



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, FRIDAY, MARCH 6, 2009

No. 40

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. DEGETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 6, 2009.

I hereby appoint the Honorable DIANA DEGETTE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord our God, by Your inspiration You draw all toward the light. By Your penetrating grace You sustain us and encourage us to the end.

A common religious practice is to join others in a pilgrimage. Moving together to a common destination may uncover many a pilgrim story. An historic reenactment or a visit to a shrine brings to life again the powerful memory of that first epic journey.

Being on a pilgrimage combines the diversity of motivations into a single purpose. Focused on a common goal, discoveries are made all along the route and a sense of community lifts everyone with the final energy to attain the ascent.

Lord, human life itself is a pilgrimage. As a mental paradigm, pilgrimage can transform weeks of a season, or an academic semester, even a session of Congress, as long as all participants fix their eyes on the prize and help each other give You the glory every step of the way until the final goal is reached. 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.

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

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

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

Mr. PALLONE. Madam 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, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Pledge of Allegiance will be led by the gentleman from Louisiana (Mr. FLEMING).

Mr. FLEMING led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

GIVING EVERY AMERICAN THE OPPORTUNITY TO HAVE HEALTH INSURANCE

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

Mr. PALLONE. Madam Speaker, yesterday President Obama had a health care summit which I attended, and I must say it was really a great bipartisan opportunity. Essentially on both sides of the aisle Members said that we need health care reform and that we need it now. There may be disagreement about how to achieve that, but everyone agrees this is not something that can be delayed, but needs to be addressed now.

I would also mention there were many people from the business community there, many of those who you might think would not necessarily be interested in reform on this subject. There were insurance companies. There were representatives from NFIB and some of the other business groups. So there is no question in my mind that there is consensus about the need for health care reform.

One of the ways that was stressed to achieve that was through cost efficiency. There is actually too much money being spent in many ways in not an efficient way; wellness, prevention, comparative effectiveness, new ways of doing things like health information technology to be more effective and utilizing cost measures or efficiencies to bring costs down, and with that money, as well as a new source of revenue, to be able to expand health care so that every American has health insurance.

ENERGY MEANS JOBS

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

Mr. FLEMING. Madam Speaker, in northwest Louisiana energy means

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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H3057

jobs. However, the President's recent budget proposal will eliminate more than \$31.5 billion in tax incentives for oil and gas businesses, the vast majority of which are mom and pop businesses.

The loss of depletion allowance and the writeoff of intangible drilling costs will effectively shut down all future drilling for the majority of wells drilled in the continental United States. In a business that is so risky, what is the incentive now to take a risk?

It is the wildcat driller's rugged individualism that has made this industry what it is today, keeping our gas prices and the cost of heating our homes as low as it is today. It could be much higher.

Independent oil men and women in Northwest Louisiana rely on drilling tax incentives to reinvest capital in their companies and hire employees at good salaries. This legislation will drastically hurt small oil and gas business owners in my district and result in major layoffs of personnel.

Less domestic production means more imports, price spikes for consumers at the pump and an increased threat to our national security. Let's take this dangerous anti-jobs and anti-consumer provision out of the budget bill today.

SUPPORT THE MCGOVERN-DOLE INTERNATIONAL SCHOOL FEEDING PROGRAM

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

Mr. MCGOVERN. Madam Speaker, there are over 900 million people on this planet who are hungry. Over 300 million of them are children. Of those children, about half do not go to school.

What we have learned over the years is if we introduce a meal in a school setting, more kids will go to school and more girls will go to school. We have learned that in some of the most volatile parts of the world, parents send their kids to schools that preach religious intolerance not because they want to have their kids learn that, but because they want their kids to eat, and those schools offer a meal.

Today, Madam Speaker, I and a number of others are sending a letter to Secretary Vilsack asking this administration to fully fund the George McGovern-Robert Dole International School Feeding Program. It is our moral obligation, Madam Speaker, to help feed the world's hungry. It is also in our national security interest.

I hope all my colleagues on both sides of the aisle will join with me in supporting the McGovern-Dole School Feeding Program.

PROTECT TAXPAYERS AGAINST FRAUD

(Mr. WILSON of South Carolina asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, yesterday Congress passed a housing bill that lacked a basic protection for American taxpayers. Republicans offered an amendment that would have prohibited anyone from receiving assistance under the bill if they misrepresented or lied about their income when applying for a mortgage. I had offered a similar amendment last week, but the majority refused to even consider it. They refused to apply this commonsense measure of protection for taxpayers who have already seen trillions of their dollars spent to bail out irresponsible behavior.

As a former real estate attorney, I have seen the tremendous benefits of homeownership. I have also seen the tragedy of foreclosure. No one is advocating that we do nothing. But it appears the good intentions have gotten in the way of good solutions, such as a \$15,000 home purchase tax credit proposed by the Homebuilders Association and Realtors Association. We have to stop rewarding bad behavior with the money of those who played by the rules.

In conclusion, God bless our troops, and we will never forget September the 11th.

DEALING WITH THE PROBLEMS IN PAKISTAN

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

Mr. GEORGE MILLER of California. Madam Speaker, in the three times that I have visited Afghanistan, the commanders in charge of our military-NATO combined effort in Afghanistan have said to the delegation that their problem is across the border in Pakistan, that al Qaeda is not in Afghanistan other than at such times as when the Taliban brings them to engage our soldiers for practice and for training. Yet we see the government of Pakistan entering into an agreement with the Taliban in the Swat in the northern frontier areas of Pakistan to turn that rather large geographical area of Pakistan over to the Taliban and to dismantle the military presence in that area.

What we have seen since this agreement was reached, an accommodation to the Taliban, is that the training camps have expanded, people have been tortured and murdered, the military has removed from the area, checkpoints have been set up so that the Taliban can examine everybody who moves in and out of the area of whether they are pro-Taliban or anti-Taliban, and somehow we are told that this is good for Pakistan and this is good for America. It can't be, and we had better be careful before we send any more money to the Pakistani government.

DOING WHAT IS BEST FOR AMERICA

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

Mrs. McMORRIS RODGERS. Madam Speaker, as Congress approaches the important work of writing a budget, let us remember our friends and neighbors who have lost their jobs and may be living on unemployment; small businesses that are making tough choices, laying people off, struggling to pay for health care and facing huge tax increases; retirees who have lost their significant savings.

Americans have always had a wonderful "can do" spirit. Americans understand responsibility and making sacrifices. Americans are hoping. They are hoping for leaders in Congress to work together and work hard to get the economy going. Back home, from Walla Walla to Colville, during a difficult time people come together to move a community forward.

History has proven that both parties through the years have good ideas, and House Republicans are calling upon President Obama to veto any spending bill that is not consistent with his commitment to fiscal responsibility and ensuring that spending commitments are paid for without burdening our children and grandchildren.

It is not about party, it is a matter of helping people focus on doing what is best for families, small businesses and the next generation and our future.

GRANTING DEFERRED ENFORCED DEPARTURE FOR LIBERIANS LIVING IN THE UNITED STATES

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

Mr. PAULSEN. Madam Speaker, temporary protective status for Liberians living in the United States will expire at the end of this month. In my district, the thriving Liberian community is on edge as this date draws closer. I know many of them personally. They have established homes, they have raised families, they have opened businesses and they have entered the fabric of our community.

While progress has been made in stabilizing Liberia in recent years, it remains a nation still recovering from civil war. Unemployment is near 80 percent. Democracy is in its early stages now, and we all know how challenging that process can be. Many of the same fears and concerns that brought thousands of Liberians here in the first place have not been alleviated.

Liberia is simply not ready to absorb the number of people who will be forced to leave the United States if this deadline is not extended. That is why I sent a letter to President Obama last month urging him to extend the deadline by

granting deferred enforced departure for Liberians living in the United States. I am reiterating that call today, and ask my colleagues to join in this important effort.

GETTING OFF THE ROAD TO SOCIALISM

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

Mr. BROUN of Georgia. Madam Speaker, America is on a road that I believe is going to lead to financial destruction and doom. We are being driven down that road by the administration and the leadership of Congress. In fact, NANCY PELOSI and HARRY REID are driving a steamroller of socialism that is being shoved down the throats of the American public and it is going to strangle the American economy. It is going to kill the American public economically.

Republicans have offered alternatives to these huge spending bills that don't create jobs. They create a bigger socialistic central government. We have plans that will create jobs at half the cost and actually create twice the amount of jobs. We have plans to have a comprehensive energy policy. We have plans that will put America back on the right track to financial security and on a track of energy independence and on a track of the free market system.

We need to get off this road of socialism and get on a road of freedom. I call upon my colleagues in this House to help us to get off the road to socialism and on one towards freedom.

RECESS

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

Accordingly (at 9 o'clock and 15 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1013

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DEGETTE) at 10 o'clock and 13 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 38, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2009

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111-25) on the resolution (H. Res. 219) providing for consideration of the joint resolution (H.J. Res. 38) making further continuing appropriations for the fiscal year 2009, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.J. RES. 38, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2009

Mr. HASTINGS of Florida. Madam Speaker, I ask unanimous consent that it shall be in order at any time without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 38) making further continuing appropriations for fiscal year 2009, and for other purposes; such joint resolution shall be considered as read; such joint resolution shall be debatable for 1 hour equally divided and controlled by the Chair and ranking minority member of the Committee on Appropriations; and the previous question shall be considered as ordered on such joint resolution to final passage without intervening motion except one motion to recommit.

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

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

Mr. SENSENBRENNER. Madam 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. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 142, not voting 69, as follows:

[Roll No. 107]
YEAS—220

Ackerman	Cassidy	Edwards (MD)
Adler (NJ)	Caster (FL)	Ellison
Andrews	Chandler	Eshoo
Baca	Childers	Etheridge
Baird	Clarke	Farr
Baldwin	Clay	Filner
Barrow	Cleaver	Forbes
Bartnon (TX)	Clyburn	Fortenberry
Bean	Cohen	Foster
Berkley	Connolly (VA)	Frank (MA)
Biggart	Conyers	Franks (AZ)
Bilbray	Cooper	Fudge
Bishop (NY)	Costa	Gerlach
Blumenauer	Costello	Giffords
Boren	Courtney	Gonzalez
Boswell	Crowley	Goodlatte
Boucher	Cummings	Grayson
Boyd	Dahlkemper	Green, Al
Brady (PA)	Davis (CA)	Griffith
Bralley (IA)	Davis (IL)	Gutierrez
Bright	Davis (TN)	Halvorson
Brown, Corrine	DeGette	Hare
Buchanan	DeLauro	Hastings (FL)
Capps	DeLauro	Heinrich
Capuano	Dent	Heller
Cardoza	Dicks	Herseth Sandlin
Carnahan	Doyle	Higgins
Carson (IN)	Driehaus	Hill

Himes	McCollum	Sánchez, Linda T.
Hinchey	McDermott	T.
Hinojosa	McGovern	Sanchez, Loretta
Hodes	McIntyre	Sarbanes
Hoekstra	McMahon	Schakowsky
Holden	McNerney	Schauer
Holt	Meek (FL)	Schiff
Honda	Meeks (NY)	Schwartz
Hoyer	Michaud	Scott (GA)
Inslee	Miller (NC)	Scott (VA)
Israel	Miller, George	Serrano
Jackson (IL)	Mollohan	Sestak
Johnson (GA)	Moore (KS)	Shea-Porter
Johnson, E. B.	Moore (WI)	Sherman
Kagen	Moran (VA)	Sires
Kanjorski	Murphy (CT)	Skelton
Kennedy	Murphy, Patrick	Slaughter
Kildee	Murtha	Smith (WA)
Kilpatrick (MI)	Nadler (NY)	Snyder
Kind	Napolitano	Spratt
Kingston	Obey	Sutton
Kissell	Oliver	Tanner
Klein (FL)	Ortiz	Tauscher
Kosmas	Pallone	Taylor
Kratovich	Pascarell	Teague
Kucinich	Pastor (AZ)	Tierney
Lance	Payne	Titus
Larsen (WA)	Perlmutter	Tonko
Larson (CT)	Peters	Towns
Latham	Pingree (ME)	Tsongas
Lee (CA)	Polis (CO)	Van Hollen
Levin	Pomeroy	Velázquez
Lewis (GA)	Posey	Visclosky
Loeb sack	Price (NC)	Walz
Lowe y	Rahall	Wasserman
Luján	Reyes	Schultz
Lynch	Richardson	Waters
Maffei	Rodriguez	Watson
Maloney	Rooney	Watt
Markey (CO)	Ross	Waxman
Markey (MA)	Rothman (NJ)	Weiner
Marshall	Roybal-Allard	Welch
Massa	Ruppersberger	Wexler
Matsui	Rush	Woolsey
McCarthy (NY)	Ryan (OH)	Wu
McClintock	Salazar	Yarmuth

NAYS—142

Aderholt	Gordon (TN)	Neugebauer
Akin	Granger	Nunes
Alexander	Graves	Nye
Altmire	Guthrie	Olson
Arcuri	Hall (TX)	Paul
Austria	Harper	Paulsen
Bachmann	Hastings (WA)	Pence
Bachus	Hensarling	Peterson
Bartlett	Herger	Petri
Berry	Hunter	Platts
Bilirakis	Inglis	Poe (TX)
Bishop (UT)	Jenkins	Price (GA)
Blackburn	Johnson, Sam	Rehberg
Blunt	Jones	Reichert
Boehner	King (IA)	Roe (TN)
Bonner	King (NY)	Rogers (AL)
Boozman	Kirk	Rogers (MI)
Boustany	Kirkpatrick (AZ)	Rohrabacher
Brady (TX)	Kline (MN)	Royce
Brown (GA)	Lamborn	Ryan (WI)
Burgess	Latta	Scalise
Burton (IN)	Lee (NY)	Schmidt
Campbell	Lewis (CA)	Schock
Cantor	Linder	Sensenbrenner
Capito	LoBiondo	Sessions
Carney	Lucas	Shadegg
Carter	Luetkemeyer	Shuster
Castle	Lummis	Simpson
Chaffetz	Lungren, Daniel	Smith (NE)
Coble	E.	Smith (NJ)
Cole	Mack	Smith (TX)
Conaway	Manzullo	Souder
Crenshaw	Marchant	Stearns
Culberson	Matheson	Stupak
Davis (KY)	McCarthy (CA)	Terry
Diaz-Balart, L.	McCaul	Thompson (CA)
Diaz-Balart, M.	McHenry	Thompson (PA)
Donnelly (IN)	McHugh	Thornberry
Dreier	McKeon	Turner
Ellsworth	McMorris	Upton
Emerson	Rodgers	Walden
Fallin	Mica	Wamp
Flake	Miller (FL)	Westmoreland
Fleming	Miller (MI)	Whitfield
Foxx	Mitchell	Wilson (SC)
Frelinghuysen	Moran (KS)	Wittman
Garrett (NJ)	Murphy, Tim	Wolf
Gingrey (GA)	Myrick	Young (FL)

NOT VOTING—69

Abercrombie	Ehlers	Minnick
Barrett (SC)	Engel	Neal (MA)
Becerra	Fattah	Oberstar
Berman	Gallegly	Perriello
Bishop (GA)	Gohmert	Pitts
Bocchieri	Green, Gene	Putnam
Bono Mack	Grijalva	Radanovich
Brown (SC)	Hall (NY)	Rangel
Brown-Waite,	Harman	Rogers (KY)
Ginny	Hirono	Ros-Lehtinen
Butterfield	Issa	Roskam
Buyer	Jackson-Lee	Roskamm
Calvert	(TX)	Schrader
Camp	Johnson (IL)	Shimkus
Cao	Jordan (OH)	Shuler
Coffman (CO)	Kaptur	Space
Cuellar	Kilroy	Speier
Davis (AL)	Langevin	Stark
Deal (GA)	LaTourette	Sullivan
DeFazio	Lipinski	Thompson (MS)
Dingell	Lofgren, Zoe	Tiahrt
Doggett	McCotter	Tiberi
Duncan	Melancon	Wilson (OH)
Edwards (TX)	Miller, Gary	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1042

Mr. SHUSTER changed his vote from “yea” to “nay.”

Mr. DENT changed his vote from “nay” to “yea.”

So the Journal was approved.

The result of the vote was announced as above recorded.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2009

Mr. OBEY. Madam Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 38) making further continuing appropriations for fiscal year 2009, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 38

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Continuing Appropriations Resolution, 2009 (division A of Public Law 110-329) is amended by striking the date specified in section 106(3) and inserting “March 11, 2009”.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous and tabular material on H.J. Res. 38.

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

There was no objection.

Mr. OBEY. Madam Speaker, I yield myself 1 minute.

Madam Speaker, this proposition simply keeps the government open

until midnight on Wednesday so we can complete our business. I urge its adoption.

Madam Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I may consume.

I guess you all know that we didn't have to be here today debating yet another extension of a continuing resolution and we certainly didn't have to wait until the fiscal year was almost half over to complete a package of spending bills addressing funding for 2009. And yet here we are, 157 days into the new fiscal year, passing another short-term CR while our work on 2009 bills remains unfinished. Unfinished. What a shame. Madam Speaker, what a shame.

Had the Appropriations Committee been allowed by the Democrat leadership to do its work this year, we could have easily passed each of the 12 spending bills. Each of the bills would have benefited from Members offering ideas, debate. We actually do have talented Members on both sides of the aisle at the subcommittee level, not allowed to participate in the process.

□ 1045

Whether you are a Republican or a Democrat, liberal or conservative, your rights as a duly elected Member of this body have been belittled by a majority leadership that believes absolute power flows from the top.

Members should have had the opportunity to do what they were elected to do, shape legislation and make sure that their own voices and the voices of their people are heard. Instead, virtually every Member of the House has been shut out of the process of writing this massive \$410 billion spending bill that will govern how taxpayer dollars are spent for the remainder of this year.

The sad irony is that while the House passes another CR that keeps the government running, the Senate is doing what the House could only dream of doing, offering and debating amendments to the omnibus bill. It is no wonder so many Members of the House aspire to serve in the Senate. The Senate is the only place left in the U.S. Congress where legislation is still considered under a reasonably open process.

The Senate has wisely observed what the House has failed to recognize: Not one of the nine bills in the omnibus spending package was ever debated or considered in the House or the Senate. Six of the nine bills in the omnibus were never debated or considered by the full House Appropriations Committee. Senators are doing the right thing by attempting to improve this legislation, which is busting at the seams with too much spending.

