the only speakers left are Dr. Coburn and myself, so he can go ahead and use any time he wants and if he goes over, I can use my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, this amendment is straightforward. There is an alleged significant violation of Federal law associated with the firm that was responsible for lobbying for the insertion of these 13 earmarks. I have not said anything about the quality of these earmarks. I have not said anything about the individuals who actually placed them. What I ask my colleagues is, in light of where we are today, should we not back off and say these should be stricken from the bill at this time until that situation is clarified?

It is prudent from a couple of standpoints. The investigation is rolling forward. We have had private residences now searched by the FBI, computers taken, and information pulled under subpoenas and search warrants issued by Federal courts. Do we want to be in the midst of passing things that were connected with what appears to be and is alleged to be improper behavior both in terms of the source of the funds, the payment of campaign funds, and the lobbying efforts on behalf of these firms?

I cast no aspersion on the firms or the entities that are getting this, nor on the individuals who have placed these earmarks. But I can tell my colleagues the American people are not going to be happy if we don't recognize that maybe there is a checkpoint here where we ought to reconsider what we are doing in light of the developing situation around this firm. If we go forward and assume there will be prosecutions and convictions, we find ourselves in a very uncomfortable position of having encouraged it. We also send a signal to other individual lobbying firms that there isn't a standard of behavior to which we will not respond to their lobbying efforts.

I ask my colleagues to take a look at this not as Members of the Senate but as individual citizens outside of the

Senate in the country, as others look at us and say, What are you doing?

Is there not a point in time—again, I make the point that the Senator from Arizona made that it would be totally different if these were authorized earmarks, but they are not. They went through the Appropriations Committee, not the authorizing committees. They have never been judged by a group of our peers. They weren't voted on; they were inserted. We raise the specter of whether we can be trustworthy in front of the American people. We need to work to regain their trust.

I will not say any more. This will speak a lot about our body and what the American people say. I understand the votes are lining up. I understand that. But I will assure you that I will keep coming to the floor on earmarks—not because I am against earmarks. If you authorize an earmark, I will give you your right to do whatever you want to do. On unauthorized earmarks that aren't vetted and are put out in front of the rest of the Congress and the rest of the individuals on committees to have a vote on whether they are a priority, I am going to keep raising that issue. I am sorry if that is irritating, but that is the way it is going to be.

Mr. President, Senator BOXER defended an earmark she sponsored that I have singled out as an example of misplaced priorities.

The Boxer earmark, which is one of nearly 9,000 tucked into this bill, is listed on page 100 of the bill's report and is described only as \$475,000 "for improvements to the Orange County Great Park" from the Economic Development Initiatives to "Orange County Great Park Corporation, CA."

Nothing more is stated as to the purpose or intent of this earmark.

Senator BOXER claimed that my criticism of this earmark was an insult to veterans in her state. This is apparently because the unwritten and unspecified intention of the earmark according to her statement is to restore the El Toro Marine Corps Air Station Hangar Number 244 into a history museum and welcoming center.

The reality is this type of legislating without transparency is an insult to all taxpayers.

With nearly 9,000 earmarks in this bill described with nothing more than a few words or a single vague phrase, it is next to impossible for anyone other than the Senators and lobbyists who requested these earmarks to know the real intent of how billions of dollars in taxpayer dollars are intended to be spent.

As I found from statements made by the Senator from California and the Great Park's own Website, the Great Park "will be larger than New York's Central Park and San Francisco's Golden Gate Park COMBINED."

This municipal park is expected to cost \$1.1 billion. Its main attraction is a massive helium balloon operated by

two pilots with six-figure salaries. According to the Orange County Great Park Corporation Website, "The Orange County Great Park Plan will provide a wide array of active and passive uses, including a 2.5 mile canyon and lake, miles of walking and biking trails, a cultural terrace, Orange County's largest sports park, a botanical garden, and a tethered helium observation balloon that will be an icon for the Great Park. More than 3,885 of the 4,700 acres will be dedicated to open space, education, and other public uses."

As found by the Los Angeles Times, the Great Park also includes a \$300,000 tent designed to resemble an airplane hangar that costs \$75,000 a year to clean; a four-person visitor center crew hired under a \$370,000 annual contract; a series of orange dots painted along the park's entrance road at a cost of \$14,000.

Additional costs have included \$838,000 to build a road to the balloon, plant citrus trees and buy a \$300,000 special 50-by-50-foot tent that will serve as the visitor center, \$380,000 a year for two balloon pilots, a hostess and maintenance, \$100,000 a year for a balloon replacement fund, \$94,000 a year for portable restrooms, \$52,000 annually for security between 1 and 5 a.m., and \$30,000 a year for trash removal.

This appropriation of almost half a million dollars could have gone to any of these initiatives none of which sound like true national priorities.

Local county officials were, in fact, outraged with what local funds were being appropriated for. The bulk of the first \$52 million the city spent on this project went to hire a team of dozens of design, engineering and public relations consultants, to build the balloon ride and to pay administrative staff.

"To have nothing more than a balloon and the possibility of a 27-acre park is disappointing," said county Supervisor Bill Campbel, "They're spending a lot on engineers, PR people and other things, and they're not delivering."

State Assemblyman Todd Spitzer—a Republican from Orange County—also criticized the city for not building recreation facilities that could be used by the public, while wasting money on "a ridiculous, oversized balloon and free rides."

With a state-wide unemployment rate at over 10 percent and almost 2 million unemployed, Californians may also prefer these funds to be spent on other more pressing priorities.

While we all want to honor the great sacrifices or our veterans, I do not believe this earmark is a national priority, especially in light of the poor local spending decisions made in the past on this ambitious municipal park project. Perhaps this money and the billions spent on the other pork projects in this bill could have been better spent on veterans health care or survivor benefits for the spouses and families of those who lost their lives fighting for our great Nation.

Ms. SNOWE. Mr. President, I rise in opposition to the Coburn amendment No. 610, which will eliminate, among other appropriations requests one that my colleague from Maine, Senator COLLINS, and I had submitted that would help preserve and rehabilitate historic lighthouses along the Maine coast.

At a time when our economy continues to cascade downward with unemployment at record highs, I do believe it is critical to scrutinize the size and scope of spending measures which is frankly what we did in regard to the recently enacted stimulus package—so I understand the impetus behind my colleague's amendment. At the same time, regrettably, his amendment would potentially harm not only the existence of an historic emblem of my State and our Nation, but also a key economic catalyst for tourism that is part and parcel of my home State and the livelihood of many of her citizens.

Each lighthouse tells a different story and each one is as integral to the history and narrative of our State as the magnificent landscapes on which they proudly stand. That is why, in 1995, I introduced a bill that would later become law to establish the Maine Lights Program. We succeeded in preserving this significant component of American heritage through collaboration among the Federal Government, the State of Maine, local communities, and private organizations, while at the same time, relieving what had become a costly strain on the U.S. Coast Guard.

Across the country, responsibility for the care of our lighthouses has been assumed by nonprofit historic societies—many of which are struggling in these uncertain economic times. That is why this bill would appropriate \$380,000 to the American Lighthouse Foundation, stewards of 11 of Maine's 83 historic lighthouses.

I believe that the essential word in my previous sentence is "stewards"—because the structures are still federally owned property. It is not private property, it is not city or town property or even State property, but Federal property. It is also imperative to note that these lighthouses are operable aids to navigation. Lighthouses may seem a quaint relic of a bygone era, however they are not an anachronism. Daily, lighthouses lead our Nation's mariners and fishermen away from danger.

Given that the maintenance of lighthouses is now being transferred under the National Lighthouse Preservation Act from Federal ownership to nonprofit historical societies like the American Lighthouse Foundation, the task of providing the required resources to ensure the longevity and viability of these lighthouses would also represent a welcomed economic boost both to tourism and also to job creation.

The fact is, tourism has become increasingly crucial to Maine's economy, as manufacturing jobs have fled our

State, not to mention our Nation. In fact, in 2006, the most recent year for which statistics are available, approximately one-fifth of State sales tax revenues were attributable to tourism, and, when income and fuel taxes are added, the Maine State government collected \$429 million tourism-related tax dollars in that year.

The Maine State Planning Office, which has quantified more precisely the pivotal role tourism plays in the Maine economy, found that in 2006, tourism generated \$10 billion in sales of goods and services, 140,000 jobs, and \$3 billion in earnings. Tourism accounts for one in five dollars of sales throughout Maine's economy and supported the equivalent of one in six Maine jobs. The Planning Office also discovered that an estimated 10 million overnight trips and 30 million day trips were taken that year in Maine, with travelers spending nearly \$1 billion on lodging, \$3 billion on food, and \$1 billion on recreational activities.

But those statistics are from 3 years ago—before the economy began to unravel at an accelerating rate, and so given these economic times confronting all of us, the financial necessity of our lighthouses, especially to tourism, has grown, not dissipated.

And so, I urge my colleagues to defeat this amendment and send a message not only that historic preservation of our nation's prominent buildings and structures—like our lighthouses—continues to be in the national interest, but also that tourism is an industry we should be striving to support as a key antidote to our ailing economy.

Mr. BYRD. Mr. President, my colleague from Oklahoma has offered an amendment which seeks to eliminate funding for 11 initiatives. Among those initiatives he seeks to eliminate is language authorizing the National Park Service to expend up to \$300,000 to defray the costs of the events associated with the 150th anniversary of John Brown's raid on the arsenal at Harpers Ferry.

For those whose memories need refreshing, on the evening of October 16, 1859, abolitionist John Brown led a group of men to Harpers Ferry to seize control of the town and steal weapons from the old Federal armory to be used in the cause against slavery. By the morning of October 18, the engine house, later known as John Brown's Fort, was surrounded by a company of U.S. Marines under the command of COL Robert E. Lee of the U.S. Army. With most of his men either dead or captured, John Brown was taken into custody, tried, and found guilty of treason, conspiring with slaves to rebel, and murder. Although John Brown's short-lived raid on Harpers Ferry failed, his trial and execution helped to focus the Nation's attention on the moral issue of slavery and constituted a major step toward the Civil War.

I had requested \$300,000 to enable the National Park Service to fully support

the myriad activities that have been planned in the Harpers Ferry area throughout this year to highlight the relevance of John Brown's raid to the history of this country. Ultimately, the Interior Appropriations Subcommittee, rather than supporting direct funding, included language to provide the National Park Service the authority to expend up to \$300,000 for the anniversary effort.

The Park Service is expecting that nearly 100,000 people will participate in the series of reenactments, dramatic productions, family activities, and special tours that have been planned by the John Brown Sesquicentennial Quad-State Committee. Supporting the events for such crowds at the Harpers Ferry National Historical Park will largely be the burden of the National Park Service. Without the additional support, the agency reports that planned activities at Harpers Ferry would likely have to be reduced in scope by 75 percent.

As a Congress, we should be doing all in our power to keep the unique history of our country alive and accessible to anyone who wants to learn. In better understanding the significance of the Harpers Ferry raid, we learn about our Nation's failures, our mistakes, and the inequities of our past. But we also learn about the values and ideals upon which our Nation was founded—the values and ideals that have inspired the American people throughout our history. Writing about the thousands of soldiers who lost their lives during the Civil War battle at Antietam, historian Bruce Catton explained that those men did not die for a few feet of a cornfield or a rocky hill. They died that this country might be permitted to go on, and that it might be permitted to fulfill the great hope of our Founding Fathers.

So may be said of all those courageous men who participated in the historic raid on Harpers Ferry. They paid the ultimate sacrifice to permit this country to go on, to fulfill the great hope of our Founding Fathers. They sacrificed to promote and to protect the freedom and liberties of all Americans. As President Abraham Lincoln said of those soldiers who fell in the Battle of Gettysburg, they "gave their lives that this Nation might live."

Without this knowledge of our heritage, we cannot appreciate the hard-won freedoms that are now our birthright. As I have said before, one does not protect what one does not value. And one does not value what one does not understand.

Mr. INOUE. Mr. President, many of my colleagues whose spending initiatives are under attack by this amendment have spoken today to provide a more detailed explanation of what the funding would be used for.

If we took the time to listen, we discovered that what may appear frivolous based on a three word description is actually relevant to the programs under which the funding is provided,

and relevant to improving the lives of our constituents.

For example, the tattoo removal earmark on this list is for a program run by Providence Holy Cross Hospital in Mission Hills, CA, to remove gang insignia tattoos of reforming gang members. It is an effective anti-crime program founded by Sister June Wilkerson.

For ex-gang members, having a tattoo often means not getting hired for a job, or beaten or killed. It is that simple. It is that effective.

I have a few comments about the bill as a whole and earmarks. I would also like to note that this bill reflects a reduction in earmarks of 45 percent from fiscal year 2006 and a 5-percent reduction from last year.

These initiatives are not a surprise to anyone in this chamber. Every earmark in this bill is on the Internet.

A few Members are simply trying to pick a project here and a project there to attack to further their effort to amend and delay passage and possibly kill this bill.

We need to finish our work here.

I have no problems with reforming the way we do business, in fact, in our continuing effort to provide unprecedented transparency to the process, Chairman OBEY and I announced further reforms to begin with the 2010 bills, including: (1) a further reduction in earmarks. We have committed to reducing earmarks to 50 percent from fiscal year 2006 level; (2) posting requests online to offer more opportunity for public scrutiny of member requests. Members will be required to post information on their earmark requests on their web sites at the time the request is made explaining the purpose of the earmark and why it is a valuable use of taxpayer funds; and (3) early public disclosure to increase public scrutiny of committee decisions.

Earmark disclosure tables will be made publically available the same day as the House or Senate subcommittee rather than full committee reports their bill or 24 hours before full committee consideration of appropriations legislation that has not been marked up by a Senate subcommittee.

I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, if I don't finish my remarks before 5:35, I ask that everybody recognize that the vote may occur a minute or two right after 5:35.

This amendment directs the Senate to eliminate 13 separate science and education projects from this bill. The Senator from Oklahoma claims these projects are somehow associated with a lobbying outfit that is under some kind of an investigation. He acknowledges that the quality of the congressionally directed spending is not questioned, that the persons whose names are associated with these congressionally directed funding matters are not in question. So what is this all about?

I wish to remind my colleagues of the many reforms this Congress has imposed on the earmarking process. The days of unlimited and unaccountable congressionally directed spending are gone. Those days are behind us. We passed the most sweeping ethics and lobbying reform in the history of the country—and rightfully so. We have never gone beyond that.

Last year, when we were back in power for the first time in a number of years, we Democrats dramatically reduced the volume of earmarks in the bills—by 43 percent. In this bill, we reduced them another 5 percent. The volume of earmarks is less than half what they were in 2006 when our Republican colleagues were in the majority.

Just as important, under our reforms, each and every congressionally directed spending earmark in this bill is fully disclosed and transparent to the public. What does that mean? Each of these is backed by a letter from a House or Senate sponsor certifying that they and their family members have absolutely no financial interest in the earmark. For every one of these earmarks, the name of the grantee and the House or Senate sponsor are posted on the Internet for the public to see. So there is the name of the person requesting it, a certification that no one benefits from it other than the person to whom the money is directed, and they are posted on the Internet before any of these are voted on in the House or Senate.

This amendment is the third separate amendment the Senator from Oklahoma sought to present to the Senate on this topic of congressionally directed spending. Everybody knows how I feel about these. I am a Member of the Congress of the United States. I believe in the Constitution. I believe that when the Founding Fathers set up this country, they set up three separate and equal branches of Government. What Congress has been doing since we became a country is have the Congress involved in where spending takes place. I have an obligation to the people of Nevada to make sure there is not some bureaucrat down in one of these big offices in Washington, DC, who determines every penny spent in Nevada. I think I have a better outlook on this than a lot of people who are bureaucrats. I have been here going on 27 years, and I have done my best to direct congressional spending to places in Nevada where I think it helped. It has helped. I am one who believes we are going to reduce these earmarks even more. We have made that commitment. But no one should lecture me on what my role is as a Member of Congress.

I say that this amendment, I repeat, is the third separate amendment the Senator from Oklahoma has sought to present on this topic. A couple of days ago, the Senator filed amendment No. 609 to address this lobbying outfit known as PMA. I don't even know what that stands for; I have no idea. Yester-

day, he filed a completely different amendment, No. 623, which he called to the floor. That amendment purported to list earmarks in this bill that are associated with this suspect lobbying organization. Then, after he presented No. 623 to the Senate, he realized he had a project listed in this amendment for DePaul University that probably had absolutely nothing to do with this lobbying group. So he got consent—we didn't object to changing the amendment—to remove that project from the list.

That is the central point. We don't necessarily know who the lobbying groups are behind the projects that are asked to be appropriated by Members of Congress, just as Senator COBURN didn't know who the lobbyist was for this project for DePaul. We don't include earmarks at the behest of lobbyists; we include them at the behest of elected Members of Congress. That is what the Appropriations Committee does.

There are famous firms in town—Tommy Boggs—everybody knows Patton Boggs, but that firm has nothing in here. They are a big lobbying outfit. Their name doesn't appear on anything. The only thing that appears is what is in the RECORD, and it is so transparent, you could not try to hide anything if you wanted to anymore. You have to list everything, and it appears in the RECORD days before we vote on it.

For the projects I champion in Nevada, I don't check to find out if a lobbyist cared. I don't really care, Mr. President. A lot of my constituents in the city of Las Vegas, Clark County; the city of Reno, Boulder City; North Las Vegas, and the universities have lobbyists. I don't give those entities I just mentioned an earmark because some lobbyist asked for it. I support projects in Nevada because they are brought to me by my mayors, community organizations, and universities. I support them because I believe they will improve the lives of people in my State.

We cannot start picking and eliminating earmarks because we think we know who the lobbyist may be, just like DePaul University. Lobbyists don't face the voters. Lobbyists are not accountable for the merits of these projects, and nobody has focused more attention on lobbyists than President Obama. Congressmen and Senators are accountable for these projects, not lobbyists. Congressmen and Senators will be held accountable by constituents, not lobbyists. Every one of these objections to funding that the Senator from Oklahoma has raised has the name of a Member of Congress by it. That is the person responsible.

I hope my colleagues will join me in defeating this vexatious amendment which is without any foundation.

#### CLOTURE MOTION

Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 1105, the Omnibus Appropriations Act.

Harry Reid, Daniel K. Inouye, Patty Murray, E. Benjamin Nelson, Mark L. Pryor, Amy Klobuchar, Debbie Stabenow, Bernard Sanders, Patrick J. Leahy, Sheldon Whitehouse, Byron L. Dorgan, Richard Durbin, Charles E. Schumer, Jack Reed, Barbara A. Mikulski, Mary L. Landrieu, Jon Tester, Tom Harkin.

Mr. REID. Mr. President, I indicated to my friend, the distinguished Republican leader, that I would file a cloture motion. I didn't tell him when. I said it would be today. One reason I am doing it now is that during the day we have had scores of other amendments filed. It is obvious there is no effort to help us pass this extremely important legislation. I think the time has come to bring it to a close. We can vote either Friday morning or we can vote sometime tomorrow. Other amendments will be offered, and I understand that. We will work with the minority as to what those amendments should be. We know we have three pending. I have talked to a number of other Senators on the Republican side who want to offer amendments. We will take those into consideration.

Mr. President, I ask that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 610, offered by Senator COBURN.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 61, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—34

Barrasso	Crapo	Inhofe
Bayh	DeMint	Isakson
Bennet	Ensign	Kyl
Brownback	Enzi	Lugar
Bunning	Feingold	Martinez
Burr	Graham	McCain
Chambliss	Grassley	McConnell
Coburn	Gregg	Nelson (FL)
Corker	Hatch	
Cornyn	Hutchison	

Risch	Thune	Vitter
Roberts	Udall (CO)	Wicker

NAYS—61

Akaka	Gillibrand	Nelson (NE)
Alexander	Hagan	Pryor
Baucus	Harkin	Reed
Begich	Inouye	Reid
Bennett	Johnson	Rockefeller
Bingaman	Kaufman	Sanders
Bond	Kerry	Schumer
Boxer	Klobuchar	Shaheen
Brown	Kohl	Shelby
Burris	Landrieu	Snowe
Byrd	Lautenberg	Stabenow
Cantwell	Leahy	Specter
Cardin	Levin	Stabenow
Carper	Lieberman	Tester
Casey	Lincoln	Udall (NM)
Cochran	McCaskill	Voinovich
Collins	Menendez	Warner
Dodd	Merkley	Webb
Dorgan	Mikulski	Whitehouse
Durbin	Murkowski	Wyden
Feinstein	Murray	

McConnell	Roberts	Vitter
Murkowski	Shelby	Wicker
Nelson (FL)	Snowe	
Risch	Thune	

NAYS—52

Akaka	Harkin	Reed
Baucus	Inouye	Reid
Begich	Johnson	Rockefeller
Bingaman	Kaufman	Sanders
Boxer	Kerry	Schumer
Brown	Kohl	Shaheen
Burris	Landrieu	Specter
Byrd	Lautenberg	Stabenow
Cantwell	Leahy	Tester
Cardin	Levin	Udall (CO)
Carper	Lieberman	Udall (NM)
Casey	McCaskill	Voinovich
Dodd	Menendez	Warner
Dorgan	Merkley	Webb
Durbin	Mikulski	Whitehouse
Feinstein	Murray	Wyden
Gillibrand	Nelson (NE)	
Hagan	Pryor	

The other three amendments have had some discussion but we will have to have some more because, of course, they were laid down yesterday.

I think that gives the body an understanding of where we are and where we are going to go tomorrow. We will probably come in about 9:30 tomorrow and try to work through these amendments.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

AMENDMENTS NOS. 634, 613, AND 638

Mr. COCHRAN. Madam President, in keeping with the statement of the majority leader, I ask unanimous consent that the pending amendments be set aside and that amendment No. 634 by Senator KYL, No. 613 by Senator INHOFE, and No. 638 by Senator CRAPO be called up.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. KYL, proposes an amendment numbered 634.

The Senator from Mississippi [Mr. COCHRAN], for Mr. INHOFE, proposes an amendment numbered 613.

The Senator from Mississippi [Mr. COCHRAN], for Mr. CRAPO, for himself, Mr. VITTER, and Mr. CORKER, proposes an amendment numbered 638.

The amendments are as follows:

NOT VOTING—4

Conrad	Kennedy
Johanns	Sessions

NOT VOTING—4

Conrad	Kennedy
Johanns	Sessions

The amendment (No. 610) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The amendment (No. 623), as modified, was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SCHUMER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

AMENDMENT NO. 623, AS MODIFIED

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided before a vote on amendment No. 623, as modified.

The Senator from Oklahoma.

Mr. COBURN. Mr. President, I yield back my time.

AMENDMENT NO. 623, AS MODIFIED

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided before a vote on amendment No. 623, as modified.

The Senator from Oklahoma.

Mr. COBURN. Mr. President, I yield back my time.

Mrs. MURRAY. I yield back our time.

The PRESIDING OFFICER. All time is expired.

The yeas and nays have not been ordered.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

Mr. REID. Madam President, we have now pending three votes; three amendments are still pending. I have spoken to the distinguished manager of the bill on the Republican side. He wishes to offer an amendment on behalf of Senator KYL, Senator CRAPO, and one by Senator INHOFE. Is that right, I say through the Chair to my friend from Mississippi?

Mr. COCHRAN. Madam President, the leader is correct.

Mr. REID. That gives us six votes to work out sometime tomorrow. I think, from our perspective, we are drawing to the end of a little situation on which we have been here all week. I think we have given everyone the opportunity to offer amendments. We have filed now about 70-some-odd amendments. I think we have been more than reasonable on this bill. The time for this CR runs out the day after tomorrow.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nebraska (Mr. JOHANNES) and the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER (Ms. CANTWELL). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 52, as follows:

Originally, as some will recall, Friday was listed as a “no vote” day and we were hopeful that could take place. I am still hopeful we can work out something tomorrow. If we cannot work out something with the minority tomorrow, we will have a cloture vote, probably about 9:30 on Friday. We hope that is not necessary but that we will see. We are going to do our best.

I have been informed by the distinguished manager of the bill on the Republican side that he believes that each of the three Senators—CRAPO, INHOFE and KYL—would agree to time agreements on their amendments.

[Rollcall Vote No. 80 Leg.]

YEAS—43

Alexander	Cochran	Gregg
Barrasso	Collins	Hatch
Bayh	Corker	Hutchison
Bennet	Cornyn	Inhofe
Bennett	Crapo	Isakson
Bond	DeMint	Klobuchar
Brownback	Ensign	Kyl
Bunning	Enzi	Lincoln
Burr	Feingold	Lugar
Chambliss	Graham	Martinez
Coburn	Grassley	McCain

AMENDMENT NO. 634

(Purpose: To prohibit the expenditure of amounts made available under this Act in a contract with any company that has a business presence in Iran’s energy sector)

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) Except as provided under subsection (b), none of the funds made available under this Act may be spent by a Federal agency in a new contract or other expenditure of Federal funds with a company identified by the Department of the Treasury Office of Foreign Assets Control (OFAC) as having a business presence in Iran’s energy sector, including Iran’s refineries, gasoline, refined petroleum products, and oil and natural gas fields.

(b) The President may waive the application of subsection (a), on a case-by-case basis, if the President—

- (1) determines that such waiver is necessary for the national security interests of the United States; and
- (2) submits an unclassified report to Congress, with a classified annex if necessary, that describes the reasons such waiver is necessary.

AMENDMENT NO. 613

(Purpose: To provide that no funds may be made available to make any assessed contribution or voluntary payment of the United States to the United Nations if the United Nations implements or imposes any taxation on any United States persons)

On page 942, between lines 14 and 15, insert the following:

RESTRICTION ON ASSESSED CONTRIBUTIONS AND VOLUNTARY PAYMENTS TO UNITED NATIONS

SEC. 7093. None of the funds appropriated or otherwise made available under any title of this Act may be made available to make any assessed contribution or voluntary payment of the United States to the United Nations if the United Nations implements or

imposes any taxation on any United States persons.

AMENDMENT NO. 638

(Purpose: To strike a provision relating to Federal Trade Commission authority over home mortgages)

Strike section 626 of title VI, of Division D.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. CONRAD. Madam President, I wish to offer for the record the Budget Committee's official scoring of H.R. 1105, the Omnibus Appropriations Act for fiscal year 2009.

The bill, as passed by the House, provides \$407.6 billion in nonemergency discretionary budget authority, BA, for fiscal year 2009, which will result in new outlays of \$244.5 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total \$468.1 billion.

The bill also includes \$100 million in emergency discretionary BA for 2009 resulting in \$85 million in new outlays for the Secret Service.

When the nonemergency funding in H.R. 1105 is combined with the funding included in H.R. 2638, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act for fiscal year 2009, the overall level equals the Appropriations Committee's 302(a) allocation for budget authority and is \$2.5 billion below the committee's allocation for outlays.

Each appropriations subcommittee included in H.R. 1105 is at its respective 302(b) suballocation for budget authority and outlays.

The bill would cause the 2009 budget resolution spending aggregates to be exceeded and would therefore be subject to a point of order under Section 311(a)(2)(A) of the Congressional Budget Act. In addition, several provisions in the bill make changes in mandatory programs—CHIMPs—that are subject to a point of order under section 314 of S. Con. Res. 70, the concurrent budget resolution for fiscal year 2009. Finally, the bill includes an emergency designation pursuant to section 204 of S. Con. Res. 21, the concurrent resolution on the budget for fiscal year 2008. No other points of order lie against the bill as passed by the House.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HR. 1105, Omnibus Appropriations Act, 2009

[Spending comparisons—House Passed Bill (in millions of dollars)]

	<i>Total Funding</i>
House-Passed Bill:	
Budget Authority .....	407,602
Outlays .....	468,067
Previously-enacted:	
Budget Authority .....	605,084
Outlays .....	636,433
Total:	
Budget Authority .....	1,012,686

Outlays .....	<i>Total Funding</i> 1,104,500
Senate 302(a) allocation:	
Budget Authority .....	1,012,686
Outlays .....	1,107,004
House-Passed Bill Compared To:	
Senate 302(a) allocation:	
Budget Authority .....	0
Outlays .....	-2,504

Note: The bill also includes \$100 million in emergency funding for the Secret Service.●

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. WARNER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING JASON MATTHEWS

Ms. LANDRIEU. Madam President, I wish to pay tribute to a young man who worked for me for many years—actually, for 12 years. He has been a very vital part of the Landrieu staff. He is retired. He left our office after 12 years of wonderful service.

Jason Matthews started out with me as an assistant in my first campaign for the Senate as literally a young kid right out of college. He worked his way up. He had no real political connections other than just a passion for the work, a heart for people, and a good mind. He came to Washington with me 12 years ago and started out, maybe even answering the phones some days, and worked his way up as military LA and then as legislative director and then general counsel and then left our office with the title chief of staff.

Besides serving with such great humor and a great mind for policy and, as I said, a great heart for people, he served with great cheer through very difficult times that our office and many of my colleagues from Louisiana have been through considering the storms of the past recent years and the extra work our staffs have had to go through because of them. Jason led that effort with good humor. Because of him, many wonderful accomplishments in our office have been achieved. One I will mention, and I will share the rest for the record, is Louisiana's long-standing effort to achieve some balance and fairness in the distribution of oil and gas royalties and revenues which interior States have enjoyed since 1927 and coastal States have not because of the peculiarity in the law.

Jason helped us fight a 10-year battle and finally was successful.

The people of all of Louisiana will be grateful for many years for his service. He has led the people of Louisiana to great achievements. He has served the people of our country well. I wanted to pay tribute to him today and to wish him the best as he goes on to future endeavors here in the Washington, DC, area.

TROUBLED ASSET RELIEF PROGRAM OVERSIGHT ENHANCEMENT ACT

Mr. INHOFE. Madam President, to date, over 380 companies have received some \$300 billion taxpayer dollars from the Troubled Asset Relief Program, supposedly to improve their financial stability. These include some of the largest corporations and financial institutions in America.

Yet in recent years, many of these same firms found enough money to contribute annually to some of the most radical organizations in the nation.

They have donated large sums to ACORN, Friends of the Earth, Planned Parenthood, the Natural Resources Defense Council, and Conservation International Foundation, to name just a few. The vast majority of Americans do not support the agendas of these fringe groups, whose excesses have been well-documented over the years.

Companies that get bailed out cannot carry on as if it were business as usual. They should not grab for taxpayer dollars help with one hand and give money to these radical organizations with the other.

That is why I have introduced the Troubled Asset Relief Program Oversight Enhancement Act.

This legislation would let us see how these companies are spending their money. If they are not focused on increasing their solvency or liquidity, if they are not working on lending to small businesses and individuals, if they are not helping get this economy back on track, and are instead financing extremist organizations, then the American people need to know about it.

“Transparency” is one of the new watchwords in Washington. Let's have some of that transparency for the sake of the American taxpayers, who deserve to see how these companies are behaving after receiving hard-earned tax dollars.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Madam President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heart-breaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those

who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I run a small 1-man truck brokerage business. The fuel prices are all but driving my company out of business. The quotes I receive from truckers leave little to no room for me to make a living. I have been in the transportation business for over twenty years and this is the first time I feel I will have close my company. Any assistance that can be offered to help lower fuel prices would be greatly appreciated. Also, health care needs a serious reform. For the first time in my adult life, my insurance premiums exceed my home mortgage payment. If all this keeps up, I will be forced to choose between my home and my insurance. My vote this next election depends on who is willing to actually help with these issues. Something must change soon or millions of Americans will be in financial trouble.

RANDY.

We need to let technology repair this gas war. It has been said that necessity is the mother of invention. We need to loosen up on new oil well drilling and other forms of energy. The communities that have the wind turbines and oil wells should have cheaper power and fuel. It really eats at Idahoans in Idaho Falls to have wind turbines in our yards and not reap the benefits. We need a few nuclear reactors making energy and ethanol. We need to remove fields from CRP and give farmers incentives to plant. We need technology to invent better engines that use higher blends of ethanol and less oil-based fuels. In the meantime, record numbers of Americans are going to drive broke. I personally have cut back my driving by half.

TODD, Idaho Falls.

The president needs to overturn the executive order not to develop natural energy resources. [Conservatives] need to be hollering to anyone who will listen that we need oil, natural gas, coal production and nuclear power plants. Americans are not against alternative energy, but let us develop it before we shut off the oil spigot. The Green movement is whispering in the ears of the [liberals] and they have no choice but to be against developing our petroleum resources. Believe me, [liberals] drive as much as I do and are as mad. Help us go forward. There needs to be leadership in D.C., let [liberals] keep saying no to oil, they will cut their own throat. If nothing is done, 1861 is around the corner. T

WADE.

Thank you for working hard for us in Idaho. I am a 64 year old man, disabled and on SSA. I have a wife and a 14-year-old son. I live 50 miles from the nearest place where I can shop for food and supplies. I use to go to town once a month. Now I have to try to

make my supplies last me a lot longer. Since the price of gas has gone so high, I have a lot less money to buy food after I fill my truck with gas. I go nowhere else except to the doctor.