The Senate's action last night sends an unmistakable signal that spending fatigue has finally set in. Certainly not in the House, but in the Senate spending fatigue has finally set in. Senators

from both parties recognize what the House leadership failed to observe, that the spending in the omnibus is excessive and goes far beyond what our public believes is reasonable and responsible.

Omnibus funding represents a \$32 billion or 8 percent increase over last year for the very same agencies and programs. This represents the largest annual Federal Government spending increase since President Carter served in 1978.

There is a storm brewing out there in the hinterlands, fueled by the public's disdain over the free-for-all spending of the Congress. Hundreds of billions of dollars directed to the stimulus package, Wall Street, auto makers, and the line of folks with their hands out continue to grow. Where does the spending end, Madam Speaker?

It has been said completing the omnibus is merely completing last year's unfinished business. But what a wasted opportunity it is to demonstrate to the American people that this Congress and this administration “gets it,” and that we are ready to roll up our sleeves and address government spending going forward. Again, where does the spending end?

The Members of the House have had enough of the “my way or the highway” legislative process that has governed the formulation of the omnibus, the stimulus package and every supplemental bill passed over the last couple of years, and I believe the majority of our Members have had it with the proliferation of spending that will come to define the 111th Congress under this majority.

Madam Speaker, each of us recognizes that extending a CR one more time is an admission of our failure to complete our work on time. It will surely pass, but let's not lose sight that this is simply doing our work in the worst possible way. Again, it didn't have to be this way.

In closing, Madam Speaker, let me say that I don't believe this is Chairman OBEY's fault. While we may disagree over policy and funding levels, we both believe that it is time to get our appropriations process back on track. I look forward to working with the chairman this year and I am hopeful that together we can embrace an open process that allows for the full participation of the Members on both sides of the aisle.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I reserve my time.

Mr. LEWIS of California. Madam Speaker, I am very pleased to yield 3 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Madam Speaker, the continuing resolution before us today presents us with a golden opportunity to send over to the other body some legislation that does not contain thousands of earmarks, legislation that is not bloated, legislation

that is not overspending. We can improve this joint resolution by adopting a motion to recommit to have the continuing resolution go through the end of this fiscal year, meaning September 30th, and that will present the other body with a choice; to keep the government open by passing this continuing resolution through the end of the fiscal year, or continuing going on a bloated, earmark-laden track.

I would hope that we would get the fiscal year 2009 appropriations over with so that the Appropriations Committee can do the work on the fiscal year 2010 budget. The way to save the taxpayers a lot of money, the way to stop all of the earmarks that have been crammed into the omnibus bill that this House passed last week is to pass a continuing resolution that continues government agencies at their existing spending level through the end of this fiscal year. I would hope that we would have an opportunity to vote on that, and I would enthusiastically support it, as would most of the taxpayers of this country.

Mr. LEWIS of California. Madam Speaker, I am proud to yield 1 minute to the Republican leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague for yielding and suggest that this continuing resolution we have on the floor today shouldn't be for the next 4 or 5 days; it really ought to be through the end of this fiscal year, which is September 30th of this year.

I know there are a lot of Members that have a lot of other issues that they would like to include in this, but the fact is that American families are hurting, small businesses are hurting around the country, our economy is hurting, and I think we can help our economy and we can send a strong signal to the American people by extending this spending freeze through September 30th.

Let's show the American taxpayers that we get it. Let's show investors in our American economy that we get it. Because clearly the bill that has been under consideration both here in the House and now in the Senate has a \$30 billion increase over last year's spending and includes nearly 9,000 earmarks, and the way to put all of this to a stop is to just have a spending freeze. Let's show the American people we understand the pain that they are under and show them that we are willing to tighten our belt.

So when we have our opportunity to offer our motion to recommit at the end of this process, there will be an extension of that date through September 30th, with some increases for those in police departments and the FBI and other law enforcement jurisdictions, and it is something that I think is a responsible way forward. I would encourage my colleagues to support the motion to recommit.

Mr. LEWIS of California. Madam Speaker, I am happy to yield 2 minutes to my colleague, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. Madam Speaker, I thank my friend for yielding.

To paraphrase the late Admiral James Stockdale from his famous vice presidential debate of nearly 17 years ago, why are we here?

I don't quite get this. I know there will be some who want to blame George Bush or any other Republican out there, but the fact of the matter is, for the first time in a long time, we have a Democratic President, a Democratic House of Representatives and a Democratic United States Senate, and yet we at this moment are dealing with the possibility of a government shutdown. I just don't quite comprehend this.

The American people, as our Republican leader and my California colleague, the distinguished ranking member of the committee, have said, the American people are hurting. We know very well with the unemployment rate that just came through it today at 8.5 percent, a one-half percent increase over 8 percent, that there are a lot of people who are suffering. We know of individual stories, and I have got to tell you the most painful one for me was to hear of the father of three young teenagers who committed suicide out in California over this.

So, we have a very, very difficult challenge ahead of us, and yet we are sitting here dealing with this issue and a massive increase in spending, which clearly the American people do not want. It is a policy that has failed. It failed throughout the 1930s.

We know what needs to be done, Madam Speaker, for us to get our economy back on track. What we need to do is we need to follow the model that was put forward by John F. Kennedy in 1961, the model of Ronald Reagan in 1981, because those solutions have in fact succeeded in the past. And yet we know that massive increases in spending, as the rest of the world has learned, are not the answer for the future.

I strongly support our effort to keep this spending as low as possible by supporting our motion to recommit.

Mr. LEWIS of California. Madam Speaker, I am pleased to yield 3 minutes to the Republican Conference chairman, the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Madam Speaker, we come to this well at a very difficult time in the life of our Nation. American families are struggling under the weight of this recession. Millions of Americans are watching as their life savings are evaporating before their eyes. My own family has been touched by the hardship in the housing crisis and by job loss. So I come to this floor with a sense of urgency, and it is a sense of urgency that was confirmed this morning with the jobs report and a startling reality.

But in the midst of these very difficult times, the American people are rising to the occasion. As we speak in this well this morning, millions of Americans are doing in their small businesses, in their family farms and around their kitchen tables what this Congress should be doing. They are finding places to save. They are putting off expenditures that they don't have to make this year to make sure they make ends meet for the priorities in their lives.

Yet this Congress, by this massive omnibus bill, is going on with spending as usual. An 8 percent increase in Federal spending, the largest increase in a single year since I was in high school in the 1970s, apart from those months following September 11th, is not what the American people expect to see this Congress doing.

"Spending as usual" with thousands upon thousands of earmarks and special projects is not what the American people expect from this Congress during these difficult times. Madam Speaker, they want to see the Congress doing what they are doing, and that is making careful decisions, practicing fiscal discipline and setting aside "business as usual" to confront these challenging times.

□ 1100

And so I rise today to say, let's not just do this continuing resolution for a week but, as others have said, for the rest of this year, let's freeze Federal spending in virtually every area of the government. Let's say no earmarks in the Year 2009.

And it's not a value judgment on the Members who've made those project requests. I, myself, don't request projects of that nature. But it is to say, Madam Speaker, that in these difficult times, we have to do what every American family, every small business owner and every family farmer is doing, and that is making sacrifices and practicing discipline.

I urge my colleagues in both parties to join the minority today in supporting our motion to recommit. It's a motion that would essentially freeze all Federal spending, say to historic increases in spending in these difficult times, no to earmarks, and say yes to the practiced values of millions of Americans in these difficult days.

Mr. LEWIS of California. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Madam Speaker, speaking as a partisan Republican, perhaps I should want the President to sign the omnibus bill if it is passed. There may be money for tattoo removal in the omnibus bill, but it won't be easy to remove the tattoo that comes with signing a bill like this, with nearly 9,000 earmarks contained in it.

Now, most of the attention has been put on the silly earmarks like swine odor abatement in Iowa or the tattoo removal in California. But more damaging are the thousands, literally,

thousands, Madam Speaker, of no-bid contracts that are contained in this legislation, thousands of congressionally-directed earmarks to private companies, which are no-bid contracts. And that will be a gift for Republicans that will probably keep on giving, because, as they are discovered in this legislation going forward, there are bound to be problems.

Already we know that the Department of Justice is investigating a lobbying firm that secured a number of earmarks in this legislation for its clients, and then turned around and made campaign contributions to the Members that secured those earmarks. There's an investigation going on right now. And those earmarks are still in the bill.

So, as I mentioned, as a partisan Republican, we probably should say, President, sign this bill. It will be good for us politically because it will be tougher for you to enact your agenda afterwards. But it's not good for the country.

It's not enough for the President to say this is last year's business. He should know that most of the bills contained in this omnibus spending measure didn't even go through the full committee process. Nearly 9,000 earmarks, most of them were air-dropped right at the end. We didn't see them last year. We saw most of them only 48 hours this year before the bill was signed. We had no ability to challenge any of them. So saying that is last year's business is simply not accurate.

Even if it were last year's business, let's take that analogy a little further. Iraq policy. If the President were to say—

The SPEAKER pro tempore (Mrs. TAUSCHER). The time of the gentleman has expired.

Mr. LEWIS of California. I yield the gentleman an additional 30 seconds.

Mr. FLAKE. If the President were to say, you know, this Iraq policy that was last year's business, I've inherited it. I'm just going to continue it, continue with the status quo. But he's not, nor should he. He is the President. His signature will go on the bottom of this bill, and he shouldn't sign it.

We should enact a long-term, 1-year CR and fund the government at last year's levels. Let's act on the fiscal responsibility that we all say that we are for.

Mr. LEWIS of California. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Indiana, my classmate, DAN BURTON.

Mr. BURTON of Indiana. You know, the people of this country, Madam Speaker, are not only hurting, they're mad as hell. They're losing their jobs. They're losing their homes. And then they look at Washington, D.C., and they see us spending this country right down the tubes.

They worry about their kids and their grandkids and what kind of a life we're going to leave for them with higher taxes and huge amounts of in-

flation because we're blowing so much money right now. And they say, why are they doing that? Why don't they freeze spending? Why don't they live like I have to live back in my district, back in my home?

\$787 billion, ultimately over \$1 trillion in the stimulus, \$410 billion in this bill, a budget of \$3.9 trillion, with a \$635 billion down payment on a new health care plan that's going to lead to socialized medicine and probably bankrupt the country down the road.

The people of this country want us to do our job. They want us to make sure that they have a better quality of life. They want to make sure they have lower taxes and they can send their kids to school and not have to worry about not having the money to do it.

And what are we doing here?

We're blowing their money over and over again, trillions of dollars, and putting them in a bigger and bigger hole.

My good friends on the Democrat side, I hope they'll listen to the people of this country. I hope you'll listen.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Speaker, here we are, March 6, doing what the Democrats should have done at the fiscal year closing on October 1. Now, I understand they were intimidated by George Bush and did not want to pass a budget out of the Democratically-controlled House or Senate. But they've now been in control of all three, House, Senate and White House, for 6 weeks, and nothing has been done.

Well, there have been some things done. For example, they had time to create 31 new Federal programs. They've had time to do some paybacks, political paybacks to their union supporters through executive orders. They've had time to entertain Stevie Wonder at the White House, to have the Nation's Governors into the White House for a little conga line dancing and, of course, they've had time to attack Rush Limbaugh.

Meanwhile, since election day the Dow has dropped 1,300 points, wiping out people's college education accounts and retirement savings. Unemployment is now above 8 percent. And yet, today, we're going to pass, or we're trying to pass a continuing resolution because we can't do what should have been done by the Democrat leadership October 1st.

This bill, by the way, is \$410 billion. It's an 8 percent increase. When combined with the \$790 billion stimulus package, that represents an 80 percent increase in Federal spending in 1 year. You know, if it worked, we would be in great shape because, under President Bush we passed a stimulus package. And I voted against that one. Fannie Mae, \$200 billion, that stimulus package last year, \$168 billion, AIG now up to \$180 billion, Bear Stearns, \$29 billion, the Wall Street bailout, \$700 billion. If spending worked, we would have the economy turned around by

now. We would be in great shape. But it doesn't work.

Let's reject this 80 percent increase in Federal Government spending. Let's do things to create jobs and rescue the savings of America's middle class.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. At a time when Americans are more concerned than ever before about the security of their job, about their next paycheck, about the strength of the American economy, at a time when everyone in Congress should be focused on protecting the American economy from sliding deeper into recession, the new majority in Congress is focused on spending more money and less time than any Congress in U.S. history.

These first 32 days that the new majority has been in control have been focused on, in many ways I'm reminded of what used to happen when a conquered city fell to a conquering army. The army was given 3 days to pillage.

This is like an unrestrained, absolutely unrestrained spending spree that we've never seen before in our history. We have, in these 32 days, the new majority in Congress has spent about \$1.6 trillion, \$800 billion in the stimulus package, \$400 billion with this omnibus here in front of us, \$350 billion with the additional TARP funds, at least \$65 billion in the new SCHIP children's health insurance bill.

We are spending money we do not have. We're borrowing money to pay off borrowed money. It is as though the new majority were paying off America's mortgage with a credit card. And everyone in America understands that this defies common sense. It defies all reason. No one in their private life would engage in conduct like this. And we, at a time of economic peril for the Nation, should not engage in it in Congress.

We, in the minority, the fiscal conservatives, have not only fought as politely as thoughtfully and carefully as we can this spending, but today we're offering a clear choice to the Congress and the country. We fiscal conservatives are offering an alternative to freeze Federal spending for the remainder of the fiscal year with a continuing resolution. It's called freeze current spending. That's common sense. It's something everyone in America can understand, that at home, in our businesses, and certainly when it comes to protecting the Treasury of the United States of America, we must not spend more than we bring in.

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

Mr. LEWIS of California. I yield the gentleman 30 additional seconds.

Mr. CULBERSON. We cannot spend more as a Nation than we bring in in revenue. We're already on a national credit card. And no matter who I talk to, in an E-town hall meeting last night, people back home who have never been involved in politics before

are paying attention closely to this debate. And today we fiscal conservatives in the minority are offering a very simple, clear choice.

Our alternative today, the motion to recommit, the vote that will be taken today, America, on the motion to recommit, a "yes" vote to recommit is a vote to keep spending flat for the rest of the fiscal year and exercise fiscal restraint. A "no" vote is to continue this unrestrained spending spree which will bankrupt our children.

Mr. LEWIS of California. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Madam Speaker, the President last week held a fiscal responsibility summit. A week before that he had come to these Chambers to call and implore us for fiscal responsibility. Then last Thursday he rolls out a budget that's anything but fiscally responsible.

Following his speech the other night I was asked what I thought, what I wished he was going to say, actually before he spoke. What I wished he would have said is we've got some hard choices ahead of us, very difficult financial statements to be made; that we're going to start those with this statement: We're going to hold spending for the rest of fiscal 2009 to the numbers that were there in fiscal 2008. All of these new programs weren't in existence before we started. This Nation will get along without them if we don't have them in place.

And so the President could have made a great statement toward beginning this hard, arduous, difficult task of beginning to spend less money out of this Federal Government than we are currently contemplating.

I would call on my colleagues across the aisle to back the President up on his fiscal tough concepts and fiscal tough decisions that he wants to make by starting with this one. This is probably the easiest hard choice to make that we're going to have across these next months, and that is, let's just leave the rest of 2009 to spend at the exact levels we're spending right now. No increases from the \$31 billion that are contemplated in this bill.

The sad truth is the economic stimulus package that was passed includes additional monies to be spent on these exact line items. The numbers I saw was that, combined with this \$30 billion, that increased a total of \$301 billion of extra discretionary spending in Fiscal 2009 as a result of the stimulus and as a result of this passage of this omnibus bill of the continuing resolution.

I urge my colleagues to vote for the motion to recommit. Let's hold this spending at this year's levels. That's the easiest hard choice that we have to make. And there are lots of hard choices on the horizon. Let's start with that today and begin the process of reining in Federal spending with this vote.

And I urge passage of the motion to recommit here shortly.

Mr. LEWIS of California. Madam Speaker, I have no additional speakers. I must say that, as I rise to at least close my side of this discussion, I know that my chairman has to be very, very frustrated to find ourselves this far into the next fiscal year's work, finally passing 9 out of 12 of our appropriations bills from last year, I mean, all lumped into a big package, none of which have had any hearings on the full committee.

The Appropriations Committee members, Democrats and Republicans, presume themselves to have some individual expertise, but we never call upon them. We certainly wouldn't want to call on their fine staff to provide the sort of input that would reflect the finest of the Congress.

I must say, I'm working very hard with my chairman to get us back on regular order for the 2010 appropriations bills that are going to be ahead of us. We're actually going to have subcommittee hearings, Madam Speaker. We actually are probably going to have full committee hearings. We're going to call upon Democrat Members to provide some input regarding what the details are of their bills. Interesting process to get back to that regular order.

But having said that, Madam Speaker, we've taken much too much time and, because of that, I'm very happy to yield back the balance of my time.

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

Madam Speaker, I don't know how many of us remember the old song, "Shine on Harvest Moon." I'm reminded this morning more of "Whine on Harvest Moon" when I hear some of the complaints lodged about budget practices by our friends on the other side of the aisle.

□ 1115

I also am tempted to ask where on Earth is Herbert Hoover, but then I come to the realization, which is obvious, that he is alive and well, and resides in the House Republican caucus.

I find it strange to be lectured by folks on that side of the aisle, the folks who did such a "brilliant" job of running this institution and in running this economy and in running this country for the last 8 years. I find it interesting to be lectured on fiscal responsibility by people who borrowed \$1.2 trillion in order to pay for tax cuts, primarily for the wealthiest people in this country, all on borrowed money. I find it interesting to be lectured by people who managed to borrow almost \$1 trillion so far to fund what I regard as the most avoidable and dumbest war in American history, in Iraq, who paid for the whole war on the cuff. I find it ironic to be lectured about earmarks by the party that spent twice as much money on earmarks as we are spending since we took over and reformed the earmarking process. I also find it interesting to be lectured about economics

by the folks who presided over a government which, in the words of FDR, was frozen in the ice of its own indifference while 90 percent of all of the income growth in this country in the past 8 years went into the pockets of the wealthiest 10 percent of people in our society, leaving everybody else to struggle for table scraps.

So I do find all of that interesting, but I don't find it particularly productive, and I think we ought to get back, not to what we don't like or do like about what has happened in this institution, but I think we ought to focus instead on what is happening outside this institution to average Americans all over the country.