Congress talks about everyone conserving and using less, but how much less do you intend for us to conserve. We could go back to the 18th century and become a Third World country, but that seems a little bleak, does not it! I do not understand why our Congressmen are working so hard to make it a reality.

Congress also tells us to use alternative sources of energy, but there are no sources available, affordable, or viable. Congress is making laws to force us to use energy sources that have not been invented yet (just talked about) or have not been perfected.

Please weigh the consequences of your actions. The quality of life and the security of America are at stake. Please tell your fellow Congressmen to do what is best for our survival and our way of life.

JIM.

We can all say our woes, and how much it cost, but we have to keep going. What I do not get it, why are we not using our own resources? Why are we not becoming self sufficient. If we are ever under attack, I ask you, who will come to our aid? Exactly—no one!

We need to pull back to the basics here. We are fighting terrorist, as rightly we should. But, they cannot just hurt us with guns and bombs. They can infect our food we receive from overseas, send disease, and undermine our food sources, our fuel sources. This does not take a rocket scientist to figure out. I am just a wife, mother, grandmother working her everyday job and I can see the light.

America needs to wake up before we are in worse shape than we are now. We send so much overseas. Send them the knowledge to care for themselves. We import so much; why-I have no idea. Wonder why we have so many out-of-work people. We do nothing but outsource everything and take away from our own American families. And why?

I have lived in Nebraska and Kansas; I see oil pumps standing still. Can you please explain why that is? I see no reason. Please, this is your country going down the tubes and no one is going to save it but us.

CINDY.

Thank you for the opportunity to express my thoughts on the current gasoline price/oil price fiasco. As an retiree in the state of Idaho, I have a fixed income. It is not quite to the point of "gas or food," but could be soon under the current trend. We have significantly altered the way we live.

Some people have said how much it now costs them to go to the coast. We cannot afford to go to the coast as much as I would like to see family and do some chartered fishing. We carefully evaluate local trips to see if they are truly necessary, and attendance at many events within a couple hours drive is eliminated. The cost of oil is tied to most things for transportation, extraction/harvesting and processing. That results in less we can buy as the cost goes up.

It seems we are unofficially under "economic sanctions" by OPEC." Under a pure supply and demand situation, we should see the price of oil/gasoline drop when the demand drops. Lately when we drop our demand for oil, the OPEC scales back oil production-keeping the supply low to keep the demand up and the prices high. This is basically declaring economic war on the world in general, and the US in particular. We need to increase our production to override some of this manipulation of our economy. It is time to remove the restrictions on energy development from oil shale.

The argument that oil companies have "lots of unused land they have leases on" is an argument from someone with no idea of how the system works. The companies lease the land to explore and then develop when it is profitable. The oil companies know the potential of lands under their leases by geologic maps and test drilling, and for many areas the time/price is not right for extraction of that oil to be profitable. On other acres under lease there may be no oil at all!

Oil speculation is another issue that keeps us on high alert. I understand the rules have been changed to allow wild speculation without controls. It is time for the US to become energy self-sufficient, including the use of our own oil, wind and other resources.

JAMES, Boise.

So, how are gas prices affecting us? Not much. You see, we have always considered it a civic duty to try and limit our use of our natural resources. We drive modest, fuel-efficient cars. We choose to live in an area that allows us options to use alternate transportation such as bicycles, public transport, and walking. I am not writing this to be smug. My point is that citizens can, and should, take measures to reduce their use of fossil fuels. Nowhere in the Constitution does it guarantee cheap gas.

Just as I think the citizens have a duty to limit their use of natural resources, I think our political leaders need to make the tough call and instead of reading melodramatic letters about someone not being able visit their dying relative, explain to them that the days of cheap gas are gone and we need to invest in public transport and more fuel efficient vehicles. The drumbeat for more drilling is not the answer either. Our political leaders are doing a disservice to us by bringing up the issue. We need to wean ourselves from our reliance on oil and not add to it.

Boise is a great city and could be a leader in innovative alternatives to gas guzzling vehicles caught in gridlock. It will take strong political will and citizens ready to do their civic duty to their neighbors and their children.

TIM, Boise.

If we would drill for our own oil instead of allowing our enemies drill for our oil it would make a big difference. Another thought that might help would be to at least limit the amount of refined oil that leaves our country and keep it here it would also make a big difference.

BOB and CINDY.

Thank you for the opportunity to speak out. I have lived in Idaho Falls my whole life. I am a father of three, married, and have a modest home. Over the past five years, my wife and I have made it our goal to get out of debt, pay off our home early, and save for retirement. I am sure you have heard similar stories before. I am an average guy, with an average income, with an average house.

In order to put things into perspective, I would like to go back to December 2002. Gas prices at that time were \$1.30 per gallon give or take a few cents. In 2003, they rose to \$1.80. By 2004, they rose again to nearly \$2.00 per gallon. In 2005 we saw prices hit \$2.50 mark and above. By 2006, Idahoans were paying \$3.00 and above for a gallon of gas. As 2007 approached, gas prices were in the \$3.50 range. As we approach the mid-point of summer 2008, a gallon of fuel is now at the \$4.00 mark for regular. I might add here that gas is typically cheaper as winter approaches and demands for fuel are not as great. So these figures are just representative numbers at a glance.

As you can see, a gallon of gas has tripled in price since 2002. If you were to look at historical data, you would find that gasoline



prices were stable from about 1985 through most of 2002. For about 17 years, Americans enjoyed what I would consider a fair price for a gallon of gas. I did some research on current gas prices in Iran and Iraq.

Currently Iran pays 5 cents per liter and Iraq pay 8 cents per liter. If you were to convert liters to gallons, it would take 3.78 liters per gallon. If you were to buy 4 liters of gas (over a gallon), it would cost 20 cents in Iran, 32 cents in Iraq. See link for pricing [http://www.nationmaster.com/red/graph/ene\\_gas\\_pri-energy-gasoline-prices&b\\_desc=1](http://www.nationmaster.com/red/graph/ene_gas_pri-energy-gasoline-prices&b_desc=1). I could go on, but you get the point. Oil being produced by these countries is reaping the benefit of cheaper prices.

I must digress a moment. I now need to complain. Remember, I am the average guy with the average income. I would like to talk about how rising fuel prices have affected my family. As fuel prices rise, so have other commodities. Produce, meats, poultry, grains, and dairy have all spiked in the last year. Consumer goods and durables have also risen. The past three years have been very difficult to stay on a budget since gas prices have raised so dramatically. Our family is committed to stay out of consumer debt. We have no credit cards nor do we have any store credit that we borrow from. Both of the vehicles we own are pre-2000 year models. We do not overspend what we make but we feel the crunch and feel that we make less money now than when we did four years ago. The dollar just does not stretch enough these days. It is frustrating and depressing as we budget our money each month down to the penny.

Now that I have got that off my chest, what is the solution? I firmly believe that America has the technology now to manufacture and make our own fuels. There are many alternative fuels out there that can and already have been developed. Grain alcohol is viable. Continued exploration of fossil fuels is also very important. Alternative energy sources need to be used more. Wind Power in south east Idaho needs to be tapped. Solar energy is another avenue. Electric cars are also viable and cheaper to drive and cleaner than any gas engine. Countries that manufacture their own fuels always pay less at the pump. Why cannot we do the same? Another idea is to offer incentives to states to develop, manufacture, and sell the cheapest (and best) fuels. Regardless of what people think, nuclear power is one of the cheapest and cleanest sources of power on the planet. There are many countries that use nuclear power (Japan) and have for many years without mishap. We need to move forward start implementing existing technology that is proven to work.

Again, my ideas are not new. This technology is here now. It has been developed. We just need to implement it. Thank you for your time and hope this letter reaches you in good health. I think you are doing a super job for us in the Senate.

MARK, *Idaho Falls.*

I would like to see the speed limit reduced to 55 mph. Everybody knows how that would benefit energy and lives. The 75 mph speed limit between Boise and Mountain Home should be the first one reduced. Then cut the 65 mph between Boise and Mc Call. (and right up the line)

DONABETH, *Boise.*

I am 63 years old and last year, right before the prices went out of control, already had purchased an electric bike to use to get to work. Fortunately I only live a little over a mile away and can use this bike that goes 15 miles an hour. My determination to ride this bike increased as the hot days turned into colder ones and I was able to ride my bike

through November so I would not have to fill the pick-up with gas too much. Government wants us to recycle to help environment and I am all for it, but when we try to do our part, we do not get any help in return. If you do get an electric car which no one can afford but the wealthy.

I see my single parent daughter trying to commute and make ends meet and it gets increasingly difficult because with gas prices she goes with less food for family, etc.

I think it is outrageous for our country and politicians to allow these price increases when we have the means to take care of this country. 20 years ago they spoke of getting alternatives and did not push this issue and had they done so much more could have been done. I am afraid that before long we will see violence in this country mainly because our jobs are gone, price increases in every area of products, but no one ever increases the wages to meet the demands of other increase. What is the matter with people in government and businesses?

I do not like to see government control but because our business people will not use common sense to see what happens when the jobs go there is not sufficient jobs to go and buy the products. What is wrong with this picture? We need to start taxing products from overseas that come here so business's will come back to the states and put our people back to work. How sad our government has deserted their own people.

I am hoping with all my heart that someone will step up to the plate and really try to make a difference. We have to do something as everything is getting out of control and it is sad because of what our forefathers have tried to do before us to make it a great country. I am angry and I do not like politics but when I see people trying to do well for their families and that means is taken away from them someone needs to speak up.

DEVERA, *Nampa.*

Many of our family members are opting out of a treasured activity this summer because of the fuel prices: we normally have a family reunion (as everyone is all over the place) and meet each other and catch up. Many aren't coming because as they said, "I just cannot afford to pay the gas to drive there and plane tickets are just as expensive." My sister and I would not think twice normally about taking a drive down to our relatives or drive to get to our vacation spot, but now we are rethinking going on vacation at all. My family and I have also started buying online because it is cheaper than driving around town to find what we need. We have also cut down our "dining out" to practically once every two months (if that). If the local businesses aren't feeling the consequences of that, I'll be surprised because my family is not the only one that is doing it.

We aren't getting as much fresh produce in our diets this year because they just cost too much (the grocer claims that the fuel prices are affecting the food prices). This also makes us buy less food and the cheaper brands. I have even caught myself of suspecting the grocer and the gas station manager of glutting themselves by gouging us with the "it is OPEC's fault you pay so much" (and these people are my neighbors, which makes me feel a little ashamed of myself).

All of this is only the parts of my life where I have seen the biggest impact. I really cannot think of many aspects in my life that have not been affected by the fuel hikes. Hope this enlightens you to the trials of at least one voter.

JEORGETTE.

I do not have much of a different story than many other Idahoans. I work hard each

day 11 to 12 hours. I live in a rural area of Canyon County, so ride-sharing or car-pooling is not a viable option for me. I have to drive 18 miles to work so riding a bike is not an option especially after putting in a 12 hour day. I drive a small pick up Chevy S-10 to help reduce my gas usage, my wife in I traded in our ford tarsus for a KIA Spectra last November to help save money and protect our budget of the current (November 07) high gas prices.

What I can say is that the only way out of our current situation is for our Congress to show OPEC, that we are willing to take back control of our oil dependence.

ROBERT.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, 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.)

#### NOTICE RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS AND POLICIES OF CERTAIN MEMBERS OF THE GOVERNMENT OF ZIMBABWE AND OTHER PERSONS TO UNDERMINE ZIMBABWE'S DEMOCRATIC PROCESSES OR INSTITUTIONS—PM 10

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2009.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions

has not been resolved. These actions and policies pose a continuing unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA,  
THE WHITE HOUSE, March 3, 2009.

**TRANSMITTING CERTIFICATION  
THAT THE EXPORT OF TWO ENVIRONMENTAL CHAMBERS TO BE USED TO TEST AUTOMOTIVE PARTS IS NOT DETRIMENTAL TO THE U.S. SPACE LAUNCH INDUSTRY AND WILL NOT MEASURABLY IMPROVE MISSILE OR SPACE LAUNCH CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA—PM 11**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

*To the Congress of the United States:*

In accordance with the provisions of section 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261), I hereby certify to the Congress that the export of two environmental chambers to be used to test automotive parts is not detrimental to the U.S. space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from this export, will not measurably improve the missile or space launch capabilities of the People's Republic of China.

BARACK OBAMA,  
THE WHITE HOUSE, March 3, 2009.

**MESSAGE FROM THE HOUSE**

At 12:01 p.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 bills, in which it requests the concurrence of the Senate:

H.R. 146. An act to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes.

H.R. 548. An act to assist citizens, public and private institutions, and governments at all levels in planning, interpreting, and protecting sites where historic battles were fought on American soil during the armed conflicts that shaped the growth and development of the United States, and for other purposes.

**MEASURES REFERRED**

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 548. An act to assist citizens, public and private institutions, and governments at

all levels in planning, interpreting, and protecting sites where historic battles were fought on American soil during the armed conflicts that shaped the growth and development of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

**MEASURES READ THE FIRST TIME**

The following bill was read the first time:

H.R. 146. An act to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes.

**EXECUTIVE AND OTHER COMMUNICATIONS**

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-871. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chlorothalonil; Pesticide Tolerances" (FRL-8402-7) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-872. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dimethomorph; Pesticide Tolerances" (FRL-8401-6) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-873. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Famoxadone; Pesticide Tolerances" (FRL-8400-9) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-874. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluazifop-P-butyl; Pesticide Tolerances" (FRL-8401-1) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-875. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propoxycarbazono; Pesticide Tolerances" (FRL-8400-4) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-876. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tebuconazole; Pesticide Tolerance" (FRL-8399-3) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-877. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fruit, Vegetable, and Specialty Crops—Im-

port Regulations; Proposed Revision to Reporting Requirements" ((Docket No. AMS-FV-07-0110)(FV07-944/980/999-1 FR)) received in the Office of the President of the Senate on February 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-878. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Relaxation of Handling and Import Regulations" ((Docket No. AMS-FV-08-0036)(FV08-946-1 FIR)) received in the Office of the President of the Senate on February 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-879. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Nectarines and Peaches Grown in California; Changes in Handling Requirements for Fresh Nectarines and Peaches" ((Docket No. AMS-FV-08-0108)(FV09-916/917-1 IFR)) received in the Office of the President of the Senate on February 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-880. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Increased Assessment Rate" ((Docket No. AMS-FV-08-0105)(FV09-932-1 IFR)) received in the Office of the President of the Senate on February 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-881. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grapes Grown in a Designated Area of Southeastern California; Decreased Assessment Rate" ((Docket No. AMS-FV-08-0107)(FV09-925-2 IFR)) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-882. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tart Cherries Grown in the States of Michigan, et al.; Final Free and Restricted Percentages for the 2008-2009 Crop Year for Tart Cherries" ((Docket No. AMS-FV-08-0089)(FV09-930-1 FR)) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-883. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Proceedings Before the Commodity Futures Trading Commission" (RIN3038-AC50) received in the Office of the President of the Senate on March 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-884. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the 2008 annual report relative to the STARBASE Program; to the Committee on Armed Services.

EC-885. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to overseas ship repairs; to the Committee on Armed Services.

EC-886. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Critical Skills Retention Bonus program; to the Committee on Armed Services.

EC-887. A communication from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a notice of additional time required to complete a report relative to recruiting incentives; to the Committee on Armed Services.

EC-888. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General James N. Soligan, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-889. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, an annual report on the actions taken by the Commission relative to the Fair Debt Collection Practices Act during fiscal year 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-890. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-891. A communication from the Secretary, Office of the General Counsel, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Adjustments to Civil Monetary Penalty Amounts" (17 CFR Part 201) received in the Office of the President of the Senate on February 26, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-892. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Indianapolis, Indiana" (MB Docket No. 08-122) received in the Office of the President of the Senate on March 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC-893. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of the DTV Delay Act" (FCC 09-11) received in the Office of the President of the Senate on March 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC-894. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Department's Alternative Fuel Vehicle program for fiscal year 2008; to the Committee on Energy and Natural Resources.

EC-895. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Hawaii; Correction" (FRL-8771-1) received in the Office of the President of the Senate on March 3, 2009; to the Committee on Environment and Public Works.

EC-896. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of California; 2003 State Strategy and 2003 South Coast Plan for One-Hour Ozone and Nitrogen Dioxide" (FRL-8770-1) received in the Office of the President of the Senate on March 3, 2009; to the Committee on Environment and Public Works.

EC-897. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled

"New Source Performance Standards; Supplemental Delegation of Authority to the State of Wyoming" (FRL-8770-2) received in the Office of the President of the Senate on March 3, 2009; to the Committee on Environment and Public Works.

EC-898. A communication from the Acting United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the 2009 Trade Policy Agenda and 2008 Annual Report of the President of the United States on the Trade Agreements Program; to the Committee on Finance.

EC-899. 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 "Safe Harbors for Sections 143 and 25" (Rev. Proc. 2009-18) received in the Office of the President of the Senate on March 3, 2009; to the Committee on Finance.

EC-900. 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 "Research Credit Claims Audit Techniques Guide: Credit for Increasing Research Activities IRC Section 41—Revised Exhibit C" (LMSB-4-0209-008) received in the Office of the President of the Senate on March 3, 2009; to the Committee on Finance.

EC-901. 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 "Tier I Issue Foreign Tax Credit Generator Directive—Revision 1" (LMSB-04-0109-002) received in the Office of the President of the Senate on March 3, 2009; to the Committee on Finance.

EC-902. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, weekly reports relative to Iraq for the period of December 15, 2008, through February 15, 2009; to the Committee on Foreign Relations.

EC-903. 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 2009-0020—2009-0027); to the Committee on Foreign Relations.

EC-904. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the Department's competitive sourcing activities during fiscal year 2008; to the Committee on Energy and Natural Resources.

EC-905. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Institutional Review Boards; Registration Requirements" (RIN0910-AB88) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-906. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Annual Report for calendar year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-907. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "Fiscal Year 2008 Report to Congress on Implementation of The Federal Information Security Management Act of 2002"; to the Committee

on Homeland Security and Governmental Affairs.

EC-908. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities under the Civil Rights of Institutionalized Persons Act; to the Committee on the Judiciary.

EC-909. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, a report relative to the Commission's recent appointment of members to the Oklahoma Advisory Committee; to the Committee on the Judiciary.

EC-910. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, a report relative to the Commission's recent appointment of members to the Mississippi Advisory Committee; to the Committee on the Judiciary.

#### 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 Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 522. A bill to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself and Mrs. FEINSTEIN):

S. 523. A bill to amend the Energy Policy Act of 2005 to establish pilot project offices to improve Federal permit coordination for renewable energy; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. 524. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority; to the Committee on the Budget.

By Mr. DORGAN (for himself, Ms. SNOWE, Mr. GRASSLEY, Mr. KENNEDY, Mr. MCCAIN, Ms. STABENOW, Mr. BINGAMAN, Ms. COLLINS, Mr. DURBIN, Mr. NELSON of Florida, Mr. KOHL, Mr. LEVIN, Mr. LEAHY, Mr. SANDERS, Mr. KERRY, Mr. BROWN, Mr. FEINGOLD, Mr. JOHNSON, Mr. INOUE, Mr. TESTER, Mr. CASEY, Mrs. MCCASKILL, Mr. THUNE, Mr. BEGICH, and Mrs. SHAHEEN):

S. 525. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MCCASKILL:

S. 526. A bill to provide in personam jurisdiction in civil actions against contractors of the United States Government performing contracts abroad with respect to serious bodily injuries of members of the Armed Forces, civilian employees of the United States Government, and United States citizen employees of companies performing work for the United States Government in connection with contractor activities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MCCASKILL (for herself and Mr. UDALL of Colorado):

S. Res. 63. A resolution to amend the Standing Rules of the Senate to ensure that all congressionally directed spending items in appropriations and authorization legislation fall under the oversight and transparency provisions of S. 1, the Honest Leadership and Open Government Act of 2007; to the Committee on Rules and Administration.

By Mrs. BOXER (for herself and Mr. CARPER):

S. Res. 64. A resolution recognizing the need for the Environmental Protection Agency to end decades of delay and utilize existing authority under the Resource Conservation and Recovery Act to comprehensively regulate coal combustion waste and the need for the Tennessee Valley Authority to be a national leader in technological innovation, low-cost power, and environmental stewardship; to the Committee on Environment and Public Works.

## ADDITIONAL COSPONSORS

S. 144

At the request of Mr. KERRY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 295

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 295, a bill to amend title XVIII of the Social Security Act to improve the quality and efficiency of the Medicare program through measurement of readmission rates and resource use and to develop a pilot program to provide episodic payments to organized groups of multispecialty and multi-level providers of services and suppliers for hospitalization episodes associated with select, high cost diagnoses.

S. 330

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 330, 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. 355

At the request of Mr. DURBIN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 355, a bill to enhance the capacity of the United States to undertake global development activities, and for other purposes.

S. 388

At the request of Ms. MIKULSKI, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 388, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 405

At the request of Mr. LEAHY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 422

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 422, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 473

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 473, a bill to establish the Senator Paul Simon Study Abroad Foundation.

S. 482

At the request of Mr. FEINGOLD, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 482, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 484

At the request of Mrs. FEINSTEIN, the names of the Senator from Maine (Ms. SNOWE) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 484, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 506

At the request of Mr. LEVIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 506, a bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes.

S. 510

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. RES. 49

At the request of Mr. LUGAR, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. Res. 49, a resolution to express the sense of the Senate regarding the importance of public diplomacy.

AMENDMENT NO. 607

At the request of Mr. WICKER, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of amendment No. 607 proposed to H.R.

1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 615

At the request of Mr. ENSIGN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 615 intended to be proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 622

At the request of Mr. ENSIGN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 622 intended to be proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 638

At the request of Mr. CRAPO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 638 proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 522. A bill to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise to speak to a bill that I am introducing today to resolve a land conveyance dispute in Northwest Alaska, the Salmon Lake Land Selection Resolution Act.

Shortly after Alaska became a State in 1959, Alaska selected lands near Salmon Lake, a major fishery resource in the Bering Straits Region of Northwest Alaska. In 1971, Congress passed the Alaska Native Claims Settlement Act to resolve aboriginal land claims throughout the 49th State. In that act Congress created 12 regional Native corporations in state, providing the corporations with \$966 million and the right to select 44 million acres of land in return for giving up claims to their traditional lands in Alaska. The land and money was to go to make the corporations profitable to provide benefits to their shareholders, the native inhabitants of Alaska. The Bering Straits Native Corporation, one of those 12 regional corporations, promptly selected lands in the Salmon Lake region overlapping state selections, because the lake and the waters upstream and downstream from the lake spawn and

contain fisheries resources of significance to Alaska Natives and also offer land suitable for a variety of recreational activities.

For the past 38 years there have been conflicts over the conveyances, delaying land from going to the corporation, harming the economic and cultural benefits of the corporation to Native shareholders, and complicating land and wildlife management issues between federal agencies and the State of Alaska. Starting in 1994, but accelerating in 1997, talks began among the State, Federal agencies and native corporations and towns in the region, located north of Nome—Salmon Lake itself is located 38 miles north of Nome—to reach a consensus on land uses in the region. Those talks reached agreement on June 1, 2007 with a resolution that satisfied all parties. This seemingly non-controversial legislation will implement the new land management regime in the area and finally complete the conveyance of ANCSA lands to the Bering Straits Native Corporation—giving the corporation title after surveys to the last of the 145,728 acres it was promised by Section 14 (h)(8) of ANCSA nearly four decades ago.

By this bill the Corporation will gain conveyance to 1,009 acres in the Salmon Lake area, 6,132 acres at Windy Cove, northwest of Salmon Lake, and 7,504 acres at Imuruk Basin, on the north shore of Imuruk Basin, a water body north of Windy Cove. In return the Corporation relinquishes rights to another 3,084 acres at Salmon Lake to the federal government, the government then giving part of the land to the State of Alaska for it to maintain a key airstrip in the area. The Federal Bureau of Land Management also retains ownership and administration of a 9-acre campground at the outlet of Salmon Lake, which provides road accessible public camping opportunities from the Nome-Teller Highway. The agreement also retains public access to BLM managed lands in the Kigluaik Mountain Range.

The bill fully protects recreation and subsistence uses in the area, while providing the Corporation with access to recreational-tourism sites of importance to its shareholders and which might some day produce revenues for the Corporation. The agreement has prompted no known environmental group concerns and seems to be the classic “win-win-win” solution that all sides should be congratulated for crafting. The key, however, is for Congress to ratify the land conveyance changes by 2011, when the agreement ratification window closes.

Passage of this act is certainly in keeping with the spirit of the Alaska Lands Conveyance Acceleration Act that this body passed 5 years ago that was intended to help settle all outstanding land conveyance issues by 2009—the 50th anniversary of Alaska statehood. In Alaska where controversy abounds over land use, this is

a hard-fought compromise agreement that seemingly satisfies all parties and makes good sense for all concerned. I hope this body can ratify this bill swiftly and move it to the House of Representatives for its concurrence and eventual signing by the President. The bill is important for residents of Nome who utilize the area and for all Alaska Natives who live in the Bering Straits Region.

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. 524. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority; to the Committee on the Budget.

Mr. FEINGOLD. Mr. President, I am pleased to once again offer this measure, the Congressional Accountability and Line-Item Veto Act of 2009 with my colleague from Wisconsin, the Ranking Member of the House Budget Committee, Congressman PAUL RYAN. I have worked with Congressman RYAN on this issue for the last two years. He and I belong to different political parties, and differ on many issues. But we do share at least two things in common—our hometown of Janesville, WI, and an abiding respect for Wisconsin's tradition of fiscal responsibility.

I am also delighted to be joined by my colleague, the senior Senator from Arizona, Mr. MCCAIN, in introducing the Congressional Accountability and Line-Item Veto Act of 2009. Senator MCCAIN has been one of the preeminent champions of earmark reform, and I have been pleased to work with him in fighting this abuse over the last two decades.

The measure we are each introducing today would grant the President specific authority to rescind or cancel congressional earmarks, including earmarked spending, tax breaks, and tariff benefits. This new authority would sunset at the end of 2014, ensuring that Congress will have a chance to review its use in two different presidential terms before considering whether or not to extend it. While not a true line-item veto bill, our measure provides for fast-track consideration of the President's proposed cancellation of earmarks. Thus, unlike current law, it ensures that for the specific category of congressional earmarks, the President will get an up or down vote on his proposed cancellations.

There have been a number of so-called line-item veto proposals offered in the past several years. But the measure we propose today is unique in that it specifically targets the very items that every line-item veto proponent cites when promoting a particular measure, namely earmarks. When President Bush asked for this kind of authority, the examples he gave when citing wasteful spending he wanted to target were congressional earmarks.

When Members of the House or Senate tout a new line-item veto authority

to go after government waste, the examples they give are congressional earmarks. When editorial pages argue for a new line-item veto, they, too, cite congressional earmarks as the reason for granting the President this new authority.

That is exactly what our bill does. It provides the President with new expedited rescission authority—what has been commonly referred to as a line-item veto—to cancel congressional earmarks. The definitions of earmarks that we use are the very definitions upon which each house has agreed in passing the Honest Leadership and Open Government Act in the 110th Congress.

Unauthorized congressional earmarks are a serious problem. By one estimate, in 2004 alone more than \$50 billion in earmarks were passed. While some in Congress may wish to dismiss this issue, this year a single bill, the omnibus appropriations bill we are considering in the Senate, has by one count over eight thousand earmarks that cost over \$7 billion. That is just one bill. We haven't even begun the appropriations process for the coming fiscal year.

There is no excuse for a system that allows that kind of wasteful spending year after year, and while I have opposed granting the President line-item veto authority to effectively reshape programs like Medicare and Medicaid, for this specific category, I support giving the President this additional tool.

Under our proposal, wasteful spending does not have anywhere to hide. It is out in the open, so that both Congress and the President have a chance to get rid of wasteful projects before they begin.

The taxpayers—who pay the price for these projects—deserve a process that shows some real fiscal discipline, and that's what we are trying to get at with this legislation.

President Obama recognizes the pernicious effect earmarks have on the entire process. When he asked Congress to take the extraordinary step of sending him a massive economic recovery package, he knew such a large package of spending and tax cuts would naturally attract earmarks. He also recognized that were earmarks to be added to the bill, it would undermine his ability to get it enacted, so he rightly insisted it be free of earmarks.

I was pleased to hear reports that President Obama looks forward to giving the line item veto a “test drive.” I very much hope that with this bill we can give him that opportunity.

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. 524

*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 “Congressional Accountability and Line-Item Veto Act of 2009”.

**SEC. 2. LEGISLATIVE LINE ITEM VETO.**

(a) IN GENERAL.—Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by striking all of part B (except for sections 1016 and 1013, which are redesignated as sections 1019 and 1020, respectively) and part C and inserting the following:

**“PART B—LEGISLATIVE LINE-ITEM VETO****“LINE ITEM VETO AUTHORITY**

“SEC. 1011. (a) PROPOSED CANCELLATIONS.—Within 30 calendar days after the enactment of any bill or joint resolution containing any congressional earmark or providing any limited tariff benefit or targeted tax benefit, the President may propose, in the manner provided in subsection (b), the repeal of the congressional earmark or the cancellation of any limited tariff benefit or targeted tax benefit. If the 30 calendar-day period expires during a period where either House of Congress stands adjourned sine die at the end of Congress or for a period greater than 30 calendar days, the President may propose a cancellation under this section and transmit a special message under subsection (b) on the first calendar day of session following such a period of adjournment.

**“(b) TRANSMITTAL OF SPECIAL MESSAGE.—****“(1) SPECIAL MESSAGE.—**

“(A) IN GENERAL.—The President may transmit to the Congress a special message proposing to repeal any congressional earmarks or to cancel any limited tariff benefits or targeted tax benefits.

“(B) CONTENTS OF SPECIAL MESSAGE.—Each special message shall specify, with respect to the congressional earmarks, limited tariff benefits, or targeted tax benefits to be repealed or canceled—

“(i) the congressional earmark that the President proposes to repeal or the limited tariff benefit or the targeted tax benefit that the President proposes to be canceled;

“(ii) the specific project or governmental functions involved;

“(iii) the reasons why such congressional earmark should be repealed or such limited tariff benefit or targeted tax benefit should be canceled;

“(iv) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed repeal or cancellation;

“(v) to the maximum extent practicable, all facts, circumstances, and considerations relating to or bearing upon the proposed repeal or cancellation and the decision to propose the repeal or cancellation, and the estimated effect of the proposed repeal or cancellation upon the objects, purposes, or programs for which the congressional earmark, limited tariff benefit, or the targeted tax benefit is provided;

“(vi) a numbered list of repeals and cancellations to be included in an approval bill that, if enacted, would repeal congressional earmarks and cancel limited tariff benefits or targeted tax benefits proposed in that special message; and

“(vii) if the special message is transmitted subsequent to or at the same time as another special message, a detailed explanation why the proposed repeals or cancellations are not substantially similar to any other proposed repeal or cancellation in such other message.

“(C) DUPLICATIVE PROPOSALS PROHIBITED.—The President may not propose to repeal or cancel the same or substantially similar congressional earmark, limited tariff benefit, or targeted tax benefit more than one time under this Act.

“(D) MAXIMUM NUMBER OF SPECIAL MESSAGES.—The President may not transmit to the Congress more than one special message under this subsection related to any bill or joint resolution described in subsection (a), but may transmit not more than 2 special messages for any omnibus budget reconciliation or appropriation measure.

**“(2) ENACTMENT OF APPROVAL BILL.—**

“(A) DEFICIT REDUCTION.—Congressional earmarks, limited tariff benefits, or targeted tax benefits which are repealed or canceled pursuant to enactment of a bill as provided under this section shall be dedicated only to reducing the deficit or increasing the surplus.

“(B) ADJUSTMENT OF LEVELS IN THE CONCURRENT RESOLUTION ON THE BUDGET.—Not later than 5 days after the date of enactment of an approval bill as provided under this section, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise allocations and aggregates and other appropriate levels under the appropriate concurrent resolution on the budget to reflect the repeal or cancellation, and the applicable committees shall report revised suballocations pursuant to section 302(b), as appropriate.

“(C) ADJUSTMENTS TO STATUTORY LIMITS.—After enactment of an approval bill as provided under this section, the Office of Management and Budget shall revise applicable limits under the Balanced Budget and Emergency Deficit Control Act of 1985, as appropriate.

“(D) TRUST FUNDS AND SPECIAL FUNDS.—Notwithstanding subparagraph (A), nothing in this part shall be construed to require or allow the deposit of amounts derived from a trust fund or special fund which are canceled pursuant to enactment of a bill as provided under this section to any other fund.

**“PROCEDURES FOR EXPEDITED CONSIDERATION****“SEC. 1012. (a) EXPEDITED CONSIDERATION.—**

“(1) IN GENERAL.—The majority leader or minority leader of each House or his designee shall (by request) introduce an approval bill as defined in section 1017 not later than the third day of session of that House after the date of receipt of a special message transmitted to the Congress under section 1011(b). If the bill is not introduced as provided in the preceding sentence in either House, then, on the fourth day of session of that House after the date of receipt of the special message, any Member of that House may introduce the bill.

**“(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—**

“(A) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which an approval bill is referred shall report it to the House without amendment not later than the seventh legislative day after the date of its introduction. If a committee fails to report the bill within that period or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, such committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

“(B) PROCEEDING TO CONSIDERATION.—After an approval bill is reported by or discharged from committee or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, it shall be in order to move to proceed to consider the approval bill in the House. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within two legislative days after the day on which the proponent announces his intention to offer the motion. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect

to that special message. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

“(C) CONSIDERATION.—The approval bill shall be considered as read. All points of order against an approval bill and against its consideration are waived. The previous question shall be considered as ordered on an approval bill to its passage without intervening motion except five hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the bill shall not be in order.

“(D) SENATE BILL.—An approval bill received from the Senate shall not be referred to committee.

**“(3) CONSIDERATION IN THE SENATE.—**

“(A) REFERRAL AND REPORTING.—Any committee of the Senate to which an approval bill is referred shall report it to the Senate without amendment not later than the seventh legislative day after the date of its introduction. If a committee fails to report the bill within that period or the Senate has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, such committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

“(B) MOTION TO PROCEED TO CONSIDERATION.—After an approval bill is reported by or discharged from committee or the Senate has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, it shall be in order to move to proceed to consider the approval bill in the Senate. A motion to proceed to the consideration of a bill under this subsection in the Senate shall not be debatable. It shall not be in order to move to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

“(C) LIMITS ON DEBATE.—Debate in the Senate on a bill under this subsection, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (D)), shall not exceed 10 hours, equally divided and controlled in the usual form.

“(D) APPEALS.—Debate in the Senate on any debatable motion or appeal in connection with a bill under this subsection shall be limited to not more than 1 hour, to be equally divided and controlled in the usual form.

“(E) MOTION TO LIMIT DEBATE.—A motion in the Senate to further limit debate on a bill under this subsection is not debatable.

“(F) MOTION TO RECOMMIT.—A motion to recommit a bill under this subsection is not in order.

**“(G) CONSIDERATION OF THE HOUSE BILL.—**

“(i) IN GENERAL.—If the Senate has received the House companion bill to the bill introduced in the Senate prior to a vote under subparagraph (C), then the Senate may consider, and the vote under subparagraph (C) may occur on, the House companion bill.

“(ii) PROCEDURE AFTER VOTE ON SENATE BILL.—If the Senate votes, pursuant to subparagraph (C), on the bill introduced in the Senate, then immediately following that vote, or upon receipt of the House companion bill, the House bill shall be deemed to be considered, read the third time, and the vote on passage of the Senate bill shall be considered to be the vote on the bill received from the House.

“(b) AMENDMENTS PROHIBITED.—No amendment to, or motion to strike a provision from, a bill considered under this section

shall be in order in either the Senate or the House of Representatives.

“PRESIDENTIAL DEFERRAL AUTHORITY

“SEC. 1013. (a) TEMPORARY PRESIDENTIAL AUTHORITY TO WITHHOLD CONGRESSIONAL EARMARKS.—

“(1) IN GENERAL.—At the same time as the President transmits to the Congress a special message pursuant to section 1011(b), the President may direct that any congressional earmark to be repealed in that special message shall not be made available for obligation for a period of 45 calendar days of continuous session of the Congress after the date on which the President transmits the special message to the Congress.

“(2) EARLY AVAILABILITY.—The President shall make any congressional earmark deferred pursuant to paragraph (1) available at a time earlier than the time specified by the President if the President determines that continuation of the deferral would not further the purposes of this Act.

“(b) TEMPORARY PRESIDENTIAL AUTHORITY TO SUSPEND A LIMITED TARIFF BENEFIT.—

“(1) IN GENERAL.—At the same time as the President transmits to the Congress a special message pursuant to section 1011(b), the President may suspend the implementation of any limited tariff benefit proposed to be canceled in that special message for a period of 45 calendar days of continuous session of the Congress after the date on which the President transmits the special message to the Congress.

“(2) EARLY AVAILABILITY.—The President shall terminate the suspension of any limited tariff benefit at a time earlier than the time specified by the President if the President determines that continuation of the suspension would not further the purposes of this Act.

“(c) TEMPORARY PRESIDENTIAL AUTHORITY TO SUSPEND A TARGETED TAX BENEFIT.—

“(1) IN GENERAL.—At the same time as the President transmits to the Congress a special message pursuant to section 1011(b), the President may suspend the implementation of any targeted tax benefit proposed to be repealed in that special message for a period of 45 calendar days of continuous session of the Congress after the date on which the President transmits the special message to the Congress.

“(2) EARLY AVAILABILITY.—The President shall terminate the suspension of any targeted tax benefit at a time earlier than the time specified by the President if the President determines that continuation of the suspension would not further the purposes of this Act.

“IDENTIFICATION OF TARGETED TAX BENEFITS

“SEC. 1014. (a) STATEMENT.—The chairman of the Committee on Ways and Means of the House of Representatives and the chairman of the Committee on Finance of the Senate acting jointly (hereafter in this subsection referred to as the ‘chairmen’) shall review any revenue or reconciliation bill or joint resolution which includes any amendment to the Internal Revenue Code of 1986 that is being prepared for filing by a committee of conference of the two Houses, and shall identify whether such bill or joint resolution contains any targeted tax benefits. The chairmen shall provide to the committee of conference a statement identifying any such targeted tax benefits or declaring that the bill or joint resolution does not contain any targeted tax benefits. Any such statement shall be made available to any Member of Congress by the chairmen immediately upon request.

“(b) STATEMENT INCLUDED IN LEGISLATION.—

“(1) IN GENERAL.—Notwithstanding any other rule of the House of Representatives or

any rule or precedent of the Senate, any revenue or reconciliation bill or joint resolution which includes any amendment to the Internal Revenue Code of 1986 reported by a committee of conference of the two Houses may include, as a separate section of such bill or joint resolution, the information contained in the statement of the chairmen, but only in the manner set forth in paragraph (2).

“(2) APPLICABILITY.—The separate section permitted under subparagraph (A) shall read as follows: ‘Section 1021 of the Congressional Budget and Impoundment Control Act of 1974 shall \_\_\_\_\_ apply to \_\_\_\_\_’, with the blank spaces being filled in with—

“(A) in any case in which the chairmen identify targeted tax benefits in the statement required under subsection (a), the word ‘only’ in the first blank space and a list of all of the specific provisions of the bill or joint resolution in the second blank space; or

“(B) in any case in which the chairmen declare that there are no targeted tax benefits in the statement required under subsection (a), the word ‘not’ in the first blank space and the phrase ‘any provision of this Act’ in the second blank space.

“(c) IDENTIFICATION IN REVENUE ESTIMATE.—With respect to any revenue or reconciliation bill or joint resolution with respect to which the chairmen provide a statement under subsection (a), the Joint Committee on Taxation shall—

“(1) in the case of a statement described in subsection (b)(2)(A), list the targeted tax benefits in any revenue estimate prepared by the Joint Committee on Taxation for any conference report which accompanies such bill or joint resolution, or

“(2) in the case of a statement described in 13 subsection (b)(2)(B), indicate in such revenue estimate that no provision in such bill or joint resolution has been identified as a targeted tax benefit.

“(d) PRESIDENT’S AUTHORITY.—If any revenue or reconciliation bill or joint resolution is signed into law—

“(1) with a separate section described in subsection (b)(2), then the President may use the authority granted in this section only with respect to any targeted tax benefit in that law, if any, identified in such separate section; or

“(2) without a separate section described in subsection (b)(2), then the President may use the authority granted in this section with respect to any targeted tax benefit in that law.

“TREATMENT OF CANCELLATIONS

“SEC. 1015. The repeal of any congressional earmark or cancellation of any limited tariff benefit or targeted tax benefit shall take effect only upon enactment of the applicable approval bill. If an approval bill is not enacted into law before the end of the applicable period under section 1013, then all proposed repeals and cancellations contained in that bill shall be null and void and any such congressional earmark, limited tariff benefit, or targeted tax benefit shall be effective as of the original date provided in the law to which the proposed repeals or cancellations applied.

“REPORTS BY COMPTROLLER GENERAL

“SEC. 1016. With respect to each special message under this part, the Comptroller General shall issue to the Congress a report determining whether any congressional earmark is not repealed or limited tariff benefit or targeted tax benefit continues to be suspended after the deferral authority set forth in section 1013 of the President has expired.

“DEFINITIONS

“SEC. 1017. As used in this part:

“(1) APPROPRIATION LAW.—The term ‘appropriation law’ means an Act referred to in

section 105 of title 1, United States Code, including any general or special appropriation Act, or any Act making supplemental, deficiency, or continuing appropriations, that has been signed into law pursuant to Article I, section 7, of the Constitution of the United States.

“(2) APPROVAL BILL.—The term ‘approval bill’ means a bill or joint resolution which only approves proposed repeals of congressional earmarks or cancellations of limited tariff benefits or targeted tax benefits in a special message transmitted by the President under this part and—

“(A) the title of which is as follows: ‘A bill approving the proposed repeals and cancellations transmitted by the President on \_\_\_\_\_’, the blank space being filled in with the date of transmission of the relevant special message and the public law number to which the message relates;

“(B) which does not have a preamble; and

“(C) which provides only the following after the enacting clause: ‘That the Congress approves of proposed repeals and cancellations \_\_\_\_\_’, the blank space being filled in with a list of the repeals and cancellations contained in the President’s special message, ‘as transmitted by the President in a special message on \_\_\_\_\_’, the blank space being filled in with the appropriate date, ‘regarding \_\_\_\_\_’, the blank space being filled in with the public law number to which the special message relates;

“(D) which only includes proposed repeals and cancellations that are estimated by CBO to meet the definition of congressional earmark or limited tariff benefits, or that are identified as targeted tax benefits pursuant to section 1014; and

“(E) if no CBO estimate is available, then the entire list of legislative provisions proposed by the President is inserted in the second blank space in subparagraph (C).

“(3) CALENDAR DAY.—The term ‘calendar day’ means a standard 24-hour period beginning at midnight.

“(4) CANCEL OR CANCELLATION.—The terms ‘cancel’ or ‘cancellation’ means to prevent—

“(A) a limited tariff benefit from having legal force or effect, and to make any necessary, conforming statutory change to ensure that such limited tariff benefit is not implemented; or

“(B) a targeted tax benefit from having legal force or effect, and to make any necessary, conforming statutory change to ensure that such targeted tax benefit is not implemented and that any budgetary resources are appropriately canceled.

“(5) CBO.—The term ‘CBO’ means the Director of the Congressional Budget Office.

“(6) CONGRESSIONAL EARMARK.—The term ‘congressional earmark’ means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

“(7) ENTITY.—As used in paragraph (6), the term ‘entity’ includes a private business, State, territory or locality, or Federal entity.

“(8) LIMITED TARIFF BENEFIT.—The term ‘limited tariff benefit’ means any provision of law that modifies the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities (as defined in paragraph (12)(B)).

“(9) OMB.—The term ‘OMB’ means the Director of the Office of Management and Budget.

“(10) OMNIBUS RECONCILIATION OR APPROPRIATION MEASURE.—The term ‘omnibus reconciliation or appropriation measure’ means—

“(A) in the case of a reconciliation bill, any such bill that is reported to its House by the Committee on the Budget; or

“(B) in the case of an appropriation measure, any such measure that provides appropriations for programs, projects, or activities falling within 2 or more section 302(b) suballocations.

“(11) TARGETED TAX BENEFIT.—The term ‘targeted tax benefit’ means—

“(A) any revenue provision that—

“(i) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

“(ii) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

“(B) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986.

#### “EXPIRATION

“SEC. 1018. This title shall have no force or effect on or after December 31, 2014”.

### SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking “1017” and inserting “1012”; and

(2) in subsection (d), by striking “section 1017” and inserting “section 1012”.

(b) ANALYSIS BY CONGRESSIONAL BUDGET OFFICE.—Section 402 of the Congressional Budget Act of 1974 is amended by inserting “(a)” after “402.” and by adding at the end the following new subsection:

“(b) Upon the receipt of a special message under section 1011 proposing to repeal any congressional earmark, the Director of the Congressional Budget Office shall prepare an estimate of the savings in budget authority or outlays resulting from such proposed repeal relative to the most recent levels calculated consistent with the methodology used to calculate a baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 and included with a budget submission under section 1105(a) of title 31, United States Code, and transmit such estimate to the chairmen of the Committees on the Budget of the House of Representatives and Senate.”.

(c) CLERICAL AMENDMENTS.—(1) Section 1(a) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the last sentence.

(2) Section 1022(c) of such Act (as redesignated) is amended by striking “rescinded or that is to be reserved” and insert “canceled” and by striking “1012” and inserting “1011”.

(3) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by deleting the contents for parts B and C of title X and inserting the following:

#### “PART B—LEGISLATIVE LINE-ITEM VETO

“Sec. 1011. Line item veto authority.

“Sec. 1012. Procedures for expedited consideration.

“Sec. 1013. Presidential deferral authority.

“Sec. 1014. Identification of targeted tax benefits.

“Sec. 1015. Treatment of cancellations.

“Sec. 1016. Reports by comptroller general.

“Sec. 1017. Definitions.

“Sec. 1018. Expiration.

“Sec. 1019. Suits by Comptroller General.

“Sec. 1020. Proposed Deferrals of budget authority.”.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect on the date of its enactment and apply only to any congressional earmark, limited tariff benefit, or targeted tax benefit provided in an Act enacted on or after the date of enactment of this Act.

### SEC. 4. SENSE OF CONGRESS ON ABUSE OF PROPOSED REPEALS AND CANCELLATIONS.

It is the sense of Congress no President or any executive branch official should condition the inclusion or exclusion or threaten to condition the inclusion or exclusion of any proposed repeal or cancellation in any special message under this section upon any vote cast or to be cast by any Member of either House of Congress.

Mr. MCCAIN. Mr. President, I am honored to once again be joining my friend, colleague, and partner in reform, Senator FEINGOLD, in introducing the Congressional Accountability and Line-Item Veto Act. Additionally, I would like to thank Republican PAUL RYAN from Wisconsin for introducing this legislation in the House of Representatives. I applaud my two colleagues from Wisconsin for their leadership on this important issue.

Our bill does a number of things. First, it provides the President with a constitutional line item veto authority. This legislation would ensure timely consideration of earmark rescission requests by the President, which must be submitted to Congress within 30 calendar days of signing a bill into law. It gives the House and Senate 12 legislative days to act after the President sends a rescission. It respects and preserves Congress’s constitutional responsibilities, as it requires both the House and Senate to pass a rescission request before it can become law. This bill limits the number of rescission requests per bill to guard against gridlock in Congress due to multiple rescission proposals. Finally, it sunsets at the end of 2014 in order to review how the authority is working after the administration has had the opportunity to work with Congress to employ this tool to control spending and to determine if it should be renewed.

Why do we need to grant the President a line-item veto authority? Currently the Senate is debating a pork-filled \$410 billion, 2,967 page Omnibus appropriations bill to fund the Federal Government through the second half of the fiscal year. Not surprising, the measure is chock full of over 9,000 unnecessary and wasteful earmarks. We need serious reform and we need it now—this Omnibus appropriations bill is a perfect example of what is wrong with this system.

Here are some examples of the earmarks contained in the omnibus legislation:

\$1.7 million for pig odor research in Iowa; \$2 million for the promotion of astronomy in Hawaii; \$6.6 million for termite research in New Orleans; \$2.1 million for the Center for Grape Genet-

ics in New York; \$650,000 for beaver management in North Carolina and Mississippi; \$1 million for mormon cricket control in Utah; \$332,000 for the design and construction of a school sidewalk in Franklin, Texas; \$870,000 for a wolf breeding facilities in North Carolina and Washington, \$300,000 for the Montana World Trade Center; \$1.7M “for a honey bee factory” in Weslaco, TX; \$951,500 for Sustainable Las Vegas; \$143,000 for Nevada Humanities to develop and expand an online encyclopedia; \$475,000 to build a parking garage in Provo City, Utah; \$200,000 for a tattoo removal violence outreach program in the LA area; \$238,000 for the Polynesian Voyaging Society in Honolulu, Hawaii; \$100,000 for the regional robotics training center in Union, SC; \$1,427,250 for genetic improvements of switchgrass; \$167,000 for the Atrium National Center for the American West in Los Angeles, CA; \$143,000 to teach art energy; \$100,000 for the Central Nebraska World Trade Center; \$951,500 for the Oregon Solar Highway; \$819,000 for catfish genetics research in Alabama; \$190,000 for the Buffalo Bill Historical Center in Cody, WY; \$209,000 to improve blueberry production and efficiency in GA; \$400,000 for copper wire theft prevention efforts; \$250,000 to enhance research on Ice Seal populations; \$238,000 for the Alaska PTA; \$150,000 for a rodeo museum in South Dakota; \$47,500 to remodel and expand a playground in Ottawa, IL; \$285,000 for the Discovery Center of Idaho in Boise, ID; \$632,000 for the Hungry Horse Project; \$380,000 for a recreation and fairground area in Kotzebue, AK; \$118,750 for a building to house an aircraft display in Rantoul, IL; \$380,000 to revitalize downtown Aliceville, AL; \$380,000 for lighthouses in Maine; \$190,000 to build a Living Science Museum in New Orleans, LA; \$7,100,000 for the conservation and recovery of endangered Hawaiian sea turtle populations; \$900,000 for fish management; \$150,000 for lobster research; \$381,000 for Jazz at Lincoln Center, New York; \$1.9 million for the Pleasure Beach Water Taxi Service Project, CT; \$238,000 for Pittsburgh Symphony Orchestra for curriculum development; \$95,000 for Hawaii Public Radio; \$95,000 for the state of New Mexico to find a dental school location; \$143,000 for the Dayton Society of Natural History in Dayton, OH; \$190,000 for the Guam Public Library; \$143,000 for the Historic Jazz Foundation in Kansas City, MO; \$3,806,000 for a Sun Grant Initiative in South Dakota; \$59,000 for Dismal Swamp and Dismal Swamp Canal in Virginia; and \$950,000 for a Convention Center in Myrtle Beach, SC;

This waste is outrageous, and the President should veto this omnibus spending bill. The process is clearly broken, and the American public deserves better.

We need to curtail earmarks, not just disclose them. Again, the examples I have just mentioned are earmarks that are among the over 9,000 contained in the omnibus legislation currently



being considered in the Senate—so it is clear that the lobbying and ethics reform bill that was enacted in August 2007 has done nothing to curb this process—even though it continues to be touted for its “tough” and “historic” earmark reform provisions.

Perhaps even more troubling than the number of earmarks is to whom and how some of this funding is being directed. Contained within the Omnibus appropriations legislation are 14 earmarks, totaling nearly \$9.7 million, directed to clients of the PMA Group, a lobbying firm recently forced to close their doors after being raided last November by the FBI for suspicious campaign donation practices. That firm remains under investigation today. I have long spoken of a broken appropriations process, vulnerable to corruption and abuse, and the allegations against the PMA Group and some Members of Congress stand as a testament to the urgent need for reform. It is wholly inappropriate for Congress to allow these provisions to move forward while their principal sponsor is under Federal investigation. Together with my colleague from Oklahoma, Dr. COBURN, we offered an amendment to strip these earmarks from the omnibus. If our amendment fails we will effectively be giving our tacit approval to the abuses we have repeatedly declared our intention to eliminate.

Six months ago, in a debate in Oxford, MS, President Obama stated that “We need earmark reform, and when I’m president, I will go line by line to make sure that we are not spending money unwisely.” I fully agree. All one needs to do is read the Omnibus appropriations bill pending before the Senate to know that we need serious, comprehensive earmark reform and we need to grant the President a constitutional line-item veto authority so that he can go line by line through these bloated, earmark filled appropriations bills and send rescission requests to Congress.

Our current economic situation and our vital national security concerns require that now, more than ever, we prioritize our Federal spending. But our appropriations bills do not always put our national priorities first. The process is broken and it needs to be fixed. We have entered the second year of a recession. Record numbers of homeowners face foreclosure. The national unemployment rate stands at 7.2%—the highest in 16 years—with over 1.9 million people having lost their jobs in the last 4 months of 2008. Additionally, we learned just Friday that the GDP sank 6.2 percent in the last quarter of 2008—far worse even than what was expected—with the economy contracting by the fastest pace in a quarter century.

Even when faced with these tremendous difficulties, Congress’s appetite for pork seems bigger than ever. When are people going to wake up and truly grasp the seriousness of the economic situation confronting us? We cannot af-

ford, literally, to continue to operate under the same Washington status quo.

Let’s consider some cold, hard facts: current national debt: \$10.7 trillion; 2009 projected deficit: \$1.2 trillion; total cost of the economic stimulus enacted two weeks ago: \$1.124 trillion; (\$789 billion plus interest; TARP I and II: \$700 billion; TARP III: \$250 billion—\$750 billion, or more; President’s Budget Request for 2010: \$3.6 trillion.

I was encouraged in January 2007 when the Senate passed, by a vote of 96 to 2, an ethics and lobbying reform package which contained real, meaningful earmark reforms. I thought that, at last, we would finally enact some effective reforms. Unfortunately, that victory was short lived. In August 2007, we were presented with a bill containing very watered down earmark provisions and doing far too little to rein in wasteful earmarks and porkbarrel spending. We can change that and enact reforms that will help to restore the faith and confidence of the American people in their elected representatives—and passing this bill should be the first step we take.

Again, the bill we are introducing today will ensure timely congressional consideration of earmark rescission requests by the President. This will enable the President to propose the removal of wasteful earmarks from legislation that arrives on his desk for signature and send these earmarks back to Congress for expedited votes on whether or not to rescind funding; give the House and Senate 12 legislative days after the President sends a rescission request to Congress to bring a rescission bill to consideration on the floor of the full House and Senate; respect and preserve Congress’s constitutional responsibilities, as it requires both the House and Senate to pass a rescission request before it can become law. If either the House or Senate votes against a rescission by a simple majority, it is not enacted; require the President to submit earmark rescission requests to Congress within 30 calendar days of signing a bill into law; limit the number of rescission requests per bill, to guard against gridlock in Congress due to multiple rescission proposals. Under this legislation, the President can propose one rescission package per ordinary bill, or two rescission packages for omnibus legislation. Each rescission package may include multiple earmarks; sunset at the end of 2014, providing a President this tool to control spending over the portions of two different Presidential terms. The sunset provision would give Congress the ability to review this legislation and decide whether to renew it.

As my colleagues are well aware, for years I have been coming to the Senate floor to read list after list of the ridiculous items we have spent money on—hoping enough embarrassment might spur some change. And year after year I would offer amendment after amendment to strip porkbarrel projects from

spending bills—usually only getting a handful of votes each time. Earmarks are like a cancer. Left unchecked, they have grown out of control. And just as cancer destroys tissue and vital organs, the corruption associated with the process of earmarking is destroying what is vital to our strength as a Nation, that is, the faith and trust of the American people in their elected representatives and in the institutions of their Government.

We must keep in mind that even strong line-item veto authority will not solve all of our fiscal problems. We also desperately need to reform our earmarking process and our lobbying practices—and we must remember that it is ultimately Congress’s responsibility to control spending. However, granting the President the authority to propose rescissions that then must be approved by the Congress would go a long way toward restoring credibility to a system ravaged by congressional waste and special interest pork. I look forward to the Senate’s consideration of this legislation. It is abundantly clear that the time has come for us to eliminate the corrupt, wasteful practice of earmarking.

In his final State of the Union Address, President Reagan stood for the last time before both Houses of Congress and asked for line-item veto authority for future Presidents. On that evening, the President had with him three pieces of legislation: an appropriations bill that was 1,053 pages long and weighed 14 pounds; a budget reconciliation bill that was 1,186 pages long and weighed 15 pounds; and a continuing resolution that was 1,057 pages long and weighed 14 pounds. President Reagan slammed down on the lectern the 43 pounds of paper and ink, which represented \$1 trillion worth of spending. He did so to emphasize the magnitude of wasteful spending in the bills—spending that the President could not stop unless he was willing to veto each piece of legislation in its entirety. In the case of the continuing resolution, that would have meant that the Federal government would shut down.

More than 20 years later we are in exactly the same situation we were in when President Reagan said to Congress, “Let’s help ensure our future of prosperity by giving the President a tool that, though I will not get to use it, is one I know future Presidents of either party must have. Give the President the same authority that 43 Governors use in their States: the right to reach into massive appropriation bills, pare away the waste, and enforce budget discipline. Let’s approve the line-item veto.”

The time has come to heed Ronald Reagan’s call for line-item veto authority.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 63—TO AMEND THE STANDING RULES OF THE SENATE TO ENSURE THAT ALL CONGRESSIONALLY DIRECTED SPENDING ITEMS IN APPROPRIATIONS AND AUTHORIZATION LEGISLATION FALL UNDER THE OVERSIGHT AND TRANSPARENCY PROVISIONS OF S. 1, THE HONEST LEADERSHIP AND OPEN GOVERNMENT ACT OF 2007

Mrs. MCCASKILL (for herself and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 63

*Resolved,*

**SECTION 1. AMENDMENT TO THE STANDING RULES OF THE SENATE.**

(a) FURTHER TRANSPARENCY.—Rule XLIV of the Standing Rules of the Senate is amended by adding at the end thereof the following:

“13.(a) All congressionally directed spending items shall be included in the text of an appropriations or authorization bill and any conference report related to that appropriations or authorization bill.

“(b) Not later than 48 hours after the request, each request for a congressionally directed spending item for an appropriations or authorization bill made by a Senator shall be posted on the Senator’s web site. The posting of the request for a congressionally directed spending item shall include the name and location of the specifically intended recipient, the purpose of the congressionally directed spending item, and the dollar amount requested. If there is no specifically intended recipient, the posting shall include the intended location of the activity, the purpose of the congressionally directed spending item, and the dollar amount requested.

“(c) It shall not be in order to consider an appropriations or authorization bill, amendment, or conference report if it contains a congressionally directed spending item for a private for-profit or non profit entity.”

(b) CLARIFYING APPLICATION TO CONFERENCE REPORTS.—Paragraph 8 of rule XLIV of the Standing Rules of the Senate is amended by—

(1) striking subparagraph (a) and inserting the following:

“(a) A Senator may raise a point of order against one or more provisions of a conference report if they constitute a congressionally directed spending item that was not included in the measure originally committed to the conferees by either House. The Presiding Officer may sustain the point of order as to some or all of the congressionally directed spending items against which the Senator raised the point of order.”; and

(2) striking subparagraph (e).

(c) REQUIRING FULL SEARCHABILITY.—Paragraph 3(a)(2) of rule XLIV of the Standing Rules of the Senate is amended by inserting “in a searchable format” after “available”.

(d) SUPERMAJORITY REQUIREMENT.—Paragraph 10 of rule XLIV of the Standing Rules of the Senate is amended by striking “or 3” and inserting “3, or 13”.

(e) AVAILABILITY BY THE COMMITTEE OF JURISDICTION.—Paragraph 6(b) of rule XLIV of the Standing Rules of the Senate is amended to read as follows:

“(b) With respect to each congressionally directed spending item requested by a Sen-

ator, each committee of jurisdiction shall make available for public inspection on the Internet the written statements and certifications under subparagraph (a) not later than 48 hours after receipt of such statements and certifications.”.

Mrs. MCCASKILL. Mr. President, I disagree with earmarks. I disagree with the process. Although we have made great strides in reforming earmarks, I do think there are further steps we need to take.

Today, I have introduced a resolution, a Senate resolution, with the senior Senator from Colorado, Mr. UDALL, to bring even more transparency to this process. Basically, this resolution requires all requests to be posted on committee Web sites and the Member’s Web site within 48 hours of request. It requires all information in the request letter be listed online, including location, purpose, and cost. This is not presently required. It requires electronically searchable text of all bills and conference reports, and it strengthens the ability to remove earmarks by a point of order.

There are some loopholes that we, I think inadvertently, created when we did S. 1 early in my first year as a Senator.

This resolution will require earmarks to be in the bill text. I discovered that there were some airdropped earmarks in a bill. Because they were in a managers’ statement, the point of order was not possible. So this requires all the earmarks to be in the bill text, which will subject them to the rules. It applies the airdrop point of order to the authorization bills in addition to the appropriations bills, and it further limits earmarks to public projects only.

In this time, I do not believe we can afford to be earmarking in the private sector or anywhere other than the public sector as we struggle with our deficits and our spending.

But I really rose today not to speak so much about the resolution I have introduced today but more to speak a little bit about how confused I have been over the last few weeks by many of my friends on the other side of the aisle. While we have a lot of work to do in regard to earmarks, I congratulate my party because we have created transparency. We now know who is earmarking, and because of that we now know that earmarking has nothing to do with party. Yes, there are thousands of earmarks in this bill by Democrats, but there are thousand of earmarks in this bill by Republicans.

Earmarking is not about party. Earmarking is about power. This is about whether you have the power to get an earmark, and power depends on various things when it comes to earmarking. It depends on what committee you are on. It depends on whether you are an appropriator. It depends on your seniority. It depends on whether you have a tough election fight. It depends, to some extent, on whether you are in the minority party or in the majority

party because the split is 60–40 right now. Sixty percent of the earmarks—it is kind of an unwritten rule—go to the majority party and 40 percent go to the minority party. It was the other way around when the Democrats were not in power. That doesn’t seem to me to be a very logical way to spend public money. It should be about the merit of the project. It should be about cost-benefit.

There are many people making the argument that we should not let bureaucrats decide. Congress has had the power of the purse for over 200 years. Congress has been directing spending in this country for over 200 years.

Earmarks are a new creation. The first earmarking started in the 1970s, that ability to make a solitary, lonely decision as to where money is going to be directed. In fact, in 1991, there were only 541 earmarks, and at the height of earmarking, under President Bush and under a Republican-controlled Congress, there was \$27 billion in earmarks. In fact, the number of earmarks has been cut in half under the leadership of my party.

This notion that bureaucrats are doing the decisionmaking is wrong—we have the power to tell the bureaucrats how to spend the money. We can tell them it is formula grants. We can tell them it is competitive grants. In fact, that is what we do for 99 percent of the budget. We tell the executive branch how to spend the money. It is now only for 1 percent that we decided we cannot tell the bureaucrats how to spend the money, so this notion that somehow we need to do earmarks because the bureaucrats are going to run amok—I don’t get it.

In fact, most earmarks skim money off other programs. You can look at the history of the Byrne grants. They have gone down over the last 8 or 9 years. Now we are increasing them—which is great. Byrne grants are competitive at the local level. But what happened while the Byrne grants were going down? In the same time, earmarks were going up. There is a connection.

When money is skimmed off the formula for highways, that is just more local projects that the local people want to build that are not built because a Senator or Congressman knows better.

Now, here is the weird part about this. This is what I want to focus on today: my friends on the other side of the aisle. I listened while podiums were pounded about wasteful spending during the debate on the stimulus bill, during the debate on the economic recovery bill. I watched as my friends across the aisle took to the airwaves and gave many different speeches about wasteful spending in the stimulus bill.

Let me quote some of the things they said:

Pet programs. Honey pot for whatever you need. A porkulus bill. Wasteful spending. Pet projects. Earmarks. Earmarks. Earmarks. An orgy of spending.

That was what they said about the stimulus bill, when, in reality, there were no earmarks in the stimulus bill. Everything that was spent in the stimulus bill was either competitive grants or formula funding.

Now, here is the weird part. They went on and on and on during the stimulus bill about earmarking. No fewer than 17 different Senators stood, and with absolute righteous indignation, talked about the pet projects in the stimulus bill. Guess what? Every single one of them has earmarks in this bill. One member of Republican leadership said:

That is the problem with earmarks. All Senators are equal, except some Senators are more equal than others when it comes to slipping things in bills.

Every single member of the Republican leadership has earmarks in this bill. Every single one of them. Every single one of those people rejected the stimulus that was one of the largest tax cuts in American history, but had no earmarks, because supposedly they were so upset about wasteful spending.

Those very same Senators have earmarks in this bill, such as the Interstate Shellfish Sanitation Conference. The Interstate Shellfish Sanitation Conference, beaver management, parking lots, all brought to you by the very same people who called out wasteful spending in the President's economic recovery bill.