As has been noted several times this morning, the recent figures out of the Labor Department now indicate that unemployment has now risen above 8 percent. We're told by the most reputable economists in the country that it's liable to rise above 10 percent or even significantly worse. We see almost 700,000 new workers who are unemployed today in comparison to last month. We have lost 3 million jobs since the Democratic Party in the House tried to produce the first economic stimulus bill, modest though it was, in September of last year.

We are now debating a bill which is \$20 billion for education, for health care, for science, and the like, which is \$20 billion above the budget request made by President Bush last year. That sounds like a lot of money until you compare it to the \$200 billion that this economy has already lost because of its shrinkage just in the last 3 months of last year, and that \$20 billion in increased government funding looks mighty small in comparison to the \$200 billion more that we expect to have seen the economy shrink by in the first 3 months of this year, leaving a total hole in the economy for just that 6-month period of \$400 billion.

We are trying in this bill to provide the funding, which was the base for the stimulus bill that we passed just 3 weeks ago in this place, and they are intimately related to each other. This is an integral part of what we did in the stimulus package, which is supported by the American people in the most recent polls by well over 60 percent of the American public. They understand, when the economy is contracting at a record rate, squeezing millions of Americans out of the circle of prosperity, that we've got to respond to try to reinflate that economy again, and so this bill plays a small but crucial role in doing that.

Now, our friends on the other side of the aisle say we should just do a full year's CR. Well, if you do, you will come in virtually, identically, very close, at least, to President Bush's budget request for these programs. I don't think in a time of near economic collapse that we want to do that.

I don't believe that we want to eliminate the funds in this bill that are meant to deal with the Social Security/

disability backlog. I don't believe that we want to see the Federal Housing Administration cease to have the ability to issue mortgage insurance in April, as would be the case if we simply provided funding at the level that our friends want us to provide under their motion to recommit. I don't believe that we should follow a course of action which would mean that we could provide no new targeted vouchers for disabled and homeless veterans. I don't believe that we should eliminate the \$37 million that we have in this bill to enhance enforcement, oversight and investor protections at the Securities and Exchange Commission.

Neither do I believe that we ought to cut these programs to the level supported and requested by President Bush last year. If we did that, we would be cutting the Job Corps by \$46 million. We would be eliminating the employment service grants. We would be cutting senior jobs programs by \$172 million. We would be eliminating vocational education. We would be terminating the Community Services Block Grant program and so many others.

So I think the point is obvious. We really have operating here two different parties with two different visions for the future of this country, and we believe that when the private sector is essentially collapsing, as it is right now, that the government has an opportunity to step in and do what it can through fiscal policy and through supporting crucial programs, such as contained in the omnibus bill, so that we can counter the economic destruction that's going on in the private sector of the economy. That is what this bill tries to do.

If Members are more comfortable with the idea that we should simply glide along, do nothing and stick to the way we did things last year, be my guest. I don't think that's going to help the economy very much. I don't think it's going to impress the American people very much.

So I would urge the rejection of the motion to recommit when it's offered, and I would urge the passage of this resolution. In the end, the passage of this resolution is necessary in order to keep the government open, and that's what we ought to do today by passing this resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the order of the House today, the joint resolution is considered read, and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LEWIS of California. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. LEWIS of California. I certainly am, Madam Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Lewis of California moves to recommit the joint resolution H.J. Res. 38 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendments:

Page 1, beginning on line 5, strike "March 11, 2009" and insert "September 30, 2009".

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

SEC. 2. Section 122 of the Consolidated Appropriations Resolution, 2009 (division A of Public Law 110-329) is amended by striking "\$5,396,615,000" and inserting "\$5,595,754,000".

SEC. 3. Section 123 of the Consolidated Appropriations Resolution, 2009 (division A of Public Law 110-329) is amended by striking "\$1,245,920,000" and inserting "\$1,295,319,000".

SEC. 4. Section 158 of the Consolidated Appropriations Resolution, 2009 (division A of Public Law 110-329) is amended by adding at the end the following new subsection:

"(c) Notwithstanding section 101, the maximum Pell Grant for which a student shall be eligible during award year 2009-2010 shall be \$4,860."

SEC. 5. The Consolidated Appropriations Resolution, 2009 (division A of Public Law 110-329) is amended by inserting after section 174 the following new sections:

"SEC. 175. Notwithstanding sections 101 and 102 of this joint resolution, amounts are provided for 'Department of Justice—Federal Bureau of Investigation—Salaries and Expenses' at a rate for operations of \$7,147,700,000.

"SEC. 176. Notwithstanding section 101 of this joint resolution, amounts are provided for 'Department of Justice—Drug Enforcement Administration—Salaries and Expenses' at a rate for operations of \$1,939,084,000.

"SEC. 177. Notwithstanding section 101 of this joint resolution, amounts are provided for 'Department of Justice—United States Attorneys—Salaries and Expenses' at a rate for operations of \$1,836,336,000.

"SEC. 178. Notwithstanding section 101 of this joint resolution, amounts are provided for 'Department of Justice—Bureau of Alcohol, Tobacco, Firearms, and Explosives—Salaries and Expenses' at a rate for operations of \$1,054,215,000.

"SEC. 179. Notwithstanding section 101 of this joint resolution, amounts are provided for 'United States Marshals Service—Salaries and Expenses' at a rate for operations of \$950,000,000.

"SEC. 180. In addition to amounts otherwise provided by section 101, an additional amount is provided for 'Department of Justice—State and Local Law Enforcement Assistance' for the State Criminal Alien Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)), at a rate for operations of \$420,000,000.

"SEC. 181. Notwithstanding section 101 of this joint resolution, amounts are provided for 'The Judiciary—Courts of Appeals, District Courts, and other Judicial Services—Salaries and Expenses' at a rate for operations of \$4,801,369,000.

Mr. OBEY (during the reading). Madam Speaker, I would ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in support of his motion.

Mr. LEWIS of California. Golly, Madam Speaker, I had really hoped we could read that entire thing, but on the other hand, I certainly wouldn't want to interfere with this speedy process we're going through.

Madam Speaker, I do have a motion to recommit at the desk. I must say that, following that very small bill as described by my chairman, which is only \$410 billion on top of \$800 billion, it's a shame we can't quite spend enough of the folks' money.

My chairman refers often to one who appears to be his favorite President, President Franklin Delano Roosevelt, who clearly, for all of us, demonstrated that throwing money at problems to try to solve them was not the answer to those problems.

Anyway, Madam Speaker, going back to my motion to recommit, today we find ourselves in a difficult situation where we must vote on a CR to allow the government to operate while we wait for the Senate to pass this flawed omnibus appropriations bill.

The quandary we face today is a symptom of the larger problem. When Congress engages in regular order where we consider and pass individual appropriations bills on time and under an open process, these massive omnibus bills and continuing resolutions are just simply not needed. However, we are between a rock and a hard place, and this motion to recommit is the best solution to that.

Instead of punting for yet another few days, this motion takes care of the problem now by providing funding for the rest of the fiscal year at an adequate and restrained level while we consider the other huge packages that are coming forth from this leadership. This motion to recommit extends the current funding levels for all government agencies and programs with certain exceptions.

I must mention as I talk about the exceptions: The other side, but particularly my chairman, loves to talk about cuts from cuts. The public should understand that those cuts really are talking about cuts from wished-for increases in spending from the previous fiscal year. In about 90 percent of the cases, that is the case.

These exceptions include law enforcement programs in our package like the DEA, the FBI, U.S. Attorneys, the Judiciary, and the detention programs such as the State Criminal Alien Assistance Program, which helps local communities with the costs associated with the incarceration of illegal aliens. These programs will receive limited and necessary increases to maintain public safety. This motion also allows the Pell Grant increase approved in the enacted stimulus bill to move forward into next year.

Madam Speaker, a year-long continuing resolution with these exceptions is the best option. It will maintain critical government services at a

sufficient level while saving the taxpayers between \$15 billion and \$18 billion compared with our Democratic leadership's 2009 spending plan. It is time to move forward with the work of this new Congress and, once and for all, close out 2009 and its appropriations process. This motion will allow us to do this immediately and responsibly and without massive spending increases that the taxpayers cannot afford.

As we begin the work of the 2010 appropriations process, it is my hope and, I believe, the commitment from my leader that we can work together in a bipartisan way to complete our annual work on time and under regular order. That is even with subcommittee hearings—my goodness—and with full committee hearings. This includes asking the Democrat and Republican members of the Appropriations Committee to participate individually, even talking to their staffs once in a while in a professional way. That would be, indeed, a wonderful change to return to regular order.

So, with that, Madam Speaker, I appreciate your accepting my motion to recommit.

I yield back the balance of my time.

□ 1130

Mr. OBEY. Madam Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Madam Speaker, I yield to the distinguished majority leader.

Mr. HOYER. I thank the gentleman for yielding.

We have one option here because the government will shut down tomorrow by action of this Congress. And so our alternative is to keep the government operating, to defend our people in many ways, continue health care in many ways, to make sure that the services that are needed and available for our citizens remain so.

The Senate has already deemed the gentleman from Wisconsin's motion to be passed. Why? Because they've gone home. They're not here.

I urge every Member to reject this motion to recommit. Why? Because it will be objected to by at least one Senator, and therefore, the government will shut down.

Pending before the Senate is an appropriation bill passed by this House to fund government and to apply the resources of our country to our country's priorities. The gentleman from California knows that we had to do that numerous times under his chairmanship. Sometimes we passed those bills in January, sometimes we passed them in February, having a very large number of bills because the regular order was not effected within the time frame set forth. He did not like that. I did not like it. We don't like it as a process. None of us like this process, and hopefully we will have the cooperation of both sides so that it is not affected again.

But we have pending in the Senate a bill, the omnibus bill, and let me read to you the quote of the Republican leader of the United States Senate:

"If we want to do a bill immediately, again, my recommendation is the omnibus appropriations bill." Hear me. This is Senator MITCH MCCONNELL, the Republican leader.

"These were nine bills that were not passed by October when they should have been passed." I agree with that.

"They are ready to go," he said. "They've already been vetted by both sides," he said, "would pass on an overwhelming, bipartisan basis," he said, "and much of that spending, George"—he was speaking to George Stephanopoulos—"would be on things similar to what the President may be asking for in that package."

He was accurate then; he's accurate now. But unfortunately, the Senate did not effect the passage of this bill in a timely fashion, although they have had it for a significant period of time.

And so the chairman of the Appropriations Committee is confronted with but one option because the option that is offered on the other side will not receive unanimous consent. And the Senate, as I said before, has gone home.

And so I say to all of my colleagues on our side of the aisle, we need to pass this motion, and we need to reject the motion to recommit. And responsibly, there is not another option.

So I ask all, on both sides of the aisle, to give us the opportunity to move forward, to keep the government open, and to continue the debate that the Senate apparently wants to continue to have. The minority does not have the votes in the Senate to do what they want to do. The majority will vote for the omnibus appropriations bill. This is not a question of whether the majority of the Senate is for it, it's a question of whether the minority will stop its passage.

We can be here Saturday and Sunday and Monday and heaven knows how long, but it will not change the fact that confronts us.

Reject this motion to recommit that will not be approved by the Senate, pass the short-term continuing resolution proposed by the chairman, and let us come back next week and work the will of this House and the Senate.

Mr. OBEY. Madam Speaker, I urge opposition to the motion, and I urge passage of the resolution.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection. The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. LEWIS of California. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 160, noes 218, not voting 53, as follows:

[Roll No. 108]

AYES—160

Aderholt	Gerlach	Mitchell
Akin	Giffords	Moran (KS)
Alexander	Gingrey (GA)	Murphy, Tim
Altmire	Gohmert	Myrick
Austria	Goodlatte	Neugebauer
Bachmann	Granger	Nunes
Bachus	Graves	Nye
Bartlett	Guthrie	Olson
Barton (TX)	Hall (TX)	Paul
Biggart	Harper	Paulsen
Bilbray	Hastings (WA)	Pence
Bilirakis	Heller	Petri
Bishop (UT)	Hensarling	Platts
Blackburn	Herger	Poe (TX)
Blunt	Hoekstra	Posey
Boehner	Hunter	Price (GA)
Bonner	Inglis	Radanovich
Boozman	Jenkins	Rehberg
Boustany	Johnson, Sam	Reichert
Brady (TX)	Jones	Roe (TN)
Broun (GA)	King (IA)	Rogers (AL)
Buchanan	King (NY)	Rogers (MI)
Burgess	Kingston	Rohrabacher
Burton (IN)	Kirk	Rooney
Campbell	Klaine (MN)	Royce
Cantor	Lamborn	Ryan (WI)
Capito	Lance	Scalise
Carter	Latham	Schmidt
Cassidy	LaTourette	Schock
Castle	Latta	Sensenbrenner
Chaffetz	Lee (NY)	Sessions
Childers	Lewis (CA)	Shadegg
Coble	Linder	Shuster
Cole	LoBiondo	Simpson
Conaway	Lucas	Smith (NE)
Crenshaw	Luetkemeyer	Smith (NJ)
Culberson	Lummis	Smith (TX)
Davis (KY)	Lungren, Daniel	Souder
Dent	E.	Stearns
Diaz-Balart, L.	Mack	Terry
Diaz-Balart, M.	Manzullo	Thompson (PA)
Donnelly (IN)	Marchant	Thornberry
Dreier	McCarthy (CA)	Tiahrt
Ellsworth	McCaul	Turner
Emerson	McClintock	Upton
Fallin	McCotter	Walden
Flake	McHenry	Wamp
Fleming	McKeon	Westmoreland
Forbes	McMorris	Whitfield
Fortenberry	Rodgers	Wilson (SC)
Foxx	Mica	Wittman
Franks (AZ)	Miller (FL)	Wolf
Frelinghuysen	Miller (MI)	Young (AK)
Garrett (NJ)	Minnick	Young (FL)

NOES—218

Ackerman	Clay	Frank (MA)
Adler (NJ)	Cleaver	Fudge
Andrews	Clyburn	Gonzalez
Arcuri	Cohen	Gordon (TN)
Baca	Connolly (VA)	Grayson
Baird	Conyers	Green, Al
Baldwin	Cooper	Griffith
Barrow	Costa	Grijalva
Bean	Costello	Gutierrez
Becerra	Courtney	Halvorson
Berkley	Crowley	Hare
Berry	Cummings	Hastings (FL)
Bishop (NY)	Dahlkemper	Heinrich
Blumenauer	Davis (CA)	Herseth Sandlin
Boren	Davis (IL)	Higgins
Boswell	Davis (TN)	Hill
Boucher	DeGette	Himes
Boyd	Delahunt	Hinchee
Brady (PA)	DeLauro	Hinojosa
Braley (IA)	Dicks	Hirono
Bright	Doggett	Hodes
Brown, Corrine	Doyle	Holden
Butterfield	Driehaus	Holt
Capps	Edwards (MD)	Honda
Capuano	Edwards (TX)	Hoyer
Cardoza	Ellison	Inslee
Carnahan	Engel	Israel
Carney	Eshoo	Jackson (IL)
Carson (IN)	Etheridge	Johnson (GA)
Castor (FL)	Farr	Johnson, E. B.
Chandler	Filner	Kagen
Clarke	Foster	Kanjorski

Kennedy
Kildee
Kilpatrick (MI)
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loeb sack
Lowe
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCullum
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)

NOT VOTING—53

Abercrombie
Barrett (SC)
Berman
Bishop (GA)
Bocchieri
Bono Mack
Brown (SC)
Brown-Waite,
Ginny
Buyer
Calvert
Camp
Cao
Coffman (CO)
Cuellar
Davis (AL)
Deal (GA)
DeFazio
Dingell

□ 1200

Ms. WOOLSEY, Mr. McMAHON, Ms. HERSETH SANDLIN, Messrs. MURTHA, GUTIERREZ, Mrs. CAPPS and Mr. JOHNSON of Georgia changed their vote from “aye” to “no.”

Mr. MILLER of Florida changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 328, noes 50, not voting 53, as follows:

[Roll No. 109]
AYES—328
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Biggett
Bibray
Bilirakis
Bishop (NY)
Bishop (UT)
Blumenauer
Boehner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown, Corrine
Buchanan
Butterfield
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Jackson (IL)
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kennedy
Clarke
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
LoBiondo
Loeb sack
Lowe
Lucas
Luetkemeyer
Luján
Lummis
Lynch
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Filner
Fleming
Forbes
Fortenberry
Foster

Souder
Speier
Spratt
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko

NOES—50

Akin
Bachmann
Bachus
Bartlett
Barton (TX)
Blackburn
Blunt
Bonner
Broun (GA)
Burgess
Carter (IN)
Chaffetz
Cole
Davis (KY)
Fallin
Flake
Fox
Gingery (GA)
Herger
Hunter
Johnson, Sam
King (IA)
Kingston
Latta
Lewis (CA)
Linder
Lungren, Daniel
E.
Mack
Manzullo
McHenry

NOT VOTING—53

Abercrombie
Barrett (SC)
Berman
Bishop (GA)
Bocchieri
Bono Mack
Brown (SC)
Brown-Waite,
Ginny
Buyer
Calvert
Camp
Cao
Coffman (CO)
Cuellar
Davis (AL)
Deal (GA)
DeFazio

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1207

Mr. PENCE changed his vote from “no” to “aye.”