If you do not take my word for it, check out the Taxpayers For Common Sense Web site. According to their statistics, 6 of the top 10 earmarkers in this bill are my friends on the other side of the aisle. In fact, the Republican leader has twice as many solo earmark dollars in this bill than the Democratic leader.

America, do not be fooled. Earmarking is an equal opportunity activity. It is a bad habit. The minority party is taking full advantage of it. Do not take anyone seriously who says one thing and does another. That is the worst sin of all. Any parent knows one basic rule: The example you set is way more important than anything you say.

Mr. UDALL of Colorado. Mr. President, I rise in support of the McCaskill-Udall resolution on earmark reform, and I am proud to be an original cosponsor of this legislation so ably authored by my colleague, Senator McCASKILL. I have appreciated the opportunity to work with her in developing this bill, which is designed to strengthen transparency and accountability in the way Congress authorizes and appropriates Federal dollars.

If there was ever a time in our history when we needed to reassure the American people that Congress understands the need for reform and integrity in the process of authorizing and appropriating Federal funds, it is now. It is today. As our economy continues a deep slide into recession, we have found it necessary to stimulate recovery with historic levels of public spending.

Now, the American people expect us to act with speed but not haste. They also expect Federal spending will reflect critical national priorities and broader public purpose. Most of all, they expect Congress to pass funding bills in ways that ensure wise use of taxpayer dollars.

Those are the purposes of this legislation. It is not just about preventing the abuse of so-called congressional earmarks, it is, rather, about reassuring the American people that their dollars and the debt future generations will incur as a result of our spending will be debated in the sunshine of public scrutiny.

In short, this bill is about restoring integrity to a legislative process that has, for a number of reasons, gone off track. It is about restoring public confidence in the legislative branch. Now, I say this without casting any aspersions on the motive of my colleagues in this institution or my former colleagues in the other body. Most of us have sought earmarks for our States and our districts because of a sincere desire to help our constituents and support worthy projects.

Along the way, however, the public has lost confidence in the integrity of this process. Although there have been too many "bridges to nowhere," the problem is as much about the process that yields these earmarks. They are tucked into spending bills without an opportunity to debate or consider their merits or even their true authors.

This bill brings important reform to the earmark process. First, it requires that all earmarks be included in the text of bills rather than a separate "statement of managers" that is not technically part of the bill text. Previously legislation allows Senators to strip out earmarks from bill text only, not from the statement of managers.

This reform will result in greater transparency because it will make it possible for any earmark to be stripped out of the bill. Second, the bill requires that all earmarks requested by a Senator be posted on a Senator's Web site within 48 hours after the request. It also requires committees to post on their Web sites all information that Senators are required to submit about an earmark request, including the name of the proposed recipient, the location, purpose, and financial certification from Senators certifying they have no financial interest in that project and all within 48 hours of receiving that request.

This reform, in short, offers a check against the information that Senators post on their own Web sites and provides fuller transparency by requiring this information to be compiled in a central location. Citizens know how to use the Web, and it has increasingly become a watchdog tool for Government. Instead of shrinking from it, I believe we should embrace this technology to inform our constituents and, yes, invite their comment and even criticism.

Third, this bill prohibits earmarks from private or nonprofit entities. By

limiting earmark requests to the public sector, we avoid the risk of inadvertently helping a campaign donor or mixing a private gain with a public purpose. An earmark to help our communities ought to be community based and community supported. There ought to be a public benefit that is recognized in a way that is accountable to public decisionmakers.

Fourth, this bill prevents earmarks from mysteriously surfacing in conference negotiations on authorization bills. Previous legislation already prohibits this air dropping of earmarks in conference negotiations on appropriations bills, but this reform would broaden that proposition to include authorization bills, which are often considered to be blueprints for the annual funding bills.

Let me be clear. I admire the hard work of our committee chairs and their staffs, and my experience in both Chambers has led me to the conclusion that great effort is made to ensure integrity and accountability in spending bills. Important, and often very complex bills, can be undermined in the public eye when individual earmarks are not carefully scrutinized. We can all agree that it often takes only one bad apple to spoil even the best barrel, and this provision is designed to keep out the bad apples.

Fifth, the bill requires that all appropriations and authorization conference reports be electronically searchable at least 48 hours before they can be considered by the full Senate. This reform will help the public and Congress identify earmarks that were added during the conference in appropriations bills that can be thousands of pages long.

In conclusion, I believe we can begin the important work of restoring public confidence in the way Congress legislates if we continue on the path we began in 2007, with earmark and ethics reform. This bill closes loopholes in the law we passed in 2007, and strengthens accountability, transparency, and integrity.

Now, there are some who would argue for abolishing all earmarks, including those supporting governmental entities. I have to tell you, I think that may be a case of throwing the baby out with the bathwater. At a time of economic crisis, I believe it is important for Senators to have the tools that can direct Federal funding to job-creating projects in their home States.

For those of us who are not fortunate enough to be appropriators, the opportunity to offer carefully considered earmarks is important. I have not come to the conclusion that all earmarks are bad; in fact, it is the process of their consideration and inclusion that needs reform.

Along with a constitutional line item veto and other reform measures, I believe that, in fact I know, we can construct a path of reform that is both fiscally responsible and in keeping with the highest ethical standards.

SENATE RESOLUTION 64—RECOGNIZING THE NEED FOR THE ENVIRONMENTAL PROTECTION AGENCY TO END DECADES OF DELAY AND UTILIZE EXISTING AUTHORITY UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT TO COMPREHENSIVELY REGULATE COAL COMBUSTION WASTE AND THE NEED FOR THE TENNESSEE VALLEY AUTHORITY TO BE A NATIONAL LEADER IN TECHNOLOGICAL INNOVATION, LOW-COST POWER, AND ENVIRONMENTAL STEWARDSHIP

Mrs. BOXER (for herself and Mr. CARPER) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 64

Whereas the burning of coal creates more than 130,000,000 tons of coal combustion waste a year;

Whereas coal combustion waste is made up of various types of waste, including fly ash, bottom ash, boiler slag, and flue gas emission control waste;

Whereas the National Academy of Sciences found that coal combustion waste “often contain a mixture of metals [including arsenic, lead, selenium, mercury, cadmium, beryllium, chromium, thorium and uranium] and other constituents in sufficient quantities that they may pose public health and environmental concerns if improperly managed.”;

Whereas the 2 most common forms of disposal for coal combustion waste are landfills and surface impoundments, with impoundments generally holding a “wet” waste mixture of water and landfills holding a “dry” waste that does not include intentionally added water, although other forms of disposal also occur in other areas including mines;

Whereas a 1993 report prepared for the United States Department of Energy found that over the preceding 50 years, roughly 500,000,000 tons of coal combustion waste were disposed of at then-existing or operating waste management units, and that about 1,000,000,000 tons of coal combustion wastes had been disposed of at an estimated 759 closed units;

Whereas the United States Environmental Protection Agency reported to Congress in 1999 that there were roughly 600 fossil fuel combustion waste disposal units operating at approximately 450 coal-fired power plants;

Whereas the United States Department of Energy in 2006 found: “The total number of [coal combustion waste] disposal units permitted, built, or laterally expanded between January 1, 1994 and December 31, 2004 (‘new units’) is not known, as no industry organization or government agency tracks this information.”;

Whereas on Monday, December 22, 2008 at 1:00 a.m. a wall constructed of coal combustion waste and dirt failed on a 84-acre surface impoundment holding coal combustion waste and water at the Kingston Fossil Plant in Harriman, Tennessee, 40 miles west of Knoxville;

Whereas the spill from this “wet storage” impoundment at the Kingston plant released 5,400,000 cubic yards of waste, equaling more than 1,000,000,000 gallons or an amount nearly 100 times greater than the amount of oil spilled in the Exxon Valdez disaster, into the Emory River and the surrounding valley and community;

Whereas the spill from the Kingston plant covered half of a square mile of land and water with waste up to 12 feet deep, destroying roads, waterways, wildlife, trees, railroad tracks, and impacting 42 properties, 40 homes, and sections and coves of the Emory River used by businesses, community members, families, and children;

Whereas the Kingston spill occurred around 1:00 a.m. in the morning in December, but if it had occurred at midday during the summer, when businesses, community members, families, and children regularly use the river and coves, the already-extensive property damage could have been far greater and the loss of life could have been catastrophic;

Whereas the United States Department of Energy has information demonstrating wet storage impoundments present risks to public safety, health, and the environment: “[W]et impoundment systems require substantially greater disposal site volumes than dry systems... Also, the presence of free liquid increases the possibility of leachate (i.e., a combination of ash solids and water) creation and its potential for migration into underlying soils and groundwater”;

Whereas in 2006 the United States Department of Energy reported inconsistent coal combustion waste disposal standards, with some States weakening safeguards and others improving protections;

Whereas the United States Environmental Protection Agency in 2000 produced a draft regulatory determination that certain fossil fuel combustion wastes, including coal ash, should be regulated as a hazardous waste under the Resource Conservation and Recovery Act; and

Whereas the United States Environmental Protection Agency has continued to issue information on the adverse effects of coal combustion waste but the agency has so far not required any consistent Federal regulatory protections for coal combustion waste disposal practices despite their clear authority to do so: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the need for the United States Environmental Protection Agency to—

(A) immediately conduct and complete reviews, including onsite confirmatory examinations, of all coal combustion waste impoundments and landfills to ensure the safety of people and the environment located in any area that may be threatened by a spill or release from an impoundment or landfill;

(B) report to the Senate Committee on Environment and Public Works on the earliest date possible that the Agency can regulate coal combustion waste using their existing authority under the Resource Conservation and Recovery Act;

(C) propose rules as quickly as possible to regulate coal combustion waste under the Resource Conservation and Recovery Act using the substantial information currently available to the Agency; and

(D) issue final rules as quickly as possible on regulating coal combustion waste under the Resource Conservation and Recovery Act; and

(2) recognizes the need for the Tennessee Valley Authority to meet the intentions of Congress and be “a national leader in technological innovation, low-cost power, and environmental stewardship”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 640. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table.

SA 641. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 642. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 643. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 644. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 645. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 646. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 647. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 648. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 649. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 650. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 651. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 652. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 653. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 654. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 655. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 656. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 657. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 658. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 659. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 660. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 661. Mr. TESTER (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 662. Mr. THUNE (for himself, Mr. DEMINT, Mr. INHOFE, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 663. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

SA 664. Mr. BAUCUS (for himself, Mr. GRASSLEY, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1105, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 640.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, none of the funds made available in Title II of Division C under the heading "JUVENILE JUSTICE PROGRAMS" under the heading "OFFICE OF JUSTICE PROGRAMS" may be used for the At the Park After Dark Gang Prevention Program in California through a congressionally directed spending initiative and the amount made available under that heading is reduced by \$50,000.

**SA 641.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, none of the funds made available in Title II of Division C under the heading "STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE" under the heading "OFFICE OF JUSTICE PROGRAMS" may be used for a tattoo removal violence prevention outreach program in California through a congressionally directed spending initiative and the amount made available under that heading is reduced by \$200,000.

**SA 642.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII in Division A, before the short title, insert the following:

SEC. 7 \_\_\_\_\_. Notwithstanding any other provision of this Act, section 726 of this title shall have no effect.

**SA 643.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII in Division A, before the short title, insert the following:

SEC. 7 \_\_\_\_\_. Notwithstanding any other provision of this Act, none of the funds made available under the heading "SALARIES AND EXPENSES" under the heading "AGRICULTURAL RESEARCH SERVICE" in title I may be

used for a honey bee laboratory in Texas through a congressionally directed spending initiative and the amount made available under that heading is reduced by \$1,762,000.

**SA 644.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

**SEC. \_\_\_\_\_. PROHIBITION OF USE OF FUNDS TO TEACH SCIENTISTS TO TALK TO THE PRESS.**

Notwithstanding any other provision of this Act—

(1) none of the funds appropriated or otherwise made available in title III of division F, under the heading "HIGHER EDUCATION" may be available for Stony Brook University School of Journalism in New York through a congressionally directed spending initiative; and

(2) the amount made available under such heading shall be reduced by \$214,000.

**SA 645.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 427, lines 10 and 11, strike "\$6,590,000, to remain available until expended" and insert "\$5,090,000, to remain available until expended: *Provided*, That no amounts made available under this heading shall be made available for the California National Historic Trail Interpretive Center".

**SA 646.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII in Division A, before the short title, insert the following:

SEC. 7 \_\_\_\_\_. (a) Notwithstanding any other provision of this Act, none of the funds made available under this Act may be used for congressionally directed spending initiative related to—

(1) the Virus-Free Wine Grape Cultivars or Wine/Grape Foundation Block in Washington;

(2) the Viticulture Consortium in California, New York, or Pennsylvania;

(3) the Center for Advanced Viticulture and Tree Crop Research in California; or

(4) the Center for Grape Genetics in New York.

(b) Notwithstanding any other provision of this Act, the amount made available under the heading "SALARIES AND EXPENSES" under the heading "AGRICULTURAL RESEARCH SERVICE" in title I is reduced by \$1,677,000.

(c) Notwithstanding any other provision of this Act, the amount made available under the heading "RESEARCH AND EDUCATION ACTIVITIES" under the heading "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE" in title I is reduced by \$4,384,000.

**SA 647.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for

other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

**SEC. \_\_\_\_\_. PROHIBITION OF USE OF FUNDS FOR ANTI-BULLYING PROGRAMS.**

Notwithstanding any other provision of this Act—

(1) none of the funds appropriated or otherwise made available in title II of division B, under the heading "JUVENILE JUSTICE PROGRAMS" may be available for the Self-Determination Anti-Bullying in Lifetown in Michigan through a congressionally directed spending initiative; and

(2) the amount made available under such heading shall be reduced by \$820,000.

**SA 648.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, section 110 of title I of division B shall have no effect.

**SA 649.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 221 of division F.

**SA 650.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, none of the funds appropriated under this Act may be used to repeal or amend part 88 of title 45, Code of Federal Regulations.

**SA 651.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. PROHIBITION OF USE OF APPROPRIATED FUNDS TO STUDY, RECOMMEND, OR IMPLEMENT A NEW METHOD OF TAXATION BASED ON VEHICLE MILES TRAVELED.**

Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to study, recommend, or implement a new method of taxation based on vehicle miles traveled.

**SA 652.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 823, beginning on line 12, strike “may be used to pay” and all that follows through “practice abortions” on line 14 and insert “may be made available for any private, nongovernmental, or multilateral organization that performs or actively promotes abortion as a method of birth control”.

**SA 653.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VI of division D, insert the following:

SEC. \_\_\_\_\_. No funds made available under this Act shall be used to ensure compliance with the requirements of subchapter IV of chapter 31 of title 40, United States Code, or any other provision of law requiring prevailing wages to be paid.

**SA 654.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. USE OF APPROPRIATED FUNDS FOR 2010 CENSUS.**

Notwithstanding any other provision of this Act, funds appropriated or otherwise made available under this Act for the 2010 Census shall be used in a nonpartisan fashion preserving the integrity and independence of the census process, and no such funds shall be used by the Executive Office of the President or other political officials to interfere with the conduct of the 2010 Census or to manipulate the census process for partisan gain.

**SA 655.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 183, between lines 21 and 22, insert the following:

**SEC. \_\_\_\_\_. PREVENTION OF CONGRESSIONAL REAPPORTIONMENT DISTORTIONS.**

Notwithstanding any other provision of this Act, no funds appropriated or otherwise made available under this Act may be used in conducting the 2010 Census to include aliens who are in the United States in violation of the immigration laws of the United States for purposes of tabulating population for the apportionment of Representatives in Congress among the several States.

**SA 656.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI of division D, add the following:

**SEC. 6 \_\_\_\_\_. PROHIBITION ON FUNDING FOR EMINENT DOMAIN.**

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other provision of law, none of the funds made available by this Act shall be used for any exercise of eminent domain for the purpose

of taking from a private individual or entity an interest in property for transfer of ownership of, or a leasehold interest in, the interest to another private individual or entity.

(b) EXCEPTION.—Subsection (a) shall not apply to any transfer of an interest in property for—

- (1) use by a public utility;
- (2) a road or other right-of-way open to the public or common carriers for transportation;
- (3) an aqueduct, pipeline, or similar use;
- (4) a prison or hospital; or
- (5) any use relating to, and that occurs during, a national emergency or national disaster declared by the President under Federal law.

**SA 657.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of law, Federal funds may not be made available to the Palestinian Authority, any Federal Government agency, or other entity receiving any foreign assistance from the United States for humanitarian relief, reconstruction, or assistance in the Gaza Strip until the Secretary of State certifies to Congress that none of the United States foreign assistance is being used to provide material support or resources, training, or expert advice or assistance (as such terms are defined in section 2339A(b) of title 18, United States Code) to a terrorist organization (as defined in section 2339B(g)(6) of title 18, United States Code).

**SA 658.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 1120, between lines 6 and 7, insert the following:

**DETENTION OF INDIVIDUALS AT GUANTANAMO BAY, CUBA**

SEC. 414. (a) None of the funds appropriated or otherwise made available by this Act may be used to construct, modify, or otherwise enhance any facility in the United States or its territories to house any individual held at the detainee complex at Guantanamo Bay, Cuba, as of the date of the enactment of this Act.

(b) Notwithstanding section 3 of this Act, for purposes of this section, the term “this Act” shall be treated as referring to divisions A through J of this Act.

**SA 659.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

In title V of division B, insert after section 530 the following:

**PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR ENHANCE FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES AT GUANTANAMO BAY, CUBA**

SEC. 531. Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act may be obli-

gated or expended to construct, modify, or otherwise enhance any facility in the United States or its territories to house any individual currently held at the detainee complex at Guantanamo Bay, Cuba

**SA 660.** Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 444, line 21, insert “, of which \$2,000,000 shall be available for Cuyahoga Valley National Park, of which \$1,500,000 shall be available for emergencies and hardships, of which \$1,500,000 shall be available for inholdings,” before “and of which”.

**SA 661.** Mr. TESTER (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. CABIN USER FEES.**

Title VI of the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.) is amended by adding at the end the following:

**“SEC. 615. DELAYED IMPLEMENTATION.**

“(a) IN GENERAL.—Notwithstanding any other provision of this title, this title shall not be implemented until January 1, 2010.

“(b) PAYMENTS FOR 2009.—For fiscal year 2009, cabin user fees shall be equal to the fee applicable for fiscal year 2008, as adjusted under section 614(a).”.

**SA 662.** Mr. THUNE (for himself, Mr. DEMINT, Mr. INHOFE, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, after line 2, insert the following:

SEC. 753. None of the funds appropriated in this Act may be used by the Federal Communications Commission to prescribe any rule, regulation, policy, doctrine, standard, guideline, or other requirement that has the purpose or effect of reinstating or repromulgating (in whole or in part) the requirement that broadcasters present or ascertain opposing viewpoints on issues of public importance, commonly referred to as the “Fairness Doctrine”, as such doctrine was repealed in In re Complaint of Syracuse Peace Council against Television Station WTVH, Syracuse New York, 2 FCC Rcd. 5043 (1987).

**SA 663.** Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 451, strike lines 3 through 9.

**SA 664.** Mr. BAUCUS (for himself, Mr. GRASSLEY, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 1105,

making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

On page 679, after line 22, add the following:

SEC. 524. TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.—

(a) APPROPRIATIONS FOR TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.—There are appropriated—

(1) \$60,000,000 to the Economic Development Administration of the Department of Commerce to carry out the trade adjustment assistance for communities program under subchapter A of chapter 4 of the Trade Act of 1974;

(2) \$20,000,000 to the Secretary of Labor to carry out the Community College and Career Training Grant Program under subchapter B of chapter 4 of the Trade Act of 1974; and

(3) \$20,000,000 to the Secretary of Labor to carry out the Industry or Sector Partnership Grant Program for Communities Impacted by Trade under subchapter C of chapter 4 of the Trade Act of 1974.

(b) OFFSETS.—

(1) The amount appropriated or otherwise made available by title V of division D under the heading "LIMITATIONS ON AVAILABILITY OF REVENUE" under the heading "FEDERAL BUILDINGS FUND" under the heading "REAL PROPERTY ACTIVITIES" under the heading "GENERAL SERVICES ADMINISTRATION" is decreased by \$50,000,000.

(2) The amount appropriated or otherwise made available by title IV of this division under the heading "LIMITATION ON ADMINISTRATIVE EXPENSES" under the heading "SOCIAL SECURITY ADMINISTRATION" is decreased by \$50,000,000.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, March 4, 2009, at 9:30 a.m. in room 216 of the Hart Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, March 4, 2009, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 4, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Com-

mittee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, March 4, 2009, at 9 a.m. to conduct a hearing entitled "Where Were the Watchdogs? Systemic Risk and the Breakdown of Financial Governance."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled "Getting to the Truth Through a Nonpartisan Commission of Inquiry" on Wednesday, March 4, 2009, at 10 a.m., in room SD-106 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, March 4, at 2:30 p.m., to conduct a hearing entitled "Tax Haven Banks and U.S. Tax Compliance—Obtaining the Names of U.S. Clients with Swiss Accounts."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SPECIAL COMMITTEE ON AGING

Mrs. BOXER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Wednesday, March 4, 2009 from 10 a.m.–12 p.m. in Dirksen 562.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Sara Crouse and Lauren Gannon from my staff be granted the privilege of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEASURE READ THE FIRST TIME—H.R. 146

Mr. WARNER. Madam President, I understand that H.R. 146 has been received from the House and is at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. WARNER. I ask unanimous consent for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (H.R. 146) to establish a battlefield acquisition grant program for the acquisi-

tion and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes.

Mr. WARNER. Madam President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

#### ORDERS FOR THURSDAY, MARCH 5, 2009

Mr. WARNER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. Thursday, March 5; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each and with the time equally divided and controlled between the two leaders or their designees; further, that the Senate resume consideration of H.R. 1105, the Omnibus appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. WARNER. Madam President, earlier this evening the majority leader filed cloture on the Omnibus appropriations bill. As a result, the filing deadline for first-degree amendments is 1 p.m. tomorrow. Rollcall votes in relation to pending amendments are expected to occur throughout the day.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WARNER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Thursday, March 5, 2009, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

RONALD C. SIMS, OF WASHINGTON, TO BE DEPUTY SECRETARY OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE ROMOLO A. BERNARDI, RESIGNED.

##### OFFICE OF PERSONNEL MANAGEMENT

JOHN BERRY, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF FOUR YEARS, VICE LINDA M. SPRINGER, RESIGNED.

## EXTENSIONS OF REMARKS

AMBASSADOR RICHARD SKLAR

**HON. NANCY PELOSI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Ms. PELOSI. Madam Speaker, on January 20, 2009, just hours after President Obama took the oath of office, our nation lost a tremendous American: Richard Sklar.

My friend Richard Sklar was a master builder of family, of ideas, of infrastructure, of peace, of the future.

My husband, Paul, and I first met Richard and his beautiful wife Barbara in the 1970s. I remember the day the Sklars moved into the neighborhood. My daughters Christine and Nancy met them first, running home to exclaim to me, "A new family has moved in. They have children our age. Their mother is beautiful, and their father sings show tunes. And did I tell you, they're Democrats?"

My five children became fast friends with the Sklar children: Karen, Eric, Marc, and Pamela. We all quickly came to cherish Richard's larger-than-life personality, sense of humor, and love of life and family.

Richard was like the pied piper when it came to children. When one of my kids wasn't home, there was a good chance that the Sklars were hosting a basketball game, movie, meal, or party. Over 20 years ago, the kids saw the Smurf movie and bestowed Richard with the nickname "Papa Smurf." They—and he—used it ever since.

With a zest for the organic and the exotic, Richard and Barbara were "foodies" long before the term was officially invented. You could count on expanding your palate at the Sklar tables in San Francisco and Napa. He was proud of his homegrown grapes and figs, and enjoyed the small celebrations—weekends in the country, birthdays, and family dinners—as much as the big holidays. Though Jewish and proud of his heritage, Richard put up the biggest Christmas tree anyone had ever seen.

Richard was a master builder of ideas. A brilliant engineer, businessman, diplomat and mediator, Richard brought his passion, talents and determination to every challenge he faced. As pragmatic as he could be in business, Richard was at heart a dreamer—always pursuing big ideas, big ideals, and big innovations.

Richard loved people—earning the respect of all, from the people on the street to the President of the United States. His confidence in their possibilities inspired greatness in return.

But Richard wasn't afraid to use tough love as well, because he was passionate, mission-driven and fearless in all his endeavors. In one such tough love work moment, he said "I didn't come here to be uncritically loved; I get that from my grandkids." He certainly had his priorities in order.

Richard had an opinion about everything and was never shy about expressing his views—whether about family, movies, books,

or politics. Richard wanted the last word in any conversation—and usually he got it.

Richard and I shared a birthplace—Baltimore, Maryland—and a love for progressive values and Democratic politics. Richard and Barbara were long involved in local and national politics from McGovern to Obama. They participated in every election cycle, building coalitions and urging participatory democracy. They opened their home for candidates for office at all levels of service. If you showed up at the Sklar house during TEDDY KENNEDY's 1980 campaign, any number of KENNEDY family and friends might be there for breakfast or dinner.

And more often than not, you would see that great Sklar and KENNEDY friend, ANNA ESHOO. Richard delighted in ANNA's success as a Member of Congress over the years.

Richard and Barbara taught their children to be active in civic life and have always taken great pride in their children's public service.

Throughout the years, Richard's role as master builder of ideas manifested itself in his work to preserve our planet for future generations. A force of nature himself, he never stopped thinking about new ways to save the planet, promote energy independence, and create innovative solutions by sheer force of will and intellect.

San Francisco will always bear the mark of Richard the master builder of infrastructure. In his lifetime, Richard oversaw construction of the Moscone Convention Center, kick-started Muni, and supervised the reconstruction of San Francisco's historic cable car system.

When you attend a conference at the Moscone Center, commute on an electric bus, or catch a cable car ride, you are among millions of people benefiting from the city that Richard helped rebuild.

The Balkans bear the touch of Richard the master builder of peace. In the 1990s, President Clinton asked him to help rebuild war-torn Bosnia, where he coordinated programs with the European Union, World Bank and International Monetary Fund to bring economic reconstruction and strategic reform to eight Balkan countries. He was responsible for restoring basic electricity and water services, reopening the Sarajevo airport and strengthening mine removal efforts. He would return to the area a few years later to help with Montenegrin independence for which he received the highest non-citizen medal of honor.

Richard also served with distinction as U.S. Ambassador to the United Nations, and will be long remembered for his work to reform management, budgetary financing and personnel practices there.

Richard said that when he was an ambassador in Sarajevo, he made a point of writing out personal notes to the White House on the fax cover sheets that he knew the Bosnian staffers would surreptitiously read—and discuss—as they sent his weekly reports back to Washington. He wanted the Bosnians to know that President Clinton never thought about Bosnia without considering "what does Richard Sklar think?" and that Richard Sklar never

thought about Bosnia without knowing "this is what President Clinton thinks."

While Richard bore the title of ambassador, it is Barbara, with her grace and grit, who is the true family diplomat, negotiating strong personalities and countless adventures in parenting: from Eric's pierced ear to Marc's high school parties. Of course, according to Richard, Karen and Pamela were perfect.

As they traveled the world, Barbara provided the sense of home, keeping their network of family and friends together even while she developed her own networks in civics and philanthropy. Barbara's artistry captured on canvas their life from California to New York to Italy to the Balkans.

For their entire relationship, Richard called her, "Beautiful Barbara." She was always the most beautiful person that he knew.

Like all great visionaries, Richard knew he was building a future he would not see.

Even when he became ill, Richard never stopped his work for the next generation. He continued his work on the local Public Utilities Commission, mentored political figures, and fought for a cure for cancer—if not for him, then for others. Richard taught us how to fight: never giving up, never losing hope, ever confident that the struggle was worth it for every extra minute it gave him with Barbara, his four children, and his eight grandchildren.

He also used the time to come up with new ideas about how to rebuild our country. How we will miss those phone calls and detailed voice messages—mine always contained strategic advice for the House Democrats.

My last message from Richard came after he heard President Obama's inaugural address. He thought it was wonderful, and characteristically had some thoughts to share about it. Later that same day, Richard left us.

Knowing Richard's interest in show business, the movie that I think best describes his journey is, "It's a Wonderful Life". With Richard Sklar in it, it was indeed a wonderful life.

IN HONOR OF LAUREL BRENNAN  
AND THE WOMEN IN LEADERSHIP  
DEVELOPMENT PROGRAM

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. PALLONE. Madam Speaker, I rise today to honor Laurel Brennan, Secretary-Treasurer of the New Jersey State AFL-CIO and the Women in Leadership Development (WILD) program. As a devoted mentor, Ms. Brennan has been generous with her time in helping hundreds of women. Through her tireless efforts to help women advance in their professional endeavors, many have reached new heights in the labor movement and other fields.

In 1997, Ms. Brennan became the first woman to hold the position of Secretary-Treasurer of the New Jersey State AFL-CIO.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Since this accomplishment she has implemented and developed the WILD program. Every year, under the leadership of Ms. Brennan, the New Jersey State AFL-CIO sponsors the WILD Conference in New Brunswick, NJ. The conference brings key players together to address a wide array of questions of how unions help women and how women help unions. The conference is designed to ensure that union women will have the opportunity to be educated, develop leadership skills and build diversity within labor movements.

Ms. Brennan's WILD program began in March 2004 as a way to recognize International Women's Day. During the first year she brought together 75 women to spend the day at the Rutgers Labor Education Center. Over the years, the number of women attending the conference expanded to reach over 250 people.

The New Jersey State AFL-CIO has been a leading proponent for workers' rights in our community. Representing a robust one million workers in our great state, the New Jersey AFL-CIO has an impressive record of advocating on behalf of working families. The Women in Leadership Development conference is a unique entity of the AFL-CIO. As Ms. Brennan's brainchild, WILD empowers women in unions. For the first time in its six year history, WILD will be bringing ten union women from the United Kingdom to compare efforts globally. This unique program not only benefits my community, but provides an exceptional foundation for women all over the world to use in the advancement of their careers.

Madam Speaker, I sincerely hope that my colleagues will join me in celebrating the work of Laurel Brennan and the WILD program. Her advocacy for women in the labor movement has a lasting impact on many New Jerseyans and others. I am confident that Ms. Brennan and the WILD women will continue to inspire and benefit many others for years to come.

RECOGNIZING THE RETURN OF  
THE 40TH EXPEDITIONARY SIGNAL  
BATTALION TO FORT  
HUACHUCA FROM IRAQ

**HON. GABRIELLE GIFFORDS**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Ms. GIFFORDS. Madam Speaker, I rise today to recognize, congratulate and welcome home the remaining Soldiers of the 40th Expeditionary Signal Battalion, part of the 11th Signal Brigade, to Fort Huachuca, Arizona.

The battalion's 600 Soldiers began their deployment in December 2007. The men and women of the 40th Signal Battalion supported combat operations throughout the Middle East as part of Operation Iraqi Freedom by providing secure communications and command-and-control networks for both U.S. war fighters and coalition partners. This was the third time the unit was called to war since the conflicts in Iraq and Afghanistan began.

This week the remainder of the 40th Signal Battalion returned home to a proud and grateful nation. They join other Soldiers from 11th Signal Brigade who returned to Fort Huachuca at the end of December from a similar mission in the Middle East. Together, the 40th Bat-

talion and the 11th Brigade Soldiers courageous and heroically completed their critical mission. They represent the best of Southern Arizona and our Army. As with all of our brave men and women, we are proud and appreciate their service to our nation.

EARMARK DECLARATION

**HON. JOHN R. CARTER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. CARTER. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, FY2009 Omnibus Appropriations Act:

Requesting Member: Congressman JOHN R. CARTER

Bill Number: H.R. 1105

Account: Bus and Bus Facilities

Legal Name of Requesting Entity: Capital Metropolitan Transportation Authority

Address of Requesting Entity: 2910 E. 5th Street, Austin, TX 78702

Description of Request: \$2,612,500 is received for Capital Metro's Paratransit Vehicle Replacement. Pursuant to, and in accordance with, the Americans with Disabilities Act, Capital Metro provides door-to-door van and sedan Para-transit service throughout Central Texas for persons with disabilities and senior citizens. This \$11.7 million (FY08 operating budget) program provides more than 500,000 rides each year. Capital Metro will be replacing many of the vans and sedans that serve this program, as they are retired during the coming fiscal year.

Requesting Member: Congressman JOHN R. CARTER

Bill Number: H.R. 1105

Account: Health Resources and Services Administration (HRSA)

Legal Name of Requesting Entity: Temple Health & Bioscience Economic Development District

Address of Requesting Entity: 938 Canyon Creek Drive, Temple, TX 76502

Description of Request: \$381,000 is for the seed money to acquire a state of the art cyclotron and related equipment for the production of radioisotopes. Future funding requests may be submitted.