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. McDERMOTT. Madam Speaker, I was unable to vote on H.J. Res. 38. Had I been able to vote, I would have voted “aye” on this resolution and “no” on the motion to recommit.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Moran (KS)
Neugebauer
Pascrell
Paul
Petri
Poe (TX)
Radanovich
Royce
Sensenbrenner
Sessions
Shadegg
Smith (TX)
Stearns
Stupak
Thornberry
Tiahrt
Westmoreland
Melancon
Miller, Gary
Neal (MA)
Perriello
Pitts
Putnam
Rangel
Rogers (KY)
Ros-Lehtinen
Roskam
Shimkus
Shuler
Space
Stark
Sullivan
Tiberi
Wilson (OH)

Whereas The Hill reported on February 10, 2009, that “a top defense-lobbying firm” that “specializes in obtaining earmarks in the defense budget for a long list of clients” was “recently raided by the FBI.”;

Whereas the Associated Press reported on February 25, 2009 that the “FBI searched the lobbying firm . . . and the residence of its founder . . .”;

Whereas The Hill reported on March 4, 2009, that the firm “has given \$3.4 million to 284 Members of Congress”;

Whereas Politico reported on February 13, 2009, that “federal investigators are asking about thousands of dollars in campaign contributions to lawmakers as part of an effort to determine whether they were illegal ‘straw man’ donations.”;

Whereas Roll Call reported on February 20, 2009, that they have “located tens of thousands of dollars worth of [the raided firm]-linked donations that are improperly reported in the FEC database.”;

Whereas Roll Call also reported that “tracking Federal Election Commission records of campaign donations attributed to [the firm] is a comedy of errors, misinformation and mysteries, providing more questions than answers about how much money the lobbying firm actually raised for Congressional campaigns.”;

Whereas CQ Today reported on February 19, 2009, that “104 House members got earmarks for projects sought by [clients of the firm] in the 2008 defense appropriations bills,” and that 87 percent of this bipartisan group of Members received campaign contributions from the raided firm;

Whereas The Hill reported on February 10, 2009, that in 2008 clients of this firm had “received \$299 million worth of earmarks, according to Taxpayers for Common Sense.”;

Whereas The Hill reported on February 23, 2009, that “clients of a defense lobby shop under investigation are continuing to score earmarks from their patrons in Congress, despite the firm being on the verge of shutting its doors permanently” and that several of the firm’s clients “are slated to receive earmarks worth at least \$8 million in the omnibus spending bill funding the federal government through the rest of fiscal 2009 . . .”;

Whereas the Washington Post reported on June 13, 2008, in a story describing increased earmark spending in the House version of the fiscal year 2009 defense authorization bill that “many of the earmarks serve as no-bid contracts for the recipients.”;

Whereas the Associated Press reported on February 25, 2009, that “the Justice Department’s fraud section is overseeing an investigation into whether [the firm] reimbursed some employees for campaign contributions to members of Congress who requested the projects.”;

Whereas Politico reported on February 12, 2009, that “several sources said FBI agents have spent months laying the groundwork for their current investigation, including conducting research on earmarks and campaign contributions.”;

Whereas House Resolution 189, instructing the Committee on Standards of Official Conduct to investigate the relationship between earmark requests already made by Members and the source and timing of past campaign contributions, was considered as a privileged matter on February 25, 2009, and the motion to table the measure was agreed to by recorded vote of 226 to 182 with 12 Members voting present;

Whereas House Resolution 212, instructing the Committee on Standards of Official Conduct to investigate the relationship between earmark requests already made by Members on behalf of clients of the raided firm and the source and timing of past campaign contributions, was considered as a privileged

matter on March 3, 2009, and the motion to table the measure was agreed to by recorded vote of 222 to 181 with 14 Members voting present;

Whereas the reportedly fraudulent nature of campaign contributions originating from the raided firm, as well as reports of the Justice Department conducting research on earmarks and campaign contributions, raise concern about the integrity of congressional proceedings and the dignity of the institution; and

Whereas the fact that cases are being investigated by the Justice Department does not preclude the Committee on Standards of Official Conduct from taking investigative steps: Now, therefore, be it

Resolved, That (a) the Committee on Standards of Official Conduct, or an investigative subcommittee of the committee established jointly by the chair and ranking minority member, shall immediately begin an investigation into the relationship between earmark requests for fiscal year 2009 already made by Members on behalf of clients of the raided firm and the source and timing of past campaign contributions related to such requests.

(b) The Committee on Standards of Official Conduct shall submit a report of its findings to the House of Representatives within 2 months after the date of adoption of this resolution.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Arizona will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ADJOURNMENT TO MONDAY, MARCH 9, 2009

Mr. CONNOLLY. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

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

There was no objection.

APPOINTMENT OF MEMBERS TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. Pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a) and the order of the House of January 6, 2009, the Chair announces the Speaker’s appointment of the following Members of the House to the Migratory Bird Conservation Commission:

Mr. DINGELL, Michigan
Mr. WITTMAN, Virginia

□ 1215

JAMES BUTLER BONHAM

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

Mr. POE of Texas. Madam Speaker, today, March 6, is an important day in not only Texas’s history but American history because this is the day that the Alamo fell with 187 volunteers from all States in the United States and numerous foreign countries. Even though all of the defenders of the Alamo were killed, ten times that number was killed on the enemy side, the invading Mexican army.

March 2, earlier this week, was the day that Texas declared independence from Mexico. And during that final successful battle at San Jacinto, Texas gained independence and was a free and independent nation for over 9 years.

There are many Texas heroes, remembering, of course, they came from all over the world, at the Alamo. We’ve heard about William Barret Travis, the commander; Davy Crockett; Jim Bowie. We later hear about Sam Houston at the battle of San Jacinto.

But we often don’t remember a person by the name of James Butler Bonham. A 29-year-old, he was from the University of South Carolina, grew up in Red Bank, South Carolina. He was a boyhood friend of William Barret Travis. And it was his job, along with Juan Seguin, to try to seek out reinforcements to the Alamo. He would break through enemy lines numerous times to try to bring people to come in aid at the Alamo. He was successful in bringing 32 men from Gonzales. He breaks through the lines his final time, goes to Washington-on-the-Brazos to try to get more recruits. They refused to go because they were trying to build a government. And when he left that time on March 3, he made the report that “I will report back to my friend William Barret Travis or die in the attempt that no one is coming.” He broke through the enemy lines one last time, and 3 days later, he and the other 186 defenders of the Alamo gave the ultimate sacrifice for freedom.

Another example in American history of the character and integrity of people who have lived before us that believe some things are worth fighting for and one of those is freedom, liberty, and independence.

And that’s just the way it is.

TRIBUTE TO WADAHAWA SINGH GILL

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

Mr. McCLINTOCK. Madam Speaker, I rise today in tribute to Rev. Wadahawa Singh Gill, who passed away last week at age of 87.

For many years Rev. Gill was the spiritual leader of the Sikh community in Northern California. He was an amazing man who not only ministered

to the more than 100,000 Sikh faithful in the Sacramento region. He made himself a bridge between the Sikh community and the general public.

No religious group has suffered more at the hands of Islamic extremists than the Sikhs; yet because the turban is part of their traditional Sikh clothing, his parishioners have suffered greatly from public reaction after the attack of September 11.

It was Rev. Gill who reached out across that gulf of misunderstanding and began a remarkable process of assimilation that has made Sacramento's Sikh community an integral part of interfaith life in Northern California.

His spiritual leadership will live on not only in the many books that he published but through the example that he set for those of all faiths who share the Sikh tradition of peace, tolerance, and goodwill to mankind.

SPECIAL ORDERS

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

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

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

THE STOCK MARKET RECOVERY ACT

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

Mr. KIRK. Madam Speaker, it is increasingly clear that the stock market is voting against many of the policies put forward by this Congress. With stocks falling to 12-year lows, we have to reexamine the policies that we are pursuing here and ask are they not helping and potentially actually hurting our future?

In past years losses in the stock market hurt Americans indirectly. Most people in the middle class did not own stock or rely on it for their retirements. But today after the rise of the individual retirement accounts and the investor middle class, losses in the market directly affect the income and especially the retirement savings of many Americans.

Now, in this Congress we have embraced a high-spending, high-borrowing, high-tax future for the American economy. As the details of our plans became clear, America's long-term investments rapidly declined in value. If the losses sustained in recent days continue, then the market DOW increase would actually fall to zero by this summer.

In my judgment, it's time to reassess, in a truly bipartisan way, the legislation that we need to improve our policies towards the long-term future of our economy, towards investors and especially equities on the stock market.

Recently, I joined Congressman GARY ACKERMAN, Democrat from New York, to back legislation that would reimpose the uptick rule and suspend the current application of the mark-to-market rule. These two reforms, and a ban on issuing insurance to buyers who have no insurable interest in property, would do a great deal of reassuring our markets. These reforms would not directly confront the policies of President Obama or his current vision; they would actually add to his policies, and they would quickly act to reassure markets, right now on a downward asset spiral that is crippling both credit and equity markets.

On the mark-to-market rule, look at what a typical transaction looks like today. We know that 90 percent of mortgages are being paid on time and in full. But any collection of mortgages right now, if bunched together, will have a market value of zero; even though 90 percent of the mortgages are paid; even though for the 10 percent of homes where mortgages are not paid, the mortgage owner would be able to foreclose on the property, taking control of land and potentially a house or buildings that do have a value. The current mark-to-market rule is generating the wrong answer, that these assets actually do not have zero value. But because the mark-to-market rule forces accountants to place a zero value on these assets, there is a downward spiral in banking and financial equities that is ruining our long-term retirement savings.

We faced this problem in the past. President Roosevelt, when he faced this problem actually five times worse than the one we face today, put forward the Home Owners' Loan Corporation that looked at this problem in which half of all mortgages, not 10 percent, were in trouble. And what he said was this, through the Home Owners' Corporation: We would look at a more bureaucratic formula of the rental value of a property, of its underlying salvage value, or of a value of other properties that did have a market in recent days in which we looked at the sales over a longer period of time. The answer that was generated by the Home Owners' Loan Corporation showed that the asset actually did have a value and stopped the downward spiral of the market.

Right now we need to impose a formula well understood in the 1930s that would generate the correct answer, that a collection of mortgages, 90 percent of which are paid, do not have zero value and therefore should suspend the mark-to-market rule to prevent the attack on equities today.

Likewise, with the mark-to-market rule generating the wrong answer, call-

ing assets which actually have a value being valueless, we should reimpose the uptick rule to prevent the sustained negative attack on equities that are going on, driving a number of public companies who have substantial values into bankruptcy.

Lastly, we should look very carefully at credit default swaps, engineered and put forward most strongly by AIG. We need to prevent anybody from buying insurance on an underlying asset of which they have no interest whatsoever.

Next week I will introduce the Stock Market Recovery Act. It will include these reforms to stop this downward spiral. We have spent enough. We have added \$2 trillion in debt. Now we need these commonsense, bipartisan reforms to send a different signal to the stock market.

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

GOVERNMENT SPENDING AND HYPERINFLATION

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. Madam Speaker, some people say, why are you guys down here every night taking Special Orders, talking about what's going on?

I'll tell you why. I know we can't talk to the American people, but we need to make sure our colleagues, and if anybody is paying attention out there in the hinterlands, know what is going on in this place because it affects every person's life in America, every man, woman, and child.

I have got a chart here, and this chart shows the money supply. It's hard for people to see back in their offices, but this is the money supply, and it's been pretty consistent all the way up through maybe 1995, and since then it started to rise. That's the amount of money we print and is in circulation. Just after the 2007 time period, it shot straight up. It's going up like a rocket.

Now, what does that mean? It means right now we have created currency in this country that's almost 300 percent of what it was just a year or two ago. So people say what difference does that make? If you print that much money, it won't hurt anything.

But it does. Because the amount of goods and services, the cars, the refrigerators, and everything else that we

produce in this country, that's remaining flat right now because of the economy and the auto industry is going down. So we have got 300 percent, three times the amount of currency in circulation, but we don't have the goods and services going up at the same rate. So what happens? That means the cost of everything is going up, and that's called inflation.

Back in the 1970s we had inflation. It was double digit. It got up to 14 percent, and that led to 12 percent unemployment, which is worse than what we have today. And we ended up raising interest rates 20 to 21 percent because the spending had been out of control and we had to do something to slow down the inflation.

So here we have. We have the money being printed so fast that they can't keep up with it. In fact, I don't know how they buy enough ink and paper down there at the Treasury Department to do this. But every man, woman, and child ought to be concerned about this because the cost of government is going up so rapidly and the printing of money is going up so rapidly that they are going to have hyperinflation in this country.

My colleague Mr. WOLF from Virginia, I think he was here a couple weeks ago and he had a piece of currency from Zimbabwe and it was a multi-million piece of currency. They put so many zeroes on it, they had to reprint the currency just to take zeroes off. They just couldn't keep up with it.

□ 1230

Hyperinflation is what they had in Germany post-World War I. That is where people had to take bushels of money to the store to buy a loaf of bread, and every day the cost of everything went up this fast so that the people couldn't keep up with it.

So what we are facing today is a government where spending is out of control. We spent \$700 billion on the TARP program; \$14 billion on the auto bailout; \$787 billion on the stimulus, over \$1 trillion if you add interest; \$410 billion on the bill that is over in the Senate. We have a budget coming up with \$3.9 trillion and a \$635 billion down payment on health insurance, a national health insurance program, socialized medicine.

Where is that money coming from? Well, we are borrowing it from China, we are borrowing it from Japan, we are borrowing it from other places in the world. We are borrowing it from the Social Security trust fund. But even though we are borrowing all that money, you can't keep up with the spending. And so what are they doing? They are printing more currency on a daily basis.

So you see this rocket ship taking off in the currency area, and it is not going to slow down, and what it is going to do is just lead to very high inflation, the cost of living going up. And it is going to affect every family in this country. It is going to affect the cost of

education, the cost of gasoline, the cost of electricity, everything else.

So I hope my colleagues are aware of this. I hope they are aware that there are going to be a lot of tax increases as well. They are talking about putting a carbon dioxide tax in place that is \$646 billion in new taxes. What that means is every time you switch on a light or buy a gallon of gas or do anything that is energy related, you are going to be paying a higher price for it because we are loading on the back of the taxpayers \$646 billion in new taxes.

We are spending more money than you can imagine. We are adding to the national debt \$12.3 trillion. People can't understand what that is. A trillion is a million million, so \$12 trillion is 12 million million dollars. We are adding \$12.3 trillion to the national debt, and that is more than we have added to the national debt from 1789 when we became a free country and had our Constitution to today. We are blowing money like it is going out of style.

When I tell people these things, their eyes just glaze over because it is too hard to comprehend. But what they do comprehend is higher taxes, more government spending, more pork-barrel projects and the kind of inflation that is going to lead this country down the road to socialism.

What we need to do, Madam Speaker, as I end up, what we need to do is we need to cut spending, cut out the pork and cut taxes and let the free enterprise system work.

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

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

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

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

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

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICANS BELIEVE GROWING DEFICIT AND DEBT IS THREAT TO COUNTRY AND BIPARTISAN COMMISSION PROCESS IS WAY FORWARD

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

Mr. WOLF. Madam Speaker, earlier this week the Peter G. Peterson Foun-

dation, founded by former Commerce Secretary Pete Peterson, whose president is former U.S. Comptroller General David Walker, released the results of a survey conducted by Peter Hart Research Associates and Public Opinion Strategies which looked specifically at public attitude toward America's fiscal policies.

According to this survey, by a significant margin, 56 to 30 percent, registered voters prefer a bipartisan commission to the regular congressional process as the best means to begin tackling our growing budget deficit and national debt. The fact is there really isn't even a congressional process that is dealing with this issue.

The bipartisan commission Congressman COOPER and I have proposed with every spending program on the table with tax policy is the approach that will lead to a solution. Congress would be forced to vote on the commission's recommendations. Over 111 Members of this House pledged their support last session, bipartisan, and Senate Budget Chairman KENT CONRAD and Ranking Member JUDD GREGG have offered similar legislation in the Senate.

Just look around. Main Street is suffering. Everyone knows the country is in trouble. The American people are experiencing a crisis of confidence. The Dow is falling through the floor, below 7,000 yesterday. Unemployment, the latest figure came out today, 8.1 percent unemployment in the Nation with 650,000 jobless claims for just last month. The American people need their confidence restored, and this bipartisan commission would restore it, would restore the confidence.

The American people believe that elected officials will work together to solve the Nation's most pressing problems, but this confidence is dwindling with every piece of bad news that factors into the country's economic narrative.

As evidenced by the Peter Hart Research/Public Opinion data, a majority of the American people understand that this Congress is broken. It has become a partisan political place. And if it takes a commission with teeth for Congress to deliver on its responsibilities, then so be it.

If other Members, and there may very well be better ideas, if other Members have a better idea, then they ought to put it forward and we ought to pass it. But if we don't address entitlement spending in the over \$56 trillion in unfunded obligations through Social Security, Medicare and Medicaid, our children and their grandchildren will pay the price.

In closing, Madam Speaker, I believe that a bipartisan commission would renew America's confidence in the economy and in the ability of our elected leaders to come together. I was the author of what they call the Baker-Hamilton Commission, the Iraq Study Group, where we brought both sides together, five Republicans and five Democrats, and we saw the good that came out of that.

This would provide a brighter future. This would provide a renaissance in this Nation. This would provide a bright future whereby we could then put more money into math and science and physics and chemistry, more money into autism research and more money into cancer research and more money into research for Alzheimer's, and really electrify America whereby we are creating jobs for the sake of the country.

For the sake of our children and grandchildren, this Congress and this administration should do this. And let me just say, this is a bipartisan criticism, the Bush administration, Secretary Paulson did not do a very good job on this and missed that opportunity. Now this administration has an opportunity. So hopefully this Congress and this administration, and if this administration doesn't do it, this Congress will do it, will vote to set up a bipartisan panel to deal with America's financial future to give hope to our children and our grandchildren and create a renaissance in America so we can honestly say America's best days are yet ahead.

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

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

SOLVING THE ECONOMIC PROBLEMS IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Madam Speaker, this has been a busy week. We have taken up a lot of suspensions, congratulating USC, congratulating all kinds of things. I think we recognized a "day of reading" a couple of days after the day had passed. We have had a lot of great votes like that. But the most disconcerting thing are the votes of importance that we have been moving toward and taken up and how we see the economy continuing to falter.

I was one of those who was strongly against the Paulson bailout back in September. I thought it was a huge mistake. And who have ever thought a new administration would come in and then he would just exacerbate even that bad bailout bill?

But there is an article in the Wall Street Journal this week, this was dated March the 3rd, and I will quote from that. It is an editorial from the Wall Street Journal.

It says, "As 2009 opened, 3 weeks before Barack Obama took office, the Dow Jones Industrial Average closed at 9,034 on January 2nd, its highest level since the autumn panic. Yesterday the

Dow fell another 4.24 percent to 6,763, for an overall decline of 25 percent in 2 months and to its lowest level since 1997. The dismaying message here is that President Obama's policies have become part of the economy's problem. Americans have welcomed the Obama era in the same spirit of hope the President campaigned on. But after 5 weeks in office, it has become clear that Mr. Obama's policies are slowing, if not stopping, what would otherwise be the normal process of economic recovery. From punishing business, to squandering scarce national public resources, team Obama is creating more uncertainty and less confidence, and thus a longer period of recession of subpar growth. The Democrats who now run Washington don't want to hear this because they benefit from blaming all bad economic news on President Bush."