Cyclotron—\$2,350,000

Micro PET Scanner—\$265,000

Micro Lab—\$58,000

Lab Equipment—\$375,000

Shielding—\$32,000

Rigging—\$35,000

Building Construction \$425,000

Start-Up Funding—\$65,000

Misc. Expenses—\$17,000

Total—\$3,622,000

Requesting Member: Congressman JOHN R. CARTER

Bill Number: H.R. 1105

Account: Health Resources and Services Administration (HRSA)

Legal Name of Requesting Entity: Southwestern University (Georgetown, TX)

Address of Requesting Entity: 1001 E. University Avenue, Georgetown, TX 78626

Description of Request: \$466,000 is for the TLCC, which is an innovative national model for a biotechnology, life-sciences and nano-

technology center for recruiting and developing emerging companies. The faculty and students of Southwestern University will participate in research partnerships and internships using the requested laboratory equipment, wet lab, and nanotechnology clean room.

Budget: Key equipment and activities to be funded through this one-time federal request are as follows:

VWR Science Instruments—\$48,549

VWR Wet Lab—55,924

VWR Clean Room—29,839

VWR Conference Room and Equipment—31,882

NanoScience Atomic Force Microscope—101,058

Leeds Instruments Confocal Microscope—95,000

Applied Biosystems Mass Spectrometer—35,000

Ground Zero Anti-static Flooring—2,295

Ground Zero Installation—2,000

Guardian Power Generator—16,500

Guardian Generator Pad and Installation—7,500

Indirect Costs (15%)—63,832

Total—\$489,379

Requesting Member: Congressman JOHN R. CARTER

Bill Number: H.R. 1105

Account: Higher Education (Includes FIE)

Legal Name of Requesting Entity: Texas State University (Round Rock Higher Education Center)

Address of Requesting Entity: 601 University Drive, San Marcos, TX 78666

Description of Request: \$476,000 in funding will continue to support the efforts to establish a nursing program at RRHEC. The Bachelor of Science in Nursing (BSN) is an entirely new major for Texas State University only to be offered at RRHEC. Funding for equipment for the clinical and simulation laboratories and additional nursing faculty and staff for the simulations laboratories continues to be needed and FY09 funding will be used for the salaries for the nursing program personnel as well as the simulation lab equipment and operating costs. Future funding requests are expected.

FY09 Budget—\$1,500,000

Funding Request for Salaries and Benefits for Nursing Program Personnel—\$700,000

Director for Community and Continuing Education (1)

Administrative and Lab Staff (4)

Faculty (5)

Simulation Laboratory Equipment and Operating Costs—\$800,000

Requesting Member: Congressman JOHN R. CARTER

Bill Number: H.R. 1105

Account: Elementary and Secondary Education

Legal Name of Requesting Entity: Communities-in-Schools, Bell-Coryell Counties, Inc.

Address of Requesting Entity: 4520 E. Central Texas Expressway, Suite 106, Killeen, TX 76543

Description of Request: \$143,000 was secured for the Youngest Victims of War Project. The goal of the project is to continue to impact the lives of a minimum of 1,800 military children in a positive way by keeping them in school and focused on performing to their greatest potential. To accomplish this, the CIS staff focus on the following components while case managing students: Supportive Guidance

and Counseling, Educational Enhancement, Parental and Family Involvement, Enrichment Activities, Health and Human Service Coordination, and Employment Skills Training. These activities encourage academic excellence, promote positive self-esteem, stress community involvement, and promote growth opportunities for students and their families. Future funding requests are expected.

Budget breakdown for the project:

PERSONNEL: (\$628,943)

18 CIS Site Directors @ \$30,603 annual salary = \$550,854

(each Site Director will case manage a minimum of 100 students)

1 Data Entry Spclst @ \$20,912 annual salary = \$20,912

10% Fringe for 19 these positions = \$57,177

(7.65% FICA and Medicare and 2.35% Organizational Insurance—W/C, Professional Liability)

PROGRAM EXPENSES: (\$22,464)

Currently, the average cost for overseeing CIS Campus operations is \$1,248 per campus. With an addition of 18 campuses, the total cost will be \$22,464. This cost covers the coordinated services as mandated for CIS by the Texas Education Agency by: 1) providing documentation to report program progress, 2) supervising CIS campus staff, 3) collaborating with ISD and campus administrators to maximize program success, and 4) overseeing the coordination of resources for students and their families.

TOTAL COST: \$651,407

Requesting Member: Congressman JOHN R.

CARTER

Bill Number: H.R. 1105

Account: EPA State and Tribal Assistance Grant (STAG)

Legal Name of Requesting Entity: City of Temple, TX

Address of Requesting Entity: 2 North Main Street, Suite 306, Temple, TX 76501

Description of Request: \$500,000 was secured for a wastewater Interceptor that will enable the construction of approximately 9,000 feet of wastewater main line and 11,500 feet of wastewater interceptor. \$50,000 will be spent on a Preliminary Design, \$155,000 on the Final Design, \$10,000 to Bid & Award construction, \$1.7 million for construction, and \$85,000 for construction administration. The federal government has provided \$500,000 of the \$2 million price tag. The requesting entity will provide the required funding match.

Requesting Member: Congressman JOHN R.

CARTER

Bill Number: H.R. 1105

Account: Corps of Engineers—O&M

Legal Name of Requesting Entity: Congressman JOHN R. CARTER

Address of Requesting Entity: 409 Cannon House Office Bldg., Washington, D.C. 20515

Description of Request: \$2.85 million in the O&M account for the Army Corps of Engineers, Fort Worth District (SWF) to repair three parks surrounding Stillhouse Hollow Dam and Lake which were devastated in June 2007 during massive rains and flooding.

Requesting Member: Congressman JOHN R.

CARTER

Bill Number: H.R. 1105

Account: Bureau of Reclamation—Title 16

Legal Name of Requesting Entity: Lower Colorado River Authority (LCRA)

Address of Requesting Entity: 3700 Lake Austin Blvd. Austin, TX 78767

Description of Request: \$1 million to assist in stretching available potable water resources by combining several current and future projects into a Williamson County Regional Reuse System. Total project cost is approx. \$24 million. Federal share cannot exceed 25% of that amount. The local communities provide the remaining 75%.

Requesting Member: Congressman JOHN R. CARTER

Bill Number: H.R. 1105

Account: Department of Justice, OJP-Byrne Discretionary Grants

Legal Name of Requesting Entity: Tarleton State University

Address of Requesting Entity: 1333 W. Washington, Stephenville, TX 76402

Description of Request: Provide an earmark of \$1.5 million to establish a rural law enforcement information technology and anti-terrorism service at Tarleton State University. On an annual basis, approximately 28.4% will be used for salaries and benefits; 7.9% for travel for training and meetings with agencies; 1% for equipment; .7% for office supplies; 5.4% for consulting for steering committees; 54% for database records management and assistance; and .3% for meeting expenses and teleconferencing.

Requesting Member: Congressman JOHN R. CARTER

Bill Number: H.R. 1105

Account: Department of Justice, COPS Law Enforcement Technology

Legal Name of Requesting Entity: City of Austin

Address of Requesting Entity: 301 West 2nd Street, Austin, TX 78701

Description of Request: I have requested an earmark of \$350,000 to complete phase 1 of a security camera system for pedestrian-heavy and crime-ridden areas of the City of Austin. The initial build out will include 2–5 cameras, with the capacity to expand to a 20–100 camera system. The cameras will be able to capture and transmit real-time video footage and have high-resolution, outdoor pan/tilt/zoom, and low light vision capabilities. Approximately 60% of the grant funds will be applied towards design, hardware (including servers) and installation costs; the remaining 40% for software, installation and maintenance.

Requesting Member: Congressman JOHN R. CARTER

Bill Number: H.R. 1105

Account: NRCS, Conservation Operations

Legal Name of Requesting Entity: Texas A&M University

Address of Requesting Entity: 113 Jack K. Williams Administrative Bldg., 2142 TAMU, College Station, TX 77843

Description of Request: I have requested an earmark of \$333,000 to demonstrate the use of composted dairy manure, soil management, seeding, and erosion control structures to increase vegetation and reduce erosion on manure areas. Research results are documenting practice impacts on vegetation growth and water quality. In addition, the project is removing composted dairy manure from the North Bosque River watershed to help meet total maximum daily load requirements. Approximately \$188,700 will be spent on salaries and benefits; \$52,329 will be used for supplies and materials; \$6342 will go toward travel expenses; \$19,029 will be applied to equipment rental and contracts; and \$66,600 will be spent on administrative fees of the NRCS and AgriLife.

IN HONOR OF FRED SEARS, II

## HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 2009

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to pay tribute to Fred Sears, II. In a state with many “firsts” in its history, I am proud of the fact that Fred Sears will be the first recipient of the “Goldey-Beacom College Ethics in Business Award.”

As a native of Delaware, Fred’s career in the banking industry spanned 38 years and culminated with his serving as President of Commerce Bank. Since 2003, Fred has served as President and CEO of the Delaware Community Foundation where he oversees the management of 900 funds with more than \$230 million in assets and the distribution of \$15 million in grants annually. These charitable funds benefit all of us in Delaware.

However, Fred’s leadership at the Delaware Community Foundation is only a small glimpse of the impact he has had on our community. He has served on at least 56 boards, clubs or organizations over the past five decades. His leadership, guidance, counsel and support are sought by government entities, non-profits, sports programs, community groups, educational institutions, and businesses. His willingness to help others has no limit and we are all forever appreciative of what he has done to make our state a better place for everyone.

Leaders like Fred Sears come along once every couple of generations. His integrity and ethics are unsurpassed and he is a great example for others to follow. This is not the first time Fred has been honored or recognized for his good deeds. In 1977 the Wilmington Junior Chamber of Commerce presented him with the Young Man of the Year Award. Since then Fred has been recognized by the Boy Scouts of America, the Wilmington Rotary Club, the United Negro College Fund, the NCCJ, and the Opportunity Center, Inc. Each time, these community organizations recognized Fred for his leadership and willingness to assist others.

I have known Fred for many, many years and I am most proud of being able to call him my friend. Individuals like Fred Sears bring about positive change, and when a small state like Delaware finds someone like him it allows us to show a nation how people working together can make the world a better place. I congratulate Fred on receiving the first ever “Goldey-Beacom College Ethics in Business Award” and thank him for his extraordinary service to Delaware.

HONORING RED CROSS MONTH

## HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 2009

Ms. ZOE LOFGREN of California. Madam Speaker, I rise this March day to celebrate “Red Cross Month.” Since 1943, we have been celebrating March as Red Cross Month and promoting the services provided to the public by the Red Cross each day. The Red Cross has been at the forefront of helping individuals and families prevent, prepare for, and respond to large and small scale disasters for more than 127 years.

In my district, the Santa Clara Chapter of the American Red Cross helps many people in times of need. They range from victims of disasters such as house or apartment fires, floods or mudslides, and earthquakes; to victims encountered through national disasters such as Hurricanes Ike and Katrina and international disasters such as the 2005 tsunami and the philippine earthquake.

This year in my district, the American Red Cross Chapter is hard at work and has already responded to local disasters, including a 5-unit townhome fire on January 12, 2009 that left 14 people homeless and caused more than \$2 million in damages.

The Red Cross is committed to making our homes and our communities safe and works closely with local, state and national partners to help people personalize their risk to natural hazards and make preparedness a personal priority. Join me in applauding the hard work of the American Red Cross volunteers and celebrating March as American Red Cross Month.

A PROCLAMATION HONORING THE  
50TH ANNIVERSARY OF THE  
TUSCARAWAS COUNTY CHAMBER  
OF COMMERCE.

**HON. ZACHARY T. SPACE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SPACE. Madam Speaker:

Whereas, the Tuscarawas County Chamber of Commerce has nearly 600 businesses as members; and

Whereas, at 1:15 PM on May 21, 1959, the Tuscarawas County Chamber of Commerce was created out of the former New Philadelphia Chamber of Commerce; and

Whereas, the Tuscarawas County Chamber of Commerce has been instrumental in attracting new industries to the area; and

Whereas, the Chamber of Commerce has held as the core of its mission to promote the civic, economic and social welfare of Tuscarawas County; therefore, be it

Resolved that along with the friends, member businesses, and the residents of the 18th Congressional District, I commend the Tuscarawas County Chamber of Commerce for their staunch support of the county and their ever-present efforts to bring economic growth and industry to the people of Tuscarawas County.

CHILD NUTRITION PROGRAMS

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to congratulate the California Legislature on the passage of Assembly Joint Resolution No. 69 addressing child nutrition programs.

The high occurrence of malnutrition, obesity and poor fitness in California are frightening.

Currently, only 6 percent of school lunches meet all of the School Meal Initiative (SMI) standards.

Over 30 percent of 7th graders in California are overweight and almost 40 percent cannot pass the state's fitness test.

The Resolution passed by the California Legislature urges Congress and the President of the United States to ensure that child nutrition programs establish comprehensive nutrition and wellness policies in schools.

In addition, this resolution supports the reauthorization of federal child nutrition programs and requests adequate reimbursements to fund the cost of producing a healthy school meal in the region where it is served.

I urge my colleagues to follow California's example and work together to ensure proper nutrition and fitness for American children.

I would now like to insert the following text from the California Assembly Joint Resolution No. 69.

ASSEMBLY JOINT RESOLUTION NO. 69

Whereas, The National School Lunch Program is declared to be the policy of Congress, "as a measure of national security, to safeguard the health and well-being of the nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the states, through grants-in-aid and other means, in providing an adequate supply of food and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school lunch programs"; and

Whereas, Federal regulations further state that participating schools shall ensure that children gain a full understanding of the relationship between proper eating and good health; and

Whereas, Child nutrition programs are responsible for collaborating with the school community to implement comprehensive nutrition and wellness policies in school districts; and

Whereas, All of California's more than 6 million pupils deserve access to high-quality, safe, nutritious meals available in the school setting, recognizing the link between adequate nourishment and educational performance; and

Whereas, Children that experience hunger have been shown to be more likely to have lower math scores, decreased attentiveness, increased likelihood of repeating a grade, increased absences and tardiness, and more referrals to special education services; and

Whereas, Child nutrition programs in California provide over 4 million meals to school children daily, and must comply with complex state and federal requirements, provide adequate food preparation and dining facilities, and meet budget requirements despite rapidly escalating food, energy, transportation, labor, and other costs; and

Whereas, Losses in the school meal programs must be offset by other revenue sources that would otherwise support classroom instruction; and

Whereas, For each lunch provided to a child who qualifies for a free meal, the estimated average cost of producing the lunch is \$3.10; the reimbursement received for each meal, provided that all state and federal requirements are met, is \$2.6895 (a federal reimbursement of \$2.47 and a state reimbursement of \$0.2195); and

Whereas, The difference between reimbursement and cost undermines the ability to continue to provide nutritious meals to all pupils; and

Whereas, The United States Department of Agriculture recognizes higher cost as a factor in determining reimbursement rates by allowing a higher federal reimbursement rate in Alaska and Hawaii; and

Whereas, Many families that qualify for reduced-price meals, prescribed by federal law

using the federal poverty level, find it difficult to pay the reduced fee, and the fee for a paid meal is an insurmountable barrier to participation for an increasing number of families in California; and

Whereas, The eligibility scale to qualify pupils for free or reduced-price meals is the same scale throughout the country and does not consider regions with higher costs of living; and

Whereas, A self-sufficiency index, which identifies the income levels at which families can meet their most basic needs without public support, is available in all regions to apply to meal eligibility standards; and

Whereas, A single-parent household with two children in San Mateo County, California, needs \$67,867 to be self-sufficient, while a similar family in Hardeman County, Tennessee, is self-sufficient with only \$21,657; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature supports reauthorization of federal child nutrition programs and urges the President and the Congress of the United States to ensure that reimbursement rates are adequate to fully fund the cost of producing a nutritious school meal relative to the cost of living in a region; and be it further

*Resolved,* That the eligibility scale used to qualify families for free and reduced-price meals be adjusted according to the self-sufficiency index for the region served; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

FLORIDA EVERGLADES BRIDGE

**HON. JOHN J. DUNCAN, JR.**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. DUNCAN. Madam Speaker, in yesterday's Washington Times is an article about a very controversial bridge project through the Florida Everglades.

This project has been strongly opposed by the Miccosukee Tribe through whose land this bridge would be built.

A federal judge has blasted this omnibus bridge in a scathing opinion, but our Omnibus bill ordered that it be constructed anyway.

The estimated cost is \$225 million, but because almost all federal projects are given lowball estimates on the front end, it would probably end up costing much, much more. I have discussed this project with my friend, Representative MARIO DIAZ-BALART in whose district this bridge project is located.

He told me he has discussed this bridge with the Army Corps of Engineers and all of the interested parties.

He believes that, while a bridge may have to be built at some point, that other, cheaper alternatives should be considered first.

I agree with Representative BALART, for whom I have the greatest respect.

I would like to call to the attention of my colleagues and other readers of the RECORD the following article about this project from the Washington Times.

[From the Washington Times]

'BRIDGE TO NOWHERE' OK'D FOR EVERGLADES

(By Stephen Dinan)

A provision buried inside Congress' giant spending bill would overturn a federal court order, discard part of environmental law and reject an Indian tribe's plea, forcing the government to build a bridge in Everglades National Park that a federal judge declared "a complete waste of taxpayer dollars."

The project is being opposed by the Miccosukee tribe, and U.S. District Judge Ursula Ungaro called it an "environmental bridge to nowhere." She ordered the government in November to comply with federal environmental laws, which would further delay the long-controversial project.

But lawmakers inserted a provision in the 1,123-page omnibus spending bill that is pending in the Senate. It waives those laws and in sweeping language orders the Army Corps of Engineers to begin building the bridge "immediately and without further delay."

Those pushing for the bridge, which would elevate the Tamiami Trail roadway to allow water to flow freely into the Everglades, say Congress' urgency is justified.

"The project has been studied and delayed over and over again for 20 years. Meantime, one of the world's great treasures continues to die," said Dan McLaughlin, a spokesman for Sen. Bill Nelson, Florida Democrat. "The National Academy of Sciences, in a report to Congress, says the bridge is needed to allow water north of the road to flow south into the Everglades. Senator Nelson supports it. It's absolutely essential to restoring the 'Glades. No bridge—no water flow. No water—no Everglades."

But the Miccosukee, who went to court last year to stop the bridge, are crying foul, saying it's hypocritical of Congress to ignore its own environmental laws.

The tribe also said that overturning a court order smacks of the broken treaties and poor treatment Indians suffered in years past.

"You tell the tribe to follow the law, but when the tribe follows the law and wins, you throw them out of court. It's really immoral and unconscionable," said Dexter Lehtinen, an attorney for the tribe. His wife is Rep. Ileana Ros-Lehtinen, a Florida Republican who Mr. Lehtinen said recuses herself from these matters.

The \$212 million bridge is part of a complex and contentious decades-old plan to try to restore the free flow of water through the Everglades, the swamp that covers much of southern Florida and is considered critical to the state's ecosystem. Decades of development and road-building have ruined the usual water flows.

Plans to restore water flow have changed repeatedly, and parts have been caught up in litigation, including the proposal to build a one-mile-long bridge along the northern park boundary at the Tamiami Trail, or U.S. Highway 41, which backers say would help the free flow.

The Miccosukee trace their time in the Everglades back to the 1700s when they moved to avoid encroaching upon European settlers farther north, in what is now Georgia, Alabama and northern Florida. They gained U.S. government recognition in 1962 and have both official reservation land and other land in perpetual lease.

Rather than the bridge, the tribe wants the government to instead clean out culverts and build swells that the Miccosukee say better and more cheaply restore water flow.

"The judge found that the likelihood is that people in Miami-Dade County are going to be flooded, there's not going to be any benefit to Everglades National Park, and

Miccosukee land is going to be further damaged," said Terry Rice, owner of an environmental services company and a former head of the Army Corps of Engineers district that includes the Everglades, who served as a witness for the tribe in court.

"Why do you say you have to build a project and you're not going to abide by any laws unless you can't abide by the laws?" Mr. Rice said.

The judge apparently agreed.

In issuing her preliminary injunction against the bridge, she said it won't begin to help water flow until the corps takes other steps, which are still in the planning stages. Given that, the judge said, rushing to build the project amounts to "no more than construction of an 'environmental bridge to nowhere' that accomplishes (and harms) nothing but which would be a complete waste of taxpayer dollars."

Backers acknowledged that tacking this sort of provision onto a spending bill was unusual, but said the bridge has widespread support, and only the tribe—and now the federal judge—objected.

Still, it could not be learned Monday who approved the insertion of the provision that forces the bridge to be built into the \$410 billion spending bill making its way through Congress.

The Miccosukee, in an ad last week, blamed House Speaker Nancy Pelosi and Senate Majority Leader Harry Reid for the measure. The tribe called it "a lamentable blast from the past in American history."

But both leaders' offices said they weren't responsible.

"We had nothing to do with this," said Jim Manley, a spokesman for Mr. Reid, Nevada Democrat.

"This language was included at the request of the Bush administration and has bipartisan support. Neither the speaker nor her office played a role in its inclusion," said Drew Hammill, a spokesman for Mrs. Pelosi, California Democrat.

The Army Corps of Engineers also said it wasn't the source.

"To our knowledge the corps did not promote or draft this language," said spokeswoman Lt. Col Elizabeth Robbins.

The Interior Department did not return messages for comment.

Spokesmen for Sen. Dianne Feinstein, California Democrat, and Rep. Norm Dicks, Washington Democrat, the chairmen of the Senate and House subcommittees that wrote the parts of the bill funding the Interior Department, didn't have a comment Monday night.

A spokeswoman said Rep. Mario Diaz-Balart, a Florida Republican whose district could be affected, was unavailable, while a spokeswoman for Sen. Mel Martinez, Florida Republican, said the senator did not request the provision, but she said she couldn't say whether he supported it.

Rep. Debbie Wasserman Schultz, a Florida Democrat whose district is also affected, does support moving forward, said spokesman Jonathan Beeton.

"The congresswoman supports this project because it is the essential next step in Everglades restoration," Mr. Beeton said. "This view is supported by the National Academy of Sciences. At the same time, she understands the concerns and the deep commitment of the Miccosukee Tribe to the restoration of the Everglades."

Several Democrats pointed to the Bush administration's support for the provision. But that came in his fiscal 2009 budget, submitted nine months before the judge ruled that the environmental laws hadn't been followed.

THANKING DEBORAH PRICE FOR  
HER SERVICE TO THE HOUSE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, on the occasion of her retirement at the end of February 2009, I rise to thank Ms. Deborah Price for her 25 years of outstanding service to the United States House of Representatives.

Deborah began her career with the House on September 19, 1984, and served in positions within the Office of Finance of the Chief Administrative Officer. As a Team Lead within the Office of Financial Counseling, she provided financial assistance and guidance to all Member and Committee offices including monitoring and projecting available fund balances and ensuring expenditures comply with both House and Committee rules and regulations.

Deborah has provided financial guidance to every entity of the House, assuring that House staff and vendors are paid accurately. Her passionate customer service and tireless commitment to the countless House staff members who have worked with her will be deeply missed.

On behalf of the entire House community, we extend congratulations to Deborah for her many years of dedication and contributions to the financial management of the House. We wish Deborah many wonderful years enjoying her retirement.

A PROCLAMATION HONORING THE  
187TH ANNIVERSARY OF THE  
QUINN CHAPEL AFRICAN METH-  
ODIST EPISCOPAL CHURCH

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 2009

Mr. SPACE. Madam Speaker:

Whereas, the Quinn Chapel African Methodist Episcopal Church was founded in 1821 and is celebrating its 187th anniversary in Chillicothe, Ohio; and

Whereas, the congregation of Quinn Chapel African Methodist Episcopal Church can trace their roots to the first Methodist church congregation in Chillicothe and can boast to be among the first African Methodist Episcopal churches in the state, and

Whereas, the church was founded to extend equal rights and privileges of worship to African congregants at a time when such congregants were not afforded the same considerations as their white brethren and has continued to seek equality and brotherhood that transcends race. Congregants from the Quinn Chapel African Methodist Episcopal Church played integral roles in the Underground Railroad and other abolitionist causes throughout the 19th century; now, therefore, be it

Resolved that along with the residents of the 18th Congressional District, I commend the Quinn Chapel African Methodist Episcopal Church for nearly two centuries of dedication and service to the Chillicothe community and their efforts to preach equality and faith among all races and religions throughout the years.

RECOGNITION OF THE PASSING  
AND LIFE OF WILBERT "BILL"  
TATUM

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. RANGEL. Madam Speaker, once in a while someone leaves this Earth and their life's story needs to be told, not just because it's interesting, but because it illustrates lessons that should be passed along. Madam Speaker, I rise today to recall the life Wilbert "Bill" Tatum, longtime publisher of the *Amsterd News* and my personal friend, who, to the sadness and shock of my community, died suddenly last week. Bill lived the life that people dream of and few attain, and while doing so became a friend, mentor, and "brother" to countless people.

In the early 1970s, Mr. Tatum, along with former State Comptroller H. Carl McCall and former Manhattan borough president Percy Sutton, bought the *Amsterd News*. This venture into the news industry reflected their longtime involvement in civic activism and passion for their community. Bill maximized his passion as the paper's publisher, a role for which his life prepared him.

Bill's voice goes back to his high school oratory competition days in North Carolina. He was a journalist, writing for three small newspapers that provided information to Black farmers. He served his country in the Marine Corps, graduated from Lincoln University in Pennsylvania, and received his master's degree from Occidental College in Los Angeles. In New York, he was a community activist who served as deputy Manhattan Borough President under Percy Sutton's borough presidency and held various city-level posts.

Under Bill's ownership, the *Amsterd News* was a brash and controversial voice for the Black community, regularly scorching politicians like 1970's Mayor Ed Koch. He was one of the angriest—and most eloquent—of voices on issues of politics, civil rights, and community action. What some perceived as sensational journalism, we in the community knew reflected the honest views of the publisher and his readers. At the same time, he filled the pages with colorful articles on social and community happenings.

Bill was a gentleman who loved people and derived no bigger joy than helping his community. He gave opportunities to scores of budding journalists and was a friend and professional mentor to many. A kind and decent person with a keen sense of humor, Bill was a man for all seasons and fierce defender of the causes he believed in. Despite an illness that confined him to a wheelchair, he and his beloved wife Susan continued their travels around the world. He entrusted his daughter Eli to succeed him as publisher and editor, and she has done an admirable and successful job in filling his shoes.

Wilbert Bill Tatum will be remembered as an honorable man of tough love, who used his brilliant mind and the First Amendment to denounce injustices he saw in his community. His life reminds us that the greatest love we can share with others is the power to speak up and be honest about where we are and where we need to go. I will miss him dearly.

IN HONOR OF JOHN JOSEPH  
"WACKO" HURLEY OF SOUTH  
BOSTON, MA

**HON. STEPHEN F. LYNCH**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. LYNCH. Madam Speaker, I rise today in honor of John Joseph "Wacko" Hurley, in recognition of his outstanding contributions to his hometown of South Boston, MA, and to commend him for over 50 years of dedicated service to his community.

The son of Margaret and Michael Hurley, immigrants from County Kerry, Ireland, John was born on May 11, 1930 in South Boston and lived on East Fifth St. until 1965 when he moved to East Fourth St. in South Boston where he currently resides.

John attended Nazareth School at O and Third St., and South Boston High School graduating in 1948. Subsequent to his graduation, John enlisted in the United States Navy, serving from 1950–1952 aboard the USS *Noah* (DD–841).

Upon completion of his distinguished service to our country, John worked for the State Veterans Services for 20 years. Following this position, John worked as an office manager for the Massachusetts Bay Transportation Authority for 18 years.

Along with providing distinguished service to his country and his state, John is also an active member of his community. A faithful parishioner at St. Brigid's Church in South Boston, John can be found daily at the 7 a.m. early morning mass followed by his walk around Castle Island. John also brought to the United States Supreme Court the case (John J. Hurley v. GLIB) that affirmed the First Amendment right of the South Boston Allied War Veterans Council to organize a private parade. He won a victory with a 9–0 vote. This law can now be found in every law book in the country. In fact, John has organized the Evacuation Day/St. Patrick's Day Parade in South Boston for the past 50 years.

John was recently awarded the Bishop Cheverus Medal from Cardinal Sean O'Malley, Archbishop of Boston, for Community Service and Catholic Dedication. You will find John every Thanksgiving and Christmas at St. Monica/St. Augustine serving holiday meals to the less fortunate.

Madam Speaker, John is known for his quick sense of humor and great storytelling. He has had the good fortune to be married to Molly for 56 years; they are the proud parents of 7 children, 15 grandchildren, and 2 great grandchildren.

Madam Speaker, it is my distinct honor to take the floor of the House today to join with John J. "Wacko" Hurley's family, friends, and contemporaries to thank him for his remarkable service to his community of South Boston.

A PROCLAMATION HONORING THE  
TUSCARAWAS COUNTY COUNCIL  
FOR CHURCH AND COMMUNITY

**HON. ZACHARY T. SPACE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SPACE. Madam Speaker:

Whereas, Tuscarawas County Council for Church and Community has been faithfully serving the community of Tuscarawas County since 1966; and

Whereas, the Tuscarawas County Council for Church and Community has participated in "Character Counts! Week," a character building program meant to instill six pillars of character in children, from October 19–25; and

Whereas, the "Character Counts!" program teaches young people about the six pillars of character—trustworthiness, respect, responsibility, fairness, caring, and citizenship—and is an enrichment and community extension of the Tuscarawas County Council for Church and Community Character Formation Program, now, therefore, be it

Resolved that along with the residents of the 18th Congressional District, I commend the participants of the "Character Counts!" program on their commitment to citizenship and respect of themselves and one another. I also commend those involved in the program for their dedication to the youth of our community and preparing them for lives of thoughtfulness, respect, and civic responsibility.