I know my friends on the Republican side here in the House, with maybe a few exceptions, most everybody loves this country. Well, everybody loves the country so much, but most everybody was really hoping President Obama would succeed in calming the economy, because we saw the job losses that were occurring. We wanted them to stop. I personally believe if he would use his gift of spreading hope and confidence, this economy would start rebounding.

I have been talking to business people who have been sitting on the sidelines, banks that have been sitting on the sidelines waiting to make sure people were going to start buying homes, were going to start buying again before they invested to take advantage of it; people saying that, well, they had to hire two or three people, but, good grief, if the President is going to be popping them with more taxes, they are going to have to pay more taxes and can't do any more hiring. So all of that kind of talk has really put a freeze further on the economy.

We also were promised over and over and over again by this President that there would be no earmarks and if a bill with earmarks came to him he would veto it. Well, we have already seen that didn't happen. But with this disastrous omnibus bill that is coming that will take around \$1.2 trillion we have already allocated so far under his watch, add that to over \$1.6 trillion, when you keep in that mind that most of that is above budget and for the entire year of 2008 there will be income taxes paid in of about \$1.21 trillion, we are already exceeding the entire amount of income tax that will be paid in for 2008. For what? For 9,000 earmarks? It is absurd.

I have been joined here by friends who I would like to yield some time to. At this time I would yield to my good friend, Mr. MIKE CONAWAY from Lubbock—not Lubbock—Midland, Texas, who played for Odessa Permian. He knows something about being tough. When the going gets tough, the tough get going.

Mr. CONAWAY. I thank my friend from Sweetwater, Texas—I am sorry,

Tyler, Texas. I can actually pronounce your last name, Mr. GOHMERT. Thank you. I appreciate being with you today and look forward to our conversation with each other and the other Members of the House who are filling almost every seat in the Chamber this afternoon.

We want to talk about fiscal responsibility. That has been a buzzword that has rolled off the lips of just about everybody in the administration who has come over the last couple weeks after the President announced his budget.

The President stood here during his address to the Nation and called us to do some tough things, to do some hard things that we were going have to have to do in the coming future. I had hoped one of the things he would have said was that we have some hard things to do, some really tough spending decisions to make. We can't afford everything that we have been spending money on. We can't afford all of this Federal spending. We have hard decisions to make. We have to set priorities.

I hoped what he would have said to us that night was "and we are going to start tonight," and he would have turned around and looked at the Speaker and said, "Madam Speaker, send me a continuing resolution or omnibus bill that spends no more money in fiscal 2009 than we spent in fiscal 2008." In other words, let's start that down payment on hard decisions.

Much of that increased spending, the \$32 billion of increased spending in the 2009 omnibus bill that has now subsequently passed this House is for new programs. It duplicates spending that was done in the stimulus bill. So there is really precious little reason to argue that we needed to spend more money in the regular appropriations process for fiscal 2009 than was already being spent in 2008 and the stimulus package itself. But he didn't say that. He convened a "fiscal responsibility summit" on a Tuesday, and then released his budget for the fiscal 2010 spending on that following Thursday.

We have had some hearings here in the Budget Committee and others about that budget. Many of his appointed hired guns have come over to us and looked us in the eye, looked these cameras in the eye in the committee rooms, and said this is a fiscally responsible budget. I have to argue with that, because that is a little bit different definition of "fiscally responsible" than any I have ever heard.

□ 1245

The budget itself calls for a—and he's bragged about cutting the deficit in half by the fifth year, cutting it down to \$533 billion. And that's a good goal. I mean, we should all be about cutting deficits. We should never make light of how difficult that is to do.

But then, if you look at the next 5 years of his budget, his deficits go right back up. I think the last budget on the 10-year window is about a \$700

billion deficit. So, how can you, with a straight face, say that that deficit that's got the cumulative deficits over a 10-year period that more than doubles the existing debt that we owe to outsiders, how can you remotely call this a fiscally responsible budget?

You then look at the stimulus spending that was anything but responsible. It was put together in the Speaker's Office with precious little input from those of us on our side of the aisle, which, I'm sure there are evidences in past history where Republicans have run roughshod over the Democrats. But clearly, two wrongs don't make a right. And we had no input into the stimulus spending package.

This is going to be kind of the gift that keeps on giving to embarrass those who voted for that stimulus package. I believe, over the next two years, we will see spending after spending after spending on things like Frisbee golf courses and other kinds of things that this money will get spent on that will embarrass anybody who voted for that stimulus package. So we'll see these coming out over the next couple of years.

The omnibus bill that we just passed, we gave our colleagues on the other side of the aisle an opportunity to say, all right, let's just spend, do what I had hoped the President would tell us to do in his address to the Nation the other night, and that is, hold this spending flat. Let's start the process.

It is going to be hard. When you cut Federal spending, somebody somewhere doesn't get paid. There is a job lost somewhere. There's a benefit that doesn't happen.

But this, where we find ourselves today is that every dollar of the stimulus package was borrowed. The deficit this year, which was exacerbated by that \$31 billion increase, that \$31 billion has to be borrowed.

Now, this money, under a normal borrowing scheme, you go to a lender, could be a bank, could be someone else, and you set up the loan, how you're going to get the loan, what you are going to use the proceeds for. But the lender is particularly keen on how he or she is going to get paid back.

Quite frankly, Madam Speaker, this debt that we're borrowing, the \$700-plus billion on the stimulus package, the extra \$31 billion on the omnibus bill, that debt will never get paid back, ever, because the only way you can pay back debt is to run a surplus. And this government does anything but run surpluses well.

I had an interesting conversation. I was in Fredericksburg, Texas back in October, and I was doing town hall meetings around the district, talking to constituents and hearing folks sharing their opinions, what was going on. I had gone to a particular school and was doing the town hall meeting for just the school itself. And I was taking questions from the folks in the school. And I had this little, young fifth-grader raise his hand, and so I got around to

calling him. And he looked at me and said, Mr. Congressman, what's the plan to pay off the national debt? And I just, I kind of rocked back on my heels. I said, I beg your pardon, which is a technique you use when you're taking questions like that to gain time to think. And I said, I beg your pardon? He said yes, sir. What's the plan to pay off the national debt? And I said, young man, that is the single best question I've ever been asked at a town hall meeting.

And the bad news is there are no plans to pay off the national debt. We would be tremendously excited around here if we could just run a balanced budget and we could quit making the process worse than it already is. And there are no plans, certainly over the next 10 years in this President's budget, to even break even, to quit making the problem worse.

And so the insidious thing about this debt is that we're not going to pay it off. It's not likely that future generations are going to pay it off. But there is an interest carry on that debt. That debt, right now we're benefiting from low interest rates because the rest of the world has fled into the safety of what they believe is the safe securities, the U.S. debt securities, so our interest rates are low. But as we begin to roll out this debt, borrow additional trillions, doubling of the national debt, interest rates will go up. So whatever the interest carry is, whatever the annual interest rate is on that debt is a permanent call, a permanent obligation that we are handing off to future generations. That interest alone will reach \$1 billion a year very quickly as we borrow additional money here very, very soon. So those are resources that have yet to be earned. That's taxes that have yet to be collected. And so those future generations will, in effect, inherit a hole in their budget of whatever that interest rate, whatever that interest carry is on what we have borrowed.

We have taken the process of fixing our problems with other people's money to a staggering art form, and weaning ourselves from that concept is going to be hard to do. We've never done it. Our generation hasn't done it. The generation ahead of us didn't do it. But future generations will have to because, while it appears that this Federal Government has a limitless ability to borrow money, that's not true. There is a finite amount of money that this Federal Government can borrow. I don't know that we're there yet, but every dollar we borrow and the trillions we're adding on, we're getting closer to that point at which the rest of the world says, you know, I'm not sure America can make good on its debts. And once that happens, we're in for remarkably different circumstances.

So I want to thank my good colleague from Tyler, Texas for allowing me to help out this afternoon and be a part of this conversation, and look forward to the comments from he and our other colleagues.

Mr. GOHMERT. I thank the gentleman from Midland, Texas.

And I would like to add to the comments that you made with regard to the indebtedness that we are laying upon this Nation for future generations. It really seems analogous; what we're doing here, what we've been doing since, you know, the year started, we are borrowing all this money.

We had our Secretary of State go to China and beg them to keep buying our notes, buying our bonds, whatever you want to call them. I mean, basically, keep loaning us money is what we're begging the Chinese to do.

And it would be like one of us going into a bank, saying, I want to borrow a bunch of money because I cannot control my spending. I just can't quit spending, so I need to borrow a bunch of money. But, see my little child over here? That child, and one day his children will, I'm promising my child and my grandchildren will one day pay that back. Just loan me the money because I can't quit spending. So, I mean, that would be insane. Those children would be taken away from a parent who would do that to them. They would. And yet, that is what's going on here.

Now, I heard our friend, the chairman of appropriations, earlier sarcastically belittling Republicans, that he didn't need to be lectured by Republicans who did such a great job of running the budget, running appropriations before they were in the majority. But if you will go back to my first 2 years, actually, all three of our first years in Congress, 2005 and 2006, we kept hearing two things over and over. One was that we needed to quit running up the deficit. And they were right. And some of us were saying it back then. We were agreeing that we shouldn't be running up the deficit. But that was not what was happening.

But the other thing was, we were being terribly beaten up over the fact, they said we weren't spending enough money on anything but the military. So it was a little difficult to be lectured and beat up over running up the deficit. And yet, virtually every bill, it seemed like they wanted to spend even more money. And that's the problem they had with most bills, whether it had to do—well, I mean, just take your pick. They wanted to spend more money on virtually everything but the military.

So it's been a little disconcerting to see them get elected, get the majority, which people got fed up with Republicans spending too much, so they get the majority because they said we won't run up the deficit. And ever since they've been in control, January of 2007, it has been running up.

Granted, they had a Republican President. But it is, constitutionally, the obligation of the Congress to appropriate the money, and they were appropriating it in record amounts.

And now, it's like there's just nothing but giddiness around this town. They've got to keep a straight face in

front of the camera, but just the spending, wow. We've got a crisis. We can throw all this money. We've had all these 12 years of pent-up frustration, programs we couldn't get through, and now we're seeing those come to fruition, and it is devastating the economy. And it's time to stop.

At this time I'd like to yield to my friend, also a former judge, Mr. Ted Poe from Texas.

Mr. POE of Texas. I thank the gentleman for yielding. Appreciate his comments and Mr. CONAWAY's comments, especially with his background as a CPA, he understand numbers maybe a whole lot better than some of the others of us here.

In less than 2 months, the stock market has dropped over 2,000 points. It's below 7,000. Many folks throughout the country who have invested in the stock market have lost somewhere between 25 percent and 50 percent of their investment. My parents are examples of that. They're both 83, and they had hoped that at the end of their existence on this earth that they would be able to live off of their investments. And they, like many other folks, not just senior citizens, are finding that difficulty.

It's somewhat disturbing that the voice we hear from those in the administration, different people who work in the administration, take the position that it's almost irrelevant what the investor class thinks about what's going on. Well, it's not irrelevant. It's the investors who put their money into businesses to give those businesses capital so that those businesses can be a going concern. If investors don't invest in business, then that business may not have the capital. And so it is relevant what investors think.

And the investor class is not just the rich and famous. It's just the average Americans; some of whom have just a few shares of stock in different businesses in this country. So it's very relevant. And to dismiss their input as irrelevant, I think, is very disturbing because the stock market has plummeted, really, at a record amount in just 4½, 6 weeks.

It's interesting times we live in, Mr. GOHMERT, that we are seeing right before our eyes the entire change in philosophy about America. America was founded upon the principles of individual liberty, capitalism. You know, that's a bad word, nowadays. It was not founded on the principle of government control of our lives, the government solving every problem that exists for everyone of us or every business.

But yet, we have moved, in just a few short weeks, to government. Government is the solution, so sayeth some. And the way that the government has gotten involved with first, controlling the banking industry, the financial markets, the automobile industry, and of course, none of those entities are any better off today than they were before the government got involved. So the answer for government is, more

control of those entities, more money to those entities, those failing entities.

And now we hear about the fact that we want the government to provide universal health care for everybody. That sounds good. People should have health care, have a way to take care of themselves when they are medically disabled or when they need to go to the doctor. But the answer for universal health care is to have the government run this program. We don't use the word socialism anymore because that's a bad word. We just call it government control.

And I have seen, as many people have, as you have in other countries, how government-controlled health care, first of all, does not provide better health care for the citizens. History proves that. You can look at Canada; you can look at France.

I was in the former Soviet Union when it was the Soviet Union, and I went to a doctor's office to see how people got their universal health care in the Soviet Union. Well, first of all, there's a line down the street waiting to see the doctor. And the line starts early in the morning, but at 4:00 in the afternoon, the doctor goes home. People in the line, they've got to come back the next day and get in line again. That is what universal health care meant in the Soviet Union. It's never worked. It hasn't worked anywhere. History shows that.

□ 1300

If we like universal health care, or socialized medicine—as I call it—like they have in France, it will have the efficiency of the post office and the confidence of FEMA and the compassion of the IRS and of other government-run programs. So, when we think about government programs, most of those really aren't as successful as the government claims them to be.

I don't see how, when we're out of money, we can spend money we don't have and then prosper. That has not worked, Mr. GOHMERT. The more we spend, the worse off it seems the country is—the government control of our lives, its the citizens, the government control of our money and the government control of our businesses.

What has taken place is that the government makes decisions that this program or this special interest group will receive government funding for whatever reason. Then what the government does is it takes money from other people, from American citizens, because we're not smart enough to decide how to spend our own money, so the government decides and then gives it to these different special interest groups throughout the country with the idea that, well, it will help the economy, that it will help get us out of this recession. Well, that theory, so far, has not worked since the first bailout.

The Congressional Budget Office, which is a group of people who are certainly not partisan, but they do num-

bers—all they do are numbers kind of like Mr. CONAWAY did numbers in his CPA business before he came to Congress. They say all of this spending is not going to help the economy. We haven't heard much about that because they're not giving a favorable report about the stimulus package, but that's what they say. We don't have the money. We're going to have to borrow it from people who, you know, preferably we shouldn't be borrowing it from.

I was as embarrassed as you were, Judge, when our Secretary of State seemingly begged the Chinese to loan us more money. I don't think that's a position that the United States should ever be in, especially borrowing money from China of all places.

We hear that we're going to tax folks who make over \$250,000. The rich, you know, don't need all that money. They need to share it with everybody else, you know, sort of like redistributing wealth in this country. Well, of course, the people making over \$250,000 pay most of the taxes, and 40 something percent of Americans don't pay any income tax, but the practical matter is we're not so sure those people are going to keep working.

I have people in my district who are small business owners, who run a little shop of some kind, who employ seven or eight people, but they have a sole proprietorship of that business; therefore, they file an income tax. If they make more than \$250,000, they're going to be hit by this. Small businesses are the core of this country in making new jobs, especially historically, and there are only a couple of ways they can pay those taxes.

Since they're going to be in a higher tax bracket, they're going to have to have somebody laid off when they're in the higher tax bracket or they're going to have to take in less money. Either way, it doesn't help the business or it doesn't help the economy. They can do something else. I've gotten a few calls—we do have a few people who make over \$250,000 in Humboldt, Texas—and they said they're going to cut back. They're just going to get themselves in the position where they're below \$250,000. They don't think they should be working, when they're in that higher tax bracket, to pay for programs for other people. When they cut back, they cut back employees, but it also cuts back revenue into the Federal Treasury. So I don't know how many people are going to take the downsizing approach, because of the tax structure, but I can understand why people feel that way.

As far as taxes go, I feel like we shouldn't be raising taxes during a recession. I don't know that economic theory that says that it works to raise taxes during a recession. History shows, if you raise taxes, you get less productivity because people have to turn more money over to the government.

The stimulus bill, as my friend Mr. CONAWAY has talked about, and some of

these programs that are in the stimulus bill are an effort to move the economy forward and get us out of this recession. Well, it has programs in there, and there are too many to mention. We would be here until next Monday talking about all of the different programs that have nothing to do with stimulating the economy.

One of mine that comes to mind is that we're going to require Americans to give \$30 million to the government so the government can give that \$30 million to San Francisco to set up a wetland to save the salt marsh mouse in the San Francisco Bay. Now, I didn't know that San Francisco had a salt marsh mouse, but they have it, and they want to keep him, so we're giving them \$30 million. Now, how is that going to stimulate the economy? I'm not so sure that the taxpayers would really want to spend their money to save a rat or—excuse me—a mouse in San Francisco. We prefer not to keep those where we're from in Texas, but anyway—and the stimulus bill is filled with programs like that. In my opinion, it's very disturbing.

So maybe we should cut spending. One thing that we haven't talked about is cutting the spending that we give to foreign countries. You know, every year, we roll out the U.S. currency and give it to countries all over the world, many of whom, as you have pointed out in previous speeches, Mr. GOHMERT, have voted against us in the United Nations. They hate us; they vilify us, but they take our money. Sometimes, of course, the money doesn't even get to the people; it's given to the dictators. So maybe we ought to start there. Let's go through the foreign countries that we give money to and decide whether or not we're going to give them any American money this year. We need to cut back instead of spend more money.

There's another thing I'd like to mention in closing. I represent southeast Texas where there's a lot of blue-collar folks, a lot of rice farmers, and it includes part of suburban Houston. One of my friends there is a guy by the name of Sammy Mahan. I, like you all, talk to regular folks as much as I can to find out what they think. He runs a wrecker service in Baytown, Texas. He has five drivers and five wreckers that he uses. He and I were talking about the stimulus package, and he asked me:

He said, "Well, how are we going to pay for it?"

"Well, Sammy, we really don't have the money. We're probably going to have to borrow the money from the Chinese and maybe have a tax increase down the road."

Then he said, "Well, how much is it going to cost?"

"\$790 billion," I said.

He said, "No. No, Ted. How much is it going to cost me?"

"Well, the budget office has figured out it's about \$10,000 per family in the United States."

Then he said, "Well, just opt me out."

"Well, what do you mean, 'opt you out,' Sammy?"

"Give me a form," he said. "I want to sign my name. I want to opt out of that deal."

"Sammy," I said, "I can't do that."

"You're my Congressman," he said. "You can do that. Take care of that. Send me the form. You deduct \$10,000 from the \$790 billion. That's my portion. I don't want to pay for it," and he hung up on me.

So I think many Americans, if they had a choice on these stimulus bills, on this wasteful spending that doesn't help the economy, would want to opt out. Maybe we should give them that choice. We might bring that stimulus spending down a little bit.

I appreciate the time. I think maybe we ought to go back and look at some basics that have worked and where history in this country has proven that, when you tax something, you get less of it, and you get less productivity. So maybe we ought to cut taxes for all Americans who pay income tax. Then they can have more of their own, and they can spend it the way they want to rather than having us, as the government, deciding how to spend it.

I appreciate that. I yield back the rest of my time. Thank you.

Mr. GOHMERT. I appreciate those great observations.

It used to be that people in this town, long before we got here, knew the phrase and knew it was true: the power to tax is the power to destroy. It's still true. If you want more of an activity, then you reward people for the activity. If you want less of an activity, then you tax it. So what have we been rewarding? What have we been taxing?

Well, going back to the mid-'60s, we had people in this body who saw single women who were struggling because deadbeat dads weren't helping. So what did they do? They said, "Let's help them out." Instead of giving them incentives to finish high school, to finish their education, to reach their God-given potential, what did we do? We weren't here, but the Congress here passed a bill that said let's give them a check for every child they can have out of wedlock. Well, I know they meant well, but 40 years later, we've gotten what we've paid for. We have gotten more children born out of wedlock and more children relying on the government than ever in the history of any country.

So I'll tell you: I was not one of those who panned President Obama's address, which is normally the State of the Union, but being a new President, it was more just a speech to the joint session. I loved some of the quotes he had. You know, we needed to hear an encouraging speech. That's what I mentioned to him as he came by, that the country needs an encouraging speech. I was hoping he would deliver and then pump up the country, but then he started into the same stuff—crisis, cri-

sis. There's a quote that has been attributed to the Chief of Staff of the President's that you don't want to let a good crisis go to waste. You know, obviously, it appears that they want to run through all of these social programs they could never pass without blaming it on a crisis, but I loved his comments.

When he said, "we will rebuild; we will recover, and the United States of America will emerge stronger than before," I loved that. That's great.

He says, "The answers to our problems don't lie beyond our reach," President Obama said. "They exist in our laboratories, in our universities, in our fields, in our factories, in the imaginations of our entrepreneurs—" that's not government workers. That's entrepreneurs—"and in the pride of the hardest working people on Earth. Those qualities that have made America the greatest force of progress and prosperity in human history we still possess in ample measure."

He also said we're not quitters. I mean he had some great lines, but then look at his solutions. For one thing, when I heard this—and I don't know if other people picked up on it—he said, "First, we're creating a new lending fund that represents the largest effort ever to help provide auto loans, college loans, small business loans to consumers and entrepreneurs who keep the economy running." I went, uh-oh, a new lending fund? It sounds like a new bank. The last time, government got involved, and we ended up with a congressional bank. As I understood, it didn't work out so well. That wasn't a very good idea to have Congress in charge of a bank.

We're supposed to set up a new lending fund to do all of this lending, but then when you see the kinds of steps that are being taken to absolutely destroy the best, most stable lenders in the country—the community banks—then it makes you wonder: Are they trying to destroy the community banks that have had good business practice? that have made good loans? that have done everything that they should to make a profit and to stay in business and to help America grow by making proper loans? Of course we got involved in that.

Before we got here, Congress told them, back when Chairman FRANK and Senator DODD pushed through a bill, to force banks and to force lenders to lend to people they wouldn't have otherwise. That concerned me.

Going back to the proposition, you know, whatever activity you reward you will get more of. Whatever you tax, penalize, you'll get less of. So we had a marriage penalty for many years, you know, going on two or three decades. Apparently, the government said, ah, marriage, we don't like it, so let's penalize it so we get less of it. So we've gotten less of it.

In his speech, he mentions, "When we learn that a major bank has serious problems, we will hold accountable

those responsible." I said great. That's my thought. Force the necessary adjustments. Okay. Sounds good.

Then he says, "Provide the support to clean up their balance sheets." I went, whoa, here we go. We're going to reward bad conduct again? Because if you look at all of the money that has been thrown at the economy, where has it been thrown? It has been thrown to people who helped create the problem. That doesn't help reduce the problems we're having. It just makes them worse.

Then this statement made my heart nearly stop: "This plan will require significant resources from the Federal Government." Well, the fact is he had it right when he said that it was the entrepreneurs and the people in the factories and in the fields who have really made America great. You know, that's where the secret is. It's in the American people. It's not in this government.

We had such a great model of how this can all go wrong back when the pilgrims came. You know, the pilgrims came, and of course they started out on both the Speedwell and the Mayflower. Then the Speedwell started taking on water, so they had to cut their group, the most hardy. They got them on. They had the prayer meeting before they came. They asked God for guidance and protection, and they came across. They signed a beautiful compact that basically, in essence, said it's all going to be community land, that it's all going to provide produce that we'll bring into the common storehouse and that we'll split evenly among everybody. Well, it's socialism.

□ 1315

And after they lost nearly half their group the first winter, you go back and read Bradford's journal, they eventually realized, We're all going to die under this system of socialism.

So they came up with this novel idea: Why don't we divide the land up into private property and everybody be responsible for their own private property, everybody be responsible for what they produce, and then they can actually have some profit and make something over and above. That is the model, that was the lesson that came in over 100 years later when we got our Constitution—this idea of private property—that the real true spirit in America that would cause this to blossom and become the greatest country in the world was the idea of private property, of free markets.

The government's job is to provide for a common defense—that's what got us out of the depression of the '30s—providing for the common defense in 1941 and 1942, and then also make sure people are playing fair. Keep the playing field level, and if people are cheating, like we've had lately, go after them so that the people playing fair aren't punished. We're punishing the wrong guys.

I'd like to yield some time again to my friend, Mr. CONAWAY.

Mr. CONAWAY. I thank my good friend from Texas.

The President's budget—just to kind of put some hard numbers on this—shows that the budgets come over from the White House in 10-year increments—5 years, 5 years; a total of 10. And we've got some rules that require us to do that.

Anybody who's ever done a projection knows that you can project today pretty well, and you can project tomorrow better, but each day you go further after where you are right now, those projections become less and less reliable. And certainly out at the 10-year, it's much more of a mechanical, mathematical equation.

But the President's budget, the first 5 years creates or spends ourselves into a \$3.8 trillion deficit. That's with a "T." So one trillion—\$3.8 trillion in deficits, cumulative for the first 5 years. The second 5 years, you'd like to be able to brag on it because it's less, it's actually only \$3.2 trillion additional borrowed from the Chinese, from the Japanese, whoever at that point in time will still lend to us.

And I'm worried about who we borrow money from, but I'm more worried about the total amount of money, which I think is more important. So over that 10-year period, we're going to borrow \$7 trillion from anyone who will continue to loan us money.

So the second 5 years is not quite as bad as the first 5 years, except that year 10 of that projection shows a higher deficit than year 9. So the trend in the last 5 years of the budget is increasing deficits well beyond what we've ever seen on a single-year basis in this country.

To make matters worse, the budget projections are based, in my view, on flawed estimates: estimates of how good the economy is going to be, how much tax collections are going to be, and those kinds of things. It clearly includes a tax on every single person. If you include the cap-and-tax proposals that the President called for in his speech the other night—and is beginning to tout—that tax, that cap-and-tax system taxes anyone who pays for electricity, anyone who buys gasoline, anybody who pays for energy, those energy costs are going to go up unnecessarily under that cap-and-tax system. So tax increases on everyone.

And the spending savings that they brag about is based on, again, kind of a very slight-of-hand technique, and that is they say that the baseline of the budget is going to include surge level spending for the next 10 years. Well, we've already unwound much of the surge, so that spending is coming down. So to say we're going to spend at the same levels in Iraq on the surge for the next 10 years is a bit disingenuous on its face.

And then to claim the spending savings from actually reducing that back to a more normal number and then brag about that being some sort of a tough decision to be made, in my view

is less than forthright, let me put it that way.

I would yield back to my colleague who is controlling the hour because I think we've got a big number in front of us.

Mr. GOHMERT. I thank the gentleman. I thank my friend.

I would also like to recognize, again, Judge POE, for whatever time he may consume.

Mr. POE of Texas. I appreciate the gentleman yielding.

You know, when we talk about money up here in Washington, whether it is a million, billion, trillion—you know, what's the statement? "Billion here, billion there; eventually we'll be talking about some real money." And, of course, it's hard for me to conceive what a billion is anyway. A million is difficult.

But a trillion, you know—I had to look up how much a trillion was. Unlike my friend Mr. CONAWAY, who's a CPA, you know, my background's a lawyer. And so I don't deal in numbers too much—except when I was a judge, I had some numbers that I would deal with.

But it's hard to conceive how much that is. These two charts right here have the number \$9.7 trillion. Now that's the biggest number I have ever seen that supposedly meant something. And I'm glad there's not another digit because I'd have to have a third poster board to get it on there.

But \$9.7 trillion. Now, what does this mean? This is how much money we're going to spend and have spent this year, plus the indebtedness that Mr. CONAWAY talked about. That's just this year.

Now, I don't know where we can write a check for that. I don't think there is enough Americans, if we took all of their money away from them, that they could pay for that. And it's unfortunate to me that we're borrowing money that we don't have and spending on programs that really don't work to stimulate the economy.

Mr. GOHMERT, you mentioned about putting our kids in debt. We're putting people in debt that have yet to be born in this country—not just our grandkids but our great grandkids; people that have yet to be born. They're going to have to pay this off eventually.

I mean, the chickens come home to roost, eventually, and this has got to be paid, and we don't have the money. It's very unfortunate that we continue to spend money we don't have and borrow from people that don't like us and then make the American public pay for the rest of it.

But that's the position that they find themselves in, and they don't have a choice about that.

So I just wanted to let you see this number, Mr. GOHMERT.

Mr. CONAWAY. Will the gentleman yield?

Mr. POE of Texas. I certainly will.

Mr. CONAWAY. To try to put \$1 trillion into perspective, which is difficult

to do—as the judge mentioned, I'm a CPA, I've been in banking a long time. It's a huge number. But if you were to spend a certain amount of money each second a year—in other words, if you spend \$1 trillion, if you were to try to get that spent on a second-by-second basis for a year, you would spend \$33,000 a second. Every second.

Mr. POE of Texas. Would the gentleman yield?

Mr. CONAWAY. Yes.

Mr. POE of Texas. How much a second?

Mr. CONAWAY. It's \$33,000 per second.

So we're approaching 3 or 400,000 just in the time we've had the exchange in this conversation about what it is.

So \$1 trillion. You'd spend \$33,000 a second in order to get it all spent. About 31 million seconds in a year. And so that's just to try to give you some sort of visual or mental aspect of how much \$1 trillion is.

Mr. POE of Texas. I haven't divided that into \$9.7 trillion, but you're the CPA. You should be able to figure that out in your head.

Mr. CONAWAY. Yeah. Just multiply it by 10 because you've got \$10 trillion there, so just multiply the ten. So it's 300,000 a second.

Mr. POE of Texas. Interesting.

I will yield back my time to Mr. GOHMERT.

Thank you.

Mr. GOHMERT. Thank you. And I appreciate those insights.

Here's another chart that this leads into very well that kind of tracks the deficit that's been growing. Of course we know the Constitution requires that there is not a dollar spent in the whole Federal Government that is not appropriated—made available—by the Congress. If it's not made available by the Congress, it doesn't happen. And because there had been too much spending earlier before November of 2006, the voters said, "Enough." And they listened to the arguments of what is now the majority party, the Democratic Party, and said, "You know, they're right. They're spending too much."

So, as of January 2007, the Democratic majority, led by Speaker PELOSI from San Francisco, took over the government and took over the deficit. Because I know all three of us here on the floor that are engaged in this discussion were against deficit spending in 2005 and 2006 by our own party when we were in charge. I know that we all were hoping the deficit spending would stop. The economy was doing okay, you know, in 2007. It wasn't great, but it was doing all right.

But then as of January 2007, that's where we were on this chart.

Now the green is the Federal deficit, the orange here is discretionary spending that's within our control, and then the mandatory spending are the programs like Social Security and Medicare, that kind of thing.

And so you look at what happened from January of 2007, right here, this

big jump up is when the stimulus was passed in January of 2008. And that was passed with Speaker PELOSI's leadership. It got passed. And you may recall the microphone picked me up asking the President as he went by—because I knew \$40 billion of that was going in rebates to people that didn't pay anything in income tax—so I asked the President, "How do you give a rebate to people who didn't put any 'bate' in?" And I still think that's a legitimate question because now we're doing it again. We're giving a rebate to people who didn't put any "bate" in, they didn't pay in the first place. So how is it a rebate?

Then we have this next big hump. That came with the pre-TARP loans. And then the big hump was TARP and the auto bailouts spiking. And then low and behold, here is the stimulus II, the \$787 billion and then the \$410 billion omnibus that this Congress has done, that this Congress is responsible for. And you see this extraordinary spike in the deficit.

Now, just because there was some overspending by Republicans doesn't mean you put that times or squared or cubed. This is insane. It has to stop.

I also want to point out a bill that was passed this week from the House regarding cramdown. I mean, it gets so discouraging in here when every bill we pass is hurting the economy. You know, it makes you wonder, is somebody back there thinking, Well, eventually, if we hurt it enough, the government will take over and then all of our problems are over. Because I know that everybody that serves in this body, they want the best for the country; it's just that some do not have enough faith in the American people that they'll know how to spend their money.

You know, we saw the great quote from Senator KERRY, "But if you gave the American people their own money back, gave them that kind of tax money back, well, they might not spend it the right way." Well, that's insane: Let the American people get us out of this problem; the government certainly hasn't done it.

But going back to this mortgage cramdown bill. Here you have community banks that have been doing a good job of lending despite the onerous burdens that's been put on them by this Congress, going back to the '90s, again, before we were here, but this Congress required lenders to lend to people who might not be able to pay back. Even with that, they were doing okay.

This provision, for the first time in our history, the history of the country, will allow a bankruptcy judge to materially drop the principal on a mortgage. The banks have to rely on the value of the mortgages on their balance sheets. If they can't, then they appear to be insolvent. That gets them in trouble. These are solvent banks. You pass a law like this, and not only that, this bill allows bankruptcy courts to grant a no-interest 30-year mortgage

as an alternative to dropping the principal materially.

Mr. CONAWAY. Will the gentleman yield?

Mr. GOHMERT. I certainly will.

Mr. CONAWAY. The perverse impact of the cramdown provision is that we will have fewer mortgages. If you're a banker and you are lending money for a 30-year payout, then you have got to be very secure in your collateral because circumstances come and go with respect to the borrower's ability to repay—their health, all of those kinds of things—but if you've got a 30-year loan, which you're on the hook to leave out there as long as the customer makes those payments, then the collateral is a huge piece of why you decide to make that loan.

□ 1330

If bankruptcy judges are now allowed to come in and adjust that value of the collateral to the banker, then the banker is going to react in a couple of ways; one, that the banker on the front end is going to say, okay, now if the bankruptcy judge has this authority to reduce the value of my collateral, then I'm going to be willing to loan less money, which means that instead of coming up with the traditional 20 percent down—before we got into the subprime nonsense that went on, but the typical 20 percent down—banks are going to insist on much higher down payments because they've got to be assured that throughout the life of that loan, the collateral never gets upside down, that if the borrower quits paying, that they can get that house back and pay off the rest of the loan by selling that house.

They will also respond by raising interest rates, because interest rates reflect risk for the borrower and the lender; the higher the interest rates, the more likelihood that that loan could default at some point in time.

So this cramdown provision will put a chilling effect on future home mortgages, which may be the intent. One of our colleagues said on a talk show with a fellow that, you know, maybe this individual homeownership is overrated. Maybe we don't want Americans owning their own homes because they can't handle the responsibility for paying it off. And so let's put in some public policy things that will help discourage homeownership, which doesn't make a lot of sense to me, but then I was just listening and was trying to understand what this person was saying. But these cramdown provisions will have a chilling effect on future home mortgages if they are left in place, as was contemplated in this bill.

Mr. POE of Texas. Would the gentleman yield?

Mr. GOHMERT. Certainly.

Mr. POE of Texas. A little follow-up on the home mortgage industry, it was either in the Washington Times or the Washington Post this morning that the problem with mortgages centered on 36 counties in the whole United States, it spread to a few more.

But most Americans pay their mortgages, and most of them pay mortgages on time. We're talking about 95 percent of Americans who are buying their own home pay their mortgages and pay them on time. So we're dealing with 5 percent who have not. And that 5 percent found themselves in a situation where banks would loan them money with very little money down, telling them that if you buy this \$200,000 house, no money down, you pay your monthly payments, in 5 years this \$200,000 house is going to be worth \$300,000, and then you can pay off the rest of the loan to us, the bank. So with little down, people who in that situation probably shouldn't have been buying a house to begin with because they didn't have the income, they make payments, the housing market drops—it doesn't just drop below \$200,000, it goes much lower than that—and people walk away from the homes and the banks are left holding this house. Now, that was a contract between the lender and the borrower.

Contracts are important in this country. That's like us in Texas, you know—out in west Texas, especially, where you're from—big land deals are made on a hand shake, your word is important. But now we're going to let the government lawyers and judges—and I used to be a judge, just like Mr. GOHMERT—they're going to decide to break the word and the contract, and they're going to decide how to do it. They're going to restructure the loan, they're going to tell the bank, you can't get all that money back, we're going to cut it down, the principal. And that destroys confidence in our legal system, when you have the ability to have a judge go in, break the contract, and design it the way the judge wants it designed, to the benefit of the borrower or the lender? I don't know. It's going to be based upon whatever that judge thinks at the time. So this is a bad precedent to set, I think, in this country when we are diminishing the value of a contract.

Certainly we should encourage banks to work with the borrowers and all of that, but most Americans that I have talked to, they've got a problem with paying off somebody else's mortgage who got themselves in a situation when they may not have come into that situation with clean hands, and the same with the lender.

I just wanted to make that comment. I yield back to Mr. GOHMERT.

Mr. GOHMERT. And I appreciate that. Great points all being made. Our time is running out.

But on this cramdown provision, we offered, basically, in a motion to recommit—which is similar to an amendment—a provision that would say if you lied in your representations to the bank about how much you made in order to get the loan, then you could not get a 30-year interest free loan, and you couldn't get this provision of the bankruptcy judge to lower the principal as he so felt. That was voted down.