EARMARK DECLARATIONS

**HON. GARY G. MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. GARY G. MILLER of California. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2009 Omnibus.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Natural Resources Conservation Service, Resource Conservation and Development

Legal Name of Requesting Entity: Municipal Water District of Orange County

Address of Requesting Entity: 18700 Ward Street, Fountain Valley, CA 92728

Funding Secured: \$134,000

Description of Request: Funding will be used to expand an existing \$2.2 million program launched in 2004 to distribute an additional 5,500 Smart Irrigation Controllers by the end of 2011 to the highest water using residential and commercial properties in Orange County. This "smart" Irrigation Controller technology assists customers in delivering the appropriate amount of irrigation water to landscape based on soil, slope, type of landscape, and changing water conditions. Smart irrigation controllers will help use exiting water resources and efficiently as possible to help take pressure off of our imported water supplies from Northern California and the Colorado River. When fully implemented there will be a reoccurring 40,000 acre foot savings of water every year.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Community Oriented Policing Services' Law Enforcement Technology Program

Legal Name of Requesting Entity: City of Brea

Address of Requesting Entity: 1 Civic Center Circle, Brea, CA 92821

Funding Secured: \$50,000

Description of Request: The City will use the funds to develop of a forensics criminal science laboratory for its police department. This will allow the Brea Police Department to meet legal and scientific standards in the proper handling and processing of biological evidence (DNA, blood, semen, saliva, and tissues); to process evidence in a manner that meets safety standards for the evidence technicians; more efficiently and effectively identify and collect latent fingerprint evidence through the use of chemistry and light. The creation of the forensics criminal science laboratory will give the Department the means in which to identify more suspects and solve more crime. It will also reduce the workload on outside companies that Brea Police Department contracts with and the Orange County Sheriff's crime lab. Finally, it will allow the department to control the speed in which evidence is processed and maintained.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Office of Justice Programs, Juvenile Justice Delinquency Programs

Legal Name of Requesting Entity: Hope Through Housing Foundation

Address of Requesting Entity: 9065 Haven Avenue, Suite 100 Rancho Cucamonga, California 91730

Funding Secured: \$750,000

Description of Request: Funding will be used to administer an after school program on site at National CORE affordable housing facilities that is designed to help prevent violence and keep at risk youths off the streets. This program includes an array of services essential to assisting at-risk youth gain the resources they will need to succeed in life and school. An afternoon at Hope's After School and Beyond—Violence Prevention includes: team building exercises, self esteem building activities, homework assistance, family literacy and Peace Builders, the nationally acclaimed violence prevention curriculum. These elements will further develop positive and community networks that will support youth in their journey into adulthood, and will support their families in helping them on this journey.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Office of Justice Programs, Community Oriented Police Services' Law Enforcement Technology

Legal Name of Requesting Entity: Orange County District Attorney

Address of Requesting Entity: 401 Civic Center Drive, Santa Ana, California 92701  
Funding Secured: \$500,000

Description of Request: Funds will provide for three DNA mobile collection vehicles that would travel to the five branch courts in Orange County to collect DNA on site from offenders and volunteers. Funds would also provide for related equipment, supplies and DNA processing. By expanding collection efforts, the District Attorney would be able to collect approximately 50 samples a day. The Orange County District Attorney DNA Expansion Project will strengthen local law enforcement efforts to solve, and ultimately prevent, "volume crimes" such as burglaries, auto thefts, and robberies. Currently, throughout the country, law enforcement DNA laboratories are backlogged and must focus on the most vio-

lent of crimes, such as homicides and rapes. Due to these backlogs, volume crimes are either "not processed" or significantly delayed. It is well documented that those who commit burglaries, also commit other crimes. These crimes include, but are not limited to, rapes, homicides, robberies, gang violence, drug possession and sales, carjacking, auto theft, etc.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Office of Justice Programs, Byrne Discretionary Grants

Legal Name of Requesting Entity: County of San Bernardino

Address of Requesting Entity: 655 E Third Street, San Bernardino, California

Funding Secured: \$1,925,000

Description of Request: The request is for the purchase of the Automated Fingerprint Identification System for mobile and fixed identification. In 1985, the Counties of Riverside and San Bernardino embarked on a joint venture designed to be shared by all law enforcement agencies in the 27,360 square mile jurisdiction (with a combined population of over 3,250,000). The system provides fingerprint, photo, and DNA services to all public safety agencies including the local police departments, district attorneys, school districts, coroners, and Sheriff's Departments in both counties. It is also available to other state and federal law enforcement agencies that utilize these services on a routine basis.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Army Corps of Engineers, Construction

Legal Name of Requesting Entity: County of Orange

Address of Requesting Entity: 300 N Flower Street, Santa Ana, California

Funding Secured: \$14,000,000

Description of Request: This funding will go to construction, acquisition of property rights, relocations, environmental mitigation and enhancement in Orange, Riverside, and San Bernardino counties for the Santa Ana River Mainstem Project. The Army Corps of Engineers considers the Santa Ana River as the worst flood threat west of the Mississippi River. The Corps estimated that 3 million people and 110,000 acres would be impacted, with potential loss of 3,000 lives and \$15 billion in economic losses in 1987 price levels. Estimated impacts and loss without the Project being constructed would be much greater with current population growth and value of land and structures. In addition to protecting a large, highly populated and rapidly growing area of Southern California, the Project has and will improve protection of major transportation corridors. The Santa Ana River Mainstem Project including Prado Dam was authorized under the Water Resources Development Act (WRDA) of 1986, and Section 309 of WRDA, 1996. The flood control districts of these counties are the Local Sponsors who are responsible for implementing the Project.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Department of the Interior and U.S. Bureau of Reclamation, Water and Related Resources, Title XVI

Legal Name of Requesting Entity: Orange County Water District

Address of Requesting Entity: 18700 Ward Street, Fountain Valley, California

Funding Secured: \$558,000

Description of Request: Funds will be used to supply 72,000 acre feet per year of water and will provide the backbone facilities for future ground water replenishment system expansion. The Groundwater Replenishment System (GWR System) is a jointly funded project of the Orange County Water District (OCWD) and the Orange County Sanitation District (OCSD) with OCWD serving as the lead or constructing agency. When complete, the GWR System will be the largest water recycling project of its kind in the world, reusing 140,000 acre feet per year (AFY) of advance treated wastewater (recycled water). Phase I, currently under construction, will supply 72,000 AFY and will provide the backbone facilities for future GWR System expansion. The GWR System will supplement existing water supplies by providing a new, reliable, high-quality source of water to recharge the Orange County Groundwater Basin and protect the Basin from further degradation due to seawater intrusion. By treating excess storm flows along the Santa Ana River, the GWR System project also postpones the need for OCSD to construct a new ocean outfall in Huntington Beach.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Environmental Protection Agency's State and Tribal Assistance Grants (STAG)

Legal Name of Requesting Entity: Orange County Sanitation District

Address of Requesting Entity: Ellis Avenue, Fountain Valley, California 92708

Funding Secured: \$300,000

Description of Request: The Orange County Sanitation District (OCSD) is under a Consent Decree mandate to comply with the Clean Water Act through implementation of secondary wastewater treatment standards. The Consent Decree compliance effort requires that OCSD undertake an enormous capital improvement program to construct, rehabilitate, and upgrade the facilities needed to comply with secondary treatment standards. Federal support has been provided to municipalities, including Los Angeles, San Francisco, Seattle, and Boston, for similar projects. These funds will go to meet this mandate.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Department of Education, Elementary and Secondary Education

Legal Name of Requesting Entity: Hope Through Housing Foundation

Address of Requesting Entity: 9065 Haven Avenue, Suite 100 Rancho Cucamonga, California 91730

Funding Secured: \$330,000

Description of Request: These funds will be used to administer an after school tutoring program on site at National CORE housing facilities. The project will combine intensive age-appropriate academic tutoring with enrichment activity for children in grades K-8. In addition, a family literacy component and community building technical assistance program will strengthen the support services available to children and youth. The program includes tutoring each day where a student attends, they receive 60 minutes of small group academic tutoring in both math and English/language

arts. Each learning center is a literacy-rich environment stocked with age appropriate books, as well as creative writing and reading materials. Students are encouraged to check out books, create journals, and engage in any type of activity that encourages them to read and write.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Health Resources & Services Administration

Legal Name of Requesting Entity: Children's Hospital of Orange County at Mission

Address of Requesting Entity: 27700 Medical Center Road, Mission Viejo, California 92691

Funding Secured: \$95,000

Description of Request: Funds will be used to purchase needed equipment to retrofit all patient rooms on the Medical/Surgical unit with sleep sofas to improve the comfort and restfulness of overnight accommodations for parents of children in the Children's Hospital of Orange County at Mission. To facilitate and maximize parental and family involvement in patient care at CHOC at Mission, the hospital maintains open visiting hours and encourages parents to spend as much time as possible with their children, including sleeping overnight with their children, in the hospital. CHOC at Mission provides a family lounge area, two separate parent sleep rooms with bathrooms, and sleep accommodations for parents in each room on the general Medical/Surgical unit.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Federal Highway Administration, Interstate Maintenance Discretionary

Legal Name of Requesting Entity: Orange County Transportation Authority

Address of Requesting Entity: 550 South Main Street, Orange, CA 92868

Funding Secured: \$237,500

Description of Request: Funds will be used for the examination of the technical feasibility of options to connect SR-91 Express Lanes with SR-241 and for the preliminary engineering for funding for the SR-91 corridor and the Costa Mesa Freeway (SR-55) Interchange. The SR-91 is the only significant transportation facility connecting Orange County and Riverside County. The facility is currently operating at full capacity during peak hours and is critical for the movement of goods from the ports of Los Angeles and Long Beach to inland destinations. The request is partly for examination of the technical feasibility of options to connect SR-91 Express Lanes with SR-241. A direct connection between high occupancy toll (HOT) lanes on the SR-91 and the SR-241 toll road will provide a new travel option for SR-91 commuters and allow for a more balanced distribution of travel along the highly congested SR-91 corridor. The request is also for the preliminary engineering for funding for the SR-91 corridor and the Costa Mesa Freeway (SR-55) Interchange. Constructing this project will alleviate current and future congestion at the interchange of SR-91 and SR-55.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Federal Highway Administration, Transportation, Community and System Preservation

Legal Name of Requesting Entity: City of Rancho Santa Margarita

Address of Requesting Entity: 22112 El Paseo, Rancho Santa Margarita, California

Funding Secured: \$95,000

Description of Request: The project will consist of removing failed pavement, installing new pavement in the failed areas, cold milling the pavement, overlaying the entire roadway surface with Asphalt Rubber Hot Mix, repairing the sidewalks, installing Concrete Access Ramps, adjusting utility manholes and water valves to grade, and installing new striping and traffic loops along the Antonio Parkway. The Antonio Parkway was constructed in the mid to late 1980s. Since that time, heavy use combined with the natural aging process has caused transverse block cracking, heaving, and shoving on its surface. A new surface course of asphalt rubber hot mix combined with full depth dig-out repairs will extend the life of the pavement another 20 years.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Department of Housing and Urban Development, Economic Development Initiative

Legal Name of Requesting Entity: Hillview Acres Children's Home

Address of Requesting Entity: 3683 Chino Avenue, Chino, California

Funding Secured: \$95,000

Description of Request: This request is for construction and improvements to Hillview Acres Children's Home facilities. One of the biggest challenges Hillview faces today is their aging physical plant. The campus's relationship impact model was written and implemented in the 1970s. Since that time, Hillview has continued to be progressive in the way they treat and care for injured children. As their success in taking care of abused and neglected children maintains and increases in strength, their facilities have weakened and no longer parallel the quality of their program.

Requesting Member: Congressman GARY G. MILLER

Bill Number: H.R. 1105

Account: Department of Housing and Urban Development, Economic Development Initiative

Legal Name of Requesting Entity: National Community Renaissance

Address of Requesting Entity: 9065 Haven Avenue, Suite 100, Rancho Cucamonga, California

Funding Secured: \$950,000

Description of Request: Funding will be used for the construction of affordable housing communities. With this funding, National Community Renaissance will undertake one or more large-scale neighborhood revitalization projects, develop or acquire and preserve over 10,000 additional apartments in at least 10 more states nationwide, and establish a best-in-class non-profit Web portal, a free information resource that will become the go-to location for updates and information assistance in using affordable housing resources. National Community Renaissance is one of the largest nonprofit affordable housing development corporations in the United States. It manages several business lines that contribute to the development and preservation of high quality affordable housing throughout the country, including development of new affordable housing, preservation of existing affordable housing

at risk of going to market rate, and full service construction management with expertise in multifamily and mixed use development.

#### A PROCLAMATION HONORING THE SANDY VALLEY HIGH SCHOOL CARDINALS FOOTBALL TEAM

### HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 2009

Mr. SPACE. Madam Speaker:

Whereas, the Sandy Valley High School Cardinals football team admirably squared off against the Garaway High School Pirates on the night of Friday, September 12, 2008; and

Whereas, recognizing the game was not going their way, the Sandy Valley Cardinals, under the direction of Coach John Groff, exemplified the finest in sportsmanship and class by allowing the Pirate's team manager, Craig Gordon, a young man with Down Syndrome, to record his first touch of the football during a game; and

Whereas, Cardinals players allowed Gordon to carry the football into the end zone for a touchdown, giving him a memory and a feeling of pride that will last a lifetime, now, therefore, be it

Resolved that along with the residents of the 18th Congressional District, I commend the players and coaches of the Sandy Valley High School Cardinals for showing the very highest in class, sportsmanship, and character by allowing Gordon the opportunity to fulfill a dream of scoring a touchdown during a game in his senior year. Coach Groff, his coaching staff, and the Cardinals players have proven to be decent and honorable men who should be proud of their actions on the field that night.

#### TROOPS TO TEACHERS IMPROVEMENT ACT OF 2009

### HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 2009

Mr. PETRI. Madam Speaker, today I am reintroducing the Troops to Teachers Improvement Act to improve opportunities for veterans to transition into second careers in teaching. I am pleased to once again be joined in this effort by Congresswoman DORIS MATSUI. I have been a supporter of the Troops to Teachers program since its authorization, and I am proud of its success over the last decade. Since 1994, this program has placed nearly 10,000 veterans in our nation's classrooms.

Troops to Teachers is a unique program that provides retiring military with a \$5,000 stipend to help cover the costs of teaching certification in exchange for three years service in a high-need school, which until recently was defined as receiving grants under part A of Title I. To further encourage participants to teach in schools with the greatest need, a \$10,000 bonus is offered to those who agree to teach for three years in a school with 50 percent of students below the poverty level.

This structure has proven very effective in transitioning qualified retiring military personnel into second careers in teaching. Indeed, Troops participants fill several critical

needs among educators: eighty-two percent are male, over one-third ethnic minorities, and a majority bring an expertise in science and math to the classroom. In an increasingly globalized economy, these valuable characteristics provide a vital resource for schools across the country.

However, this success is now in jeopardy due to a drafting error in the 2001 No Child Left Behind Act which has inadvertently restricted the number of schools at which participants may fulfill their service. The applicable definition for "high-need local education agencies" for Troops to Teachers was inadvertently changed as it was included in the section of the legislation regarding other alternative programs that had a different definition. This stricter definition requires a higher threshold for "high-need," requiring the school to have either 10,000 students or 20 percent of students from families below the poverty level. However, the original Title I definition of high-need was also retained in the law in the section specifically detailing the Troops program. Essentially, Congress inadvertently created two conflicting definitions of "high-need" with regard to this program.

Early on, the Department of Education and the Troops to Teachers program recognized this unintended change in law and worked together to address it. From 2003–2005, while discussions were being held on how to reconcile this discrepancy, the program continued to operate under the original and intended definition. However, after the completion of a negotiated rulemaking process in September 2005, the Department issued a regulation stating that the new, stricter definition was not an error but congressional intent. As one of the leading supporters of this program during the drafting of No Child Left Behind, I can assure my colleagues that this clearly was not the intent of the supporters of the program.

Madam Speaker, the unfortunate result of this, aside from limiting the number of schools at which veterans may teach and honor their obligation of three-years service, is that it has disproportionately impacted western and rural states. In my home state of Wisconsin, the number of eligible school districts has been reduced from approximately 420 to 13. Not surprisingly, participation in the program has fallen significantly since the implementation of the new definition. This decision, although understandable given the conflicting definitions contained in the law, is a disservice both to veterans wishing to continue their service to our nation as educators as well as children who stand to benefit from their unique expertise.

The bottom line is that we are losing out on great teachers because they cannot accept the certification stipend due to a lack of schools meeting the higher needs threshold in their communities. The more we restrict opportunities for participation, the fewer teachers we will be able to bring into public education, and the fewer teachers we will eventually be able to attract to the schools with the greatest need. Further, given the nation's need for more math and science teachers, we should be removing, not creating, restrictions that prevent qualified teachers in these areas from teaching in our nation's classrooms.

Madam Speaker, with Troops to Teachers, the Department already has an established program that is well-funded and successful. Rather than restricting it, we should be maximizing this program's potential. This legislation

would correct this error and restore the original intent of the Troops to Teachers program. Our bill would ensure that veterans participating in the Troops to Teachers program may receive a \$5,000 stipend for teaching for three years in any school that is in a district receiving grants under part A of Title I. This legislation would result in a 49% increase in the number of eligible schools for the program. This would mean that in my home state of Wisconsin, 94 percent of the schools in the state would once again be eligible for the program.

The legislation would retain the current criteria for troops to receive an additional bonus of \$5,000 for teaching in a high need school, defined as in a school district that has at least 10% or greater who come from families living below the poverty level and a school where at least 50% of students are eligible for free or reduced lunch or have a "high percentage" of students with disabilities.

I urge my colleagues to join me and Congresswoman MATSUI in supporting this successful program and restoring the opportunity to "serve again" to our nation's veterans.

A PROCLAMATION HONORING THE  
200TH ANNIVERSARY OF THE  
CHALFONT METHODIST CHURCH

**HON. ZACHARY T. SPACE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SPACE. Madam Speaker:

Whereas, the Chalfont Methodist Church was founded in 1808 and is celebrating its 200th anniversary in Washington Township, Ohio; and

Whereas, the congregation was started by Mordecai Chalfant, a member of the society in Methodism in 1808 but did not have a church until 1811, and

Whereas, in June of 1970, when the East Ohio Conference of the Methodist Church decided to close the parish due to dwindling membership, the building was turned over to another congregation and scheduled to be demolished, the community came together to form the Chalfant Society, raising money to purchase the building and have it named to the National Register of Historic Buildings; now, therefore, be it

Resolved that along with the residents of the 18th Congressional District, I commend the Chalfont Methodist Church for two centuries of dedication and service to the Washington township community and their determination to save the church building and continue the good works of the parish.

H.R. 1293, DISABLED VETERANS  
HOME IMPROVEMENT AND  
STRUCTURAL ALTERATION  
GRANT INCREASE ACT OF 2009

**HON. STEVE BUYER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. BUYER. Madam Speaker, I am pleased to introduce a bill to provide an increase in the amount payable to disabled veterans under

the Department of Veterans Affairs (VA) Home Improvement and Structural Alteration Program.

Known as the HISA program, this important VA benefit provides grants to seriously disabled veterans who require home adaptations to provide access to in-home medical care.

Typically, HISA grants are used for such things as widening doors; putting in handrails or special lighting; making kitchens, bathrooms, windows, or electrical outlets and switches more accessible; building ramps or improving entrance paths and driveways.

The benefit is paid from the medical care appropriation and is available to both veterans with service-connected and non-service connected disabilities. A service-connected veteran can receive a HISA grant in addition to other home adaptations grants available through the Veterans Benefits Administration.

Congress first authorized VA to establish the HISA program as part of outpatient care for home health services in 1973. We have been engaged in the Global War on Terror for nearly eight years and are seeing an increasing number of servicemembers returning from Iraq and Afghanistan utilizing VA health care. It is especially important that this program remains relevant and can meet the needs of our newest generation of veterans.

The current maximum amount of a HISA grant is \$4,100 for service-connected veterans and \$1,200 for non-service connected veterans. This amount was established by Congress in 1992 and has not been raised in seventeen years.

My bill would increase the maximum amount of the grants to \$6,800 for service-connected veterans and \$2,000 for non-service connected veterans. This recommended increase reflects a three percent increase for each year since 1992. It accounts for inflation and the increased cost of home modifications.

I urge my colleagues to join me in cosponsoring this legislation. It would have a direct and immediate impact on improving health care and the quality of life for our disabled veterans.

SOLID WASTE GREENHOUSE GAS  
REDUCTION ACT

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. MORAN of Virginia. Madam Speaker, today I am introducing the "Solid Waste Greenhouse Gas Reduction Act," legislation that will reduce our nation's contribution to global warming by addressing the methane gas that escapes from municipal solid waste landfills.

Hardly a week goes by without reports of new evidence that the world climate is changing because of human activities that are putting greenhouse gases into the atmosphere. Scientists predict that as the earth warms, droughts and flooding will become more severe, threatening the world's food supply. Warmer ocean waters are producing expanding oxygen-depleted zones that are unable to support sea life. Higher temperatures are shrinking the Arctic ice cap, threatening coastal communities with rising sea levels and destroying the habitat that polar bears depend



on for survival. It is imperative that we look at all the options available to us for reducing emissions of greenhouse gases.

While most of us are familiar with the harmful effects of CO<sub>2</sub>, methane is a greenhouse gas that is even more harmful. The U.S. Environmental Protection Agency reports that methane is over 20 times more effective at trapping heat in the atmosphere than CO<sub>2</sub>. Decomposing waste in landfills is the largest source of U.S. anthropogenic methane emissions, accounting for approximately 24 percent of these emissions. About 138 million tons of municipal solid waste were discarded into 1,754 landfills in 2006, according to EPA estimates. Municipal and other landfills emitted over 6 million metric tons of methane gas into the atmosphere in 2005, the equivalent of 132 million tons of CO<sub>2</sub>.

The Solid Waste Greenhouse Gas Reduction Act will create a new national program to address these emissions. By requiring the owner or operator of a municipal solid waste landfill to collect a modest fee on each ton of waste disposed of, revenue will be made available to support programs to reduce the amount of waste entering landfills and to make beneficial use of the methane generated by decomposing landfill waste.

A fee of \$5.00 per ton will produce close to \$700 million in revenue for this program. The fees will be remitted to the local government having jurisdiction over the area in which the landfill is located. The local government could use the fees itself to undertake greenhouse gas reduction projects that were determined by EPA to be cost-effective. Alternatively, the local government could provide grants, loans, or other financial assistance to other entities to undertake such projects, or could transfer the fees to the State for that purpose. Projects could include waste reduction measures or recycling programs to reduce the amount of methane generated by decomposition, landfill gas recovery, and waste recovery including energy generation.

Americans understand the enormous challenge we face as a nation in preventing global warming and are asking how they can make a difference. With the funding provided by this legislation, local communities can identify and implement projects that will make a real contribution to reducing greenhouse gases. I urge my colleagues to support the "Solid Waste Greenhouse Gas Reduction Act."

A PROCLAMATION HONORING THE GARAWAY HIGH SCHOOL GOLF TEAM ON THEIR SECOND STRAIGHT DIVISION III STATE CHAMPIONSHIP

**HON. ZACHARY T. SPACE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SPACE. Madam Speaker:

Whereas, the Garaway High School Pirates Golf team competed in the Ohio State Division III Boys Golf Championship Tournament; and

Whereas, under the direction of head coach Ryan Taggart and assistant coach Mike Felton, the team overcame a two stroke deficit to Lima Central Catholic after the first day of play to win the tournament by eight strokes with a combined score of 631 to Lima's 639, and

Whereas, this is the team's second consecutive win in the Division III championship tournament and its third in five years, creating a dynastic legacy of sportsmanship, skill, and determination, and

Whereas, Garaway's Kevin Miller, finished as the individual state champion for the second year in a row defeating challenger Nathan Tarter of Mogadore High School, 141 to 144; now, therefore, be it

Resolved that along with the residents of the 18th Congressional District, I commend Kolt Andreas, Donny Beechy, Michael Dague, Kevin Miller, Greg Moomaw, and Ryan Troyer for their excellent performance on the golf course and congratulate them on their second win in as many years. The Garaway High School Golf Team has shown exemplary sportsmanship and skill under the management of Coaches Taggart and Felton, and should be proud of their achievement.

INTRODUCTION OF BILLS TO HELP THE UNEMPLOYED

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. PAUL. Madam Speaker, today I am introducing two pieces of legislation to help the increasing number of Americans who, because of the recession, have lost their jobs. The first bill, the Unemployed Tax Relief Act, makes a laid-off worker's last paycheck tax free.

The second bill, the Unemployment Assistance Act, allows unemployed people to make penalty-free withdrawals from accounts such as Roth IRAs and 401(k)s, to cover living expenses, health care, education, and job training expenses. People who make these penalty-free withdrawals while unemployed will be able to replenish their accounts once they have started new jobs.

Madam Speaker, while we may disagree about the best solutions to the economic crisis gripping the nation, I hope my colleagues will at least agree on these commonsense measures and cosponsor the Unemployed Tax Relief Act and the Unemployment Assistance Act.

PAUL HARVEY

**HON. ADRIAN SMITH**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SMITH of Nebraska. I rise today to remember Paul Harvey, one of our nation's great storytellers and a fixture for anyone who spent time listening to radio while traveling Nebraska's highways.

Unfortunately, we lost one of our most distinctive voices on Saturday when Harvey passed away at the age of 90.

Since 1951, his signature "Stand by . . . for news" alerted listeners to both stories which would strike a chord for the common man, and for commentary which would bring smiles to faces and nods across our country.

Paul Harvey's strength was his ability to tap into the humor, empathy and charm which

made him unique. In a day of constantly streaming news and information, Harvey made each of us feel like we were listening to a local radio commentator, not a national program.

America's air waves are a little quieter today.

So I end today with the immortal words of Mr. Harvey, "Good day, America."

INTRODUCTION OF A BILL TO ESTABLISH THE POSITION OF PHYSICIAN ASSISTANT SERVICES WITHIN THE OFFICE OF THE UNDER SECRETARY OF VETERANS AFFAIRS FOR HEALTH

**HON. PHIL HARE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. HARE. Madam Speaker, I am pleased to introduce a bill today that would elevate the current position of Physicians Assistant (PA) Advisor to a full-time Director of PA Services in the VA Central Office.

I would like to thank my good friend Representative JERRY MORAN for leading this effort with me, as well as Chairman FILNER and Ranking Member BUYER and all of my colleagues who are original cosponsors of this legislation. I would also like to thank the American Academy of Physician Assistants for their tireless work on this bill.

There are currently about 1,600 PAs serving in the Veterans' Health Administration (VHA), including many veterans, National Guard and Reservists. PAs are a critical component of the health care delivery system and are responsible for roughly one-quarter of all primary care patients seen in the VHA.

The change from the current role of PA Advisor, who works part time and is based in the field, to a full-time Director is necessary in order to ensure that PAs are being appropriately and effectively utilized throughout the VHA. Right now, the PA Advisor is being left out of strategic planning discussions and long-term staffing initiatives, leaving PAs with no voice and no advocate.

Additionally, there is a severe disparity throughout VHA facilities in how PAs are being utilized, what medical services they can perform, and even whether facilities can hire PAs.

Most importantly, the unnecessary restrictions and widespread confusion are causing the VA to miss an important opportunity to improve the quality of health care for veterans.

One of the biggest challenges facing current and future PAs in the VA system is their exclusion from any recruitment and retention efforts or benefits; the VA designates certain positions, such as physicians and nurses, as critical occupations, which are given priority in loan repayment and scholarship programs. Since PAs are not designated as a critical occupation, they are excluded from these monies, despite the fact that the VA has determined PAs and Nurse Practitioners are functionally interchangeable and equal in the work they perform.

The underutilization, lack of recruitment and retention efforts, and pay disparity are all leading PAs to not consider the VHA as a viable employment option.

PAs are very important for veterans living in rural areas, like those living in my congressional district. Veterans that live in underserved areas made the same sacrifices as their urban and suburban counterparts. With a disproportionate number of these brave men and women being cared for by PAs, it is critical that we establish a system that will best serve the needs of those veterans so as not to compromise their care.

Considering the fact that nearly 40 percent of all VA PAs are projected to retire in the next five years, the VA is in danger of losing its PA workforce unless some attention is paid to this critical group.

My bill will allow the Director of PA Services to become an integral component within the VA system, to proactively solve the many issues facing PAs, and give PAs a fair and long overdue voice within the VA.

Madam Speaker, this commonsense legislation promotes quality medical care for our veterans and I am proud to introduce it again this Congress. This bill (H.R. 2790) passed the House in the 110th Congress, but stalled in the Senate. I look forward to working with my Congressional colleagues to once again bring this measure to the floor so our nation's heroes have access to the care they need and deserve.

A PROCLAMATION HONORING THE  
200TH ANNIVERSARY OF  
TUSCARAWAS COUNTY

**HON. ZACHARY T. SPACE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SPACE. Madam Speaker:

Whereas, Tuscarawas County is celebrating the 200th anniversary of its organization; and

Whereas, Tuscarawas County has contributed greatly to the history and culture of eastern Ohio and its residents should take pride in the accomplishments of the county and look forward to its future; and

Whereas, the residents of Tuscarawas County will celebrate the county's 200th anniversary with a Bicentennial Parade, fireworks show, music by local school and adult performers, and exhibits commemorating the history and culture of Tuscarawas County; now, therefore, be it

Resolved that along with the residents of the 18th Congressional District, I commend the residents of Tuscarawas County, past and present, for their contribution to the state of Ohio over the last 200 years, congratulate them on the bicentennial of the county, and wish them well in the festivities planned to commemorate this once in a lifetime event.

INTRODUCTION OF DOMESTIC  
TUNA CANNING BILL

**HON. GRACE F. NAPOLITANO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mrs. NAPOLITANO. Madam Speaker, today I am introducing a bill to clarify existing tariff law and protect our domestic tuna canning industry. Bumble Bee Foods operates the only

tuna cannery remaining in the United States in Santa Fe Springs, CA in my 38th Congressional District. This cannery relies on imported tuna loins from Asia to manufacture canned tuna in the U.S.

For 75 years, Congress and the administration have implemented a \$10 per loin ton (less than 1%) duty rate on tuna loins while having a 12.5% duty rate on canned tuna. The difference in these duty rates is to encourage companies like Bumble Bee to can tuna in the United States. Given our current economic situation, it is of maximum importance to help maintain and create jobs in the United States.

Bumble Bee imported tuna loins in plastic bags sealed with metal clips and paid the lesser duty rate. At the direction of the Food and Drug Administration in 2000, Bumble Bee stopped this practice and instead began packaging loins with a heat seal to improve product quality and safety.

Upon inspection of the heat sealed bags in August 2006, the local Customs Service at the Ports of Los Angeles and Long Beach concluded that the new bags were airtight and imposed increased duties of 12.5%. This is contradictory to Congress' intent and the historical application of customs regulations that put a lower tariff rate on imported tuna loins to promote the domestic tuna canning industry. The fact that current imports of loins are in heat sealed plastic bags to more effectively prevent contamination of frozen tuna loins should not change the underlying classification of the product.

The bill I am introducing today will clarify the previously long standing customs regulations and allow tuna companies to continue to safely import tuna loins at a lower duty rate to can in the U.S. The bill requires Customs to adopt a clear test to determine whether a container is "airtight" that is based on universal standards, promotes health and safety, and comports with the intent of the tariff legislation. Under such a test, heat sealed loin bags would not be subject to the higher duty rate paid by canned tuna imports.

Madam Speaker, I urge my colleagues to support this bill which will clarify Congress' intent to protect the domestic canning industry by maintaining a lower duty rate on imported tuna loins.

EARMARK DECLARATION

**HON. JEFF FORTENBERRY**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. FORTENBERRY. Madam Speaker, pursuant to the Republican Leadership standards on member requests, I am submitting the following information regarding an earmark I received as part of H.R. 1105, the FY09 Omnibus Appropriations Bill:

Requesting Member: Congressman JEFF FORTENBERRY

Bill Number: H.R. 1105, FY09 Omnibus Appropriations Bill

Account: Corps of Engineers—Construction Project Name: Antelope Creek Flood Damage Reduction Project

Amount: \$4,620,000

Name and Address of Requesting Entity: Lower Platte South Natural Resources District located at 3125 Portia Street, Lincoln, Nebraska 68521.

Description: The Antelope Creek Flood Damage Reduction Project is a critical element of a flood control, transportation and community revitalization project known as the Antelope Valley Project. The project is being constructed in central Lincoln adjacent to the University of Nebraska Lincoln main campus to improve flood control, transportation networks and community well-being in the city's downtown area.

A CALL FOR CONGRESSIONAL RESPONSIBILITY AND TRANSPARENCY

**HON. JERRY MORAN**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. MORAN of Kansas. Madam Speaker, I rise in opposition to a cost-of-living increase for Members of Congress. Across our country, the faltering economy is closing businesses and leaving many without jobs. Our national debt is climbing to levels that future generations will be responsible for. I believe it is past time for Congress to be responsible. One action we can take is to cancel the automatic pay increase.

Without a direct yes-or-no vote on this provision, we add to the impression that too many people have of Congress. If Congress is to vote itself a raise in pay, it should be done in full view.

This process should be reformed. Members of Congress should not be able to receive an automatic cost-of-living increase. Each of us should be on the record with the citizens of our districts whether we believe an increase to our own salary is justified. In this time of increased economic hardship, I am going on the record in firm opposition to this increase in pay. Since I was not allowed to directly vote yes or no, this forum has become my only recourse. We will not have the transparent process promised to my fellow Americans until we cease this automatic system. I only wish I could do more to right this injustice to the American taxpayer. We have a long way to go in gaining the people's trust. Ending this unfair practice would help.

2009 ACADEMY NOMINEES

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. FRELINGHUYSEN. Madam Speaker, every year more high school seniors from the 11th Congressional District trade in varsity jackets for Navy pea coats, Air Force flight suits, and Army brass buckles than most other districts in the country. But this is nothing new. Our area has repeatedly sent an above average contingent of its sons and daughters to the nation's military academies for decades.

This should not come as a surprise. The educational excellence of our area's schools is well known and has long been a magnet for families looking for the best environment in which to raise their children. Our graduates are skilled not only in mathematics, science, and social studies, but also have solid backgrounds in sports, debate teams, and other

extracurricular activities. This diverse upbringing has caught the eye of military academy leaders, as many of them now know our towns and schools by name.

Since the 1830s, Members of Congress have enjoyed meeting, talking with, and nominating those superb young people to our military academies. But how did this process evolve? In 1843, when West Point was the sole academy, Congress ratified the nominating process and became directly involved in the makeup of our military's leadership. The procedure, still used today, is a further check and balance in our democracy. It was originally designed to weaken and divide political coloration in the officer corps, provide geographical balance to our armed services, and to make the officer corps more resilient to the unfettered nepotism that had handicapped European armies.

In 1854, Representative Gerritt Smith of New York added a new component to the academy nomination process, the academy review board. This was the first time a Member of Congress appointed prominent citizens from his district to screen applicants and assist with the serious duty of nominating candidates for academy admission. Today, I am honored to continue this wise tradition in my service to the 11th Congressional District.

The Academy Review Board is composed of six local citizens, several of whom are distinguished veterans, who have shown exemplary service to New Jersey, their communities, and to the continued excellence of education in our area. Members of the board come from diverse backgrounds and professions, but they all share a common dedication that the best qualified and motivated graduates attend our academies. And, as true for most volunteer groups, their service goes largely unnoticed.

I would like to recognize these men and women and thank them publicly for participating in this important panel. Serving as board member requires hard work and an objective mind. They have the responsibility of interviewing over 50 outstanding high school seniors every year in the academy review process.

The nomination process follows a general timetable. Interested high school seniors mail personal information directly to the Military Academy, the Naval Academy, the Air Force Academy, and the Merchant Marine Academy. Information includes academic achievement, college entry test scores, and other relevant activities. At this time, they also inform my office of their desire to be nominated.

The academies then assess the applicants, rank them based on the data supplied, and return the files to my office with their notations. In late November, our Academy Review Board interviews all of the applicants over the course of 2 days. They assess a student's qualifications and analyze character, desire to serve, and other talents that may be hidden on paper.

This year the board interviewed 38 applicants. Nominations included ten to the Naval Academy, eight to the Military Academy, five to the Merchant Marine Academy, and five to the Air Force Academy; the Coast Guard Academy does not use the Congressional nomination process. The recommendations are then forwarded to the academies by January 31, where admissions staff reviewed files

and notified applicants and my office of their final decision on admittance.

As these highly motivated and talented young men and women go through the academy nominating process, never let us forget the sacrifice they are preparing to make. This holds especially true at a time when our nation is fighting the war against terrorism. The current conflicts in Iraq and Afghanistan serve as constant reminder that wars are fought by the young. And, while our military missions are both important and sometimes dangerous, it is reassuring to know that we continue to put America's best and brightest in command.

ACADEMY NOMINEES FOR 2009—11TH  
CONGRESSIONAL DISTRICT NEW JERSEY  
AIR FORCE ACADEMY

Nicholas A. Davis, Sparta, Sparta H.S.  
Joseph W. Geib, Oak Ridge, Jefferson H.S.  
Richard B. T. Margerison, Long Valley,  
West Morris Central H.S.  
Matthew D. Nafie, Basking Ridge, Ridge  
H.S.

MERCHANT MARINE ACADEMY

Ian M. Bland, Somerville, Somerville H.S.  
Dalton R. Harbula, Parsippany, Parsippany  
Hills H.S.  
Yehudi Maldonado, Morristown, Morris-  
town H.S.  
Kevin M. McCormick, Lake Hopatcong,  
Pope John XXIII H.S.  
Ryan J. McCoy, Flanders, Roxbury H.S.  
Andrew M. Seals, Long Valley, West Mor-  
ris Central H.S.

MILITARY ACADEMY

Alex P. Filauero, Denville, Morristown  
Beard.  
John G. French, Jr., Denville, Morris  
Catholic H.S.  
Steven T. Godine, Whippany, Hanover  
Park H.S.  
Christopher A. Johnson, Chester, Home  
School.  
Matthew D. Parsons, Green Pond, Morris  
Knolls H.S.  
Stephen E. Rogacki, North Caldwell, Seton  
Hall Prep.  
Luke T. Suczewski, Chatham, Delbarton  
School.  
Russell J. Tepper, Flanders, Mt. Olive H.S.

NAVAL ACADEMY

Kristen A. Asdal, Chester, West Morris  
Mendham H.S.  
Zachary GP Beecher, Randolph, Randolph  
H.S.  
William B. Brundage, New Vernon, Pingry.  
Douglas F. Chesnulovitch, Sparta, Sparta  
H.S.  
Aaron Z. DeWitt, Califon, West Morris  
Mendham H.S.  
Robert F. Eckert, Parsippany, Parsippany  
H.S.  
Michael C. Jones, Basking Ridge, Ridge  
H.S.  
Jacob B. Levin, Madison, Madison H.S.  
Marykate B. Moore, Chatham, Villa Walsh  
Academy.  
Jack A. Morado, West Caldwell, St. Bene-  
dict's Prep.

A PROCLAMATION CONGRATU-  
LATING MARTHA MILLER ON  
ACHIEVING HER 100TH BIRTHDAY

**HON. ZACHARY T. SPACE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SPACE. Madam Speaker:

Whereas, Martha Miller will soon celebrate her 100th birthday; and

Whereas, she has been able to drive a car and maintain a home through her 97th year; and

Whereas, Martha Miller has volunteered as a poll worker through her 94th year; therefore, be it

Resolved that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Martha Miller on achieving her 100th birthday, and for her contributions to her community and country.

INTRODUCTION OF THE CAN DO  
BILL

**HON. BOBBY L. RUSH**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. RUSH. Madam Speaker, today I am introducing the Communities in Action Neighborhood and Opportunity bill, also known as the CAN DO bill. The Department of Justice reports that, on average, 45 people are shot and killed daily in America. Annually, there are 16,000–17,000 gun deaths in America.

The Communities in Action Neighborhood Defense and Opportunity Act is a comprehensive, community-based approach designed to address the issue gun violence. The bill calls for a four-pronged strategy in addressing gun violence in our nation's most crime-infested neighborhoods, including aggressive law enforcement, increased access to mental health and psychological counseling, additional employment training and job placement, and increased educational and recreational services for at-risk youth.

Madam Speaker, the issue of gun violence affects all Americans, white, black, Latino, Native American, and Asian. And gun violence pervades in all of our communities: urban, suburban, and rural. This issue is not a black or white issue, and it is not an urban or rural issue. This is an American issue that we must address with all of the resources we have at our disposal.

The research confirms that in order to effectively combat the causes of youth gun violence, there must be a holistic approach that provides not only aggressive law enforcement, but also provides at-risk youth with constructive alternatives to their dangerous lifestyles and gives them access to critical social services and programs.

This bill is unique in that it brings together the entire community to provide alternatives to youth by establishing partnerships between public and private agencies, businesses, community-based nonprofits, churches, schools, and universities. There is an 'all hands on' approach in order to get all of the stakeholders involved and provide a comprehensive and effective strategy that families and communities can support and get behind.

Madam Speaker, I urge all of my colleagues to support the CAN DO bill and help end the destruction that is tearing apart so many of our communities. Americans of conscious must come together to stop the senseless death of "The Daily 45." When will we say "enough is enough, stop the killing!"

## EARMARK DECLARATION

**HON. ADRIAN SMITH**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SMITH of Nebraska. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks the Third Congressional District will receive as part of the Consolidated Appropriations for Fiscal Year 2009.

Requesting Member: Congressman ADRIAN SMITH

Bill Number: H.R. 1105

Account: Small Business Administration, Salaries and Expenses

Legal Name of Requesting Entity: University of Nebraska Kearney

Address of Requesting Entity: 905 West 25th Street, Kearney, Nebraska, USA

Description of Request: Provide an earmark of \$100,000 for the University of Nebraska World Trade Center. The funding would be used to provide market research to businesses, facilitate participation in trade shows, organize trade missions, conduct international trade education for businesses, and offer business services that directly support trade for clients. This program will be a one-stop resource for businesses at various stages, from exploring opportunities to forming export and import agreements with trade partners. The Small Business Administration has recognized that support for entrepreneurship is critical to economic growth, as reflected in SBA's guiding principles of supporting entrepreneurs through a network of local resource partners and empowering the spirit of entrepreneurship in every community. This project will provide specific support for growth-oriented small businesses that need access to larger markets, a particular challenge faced in non-metropolitan areas. Because impact is closely tied to the geographic distribution of resources, this project will achieve federal interests by locating a resource partner in a critical region.

Requesting Member: Congressman ADRIAN SMITH

Bill Number: H.R. 1105

Account: Transportation and Community and Safety Preservation

Legal Name of Requesting Entity: Nebraska Department of Roads

Address of Requesting Entity: 1500 Highway 2, Lincoln, Nebraska, USA

Description of Request: Provide an earmark of \$570,000 for a new interchange located on Interstate 80 at Cherry Avenue, which is located approximately three miles east of Kearney's only interstate exit. This project will provide efficient access from Interstate 80 to the large industrial and commercial area on the northeast part of the city and relieve traffic congestion along 2nd Avenue. Currently, regional and national truck traffic serving these businesses must pass through the center of Kearney, causing delays and safety concerns. A new interchange and connecting roadway will encourage economic development and investment in this part of the country at a time when rural areas are experiencing difficult economic times.

Requesting Member: Congressman ADRIAN SMITH

Bill Number: H.R. 1105

Account: Transportation and Community and Safety Preservation

Legal Name of Requesting Entity: Panhandle Area Development District

Address of Requesting Entity: 1432 10th Street, Gering, Nebraska, USA

Description of Request: Provide an earmark of \$475,000 for the Heartland Expressway Corridor Management Study. The funding would be used to prepare a corridor development and management plan for the Heartland Expressway High Priority Corridor which will update project cost estimates, schedule segment priorities, and quantify economic development benefits. The plan will include, at a minimum, a coordinated corridor development plan and schedule, including a timetable for completion of all planning and development activities, environmental reviews and permits, and construction of all segments; the results of any environmental reviews and mitigation plans; a gap analysis identifying areas that need environmental reviews; a complete and comprehensive analysis of corridor costs and benefits; a finance plan, including any innovative financing methods and a State-by-State breakdown of corridor finances; and, the identification of any impediments to the development and construction of the corridor, including any environmental, social, political and economic objections.

RECOGNIZING NEWTON-CONOVER HIGH SCHOOL'S STATE FOOTBALL TITLE

**HON. PATRICK T. McHENRY**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. McHENRY. Madam Speaker, I would like to recognize the Red Devils of Newton-Conover High School for winning the North Carolina state football championship. The Red Devils, led by head coach Nick Bazzle, met the Tarboro Vikings in the University of North Carolina's Kenan Stadium for the state 2A title.

Roughly 5,000 fans from Catawba County traveled to Chapel Hill to cheer on the Red Devils to the school's first state football championship. The hard work and dedication that these young men have put into the Newton-Conover football program paid off with an impressive 51-28 victory in the title game.

The enthusiastic support shown by the students, Principal Kevin Campbell, and the community has made this football season a historic one for Newton-Conover High School. I commend them for their efforts—and a great victory!

## EARMARK DISCLOSURE

**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. COBLE. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, the Omnibus Appropriations Act, 2009.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: Federal Aviation Administration Airport Improvement account

Legal Name of Requesting Entity: Burlington-Alamance County Regional Airport

Address of Requesting Entity: 3441 North Aviation Drive, Burlington, North Carolina 27215

Description of Request: Provide an earmark of \$855,000 for lengthening the existing runway to 6,400 feet. Specifically, funds will be used for site preparation, along with paving and airfield strengthening of a 1,500-foot runway extension to 6,400 feet. The airport is located in the heart of North Carolina's premier area of growth and development along the Interstate 40/Interstate 85 corridor between Raleigh-Durham-Chapel Hill and Greensboro-High Point-Winston-Salem. While completion of significant airport enhancement projects such as the installment of a High Intensity Runway Lighting System and the strengthening of the existing runway to support 120,000-pound aircraft have been successful in increasing corporate air traffic, safe operations of these aircraft are marginal on the airport's existing 5,000-foot runway. This project received \$1,000,000 in Fiscal Year 2004 and \$980,000 in Fiscal Year 2008.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: Federal Highway Administration Transportation and Community Systems Preservation account

Legal Name of Requesting Entity: North Carolina Department of Transportation

Address of Requesting Entity: North Carolina Department of Transportation, 1542 Mail Service Center, Raleigh, North Carolina 27699

Description of Request: Provide an earmark of \$427,500 for the widening of SR 1306 and SR 1363 (Mebane Street) from SR 1158 to NC 54 in Burlington, North Carolina. Specifically, this project, TIP number U-3303, proposes to widen to multi-lanes SR 1306 and SR 1363 (Mebane Street) from SR 1158 (Huffman Mill Road) to NC 54 (Chapel Hill Road) in Burlington, NC. The length of the project is 2.4 miles. Right-of-way acquisition is currently underway and construction is set to begin in Fiscal Year 2009. This project has received no prior federal appropriations.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: Federal Railroad Administration Grade Crossings on Designated High Speed Rail Corridors account

Legal Name of Requesting Entity: North Carolina Department of Transportation

Address of Requesting Entity: North Carolina Department of Transportation, 1542 Mail Service Center, Raleigh, North Carolina 27699

Description of Request: Provide an earmark of \$2,280,000 for the Southeast High Speed Rail (SEHSR) Corridor Initiative from Greensboro to Charlotte. The project is located on the rail corridor between Greensboro and Charlotte. Specifically, funding will be used to restore three double track sections, adding capacity, improving freight and passenger service reliability and bi-directional operation. North Carolina has invested significant funds to renovate or replace all passenger stations, improve grade crossing safety, and reduce travel time by approximately one hour to be automobile-competitive. The corridor supports

some 60 freight and 6 passenger trains daily. The project will be developed and implemented with the communities, Norfolk Southern Railway, and the North Carolina Railroad Company.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: Federal Highway Administration Transportation and Community Systems Preservation account

Legal Name of Requesting Entity: City of High Point, North Carolina

Address of Requesting Entity: 211 South Hamilton Street, High Point, North Carolina 27261

Description of Request: Provide an earmark of \$95,000 for the High Point Greenway Project. The project encompasses a 3.8 mile greenway is located in High Point, North Carolina and funding will be used for completing the remaining 1.1 miles to create walking, jogging, bicycling and other recreational activities. The City of High Point is contributing \$1.3 million to this project, and needs federal assistance to complete the project. This project meets all of the requirements of FHWA's Transportation, Community, and System Preservation program from which federal funds are being sought.

This area is rapidly urbanizing and opportunities to preserve and develop recreational resources in the future will be limited. The High Point Greenway provides high quality healthy living resources to the citizens of High Point and Guilford County, as well as to tourists from across the world who visit the City. Some of those tourists include people who visit High Point for the International Furniture Market, which is the largest home furnishings trade show in the world, and is the largest biannual event in the state to which an average 140,000 people from more than 100 countries attend.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: Federal Transit Administration Bus and Bus Facilities account

Legal Name of Requesting Entity: City of Greensboro, North Carolina

Address of Requesting Entity: Greensboro Transit Administration, 320 East Friendly Avenue, Greensboro, North Carolina 27401

Description of Request: Provide an earmark of \$1,140,000 for the Greensboro Maintenance/Operations/Administration Transit Facility, Land Acquisition, Design and Construction. This project, NC TIP number TD-4915, would replace the existing facility that is too small and outdated to handle Greensboro's growing fleet and operations. The facility will enhance the Greensboro Transit Authority's service delivery efficiency and the quality of transit services. No previous funds have been appropriated for this project. Dollars will be used for land acquisition, design and construction. Rep. MEL WATT is the lead on this request.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: COPS Law Enforcement Technology account

Legal Name of Requesting Entity: North Carolina State Highway Patrol

Address of Requesting Entity: 4702 Mail Service Center, Raleigh, North Carolina 27699

Description of Request: Provide an earmark of \$350,000 for the North Carolina State High-

way Patrol (NCSHP) Communications Enhancement project. Specifically, funds will be used to purchase and install a state-of-the-art communications console at Troop D Headquarters in Greensboro, North Carolina. The console to be replaced is outdated technology and parts are no longer available. Parts must be scavenged from other abandoned consoles of the same vintage (if they can be found) or fabricated.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: COPS Law Enforcement Technology account

Legal Name of Requesting Entity: Alamance County, North Carolina

Address of Requesting Entity: 124 West Elm Street, Graham, North Carolina 27253

Description of Request: Provide an earmark of \$500,000 for the 800 MHz Emergency Communications System Conversion project in Alamance County, North Carolina. Specifically, funds will be used to convert its current VHF emergency communications system to an 800 MHz emergency communications system between January 1, 2009 and July 1, 2009. The reason for converting to the 800 MHz emergency communications system is based on two primary needs: safety and interoperability. Under the current VHF system, there are areas within the county that are without coverage which causes a safety issue for many of our system users and health and/or safety issues for those in need of emergency services. There are times when the users are unable to communicate with anyone. Because many of the users in Alamance County are on different VHF systems, there is also a lack of interoperability between users. Currently, only the City of Burlington, the Town of Elon, and the Town of Gibsonville Guilford/Greensboro's 800 MHz system.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: Department of Commerce, International Trade Administration account

Legal Name of Requesting Entity: North Carolina State University's National Textile Center and the Textile/Clothing Technology Corporation [TC]<sup>2</sup>

Address of Requesting Entity: N.C. State University, Contracts and Grants, Administrative Services Building III, Raleigh, NC 27695 and 211 Gregson Drive, Cary, NC 27511

Description of Request: Provide an earmark of \$100,000 for the National Textile Center and the Textile/Clothing Technology Corporation [TC]<sup>2</sup>. Specifically, funding will be used for developing new materials; providing trained personnel, industrial partnerships and technology transfer mechanisms; strengthening the nation's textile research and education efforts; and improving textile and apparel production techniques. This request was almost made by Reps. WATT, MYRICK, Hayes, SHULER, and BUTTERFIELD.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: Department of Education Elementary and Secondary Education (FIE) account

Legal Name of Requesting Entity: University of North Carolina at Greensboro (UNC-G)

Address of Requesting Entity: 1601 MHRA Building, 1111 Spring Garden Street, Greensboro, North Carolina 27412

Description of Request: Provide an earmark of \$250,000 for the ON TRACK—LEARN MATH project. Specifically, funds will be used to develop a reform-based problem-solving mathematics enrichment program for use in after school settings with elementary school-aged children. Undergraduate majors in elementary education at UNCG and elementary school teachers in Guilford County will team together to deliver the ON TRACK programs. The ON TRACK program, together with current efforts spearheaded by local and state curriculum directors, will address several problems related to mathematics instruction and achievement: the manner and methods used to teach mathematics, low student achievement, teachers' low expectations of students in this area, and the upcoming reforms to the NC mathematics curriculum in 2009. To foster student engagement and parent support for this program, the program will provide fun, stimulating activities that use hands-on experiences to reinforce conceptual learning. This project has not received federal funds and is lead by Rep. BRAD MILLER

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 1105

Account: Health and Human Services Office of the Secretary account

Legal Name of Requesting Entity: University of North Carolina at Greensboro (UNC-G)

Address of Requesting Entity: 1601 MHRA Building, 1111 Spring Garden Street, Greensboro, North Carolina 27412

Description of Request: Provide an earmark of \$238,000 for the North Carolina Council for Health Literacy project. Specifically, dollars will be used to support the infrastructure for this initiative, which would address health literacy. This includes support training for public health and clinical health professionals; statewide readability service, media campaign; and targeted research and evaluation projects. This project has not received federal funds and is lead by Rep. BRAD MILLER.

HONORING PATRICIA ANNE McKEE

**HON. MARK H. SCHAUER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. SCHAUER. Madam Speaker, I am proud to honor today one of Michigan's finest postal service employees, Patricia Anne McKee of Albion, Michigan. Patricia is retiring after 35 years of service with 29 years of supervisory and postmaster experience. She has been a postmaster for 25 years and a dedicated member of the Albion community for 22 years. Patricia has served our state with honor and distinction and has shown extraordinary devotion to her community, being active and serving on many boards and committees as well as volunteering in her spare time. She has done all of this as a loving mother to Travis and a loving grandmother to Kemar. In her spare time she enjoys reading, traveling, playing the piano and spending time with family, friends and special partner, Greg. Patricia is a model of patriotism and well deserves our respect and appreciation for her years of dedication to the postal service and the Albion Community.

## EARMARK DECLARATION

**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following regarding earmarks I received as part of the FY 2009 Omnibus.

## AGRICULTURE, FDA AND RELATED PROGRAMS

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: University of Miami

Address of Requesting Entity: 4600 Rickenbacker Causeway, Miami, FL 33149

Description of Request: I have secured \$2,494,000 for the Southeastern Climate Consortium Application of Climate Forecasts in the Southeastern United States. The Consortium reduces economic risks and improves social well-being by providing climate information that is integral to agricultural decision-making. The program seeks to develop flood forecasting methods to help farmers and producers plan for reducing risks of economic losses and environmental damage; develop partnerships and methods for incorporating climate forecasts and other climate information into agricultural and water policy decisions; and begin development of a prototype decision support system for the application of climate forecasts to water resource management, especially for agricultural water use.

## COMMERCE, JUSTICE, SCIENCE

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Justice, COPS Law Enforcement Technology account

Legal Name of Requesting Entity: City of Hialeah

Address of Requesting Entity: 501 Palm Avenue, Hialeah, FL 33010

Description of Request: I have secured \$600,000 to enhance the City of Hialeah police department's current radio system which does not allow for radio interoperability among other law enforcement agencies, especially important during times of statewide response to natural disasters, domestic security incidents or multi-agency jurisdictional public safety efforts. The XPS radio system would bridge the current gap and achieve interoperability with the State of Florida by replacing and upgrading fixed end, portable and mobile radio communication equipment.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Commerce, NOAA, Operations, Research and Facilities account

Legal Name of Requesting Entity: Florida International University

Address of Requesting Entity: University Park Campus, 11200 SW 8th Street, Miami, FL 33199

Description of Request: I have secured \$500,000 to develop the capability of real-time forecasting for storm surges associated with

hurricane activity and flooding. The State of Florida is completing a state-wide collection of data from airborne lasers to record detailed elevation information. Combined with new computational capabilities and overland flow algorithms, the proposed models would allow Florida the best understanding of storm surge effects and subsequent planning advantages. This new information will save lives and mitigate property loss due to storm surge flooding.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Justice, Juvenile Justice account

Legal Name of Requesting Entity: ARISE Foundation

Address of Requesting Entity: 4001 Edmund Benson Boulevard, Miami, FL 33178

Description of Request: I have secured \$300,000 to educate at-risk youth. Established in 1986, ARISE has trained over 5,000 certified life skills instructors who have gone on to teach over 3,600,000 documented hours of evidence-based life skills lessons. Specifically targeting high-risk youth, ARISE's goal is to stop the cycle of crime and violence while offenders are young enough to learn life lessons—and ultimately, to reduce rates of recidivism, drug abuse and violence while building skills to keep juveniles in school and out of harm's way. The ARISE Life Management Skills Lessons provide both training and program materials for teaching such lessons to incarcerated youth through interactive methods that help develop positive social and emotional skills needed to break the cycle of violence and crime that would otherwise doom many of today's juvenile offenders. Further, it provides demonstrable outcome measures on the value of expanding this statistically proven, award-winning, professionally managed intervention program.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Justice, Juvenile Justice account

Legal Name of Requesting Entity: Miami-Dade County, FL

Address of Requesting Entity: 111 NW 1st Street, Suite 1032, Miami, FL 33128

Description of Request: I have secured \$200,000 to continue the partnership between Miami-Dade County and the Department of Justice in administering the JAC program which has been recognized by the White House Office of National Drug Control Policy for its exemplary results in reducing the recidivism rate among juveniles in Miami-Dade County. The Office of Justice Programs also strongly supports the JAC's initiative to provide an expanded data base, as it could offer valuable lessons to other large jurisdictions across the U.S. The Juvenile Assessment Center, a centralized processing, referral, and evaluation center for all juveniles arrested in Dade County, opened in late October 1997 and has served over 100,000 arrested juveniles. The JAC allows representatives from law enforcement and social services to work together to provide a complete range of services at the initial stages of the juvenile's involvement with the Juvenile Justice System. Over 5,000 juveniles have participated in the Post-Arrest Diversion component of the project since 2000, with a success rate of 73% and a sharply decreased recidivism rate among juve-

niles in Miami-Dade County. A successful completion of this demonstration project will continue to reduce juvenile crime in Miami-Dade County and provide a valuable blueprint for similar efforts across the country.

## ENERGY AND WATER DEVELOPMENT

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Army Corps of Engineers, Operations and Maintenance account

Legal Name of Requesting Entity: Florida Inland Navigational District, Intracoastal Waterway Maintenance

Address of Requesting Entity: 1314 Marcinski Road, Jupiter, FL 33477

Description of Request: I have secured \$4,019,000 for the maintenance dredging of the Intracoastal Waterway in portions of St. Johns, Duval, St. Lucie, Martin and Indian River Counties.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Energy, Science BER account

Legal Name of Requesting Entity: Barry University

Address of Requesting Entity: 11300 NE 2nd Avenue, Miami Shores, FL 33161

Description of Request: I have secured \$761,200 to fund Phase II of the Institute for Collaborative Sciences Research which is intended to create a state-of-the-art research infrastructure through new laboratory and teaching space. The focus of the Institute will be to prepare minority leaders for future work in healthcare professions while facilitating important research that has a direct benefit on minority populations in my South Florida community. Barry University is one of the largest independent universities in Florida. The university boasts a student body that is more than 60% minority and 42% are the first in their family to attend college.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Office of Science, BER account

Legal Name of Requesting Entity: St. Thomas University

Address of Requesting Entity: 16401 NW 37th Avenue, Miami Gardens, FL 33054

Description of Request: I have secured \$570,200 for a continuation of the university's Minority Science Program and its commitment to attract top minority students to pursue a career in science and provide them with up-to-date laboratories, cutting edge curriculum, experienced professors and research opportunities. To this end, STU is constructing a state-of-the-art science facility, the Carnival Cruise Lines Science and Technology Building. The U-CORTE project will be located in the space vacated by the Department of Natural Sciences when it moves to the new building. It consists of establishing a university-community resource center and programs to stimulate and expand linkages between the university and local community partners. This partnership will address disparities in access to critical health, mental health and legal services in the low-income, minority communities of Miami Gardens and Opa Locka, which are adjacent to St. Thomas University.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Army Corps of Engineers, Construction account

Legal Name of Requesting Entity: Miami-Dade County, FL

Address of Requesting Entity: 111 NW 1st Street, Suite 1032, Miami, FL 33128

Description of Request: I have secured \$478,000 for dredging of the Miami Harbor at the Port of Miami which includes the design, preparation of plans and specifications for bidding. The Chief of Engineers has recommended the deepening project to 50–52 feet and Congress has authorized the project (Title I, Water Resources Development Act of 2007). It is essential that the Planning, Engineering, and Design (PED) begin in FY09. Extended delay in the proposed dredging improvements could be detrimental to the economy of South Florida and the nation. Cargo growth at the Port of Miami has been phenomenally strong. However, the industry standard container ship is becoming larger, and the Port cannot handle the newer ships without deeper channels. In addition, the Port has been facing increasing competition from foreign ports with existing significantly deeper channels and faces lost business to foreign ports (such as Freeport).

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Army Corps of Engineers, Investigations R&D account

Legal Name of Requesting Entity: Miami-Dade County, FL

Address of Requesting Entity: 111 NW 1st Street, Suite 1032, Miami, FL 33128

Description of Request: I have secured \$239,000 for an ongoing feasibility study being conducted by the U.S. Army Corps of Engineers and Miami-Dade County that examines the affect of canal and groundwater discharges on Biscayne Bay's hydrodynamics, water quality and ecology. This study will help determine the historic freshwater flows to Biscayne Bay and help to improve the ecosystem.

LABOR, HHS AND EDUCATION

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Health and Human Services, HRSA account

Legal Name of Requesting Entity: Miami Jewish Home and Hospital Hialeah PACE Center

Address of Requesting Entity: 5200 NE 2nd Avenue, Miami, FL 33138

Description of Request: I have secured \$476,000 to develop a PACE Center in Hialeah, Florida. The Program of All-Inclusive Care for the Elderly (PACE) is an innovative long-term care model that allows frail elders to remain at home. The goal of PACE is to deliver high quality, cost-effective care while managing participants' complex medical, functional, and social needs. PACE integrates financing and delivery of acute and long-term care services. PACE enables older individuals who are eligible for nursing home care to continue living in the community with a full spectrum of medical, social and rehabilitative services. The Program of all Inclusive Care for the Elderly (PACE) meets three important objectives in providing long-term care services: a) it allows long term care in operate in a managed care environment, b) it integrates Medicare and Medicaid into a seamless and transparent

funding source, and c) it allows nursing eligible older adults to remain at home.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Health and Human Services, HRSA account

Legal Name of Requesting Entity: Miami Children's Hospital

Address of Requesting Entity: 3100 SW 62nd Avenue, Miami, FL 33155

Description of Request: I have secured \$285,000 to construct two new hybrid pediatric cardiac suites under the Miami Children's Hospital Congenital Heart Institute. These adjoining hybrid suites will feature: full cardiac operating room capabilities including cardiopulmonary bypass, dedicated pediatric cardiac anesthesia, state of the art hybrid cardiac surgical/interventional table, low dose digital flat panel imaging technology and operating room ventilation and temperature control. The goal of CHI is to achieve 100% survivability for children with congenital heart disease, and to improve their health status throughout their lives. This mission is entirely consistent with the goals of HRSA and HHS, and better medical interventions at the early stages of the disease lead to better quality of life for patients, shorter hospital stays, and fewer hospital admissions over their lifetime.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Health and Human Services, HRSA account

Legal Name of Requesting Entity: Florida International University

Address of Requesting Entity: 11200 SW 8th Street, Miami, FL 33199

Description of Request: I have secured \$238,000 to establish a nanotechnology facility to develop biosensors capable of measuring exposure to environmental and occupational hazards for community safety. The proposed Center for Advanced Diagnostics Devices would be able to design regional toxin monitoring systems. In addition, the project allows Florida International University's College of Medicine to merge research and treatment with real time toxin exposure detection.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: SAMHSA Mental Health account

Legal Name of Requesting Entity: Spectrum Programs, Inc.

Address of Requesting Entity: 11031 NE 6th Avenue, Miami, FL 33161

Description of Request: I have secured \$238,000 to demonstrate the effectuality of a mental health and substance abuse treatment continuum that integrates research, best practices and emergent treatment methodologies across the spectrum of mental health, substance abuse, and co-occurring disorders in a continuous improvement model, making the processes and procedures of behavioral health treatment more effective, the timelines to improved behavioral health shorter, and the gains more sustainable, substantially reducing the catastrophic personal, family, and societal consequences of historically disaggregated treatment approaches. The funding will establish the Florida Center for Excellence in Emerging Behavioral Health Strategies.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Administration for Children and Families Social Services account

Legal Name of Requesting Entity: Barry University

Address of Requesting Entity: 11300 NE 2nd Avenue, Miami Shores, FL 33161

Description of Request: I have secured \$167,000 to support the Center for Community Services Initiatives (CCSI) to enhance opportunities for external individuals and groups to participate in on-campus programs. The Center will serve as an educational resource to community organizations, including health providers. Barry service-learning opportunities support local community clinics, helping to improve the quality and accessibility of health care, including behavioral health care.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Education, Elementary and Secondary Education (FIE) account

Legal Name of Requesting Entity: Miami-Dade County Public Schools

Address of Requesting Entity: 1450 NE 2nd Avenue, Miami, FL 33132

Description of Request: I have secured \$143,000 to develop a curriculum modeled on world-class standards, delivered by a high-quality teaching corps, resulting in an internationally superior level of student achievement, and to establish an international education model of excellence. The membership of the ECIC will include chief education officers, national and international education researchers, business leaders, and mayors of major urban cities from around the world, ensuring that work of the ECIC is informed by the context of the new world economy and what will be required to succeed in it.

TRANSPORTATION/HUD

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Federal Transit Administration, New Starts account

Legal Name of Requesting Entity: Miami-Dade County, FL

Address of Requesting Entity: 111 NW 1st Street, Suite 1032, Miami, FL 33128

Description of Request: I have secured \$20,000,000 for Phases II and III of the Miami-Dade County Transit Authority's Metrorail Orange Line Expansion. Primarily, in Phase II, Miami-Dade County Department of Transit is in the final planning stage for the construction of a 9.2-mile Metrorail extension along NW 27th Avenue between the existing Dr. Martin Luther King, Jr., Metrorail station and the Broward County line. Phase III, the County's East-West Corridor Rapid Transit Project proposes to extend Metrorail some 10–13 miles from the Miami Intermodal Center to Florida International University and points west. As fewer than 48% of the County's residents live outside incorporated Miami, this Orange Line expansion project will allow for more options for commuting and travel around Miami-Dade County.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Federal Highway Administration, TCSP account

Legal Name of Requesting Entity: City of Hialeah, FL

Address of Requesting Entity: 501 Palm Avenue, Hialeah, FL 33010

Description of Request: I have secured \$570,000 to enable the city's Streets & Engineering Department to develop and implement the City's 5-year Capital Improvement Program. The City of Hialeah has a rapidly aging infrastructure with some areas facing more than 50 years since any work has been done in repairs/reconstruction. Areas have been chosen throughout the city, based on roadway need, drainage concerns, areas that have not been reconstructed for over three decades and fill-in for sections that are still needed.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Federal Highway Administration, TCSP account

Legal Name of Requesting Entity: City of Sweetwater, FL

Address of Requesting Entity: 500 SW 109th Avenue, Sweetwater, FL 33174

Description of Request: I have secured \$475,000 to repair, resurface and mill city sidewalks and streets. Many of the city's sidewalks and streets have not been serviced in over 20 years due to the lack of funding for improvements and maintenance. These damaged sidewalks and streets compromise citizen safety (several are unsafe for walking and bicycling); cause damage to property (i.e., cars, bicycles); and give the city an undesirable aesthetic appearance. Sweetwater does have approximately \$300,000 in matching funds for sidewalk and street-related projects.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Federal Transit Administration, Buses and Bus Facilities account

Legal Name of Requesting Entity: Miami-Dade County, FL

Address of Requesting Entity: 111 NW 1st Street, Suite 1032, Miami, FL 33128

Description of Request: I have secured \$475,000 to purchase additional buses for Miami-Dade County. Federal bus and bus-related funds will enhance current levels of service to meet the growing transportation demand—increasing bus routes and improving service frequencies. The purchase of additional buses will have an important collective impact on Miami-Dade County's ability to decrease congestion and promote intermodal linkages for passengers throughout the South Florida region.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Federal Transit Administration, Buses and Bus Facilities account

Legal Name of Requesting Entity: City of Pembroke Pines, FL

Address of Requesting Entity: 10100 Pines Boulevard, Pembroke Pines, FL 33026

Description of Request: I have secured \$475,000 to purchase three buses for the City of Pembroke Pines senior center for transporting the elderly population. This program will help to alleviate congestion on already crowded city streets and ensure additional safety of the elderly population who frequent the senior center.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Federal Highway Administration, TCSP account

Legal Name of Requesting Entity: City of Doral, FL

Address of Requesting Entity: 8300 NW 53rd Street, Suite 100, Doral, FL 33166

Description of Request: I have secured \$237,500 for property acquisition, design, permitting, and construction of roadway gaps and intersections identified to be in need of capacity improvements. This will help to alleviate roadway sections that are failing due to large traffic volumes. In addition, there are several roadway gaps where development has expanded the grid pattern of the City roadways surrounding small parcels that have not been developed. The completion of these small sections of roadway would complete the City's grid pattern and provide additional options for increasing traffic to avoid already congested intersections.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: FY 2009 Omnibus

Account: Department of Housing and Urban Development, EDI account

Legal Name of Requesting Entity: City of Miami Springs, FL

Address of Requesting Entity: 201 Westward Drive, Miami Springs, FL 33166

Description of Request: I have secured \$237,500 to replace the municipal gymnasium in Miami Springs, Florida. The new community center will be a focal point of Miami Springs, providing functions including theater, elderly continuing education and gymnasium functions.