Here, again, it goes back to the proposition that if you penalize good conduct, you're going to get less good conduct; if you reward bad conduct, you're going to get more of the bad conduct. And that's what we've done. And here, we're also talking this week about cap and trade. India and China are putting more pollution into the atmosphere, and we're going to hurt our own economy at a time when we have cleaned up more of our air and water than ever in our history. This is just wrong. This is not the time to be hurting and devastating the economy.

In our Natural Resources Committee, we keep having people pushing—and it's going to come to the floor—to further put a moratorium again on the Outer Continental Shelf. That's a million jobs, people have said, a million jobs, won't cost the taxpayer a dime, and in fact it will add dramatically to the coffers of the U.S. Treasury.

Open up ANWR. Nothing's living there. We can produce oil, another million jobs. Not up there, all over the country, and we're turning our back on that. The gas fields there that are not open, another million jobs. These are projections that real economists have made. And we're talk turning our back on them saying, no, we would rather tax even more the producers in this country, the people that are making things happen so they can't hire new people because they're paying tax to the government.

And then we get word that the President intends to put a cap on charitable deductions. So the institutions that are doing the most good—cutting recidivism, helping the poor around the world where they actually go in and they feed people, they don't give the money like our government does to a corrupt government overseas, they actually go in and do some good—we're going to cut that because we want that money coming to us in taxes rather than allowing charitable contributions to those who are doing the most good.

This is insane. It has got to stop. But the hope I have, as I see polling around the country, the American instincts, the majority of Americans' instincts are still good. They get it. They're not happy about this. The instincts are still good. And a majority of the Congress, the instincts are still good, it's just the leadership has led people in the wrong direction.

We need to turn this around. We can turn this around—not with more government, but just as we started out talking here today, if we were to go in as a parent and say, I can't control my spending, Mr. Banker; make me a loan and my kids and my grand kids and great grand kids will some day pay it back, then Child Protective Services would come in and take my children away if I were to do that. That's what we're doing. And it's time we turned the parenting over to somebody that's not going to hurt the children and the grandchildren and great grandchildren.

APPOINTMENT OF MEMBER TO SERVE AS CO-CHAIR OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

The SPEAKER pro tempore. Pursuant to section 4(c) of House Resolution 5, 111th Congress, the Chair announces the Speaker's appointment of the following Member to serve as co-Chair of the Tom Lantos Human Rights Commission:

Mr. MCGOVERN, Massachusetts

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 3, 2009.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to section 4(c) of House Resolution 5, 111th Congress, I am pleased to re-appoint The Honorable Frank R. Wolf of Virginia as co-chair of the Tom Lantos Human Rights Commission.

Mr. Wolf has expressed interest in serving in this capacity and I am pleased to recommend the appointment.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today.

Mr. DEFAZIO (at the request of Mr. HOYER) for today on account of official business.

Mr. RANGEL (at the request of Mr. HOYER) for today on account of official business.

Ms. JACKSON-LEE of Texas (at the request of Mr. HOYER) for today on account of official business.

Mr. FATTAH (at the request of Mr. HOYER) for today.

Ms. GINNY BROWN-WAITE of Florida (at the request of Mr. BOEHNER) for today on account of a medical reason.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CONNOLLY of Virginia) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. KIRK, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. WOLF, for 5 minutes, today.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Monday, March 9, 2009, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

787. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2007-0088] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

788. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2007-0152] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

789. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0016] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

790. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Berkeley Plantation, James River, VA [USCG-2007-0083] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

791. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2007-0086] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

792. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0033] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

793. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; New River, Jacksonville, North Carolina [USCG-2008-0266] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

794. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the De-

partment's final rule — Security Zone Regulation; Columbia River, all waters within 200 yard radius around the M/V GAS ORIENTAL (IMO#9247209) [USCG-2008-0287] (RIN:1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

795. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0297] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

796. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0289] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

797. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0330] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCGOVERN: Committee on Rules. House Resolution 219. Resolution providing for consideration of the joint resolution (H.J. Res. 38) making further continuing appropriations for the fiscal year 2009, and for other purposes (Rept. 111-25). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BOOZMAN (for himself, Mrs. BLACKBURN, Mr. REYES, and Mr. CONAWAY):

H.R. 1373. A bill to direct the Secretary of the Interior to conduct a resource study along the "Ox-Bow Route" of the Butterfield Overland Trail in the States of Missouri, Tennessee, Arkansas, Oklahoma, Texas, New Mexico, Arizona, and California, and for other purposes; to the Committee on Natural Resources.

By Mr. CHANDLER:

H.R. 1374. A bill to prevent the abuse and exploitation of older individuals; to the Committee on the Judiciary.

By Mr. CHANDLER (for himself and Mr. POE of Texas):

H.R. 1375. A bill to ensure that sex offenders and sexually violent predators are not eligible for parole; to the Committee on the Judiciary.

By Mr. EDWARDS of Texas:

H.R. 1376. A bill to authorize the Secretary of the Interior to establish the Waco Mammoth National Monument in the State of Texas; to the Committee on Natural Resources.

By Mr. FILNER:

H.R. 1377. A bill to amend title 38, United States Code, to expand veteran eligibility for

reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. LOWEY (for herself, Mr. GRIJALVA, Mr. SESTAK, Mr. CONNOLLY of Virginia, Mr. BARROW, Mr. HOYER, Ms. WOOLSEY, Mr. VAN HOLLEN, Ms. KAPTUR, Mr. CUMMINGS, Mr. CHANDLER, Mr. MCGOVERN, Mrs. BLACKBURN, Mr. RUPPERSBERGER, Mr. WEXLER, Ms. DELAURO, Mr. KIRK, Mr. HINCHEY, Mr. PITTS, and Mr. BACA):

H.R. 1378. A bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 1379. A bill to prohibit the commercial harvesting of Atlantic striped bass in the coastal waters and the exclusive economic zone; to the Committee on Natural Resources.

By Ms. SUTTON (for herself, Mr. RYAN of Ohio, Mr. ISRAEL, Mr. TIERNEY, Mr. MCGOVERN, Mr. BISHOP of Georgia, Mr. GRIJALVA, Mr. PASCARELL, Ms. SCHAKOWSKY, Mrs. NAPOLITANO, Mr. HINCHEY, Mrs. CAPPS, Mrs. MALONEY, Mr. GENE GREEN of Texas, Mr. WILSON of Ohio, Mr. LOEBBACH, Ms. KAPTUR, Mr. ARCURI, Mr. MCHUGH, Mr. HARE, Ms. LEE of California, Mr. VAN HOLLEN, Ms. ZOE LOFGREN of California, Mr. CHANDLER, Mr. COURTNEY, Mr. NADLER of New York, Mr. MOORE of Kansas, Mr. TONKO, Mr. TURNER, Mrs. LOWEY, Mr. MURPHY of Connecticut, Mr. MICHAUD, and Mr. KILDEE):

H.R. 1380. A bill to establish a grant program for automated external defibrillators in elementary and secondary schools; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 1381. A bill to amend the Internal Revenue Code of 1986 to permanently extend existing elective tax treatment for Alaska Native Settlement Trusts; to the Committee on Ways and Means.

By Mr. ROYCE (for himself, Ms. WATSON, and Mr. BILIRAKIS):

H. Res. 220. A resolution urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate; to the Committee on Foreign Affairs.

By Ms. WATSON (for herself, Ms. ROSLEHTINEN, Mr. CLEAVER, Mr. CONNOLLY of Virginia, Mr. BUTTERFIELD, Mr. JONES, Mr. ROHRABACHER, Ms. CLARKE, Mr. CARSON of Indiana, Mr. DAVIS of Illinois, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUELLAR, Ms. TSONGAS, Ms. EDWARDS of Maryland, Mr. ELLISON, Ms. TITUS, Ms. FUDGE, Ms. LINDA T. SANCHEZ of California, Mrs. NAPOLITANO, Ms. HIRONO, Ms. LEE of California, Ms. ZOE LOFGREN of California, Mr. BERMAN, Ms. KILPATRICK of Michigan, Ms. MOORE of

Wisconsin, Mr. PALLONE, and Ms. RICHARDSON):

H. Res. 221. A resolution recognizing and honoring Johnny Grant for his work as the Honorary Mayor of Hollywood, California for more than a quarter of a century; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. PASTOR of Arizona.
 H.R. 22: Mr. SHIMKUS, Ms. SUTTON, Mr. FRANK of Massachusetts, Ms. GIFFORDS, Mr. RUSH, and Mr. PAUL.
 H.R. 24: Mr. WITTMAN.
 H.R. 118: Mr. LANCE.
 H.R. 122: Mr. CALVERT.
 H.R. 144: Mr. STARK, Ms. FUDGE, and Ms. VELÁZQUEZ.
 H.R. 176: Mr. TIERNEY.
 H.R. 181: Ms. ROYBAL-ALLARD and Mr. POLIS.
 H.R. 182: Mr. HOLT.
 H.R. 265: Ms. CLARKE.
 H.R. 303: Mr. KLEIN of Florida, Mr. GORDON of Tennessee, Mr. BOREN, Mr. BARTLETT, Mr. MILLER of Florida and Mrs. BIGGERT.
 H.R. 391: Mr. ALEXANDER and Mr. PAUL.
 H.R. 450: Mr. BISHOP of Utah.
 H.R. 463: Mr. MORAN of Virginia and Mr. TONKO.
 H.R. 484: Mr. YOUNG of Florida.
 H.R. 490: Mr. BOREN.
 H.R. 515: Mr. PRICE of North Carolina, Mr. BAIRD, Mr. BOOZMAN, and Mr. MCNERNEY.
 H.R. 557: Mr. WAMP, Mr. HENSARLING, Mr. SOUDER, and Mr. MCHENRY.
 H.R. 593: Mr. TERRY and Mr. TEAGUE.
 H.R. 620: Mr. MCINTYRE.
 H.R. 622: Mr. BOUSTANY, Mr. FORBES, Mrs. McMORRIS RODGERS, and Mr. GUTHRIE.
 H.R. 635: Ms. KAPTUR.
 H.R. 662: Mr. LATHAM.
 H.R. 718: Mr. WITTMAN.
 H.R. 734: Mr. HOLDEN.
 H.R. 737: Mr. PENCE.
 H.R. 746: Mr. FILNER.
 H.R. 774: Mr. MASSA.
 H.R. 776: Ms. DEGETTE.
 H.R. 782: Mr. BOOZMAN.

H.R. 795: Mr. POLIS of Colorado.
 H.R. 826: Ms. GIFFORDS.
 H.R. 832: Ms. DEGETTE and Mr. HOLT.
 H.R. 840: Mr. PRICE.
 H.R. 937: Mr. STARK.
 H.R. 938: Mr. GRIJALVA and Mr. STARK.
 H.R. 939: Mr. THORNBERRY.
 H.R. 953: Mr. ROGERS of Kentucky.
 H.R. 968: Mr. CONAWAY.
 H.R. 1082: Mr. BRADY of Pennsylvania, Mr. SHERMAN, and Ms. KAPTUR.
 H.R. 1084: Ms. SHEA-PORTER, Mr. TOWNS, and Mr. COHEN.
 H.R. 1173: Mr. KLINE of Minnesota.
 H.R. 1182: Mr. THORNBERRY, Mr. TIAHRT, Mr. LUCAS, Mr. BARRETT of South Carolina, Mr. BUYER, Mr. DREIER, Mr. HENSARLING, Mrs. MILLER of Michigan, Ms. ROS-LEHTINEN, Ms. FALLIN, Mr. ROGERS of Kentucky, Mr. HALL of Texas, Mr. BROWN of South Carolina, Mr. ROONEY, Mr. LEE of New York, Mr. BERMAN, Mr. SMITH of Texas, Mr. BROUN of Georgia, Mr. GINGREY of Georgia, Mr. BILLIRAKIS, Mr. REICHERT, Mr. ROE of Tennessee, Mr. HARPER, Mr. LUETKEMEYER, Mr. GUTHRIE, Mr. BARTON of Texas, Mr. MACK, Mrs. BONO MACK, Ms. ESHOO, Mr. GALLEGLY, Mr. CALVERT, Mr. DAVIS of Tennessee, Mr. CULBERSON, Mr. MCCOTTER, Mr. MARIO DIAZ-BALART of Florida, Mr. POSEY, Mr. OLSON, Mr. SHADEGG, Mrs. LUMMIS, Mr. NEUGEBAUER, Mr. PRICE of Georgia, Mr. SMITH of New Jersey, Ms. FOXX, Mrs. BACHMANN, Mr. CAMPBELL, Mr. FLEMING, Mr. MANZULLO, Mr. HOEKSTRA, Mr. KLINE of Minnesota, Mr. COLE, Mrs. BIGGERT, Mr. JONES, Mr. PAUL, Mr. POE of Texas, Mr. WESTMORELAND, Mr. SAM JOHNSON of Texas, and Mr. PLATTS.
 H.R. 1191: Mrs. BONO MACK and Mr. MCDERMOTT.
 H.R. 1204: Ms. KILROY.
 H.R. 1205: Ms. ROS-LEHTINEN, Mr. KIRK, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PAULSEN, Mr. BRADY of Texas, Ms. GINNY BROWN-WAITE of Florida, Mr. BACHUS, Mr. YOUNG of Florida, and Mr. PLATTS.
 H.R. 1206: Ms. GRANGER, Mrs. MILLER of Michigan, Mr. ROGERS of Alabama, Mr. COLE, Mr. BOOZMAN, Mr. MCHUGH, Ms. FALLIN, Mr. YOUNG of Alaska, Mr. CHAFFETZ, and Mr. MCKEON.
 H.R. 1207: Mr. CHAFFETZ, Mr. KINGSTON, Mr. YOUNG of Alaska, Mr. ROHRBACHER, Mr. STEARNS, Mr. MCCLEINTOCK, Mr. HELLER, Mr. DUNCAN, and Mr. TAYLOR.

H.R. 1208: Mr. ROGERS of Michigan, Mr. HENSARLING, Mr. KLINE of Minnesota, Mr. MCHUGH, Ms. FALLIN, Mr. CHAFFETZ, Mr. RYAN of Wisconsin, Mr. COLE, Mr. ROGERS of Alabama, Mr. MARCHANT, Mr. COBLE, and Mr. CALVERT.
 H.R. 1210: Mr. BACHUS.
 H.R. 1211: Mr. KISSELL.
 H.R. 1220: Mr. CARNEY, Mr. BERRY, Mr. BOOZMAN, Mr. CUELLAR, Mrs. BACHMANN, Mr. RODRIGUEZ, and Mr. ROGERS of Alabama.
 H.R. 1228: Mr. MCCOTTER.
 H.R. 1229: Mr. MCCOTTER.
 H.R. 1231: Mr. FILNER and Ms. SCHAKOWSKY.
 H.R. 1256: Mr. DENT.
 H.R. 1262: Ms. NORTON, Mr. CAPUANO, Mr. FILNER, and Mr. KAGEN.
 H.R. 1270: Mr. MEEK of Florida.
 H.R. 1274: Mr. CARSON of Indiana.
 H.R. 1283: Mr. GONZALEZ and Ms. DEGETTE.
 H.R. 1295: Mr. DANIEL E. LUNGREN of California and Mrs. MYRICK.
 H.R. 1305: Mr. PAYNE and Mr. MCMAHON.
 H.R. 1310: Mr. TOWNS.
 H.R. 1341: Ms. KILROY, Ms. BEAN, and Mr. HINCHEY.
 H.R. 1361: Mr. MEEKS of New York, Mr. MCINTYRE, and Mr. ROSS.
 H. Con. Res. 16: Mr. BARRETT of South Carolina.
 H. Con. Res. 31: Mr. MCCOTTER.
 H. Con. Res. 61: Mr. PENCE.
 H. Res. 42: Mr. KING of New York, Mr. PRICE of Georgia, Mr. HOLT, and Mr. KLINE of Minnesota.
 H. Res. 86: Mr. MCCOTTER.
 H. Res. 111: Mr. KLEIN of Florida and Mr. POSEY.
 H. Res. 125: Mr. UPTON, Mr. PAYNE, Mr. JONES, Mr. COLE, and Mr. SAM JOHNSON of Texas.
 H. Res. 130: Mr. ABERCROMBIE and Mr. DAVIS of Kentucky.
 H. Res. 166: Mr. WOLF and Mr. BARTON of Texas.
 H. Res. 175: Mr. HONDA and Mr. PRICE of North Carolina.
 H. Res. 185: Mr. BISHOP of New York and Ms. GINNY BROWN-WAITE of Florida.
 H. Res. 209: Mr. MCMAHON.
 H. Res. 211: Mr. FILNER, Mr. HINCHEY, and Ms. EDDIE BERNICE JOHNSON of Texas.



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, FRIDAY, MARCH 6, 2009

No. 40

Senate

The Senate met at 10 a.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, whose spirit is known by those with thankful hearts and who makes cheerfulness a companion of strength, lift the hearts of our Senators to a joyous confidence in Your care. Teach them to know that a shadow is only a shadow because the light of eternal goodness shines behind the objects of our fears. Where there is love in life, teach our Senators to find it. Help them to trust it and grow in its power. Lord, may their lives present a cheerful ray to our Nation and world. Let the light of exemplary leadership illuminate the dark road ahead.

We ask in the name of Him whose life was the light of the world. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 6, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a

Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, we will resume consideration of H.R. 1105, the appropriations bill. The floor is open for debate and amendment. There will be no rollcall votes during today's session. I have spoken to the Republican leader and assistant leader. We expect to have a finite list of amendments that will be entered into the RECORD within the next hour.

I know it is very difficult for people to understand the Senate sometimes. For those of us who have served in this body for an extended period, it is even difficult sometimes for us. But it is a wonderful institution that has a long list of precedents building up since we became a country. The Founding Fathers, when they wrote the Constitution, wanted a unique legislative system, and they gave us one. The House of Representatives is elected every 2 years. No one has ever been appointed to serve in the House of Representatives. If someone resigns or dies, there is a new election. In the Senate, that is not the case. There are 6-year terms and 2-year terms. The House runs every 2 years. Their ears are in tune with the constituency like no one else. We are, some say, the saucer that cools the coffee. Sometimes we cool it for a long period. But that is the rules. An individual Senator has tremendous power. This isn't anything new. This is the

way it has always been. I want everyone to recognize that the Senate is an institution that works on comity. We have to work together.