#### OMNIBUS APPROPRIATIONS ACT, 2009

SPEECH OF

#### HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 25, 2009*

Mr. FORBES. Madam Speaker, I rise in opposition to a cost-of-living increase for Members of Congress. We are currently faced with difficult economic times and an expanding federal deficit. Our economy is in a recession, unemployment figures are on the rise, home values are falling, and our national debt exceeds \$10 trillion. Congress must not insulate itself from the crises at hand and I believe it is past time for Congress to be responsible. The most immediate action we can take is to cancel the automatic pay increase system currently in place for Members of Congress.

To address this issue, I recently cosponsored H.R. 156 in this 111th Congress, legislation that would prevent Members from receiving an automatic cost of living adjustment in the future. The 27th Amendment to the Constitution restricts the current Congress from altering its pay for 2009. I am disappointed that H.R. 156 was not brought to the House floor for a vote to address this important issue. Rather, this issue was lumped into a controversial 1100-plus page omnibus bill for political purposes. By not allowing an independent yes-or-no vote on this provision, we simply reinforce the impression that many important legislative measures are structured to be political gamesmanship. If Congress is to vote itself a pay raise, it should be done in sunlight in the full view of the American public, not through a quiet procedural motion hidden in the shadows. The people of Virginia deserve accountability and transparency from their elected officials.

I oppose the automatic cost-of-living increase for Members of Congress. Each of us should be on the record with our constituents as to whether we believe an increase to our own salaries is justified. In this time of increased economic hardship, I am going on the record in firm opposition to this pay increase. Since I was not allowed to vote yes or no, this forum has become my only recourse. Until the procedural barriers are removed, we will not have the transparent process that Americans deserve from their government. I will continue to fight for fiscal responsibility at all levels of government spending.

ANNA BELLE CLEMENT O'BRIEN  
PRESENTED WITH 2009 HUMANITARIAN LEADERSHIP AWARD

#### HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 4, 2009*

Mr. DAVIS of Tennessee. Madam Speaker, I could not think of a more fitting person to receive the Frank G. Clement 2009 Humanitarian Leadership Award. Miss Anna Belle, a well known political figure in Tennessee, has long been an advocate for Tennessee's children and working families living in the Upper Cumberland region.

Anna Belle Clement O'Brien was reared and schooled in the values and lessons of life west of Nashville in Dickson, Tennessee, before embarking on a path that led her through the Office of Price Administration, the Governor's office, the Tennessee House of Representatives and the Tennessee Senate.

Known for her great storytelling abilities, wonderful sense of humor, quick wit, warm smile, it's hard not to be comfortable around Miss Anna Belle. Over the years I have learned much about what molded her into the role model and leader she has been.

Armed with a great memory, you will quickly learn through Miss Anna Belle's stories that she was raised in an environment where service to your neighbor is not only spoken, but actually done. The majority of us lucky enough to serve the public believe in the power of a good and responsive government. Miss Anna Belle articulates those beliefs well by saying, "Politics is a beautiful word to me. . . . I truly believe politics make handicap children walk and the mentally ill have a better life. Politics builds roads and makes education available for all."

Those words couldn't ring more true. Miss Anna Belle, the first woman to ever serve as a committee chair, brought common sense and a tireless work ethic to the job and a love of the people she served.

I read an interview she gave once in a local newspaper where she said, "I love this area we moved to over 40 years ago. No thought was given by either of us to run for public office before we moved here. It wasn't planned this way, but it has been a most exciting life. I am grateful to the people in the community for allowing me to serve for all those years." Well, Miss Anna Belle, I along with the countless Tennesseans you have helped over the years, thank you for your tireless leadership in working to make sure future generations have a better quality of life. Congratulations for being recognized for your hard work. It is well earned and most deserved.



INTRODUCTION OF THE "AFGHANISTAN-PAKISTAN SECURITY AND PROSPERITY ENHANCEMENT ACT"

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 2009

Mr. VAN HOLLEN. Madam Speaker, I rise to introduce the Afghanistan-Pakistan Security and Prosperity Enhancement Act. The legislation is aimed at protecting our national security and that of our allies in the fight against Al-Qaeda and the Taliban. I am pleased to be joined by Mr. HOEKSTRA, Mr. LEVIN, Mr. KIRK, Mr. BURTON, Mr. SMITH (WA), Mr. CROWLEY, Mr. MORAN, Mr. ACKERMAN, Mr. WELCH and Ms. JACKSON-LEE. Senator CANTWELL has introduced the companion measure in the Senate.

This bill authorizes the President of the United States to designate Reconstruction Opportunity Zones, ROZs, in Afghanistan and in certain areas of Pakistan. Qualified businesses operating in those zones will gain duty-free access to U.S. markets for designated products, thereby providing significant employment opportunities where few currently exist. A ROZ program could go a long way toward bolstering economic development in this critical region of the world where extremists have tried to exploit the lack of economic opportunities to gain recruits for their radical agenda.

The 9/11 attacks against the United States resulted from Al-Qaeda exploiting a safe haven in Taliban controlled Afghanistan. We cannot allow this to happen again. These extremists pose a threat to the people of Afghanistan, Pakistan and the United States.

I commend President Obama for his focus on the threat that this region poses to our national security. I am pleased that the President and Secretary Clinton have appointed a seasoned negotiator, Ambassador Holbrooke, as the Special Representative for Afghanistan and Pakistan.

U.S. and NATO forces are essential to confronting the threat. However, the President has recognized that the threat cannot be neutralized by military force alone. We need a comprehensive strategy to deal with these countries. Such a plan must include programs to expand the economic opportunities of the people in this region.

Towards that end, hopefully Congress will revisit the foreign assistance bill that was introduced by Senators BIDEN and LUGAR in the last Congress. The Reconstruction and Opportunity Zone bill that we are introducing today is another vital tool to bolster these economies. In my recent trip to Afghanistan and Pakistan, the importance of this ROZ bill was specifically raised by Presidents Zardari and Karzai. I urge the House to pass this bill quickly to assist these countries in achieving economic sustainability.

**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 commit-

tees, 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 5, 2009 may be found in the Daily Digest of today's RECORD.

**MEETINGS SCHEDULED**

**MARCH 6**

9:30 a.m.

Joint Economic Committee

To hold hearings to examine the employment situation for February 2009.

SD-106

**MARCH 9**

2:30 p.m.

Health, Education, Labor, and Pensions

To hold hearings to examine preventing worker exploitation, focusing on protecting individuals with disabilities and other vulnerable populations.

SD-430

5 p.m.

Finance

To hold hearings to examine the nomination of Ronald Kirk, of Texas, to be United States Trade Representative, with the rank of Ambassador.

SD-215

**MARCH 10**

9:30 a.m.

Armed Services

To hold hearings to examine current and future threats to the national security of the United States; with the possibility of a closed session to follow in SH-219.

SH-216

Veterans' Affairs

To hold an oversight hearing to examine budget for veterans programs for fiscal year 2010.

SR-418

10 a.m.

Energy and Natural Resources

To hold hearings to examine proposed legislation to provide for the conduct of an in-depth analysis of the impact of energy development and production on the water resources of the United States.

SD-366

Finance

To hold hearings to examine the President's fiscal year 2010 health care proposals.

SD-215

Health, Education, Labor, and Pensions

To hold hearings to examine rebuilding economic security, focusing on empowering workers to restore the middle class.

SD-106

Judiciary

To hold hearings to examine patent reform in the 111th Congress, focusing on legislation and recent court decisions.

SD-226

Commission on Security and Cooperation in Europe

To hold hearings to examine the impact of potential climate remediation policies on carbon-intensive United States industries and creating climate-friendly economic and trade policies, focusing on how the financial crisis impacts the implementation of climate-friendly policies within the United States and among trading partners.

SR-428A

10:30 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine enhancing investor protection and the regulation of securities markets.

SD-538

2:30 p.m.

Budget

To hold hearings to examine the President's proposed budget for fiscal year 2010.

SD-608

Health, Education, Labor, and Pensions

To hold hearings to examine the next generation of national service.

SD-430

**MARCH 11**

10 a.m.

Budget

To hold hearings to examine the President's proposed budget request for fiscal year 2009 for the Department of Energy.

SD-608

Judiciary

Constitution Subcommittee

To hold joint hearings with the House Committee on the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties to examine S.J. Res. 7 and H.J. Res. 21, proposing an amendment to the Constitution of the United States relative to the election of Senators.

SH-216

Homeland Security and Governmental Affairs

To hold hearings to examine violent Islamist extremism, focusing on al-Shabaab recruitment in American.

SD-342

Rules and Administration

To hold hearings to examine voter registration, focusing on assessing current problems.

SR-301

2:30 p.m.

Commerce, Science, and Transportation

Aviation Operations, Safety, and Security Subcommittee

To hold hearings to examine Federal Aviation Administration reauthorization, focusing on NextGen and the benefits of modernization.

SR-253

**MARCH 12**

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine proposed legislation regarding siting of electricity transmission lines, including increased federal siting authority and regional transmission planning.

SD-366

Veterans' Affairs

To hold joint hearings to examine legislative presentations of veterans' service organizations.

SD-106

10 a.m.

Commerce, Science, and Transportation  
To hold hearings to examine climate science, focusing on empowering our response to climate change.

SR-253

MARCH 17

9:30 a.m.

Armed Services  
To hold hearings to examine United States Southern Command, United States Northern Command, United States Africa Command, and United States Transportation Command.

SH-216

MARCH 18

9:30 a.m.

Veterans' Affairs  
To hold joint hearings to examine the legislative presentation of the Veterans of Foreign Wars.  
334, Cannon Building

MARCH 19

9:30 a.m.

Armed Services  
To hold hearings to examine United States Pacific Command, United States Strategic Command, and United States Forces Korea.

SH-216

10 a.m.

Commerce, Science, and Transportation  
To hold hearings to examine cybersecurity, focusing on assessing our vulnerabilities and developing an effective defense.

SR-253

MARCH 25

9:30 a.m.

Veterans' Affairs  
To hold hearings to examine State-of-the-Art information technology (IT) solutions for Veterans' Affairs benefits delivery.

SR-418

# Daily Digest

## HIGHLIGHTS

House and Senate met in a Joint Meeting to receive the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland.

## Senate

### Chamber Action

*Routine Proceedings, pages S2723–S2778*

**Measures Introduced:** Five bills and two resolutions were introduced, as follows: S. 522–526, and S. Res. 63–64. **Pages S2766–67**

#### Measures Considered:

**Omnibus Appropriations Act:** Senate continued consideration of H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, taking action on the following amendments proposed thereto: **Pages S2728–62**

#### Rejected:

By 38 yeas to 57 nays (Vote No. 77) Coburn Amendment No. 596, to require the use of competitive procedures to award contracts, grants, and cooperative agreements funded under this Act. **Pages S2734–35, S2748–51**

By 37 yeas to 58 nays (Vote No. 78) Coburn Amendment No. 608, to provide for the Emmett Till Unsolved Civil Rights Crime Act from funds already provided for the Weed and Seed Program. **Pages S2732–34, S2735–40, S2743–46, S2751–54**

By 34 yeas to 61 nays (Vote No. 79) Coburn Amendment No. 610, to prohibit funding for certain congressional earmarks. **Pages S2741, S2754–61**

By 43 yeas to 52 nays (Vote No. 80) Coburn Modified Amendment No. 623, to prohibit taxpayer dollars from being earmarked to 14 clients of a lobbying firm under Federal investigation for making campaign donations in exchange for political favors for the group's clients. **Pages S2741–43, S2746–48, S2761**

#### Pending:

Wicker Modified Amendment No. 607, to require that amounts appropriated for the United Nations Population Fund are not used by organizations which support coercive abortion or involuntary sterilization. **Pages S2728, S2754**

Thune Modified Amendment No. 635, to provide funding for the Emergency Fund for Indian Safety and Health, with an offset. **Pages S2728, S2754**

Murkowski Amendment No. 599, to modify a provision relating to the repromulgation of final rules by the Secretary of the Interior and the Secretary of Commerce. **Page S2728**

Cochran (for Kyl) Amendment No. 634, to prohibit the expenditure of amounts made available under this Act in a contract with any company that has a business presence in Iran's energy sector. **Page S2761**

Cochran (for Inhofe) Amendment No. 613, to provide that no funds may be made available to make any assessed contribution or voluntary payment of the United States to the United Nations if the United Nations implements or imposes any taxation on any United States persons. **Pages S2761–62**

Cochran (for Crapo (and others)) Amendment No. 638, to strike a provision relating to Federal Trade Commission authority over home mortgages. **Pages S2761–62**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, March 6, 2009.

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Thursday, March 5, 2009. **Page S2760**

**Escort Committee—Agreement:** A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the Honorable Gordon Brown, Prime Minister of the United Kingdom, into the House Chamber for the joint meeting on Wednesday, March 4, 2009. **Page S2728**

**Messages from the President:** Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a notice relative to the continuation of the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM-10)

**Pages S2764-65**

Transmitting, pursuant to the provisions of section 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261), certification that the export of two environmental chambers to be used to test automotive parts is not detrimental to the U.S. space launch industry and will not measurably improve missile or space launch capabilities of the People's Republic of China; which was referred to the Committee on Foreign Relations. (PM-11)

**Page S2765**

**Nominations Received:** Senate received the following nominations:

Ronald C. Sims, of Washington, to be Deputy Secretary of Department of Housing and Urban Development.

John Berry, of the District of Columbia, to be Director of the Office of Personnel Management for a term of four years.

**Page S2778**

**Messages from the House:** **Page S2765**

**Measures Referred:** **Page S2765**

**Measures Read the First Time:** **Pages S2765-S2778**

**Executive Communications:** **Pages S2765-66**

**Additional Cosponsors:** **Page S2767**

**Statements on Introduced Bills/Resolutions:**  
**Pages S2767-75**

**Amendments Submitted:** **Pages S2775-78**

**Authorities for Committees to Meet:** **Page S2778**

**Privileges of the Floor:** **Page S2778**

**Record Votes:** Four record votes were taken today. (Total—80) **Pages S2750-51, S2753, S2760-61, S2761**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 7:06 p.m., until 9:30 a.m. on Thursday, March 5, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2778.)

## Committee Meetings

(Committees not listed did not meet)

### CHILDREN'S NUTRITION

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine improving nutrition for America's children in difficult economic times, after receiving testimony from Katie Wilson, Onalaska School District, Onalaska, Wisconsin; Susan Bartlett, Abt Associates Inc., Cambridge, Massachusetts; Connie K. Boldt, Knoxville Community Schools, Knoxville, Iowa; David M. Page, The John Hopkins University, Baltimore, Maryland; Lucy Nolan, End Hunger Connecticut!, Hartford; and Kenneth Hecht, California Food Policy Advocates, Oakland.

### BUDGET

*Committee on Finance:* Committee concluded a hearing to examine the President's proposed budget for fiscal year 2010, after receiving testimony from Timothy F. Geithner, Secretary of the Treasury.

### IRAN

*Committee on Foreign Relations:* Committee met in closed session to receive a briefing to examine the Iran status report, focusing on nuclear and political issues, from national security briefers.

### FINANCIAL GOVERNANCE SYSTEMIC RISK AND BREAKDOWN

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine systemic risk and breakdown of financial governance, after receiving testimony from Robert E. Litan, Ewing Marion Kauffman Foundation, Kansas City, Missouri; Damon A. Silvers, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), Washington, D.C.; and Robert C. Pozen, MFS Investment Management, Boston, Massachusetts.

### TAX HAVEN BANKS

*Committee on Homeland Security and Governmental Affairs:* Permanent Subcommittee on Investigations concluded a hearing to examine financial institutions which are located in offshore tax havens and which use practices that facilitate tax evasion and other misconduct by United States clients, after receiving testimony from John DiCicco, Acting Assistant Attorney General, Tax Division, Department of Justice; Doug Shulman, Commissioner, Internal Revenue Service, Department of the Treasury; and Mark Branson, UBS Global Wealth Management and Swiss Bank, Zurich, Switzerland.

## NONPARTISAN COMMISSION OF INQUIRY

*Committee on the Judiciary:* Committee concluded a hearing to examine a nonpartisan commission of inquiry, after receiving testimony from Thomas R. Pickering, Hills and Company, and David B. Rivkin, Jr., Baker Hostetler LLP, both of Washington, D.C.; Lee F. Gunn, Vice Admiral, USN (Ret.), Institute for Public Research, and Jeremy A. Rabkin, George Mason University School of Law, both of Arlington, Virginia; John J. Farmer, Jr., Arseneault, Whipple, Farmer, Fassett, and Azzarello, LLP, Chatham, New Jersey; and Frederick A.O. Schwarz, Jr., New York University School of Law Brennan Center for Justice, New York.

## HEALTH CARE REFORM

*Special Committee on Aging:* Committee concluded a hearing to examine health reform in an aging America, after receiving testimony from Thomas E. Hamilton, Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Karen E. Timberlake, Wisconsin Department of Health Services, Madison; Holly Benson, Florida Agency for Health Care Administration, Tallahassee; Henry Claypool, Paraprofessional Healthcare Institute (PHI), New York, New York; Melanie Bella, Center for Health Care Strategies, Hamilton, New Jersey; and Judith Feder, Georgetown University, Washington, D.C.

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## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 25 public bills, H.R. 1292–1318; and 6 resolutions, H.J. Res. 37; and H. Res. 206–210 were introduced.

**Pages H2978–80**

**Additional Cosponsors:**

**Pages H2980–81**

**Report Filed:** A report was filed today as follows:

H. Res. 205, providing for further consideration of the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability (H. Rept. 111–23). **Page H2978**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Jackson-Lee (TX) to act as Speaker Pro Tempore for today. **Page H2927**

**Chaplain:** The prayer was offered by the guest Chaplain, Chaplain Cherita Potter, National Chaplain, American Legion Auxiliary, Seaside, Oregon. **Page H2927**

**Recess:** The House recessed at 10:05 a.m. for the purpose of receiving the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland. The House reconvened at 12:45 p.m., and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Page H2928**

**Joint Meeting to receive the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland:** The House and Senate met in a joint session to receive the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland. He was escorted into the

Chamber by a committee comprised of Representatives Hoyer, Clyburn, Larson (CT), Becerra, DeLauro, Skelton, Berman, Neal (MA), McIntyre, Watson, Chandler, Boehner, Cantor, Pence, McCotter, McMorris Rodgers, Carter, McCarthy (CA), Ros-Lehtinen, King (NY), McHugh, and Petri; and Senators Reid, Durbin, Kerry, Dodd, Feingold, Boxer, Cardin, Webb, Shaheen, Kaufman, McConnell, Kyl, Lugar, Corker, Isakson, Risch, Barrasso, and Wicker.

**Pages H2928–31**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Recognizing Beverly Eckert's service to the Nation and particularly to the survivors and families of the September 11, 2001, attacks:** H. Res. 201, to recognize Beverly Eckert's service to the Nation and particularly to the survivors and families of the September 11, 2001, attacks, by a  $\frac{2}{3}$  yeas-and-nay vote of 419 yeas with none voting "nay", Roll No. 94; **Pages H2934–36, H2946**

**Recognizing and honoring the employees of the Department of Homeland Security on its sixth anniversary for their continuous efforts to keep the Nation safe:** H. Res. 195, to recognize and honor the employees of the Department of Homeland Security on its sixth anniversary for their continuous efforts to keep the Nation safe, by a  $\frac{2}{3}$  yeas-and-nay vote of 418 yeas with none voting "nay", Roll No. 95; **Pages H2936–38, H2946–47**

**Raising awareness and promoting education on the criminal justice system by establishing March as "National Criminal Justice Month":** H. Res. 45, to raise awareness and promote education on the

criminal justice system by establishing March as “National Criminal Justice Month”, by a 2/3 yeand-nay vote of 415 yeas with none voting “nay”, Roll No. 96; and **Pages H2940–42, H2947–48**

**Extending certain immigration programs:** H.R. 1127, to extend certain immigration programs.

**Pages H2942–45**

**Suspension—Proceedings Postponed:** The House debated the following measure under suspension of the rules. Further proceedings were postponed:

**Supporting the goals and ideals of Multiple Sclerosis Awareness Week:** H. Con. Res. 14, to support the goals and ideals of Multiple Sclerosis Awareness Week.

**Pages H2938–40**

**Presidential Messages:** Read a message from the President certifying that export of certain items to the People’s Republic of China is not detrimental to the U.S. space launch industry—referred to the Committee on Foreign Affairs and ordered printed (H. Rept. 111–21) and **Page H2957**

Read a message from the President wherein he notified Congress of the continuation beyond March 6, 2009 of the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe’s democratic processes or institutions referred to the Committee on Foreign Affairs and ordered printed (H. Rept. 111–22). **Page H2957**

**Quorum Calls—Votes:** Three yeand-nay votes developed during the proceedings of today and appear on pages H2946, H2946–47, H2947–48. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 7:32 p.m.

## Committee Meetings

### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on the Place of NOAA Science in the Overall Science Enterprise. Testimony was heard from public witnesses.

### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Energy and Water Development and Related Agencies held a hearing on Department of Energy: Project Management Oversight. Testimony was heard from a public witness.

### INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Interior, Environment and Related Agencies held a hearing on EPA Oversight. Testimony was heard from John Stephenson, Director, Natural Resources and Environment, GAO; and Bill A. Roderick, Acting Inspector General, EPA.

### MISCELLANEOUS MEASURES

**Committee on Energy and Commerce:** Ordered reported the following bills: H.R. 1256: Family Smoking Prevention and Tobacco Control Act; H.R. 1259, Dextromethorphan Distribution Act of 2009; H.R. 1246, Early Hearing Detection and Intervention Act of 2009; H.R. 1253, Health Insurance Restrictions and Limitations Clarification Act of 2009; H.R. 20, as amended, Melanie Blocker Stokes Mom’s Opportunity to Access Health Education, Research, and Support for Postpartum Depression Act; H.R. 479, as amended, Wakefield Act; H.R. 577, as amended, Vision Care for Kids Act of 2009; H.R. 756, National Pain Care Policy Act of 2009; H.R. 914, Physician Workforce Enhancement Act of 2009; and H.R. 307, Christopher and Dana Reeve Paralysis Act.

### TARP OVERSIGHT

**Committee on Financial Services:** Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “TARP Oversight: Is TARP Working for Main Street?” Testimony was heard from public witnesses.

### IMMIGRATION IMMIGRANT LAW

**Committee on Homeland Security:** Held hearing entitled “Examining 287(g): The Role of State and Local Law Enforcement in Immigration Law.” Testimony was heard from William Riley, Acting Chairman, Office of State and Local Coordination, U.S. Immigration and Customs Enforcement, Department of Homeland Security; Richard Stana, Director, Homeland Security and Justice Issues, GAO; from the following officials of the State of Maryland: Chief J. Thomas Manger, Montgomery County Police Department; Sheriff Chuck Jenkins, Fairfax County and a public witness.

### AFGHANISTAN AND PAKISTAN: UNDERSTANDING A COMPLEX THREAT ENVIRONMENT

**Committee on Oversight and Government Reform:** Subcommittee on National Security and Foreign Affairs held a hearing on Afghanistan and Pakistan: Understanding a Complex Threat Environment. Testimony

was heard from Paul R. Pillar, former National Intelligence Officer for the Near East and South Asia; and public witnesses.

### HELPING FAMILIES SAVE THEIR HOMES ACT OF 2009

*Committee on Rules:* Committee granted, by non-record vote, a rule providing for further consideration of H.R. 1106, Helping Families Save Their Homes Act of 2009. The rule provides that amendment number 1 printed in House report 111–21 to be offered by Representative John Conyers or his designee shall be perfected by the modification printed in the report of the Committee on Rules.

### 21st CENTURY WATER PLANNING

*Committee on Science and Technology:* Held a hearing on 21st Century Water Planning: the Importance of a Coordinated Federal Approach. Testimony was heard from public witnesses.

### CURRENT ECONOMY—STATE OF RENEWABLE FUELS

*Committee on Small Business:* Held a hearing entitled “The State of the Renewable Fuels Industry in the Current Economy.” Testimony was heard from public witnesses.

### WATER QUALITY INVESTMENT ACT OF 2009

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment approved for full Committee action H.R. 1262 “Water Quality Investment Act of 2009.”

### VA LEGISLATION

*Committee on Veterans' Affairs:* Subcommittee on Economic Opportunity held a hearing on the following bills: H.R. 147, To amend the Internal Revenue Code of 1986 to allow taxpayers to designate a portion of their income tax payment to provide assistance to homeless veterans; H.R. 228, To direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility; H.R. 297, Veterans Vocational Rehabilitation and Employment Subsistence Allowance Improvement Act of 2009; H.R. 466, Wounded Veteran Job Security Act; H.R. 929, To amend title 38, United States Code, to require the Secretary of Veterans Affairs to carry out a program of training to provide eligible veterans with skills relevant to the job market; H.R. 942, Veterans Self-Employment Act of 2009; H.R. 950, To amend chapter 33 of title 38, United States Code, to increase educational assistance for certain veterans pursuing a program of education offered through distance learn-

ing; H.R. 1088, Mandatory Veterans Specialist Training Act of 2009; H.R. 1089, Veterans Employment Rights Realignment Act of 2009; and other draft legislation. Testimony was heard from Representatives Doggett, Israel, Welch, and Alexander; Keith M. Wilson, Director, Office of Education Service, Department of Veterans Affairs; Patrick H. Boulay, Chief, USERRA Unit, U.S. Office of Special Counsel; representatives of veterans organizations; and public witnesses.

### PRESIDENT'S FISCAL YEAR 2010 BUDGET OVERVIEW

*Committee on Ways and Means:* Concluded hearings on the President's Fiscal Year 2010 Budget Overview. Testimony was heard from Pete R. Orszag, Director, OMB.

### PREPARING FOR COPENHAGEN: HOW DEVELOPING COUNTRIES ARE FIGHTING CLIMATE CHANGE

*Select Committee on Energy Independence:* Held a hearing entitled “Preparing for Copenhagen: How Developing Countries Are Fighting Climate Change.” Testimony was heard from public witnesses.

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## COMMITTEE MEETINGS FOR THURSDAY, MARCH 5, 2009

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine American International Group, focusing on government intervention and implications for future regulation, 10 a.m., SD–538.

*Committee on Energy and Natural Resources:* to hold hearings to examine draft legislative proposals on energy research and development, 9:30 a.m., SH–216.

*Committee on Foreign Relations:* to hold hearings to examine United States strategy regarding Iran, 10:30 a.m., SD–419.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine transparency and accountability for recovery and reinvestment spending, 10 a.m., SD–342.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine how the Obama Administration can achieve an accurate and cost-effective 2010 census, 2:30 p.m., SD–342.

*Committee on the Judiciary:* business meeting to consider S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, S. 49, to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law, S. 146, to amend the Federal antitrust laws to provide expanded

coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads, S. 256, to enhance the ability to combat methamphetamine, and the nominations of Elena Kagan, of Massachusetts, to be Solicitor General of the United States, Thomas John Perrelli, of Virginia, to be Associate Attorney General, and David S. Kris, of Maryland, to be an Assistant Attorney General, all of the Department of Justice, 10 a.m., SD-226.

*Committee on Veterans' Affairs:* to hold joint hearings to examine the legislative presentations of veterans' service organizations, 9:30 a.m., SD-106.

*Select Committee on Intelligence:* to hold closed hearings to examine intelligence matters, receiving testimony from officials of the intelligence community, 2:30 p.m., SH-219.

### House

*Committee on Appropriations,* Subcommittee on Commerce, Justice, Science, and Related Agencies, on Science Education, 10 a.m., and on Where Are We Today: Today's Assessment of "The Gathering Storm," 2 p.m., 2359 Rayburn.

Subcommittee Defense, executive, on Global Mobility, 10 a.m., H-140 Capitol.

Subcommittee on State, Foreign Operations and Related Programs, on The Role of Civilian and Military Agencies in the Advancement of America's Diplomatic and Development Objectives, 10 a.m., 2362A Rayburn.

*Committee on Armed Services,* hearing on combating piracy on the high seas, 10 a.m., 2118 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Can DOD Travelers Book a Trip? Defense Travel System Update, 1 p.m., 2212 Rayburn.

*Committee on the Budget,* hearing on Treasury Department Fiscal Year 2010 Budget, 10 a.m., 210 Cannon.

*Committee on Energy and Commerce,* Subcommittee on Commerce, Trade and Consumer Protection, hearing on Consumer Protection in the Used and Subprime Car Market, 10 a.m., 2123 Rayburn.

Subcommittee on Energy and Environment, hearing on the role of offsets in climate legislation, 9:30 a.m., 2322 Rayburn.

*Committee on Financial Services,* Subcommittee on Capital Markets, Insurance and Government Sponsored Enter-

prises, hearing entitled "Perspectives on Systemic Risk," 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* hearing on the Role for Congress and the President in War: The Recommendations of the National War Powers Commission, 10 a.m., 2172 Rayburn.

*Committee on Homeland Security,* Subcommittee on Management, Investigations and Oversight, hearing entitled "Putting People First: A Way Forward for the Homeland Security Workforce," 10 a.m., 311 Cannon.

*Committee on the Judiciary,* Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law, to adopt Rules of Procedure and Statement of Policy for Private Immigration bills; Adopt rules of Procedure for Private Claims bills; Continue the Subcommittee's Policy on the Granting of Federal Charters; and to request Department of Homeland Security Departmental Reports on the Beneficiaries of certain private Immigration bills 10 a.m., 2141 Rayburn.

*Committee on Natural Resources,* Subcommittee on Energy and Mineral Resources, oversight hearing entitled "Energy Outlooks, and the Role of Federal Onshore and Offshore Resources in Meeting Future Energy Demand," 2 p.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* Subcommittee on Information Policy, Census, and National Archives, hearing on Status of 2010 Census Operations, 10 a.m., 2154 Rayburn.

*Committee on Science and Technology,* Subcommittee on Space and Aeronautics, hearing on Cost Management Issues in NASA's Acquisitions and Programs, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure,* to mark up the following bills: H.R. 915, FAA Reauthorization Act; and 1262, Water Quality Investment Act, 11 a.m., 2167 Rayburn.

*Permanent Select Committee on Intelligence,* Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive briefing entitled "Hot Spots Update," 1 p.m. H-304 Capitol.

### Joint Meetings

*Joint Hearing:* Senate Committee on Veterans' Affairs, to hold joint hearings to examine the legislative presentations of veterans' service organizations, 9:30 a.m., SD-106.



*Next Meeting of the SENATE*

9:30 a.m., Thursday, March 5

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, March 5

## Senate Chamber

**Program for Thursday:** After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of H.R. 1105, Omnibus Appropriations Act.

## House Chamber

**Program for Thursday:** Complete consideration of H.R. 1106—Helping Families Save Their Homes Act of 2009 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue.

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