We are proceeding forward on this large spending bill to make up work that we had not completed the last several years. We thought we were going to finish last night. A significant number of Republicans wanted more amendments. As a result, a number of my Republican friends called me and said: We think we need more amendments. We know we said we were going to vote to end debate, but we believe there should be more debate. I wish I had not received those phone calls, but I understand how the Senate works. No one broke their word to me. It was a misunderstanding only.

We are where we are. I have spoken to the Republican leadership, Senator MCCONNELL and Senator KYL. Within the next little bit we will have a finite list of amendments. We will work our way through those. It is my understanding Senator MCCAIN is going to be here today to offer an amendment. There are a number of other Senators who are going to offer amendments. We will work through these.

It is my understanding that the House is going to, within an hour or so, do a CR that will take us through Wednesday. I will work with the Republican leader. I will probably file cloture today to make sure we have some instrument to move forward on. We can arrange the time whenever we want. The reason we will go that way, it was set up last night procedurally that if there were 60 votes on cloture, there would automatically be a third reading of the underlying bill. That is what we will do again so there is no need to have two separate votes. We will do our best to give everyone ample time as to when this vote will take place, the reason being, Senator KENNEDY is back now. We were happy to see him yesterday. He looks great. He was at the White House for a health conference.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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We want to make sure we give him ample time to be here. He is receiving some of his treatment outside Washington, DC.

I think that pretty well outlines where we are.

We are the Senate. We were last night and we are today. We will work through the legislation as quickly as we can and move on to other things. We have important work to do. We have some nominations we will try to do the first part of the week, but we can do those the latter part of the week. The House passed some bankruptcy legislation. I spoke to the Republican leader about that today. We might go to that. We have the lands bill that might be coming back to us. We have lots to do. We have 4 weeks left in this work period and a lot remaining.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

AMENDMENT PROCESS

Mr. MCCONNELL. Mr. President, let me say that the majority leader and I have spoken on a number of occasions about the importance of the amendment process to all 41 Republican Senators. In fact, all 41 Republican Senators sent the majority leader a letter some time back indicating how important we believed it was. We are proceeding correctly on this bill. I say to my friend the majority leader, we basically have compiled our list of additional amendments. My Members believed strongly that we should have an opportunity to offer those and get votes. We will be able to do that. We will be able to move forward sometime next week. The manner in which he has outlined that we will proceed Monday and Tuesday makes sense, and we will be as cooperative as possible in moving forward with our amendments and getting votes on them.

GRATITUDE TO MANAGERS OF THE OMNIBUS

Mr. REID. Mr. President, one thing I didn't mention, the manager of the bill, Senator INOUE, is here. Senator COCHRAN has been here steadfastly during the process. They have done a terrific job. Sometimes there are events outside the scope of what the managers are doing, though, that overtake their efforts, and that is what happened here. They are both, as I have said before, two of the best we have in this institution. I personally apologize to Senator INOUE for not being able to complete the legislation. But he has seen a lot of things in his career, much more than I have.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

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.

The 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:

Ensign amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

AMENDMENT NO. 615

Mr. DURBIN. Mr. President, I rise to speak in reference to an amendment which I believe will be included in the list of amendments by the Republican side. It relates to the DC voucher program. Senator JOHN ENSIGN of Nevada is offering an amendment that will be part of our consideration on Monday or Tuesday relative to the future of the DC voucher program. The DC voucher program was created 5 years ago at a time when the Republicans were in control of the White House and of Congress. What they offered to the District of Columbia was an offer they couldn't refuse, a substantial amount of money—I believe it was \$14 million—for the public schools of the District, another \$14 million for the public charter schools, and about \$14 million to create a DC voucher program. The theory behind the DC voucher program is that they would award this Federal money to families with children in voucher schools, private schools, not public schools. They could use this money to pay for tuition to send their children to these schools.

This is the first of its kind where the Federal Government would directly provide money to parents to send children to private schools. It is an experiment. It was described as such. It was initiated 5 years ago when the Republicans were in control. It came through the Appropriations Committee. Senator Mike DeWine of Ohio was one of its strong proponents.

We considered several amendments in the committee. I came to this with mixed feelings but skepticism, mixed feelings because I am not an opponent of private education. My wife and I sent our three children to Catholic schools. That was our choice. We continued to pay our property taxes to support public schools. I have openly supported public school referenda in my community. I have done everything in my State to make sure there was adequate funding for public schools, but we made a personal family decision, based on a number of circumstances, to send our children to the

local Catholic schools. That was our decision at our expense. I have no prejudice against private education. If I entrusted my children to it, I certainly believe in it.

But the question always came up in my mind: Who should pay for it. We were prepared as a family to pay for it. It was an extra sacrifice we were prepared to bear.

The argument behind DC voucher schools is that some families can't or won't bear that burden of the cost of private education. So they should have direct Federal subsidy, Federal payments to defray or defer any cost of tuition. That was the theory behind it.

My skepticism had a lot to do with the fact that I think our first obligation is to the public school system. The DC public school system is struggling. Credit the new Mayor, Mr. Fenty; he has hired Michelle Rhee, an extraordinarily talented young woman, to be chancellor of DC schools, and she is intent on improving the quality of the public schools. That is something we should invest in, something we should support.

The debate 5 years ago was interesting. I offered three amendments. The first amendment said that any building used as a school under the DC voucher program had to pass the life safety code, had to be inspected as being safe for children to go to school. I guess one could say it goes back to 50 years ago, my memory of the terrible Our Lady of Angels fire at the school in Chicago that killed so many children and nuns in the building and led to changes and stricter enforcement of the life safety code for school structures in Illinois.

My goal in the DC voucher program was to establish at least a comparable standard for the safety of buildings used for DC voucher students as buildings used as public schools. I don't think that is unreasonable. Every parent should have the peace of mind that their child is safe in that building.

I offered the amendment in the Appropriations Committee. It was defeated by those who argued we could not restrict or hamper DC voucher schools. As a consequence, they wanted to defeat my amendment. Incidentally, a GAO study, in November of 2007, on the DC voucher program showed the sites of some of the schools and specifically noted that two of the schools operated without a certificate of occupancy as private day schools—just what I feared.

These are buildings—one looks like a private residence, the other like a commercial building—that do not look like schools at all, and they did not pass the basic standards for health and life safety that we require of schools in the District of Columbia. So my amendment was defeated.

The second amendment I offered said teachers in the DC voucher schools had to have a college degree. Now, that is a basic requirement of any teacher in public schools in DC or most States in

the Union. The amendment was defeated, and the argument was made: No, no, no. DC voucher schools have to be "creative." We have to open this to people who do not have college degrees to teach.

Well, I am afraid of the mischief that would result from that, but my amendment was defeated.

The third amendment I offered said DC voucher schools had to have the same test administered in terms of student achievement as the DC Public Schools so at the end of the day we could compare performance and output. Are the kids in voucher schools doing better or worse than the kids in DC Public Schools? If they are not doing any better, it challenges the premise of this DC voucher program. My amendment was defeated, rejected. "People in the DC voucher schools should not be restricted to the kind of achievement tests they offer."

Now, those three amendments, I thought, waved three red flags: the buildings did not have to be as safe as public schools, the teachers do not have to have college degrees, and the schools would not be subjected to the same achievement tests. Now, that does not say to me the people creating the DC voucher program had a lot of confidence in what they were doing. They just wanted to make their point of establishing a DC voucher program.

So 1,700 students now in Washington, DC, have benefited from this voucher program and are at private schools. Some are Catholic schools; some are not. Some are private. There are a wide variety of them. Some, they say, are world-class schools, and others, frankly, are not.

Now, here we are coming up on the fifth anniversary of the passage of this legislation and, in fact, the program was supposed to expire. It was an experimental program. The authorization ended.

Well, I faced that when I wrote this appropriation for this year and said: I will tell you what I will do. I will extend the life of the DC voucher program 1 additional year, and in that additional year, I think we should have two things occur. First, the Committee on Homeland Security and Governmental Affairs, under Senator JOE LIEBERMAN's chairmanship, should have a hearing and consider reauthorization legislation. What will be the next phase of the DC voucher program? What requirements will we impose on these schools in the next reauthorization? How are they doing? What mistakes were made?

I can tell you, the Government Accountability Office, in their survey back in 2007, found some serious issues in terms of the DC voucher program. The Washington Scholarship Fund, the group that runs the program, was a small operation, until they were given the administration of this program. The Government Accountability Office said they did not believe they were fully prepared to handle a program with millions of dollars.

The GAO also had serious concerns about the accounting and check-writing process. Is it legitimate for us to ask questions about whether taxpayers' dollars, subsidies to parents for DC vouchers, are being spent appropriately? Well, I hope so. Accountability should be demanded of all of us in all programs. But those who are for the voucher program apparently do not want to go through this kind of investigation. Well, I do not believe that is a right approach.

The GAO said the processes are not integrated for accounting and check writing, and the WSF—at the time in November 2007—had to set up a new system. They had concerns with information security. The Washington Scholarship Fund used temporaries for data entry, had inadequate password security—the list goes on and on. Some of these things are easily corrected. Others go to the heart of the administration of this program.

There were programmatic concerns too. On average, the Government Accountability Office found that students met income requirements, but less than 50 percent came from "in need of improvement schools." See, the idea was these kids would leave schools that were not good-performing schools and go into voucher schools. Well, it turns out over half the kids were in schools that were doing a good job, at least by the standards of public education. So that raised a question on the program.

They also noted students are clustered in a small number of schools. Mr. President, 16 out of 60 schools enrolled 60 percent of the voucher students. In 7 schools, over 50 percent of the students enrolled received vouchers. So it was a handful of schools that were really the subject of the voucher program.

The Washington Scholarship Fund is supposed to conduct site inspections and look at the financial stability of the school. Based on the information provided to the GAO at the time of this report, it is unclear whether they conducted these thorough site visits.

So we said to the Lieberman committee—and, incidentally, Senator LIEBERMAN is favorably disposed toward this program. I do not recommend it to him or refer it to him or suggest he consider it believing he is prejudiced against it. He is not. He wants to support it, but he wants to make sure it is running well.

So we include a provision: Keep the program alive for another year. Protect all the students in the program. In the meantime, we should have an authorization. The committee should investigate how it is being managed and decide what the future will be. What will the next 5 years look like?

The legislation that created this said to the Department of Education, specifically: The Secretary may make grants under this section for a period of not more than 5 years to the Washington Scholarship Fund. We extended it for 1 year. They knew creating the DC voucher program it was a 5-year

program. We gave them an additional year so they could review this program and see how effective it might be.

Now, there is a second part I put in this legislation which apparently rankles some on the other side. Here is what it says: The Washington Government, the DC City Council, has to vote to continue the voucher program. How unreasonable is that?

I heard this morning on NPR Senator ENSIGN say: Well, we know they are opposed to it, so we want to take away local control of this school program. I have not heard that very often from the Republican side nor from the Democratic side. I would not want to live in a political jurisdiction where someone imposed a program on families and students without asking whether it was a reasonable thing to do, and in this case, whether the DC Public School System should, in fact, absorb a voucher program.

But on the Republican side of the aisle, most of whom voted against the idea of giving DC voting rights in Congress, want to impose this. This is their laboratory. This is where they want to have their experiment on voucher schools, and they do not want close scrutiny. They do not want an investigation. They do not want a reauthorization. They want to continue this program indefinitely, funding millions of dollars into a program that has been found to have significant deficiencies.

Until this bill that is before us today, there was no requirement that teachers in DC voucher schools have college degrees, but I put that requirement in the law. I lost that issue 5 years ago, and I think it is only reasonable we have that requirement today. So for the next year they are going to have to have teachers with college degrees, and the buildings have to be inspected. What is wrong with that? Would anyone want to send their kids to a school building that is dangerous or potentially dangerous? Apparently, some do. They want us to step away, not to have any scrutiny or any oversight over these school buildings. I am not one of those, and I could not in good conscience allow this program to continue without having that requirement.

Now, I will be honest with you. I backed off of the achievement test requirement after speaking to Chancellor Rhee. I said: Why don't they have the same test?

She said: They should. But if you are only going to allow this program to continue under the law for 1 year, and it is uncertain what happens after that, don't impose on them the costs of changing achievement tests. It costs millions of dollars. So let them stay with the current achievement test, even though they cannot be compared to DC Public School students with that achievement test.

So I deferred that, saying: Why impose a \$2 or \$3 million cost on them? Let the authorization committee decide whether that ought to be the case. I will certainly argue for it.

So now we have the Republicans saying: We do not want the program investigated. We do not want it reauthorized. We do not want the people of the District of Columbia to have any say as to whether it will be part of their public school system. That is the Republican position. I think it is unfair. I think it is unwise. I think it is bad policy.

If this program is good, it will stand on its own feet. If it is a program that needs improvement, let's make the improvement. If it is a program that has failed, let's move on and try something that will succeed. We are talking about the lives of children.

I might also say, Chancellor Rhee, I think, comes to her job with the DC Public Schools with a fresh, positive attitude. We need to make sure all the kids in DC, whether they are in voucher schools or not, have a high-quality education. The same goes for my State of Illinois and the State of Virginia. That is our first obligation. So that is where we stand today.

The Ensign amendment is going to be offered. At that time, we will have a chance to debate it even further. But we have funded the program through the next school year. Senator LIEBERMAN has given his word to me and those who support the program on the other side that he will have a timely hearing so we can get on with this review and reauthorization in a reasonable way.

Two separate studies by the Department of Education have clearly demonstrated that the Washington voucher program has no statistically significant impact on student academic achievement. We knew this program was going to expire in 5 years. We need to ask whether the money might be better spent on some other approach, whether it is in the DC Public Schools or into charter schools. It is time we take time for careful and deliberate consideration of this program.

For those who have written in several publications: DURBIN is just out to kill this program, I had a chance to do that, and I did not. I extended the program beyond its authorization for an additional year, gave them adequate funds to continue serving the students who are currently in the program, with the understanding, at least in the bill, that we would take the time to carefully study the DC voucher program.

For those who believe in the voucher program, do not be afraid. Do not be afraid to step forward and let people take a look at what has happened. Let's see what the successes and failures of this program have been and then decide how to go forward. I think that is a critical objective we can achieve.

OMNIBUS APPROPRIATIONS

Mr. President, I would like to say one other word about the pending legislation, the omnibus bill. I have listened to so many speeches on this floor about earmarks. I made a point yesterday in television interviews back in Illinois to

make it clear what I was talking about in terms of projects coming back to our State that were earmarks.

I do not think I can be any more transparent about earmarks. What we do in my offices is to put on our official Web site every request I make for earmarked funds, congressionally directed spending from appropriations bills. For every single request, I indicate who is going to be the recipient, how much money was asked for, what is the nature of the request, and clearly make a statement that I have no conflict of interest involved in making the request. I think that is required by law, and it is certainly a valuable requirement.

Then we go through the process of the Appropriations Committee choosing those earmarks they can put into a bill. At the end of the day, we not only send out press releases in terms of those projects that have been approved, we make it clear, so people know, start to finish, every step of the way.

So when I was on the news yesterday, I said to some of the local newscasters: The word "earmark" has such a negative connotation, but the word "earmark" should be remembered in this context: I have millions of dollars in this bill that will go to communities in the suburbs of Chicago that have been dealing with serious flooding problems for decades. We have made significant progress. I worked with Mayor Tony Arredia in Des Plaines, IL, before he gave up the office recently, and we protected many parts of his community that used to be regularly, annually devastated by floods—earmarks in appropriations bills for flood control.

The metropolitan area and sanitary district has this deep tunnel that we put money into by earmark year after year after year, so that storm water can be collected there and will not run off to integrate with the sanitary sewer system and will not cause degradation of Lake Michigan and rivers and tributaries nearby. That is one area.

The second area I focused on in the earmarks has been transportation. There are specific earmarks in this bill for the expansion of the Chicago Transit Authority and other transit systems in our area. They are struggling to survive with the recession. We are trying to make sure passengers do not have to pay outrageous amounts of money for them to continue to be successful in their operation.

Another earmark: \$4 million in this bill goes for the Chicago shoreline on Lake Michigan. When they surveyed the people of Chicago a few years ago and asked: What is the most important thing we have in our city that you are proudest of, they said: Lake Michigan, overwhelmingly. And they should. It is a beautiful expanse of water. Aside from the scenery and the beauty of it, it is part of the Great Lakes, one of the greatest sources of drinking water supplies in the world.

So what we have done is to address a 100-year-old shoreline that was crumbling and falling apart. I sat down with

Mayor Daley. We entered into an agreement with the Army Corps of Engineers. With this agreement, the city put money up-front. We came in with money on the Federal side. We have reduced the overall cost of the project and accelerated by years—as you drive along that lakefront, you can see they are building a modern lakefront that will serve us for decades to come. It is an earmark. It is an earmark in the bill.

When I hear people come to the floor saying: This is an outrage that all these earmarks are in the bill, I think to myself: There is nothing outrageous about this. We bragged about it. We have had press conferences about it. The people of our city think it is money well spent.

There is money in here as well going to hospitals to buy critical equipment. It is all listed—every single hospital, every single dollar—whether it is for research, cancer research, Alzheimer's research at universities, for example, or if it is buying critical equipment for hospitals that many times don't have the resources to do so. I try to help them out if I can. I think that is part of my job.

I listened to these overall criticisms of earmarks and I don't doubt that pouring through the thousands that may be in here, we are going to find some that are questionable. That is natural. One Congressman and one Senator may think something is important to his district, his community, his State; others may question it. That is part of the process. They should be questioned. But at the end of the day, to say that when you take 1 percent of this bill and allow Members of Congress to zero in on specific issues in their States, in their districts, that there is something inherently evil, wicked, criminal or wrong with it, it is not the case.

I wish to salute Senator INOUE, who is our chairman of the Appropriations Committee, for what he and Congressman DAVID OBEX, the House Appropriations Committee chairman, agreed to do, which is to dramatically cut back the overall cost of earmark projects. Under the Republican leadership a few years ago, about 4 to 5 percent of an appropriations bill would be earmarked. They have brought it down to just over 1 percent. The goal is 1 percent. I don't think that is unreasonable, that 1 percent of the spending bill would be congressionally directed in a transparent and open process; otherwise, what happens, we give the money to the agency downtown and they decide where to spend it. It isn't as if the money would not be spent; oh, it will be spent, but it may not be spent as effectively or for projects that are as valuable as many of us who represent these areas believe.

We could have given the money to the Army Corps of Engineers for the Lake Michigan shoreline. I can say what would have happened. It would have cost more, there would have been

less local contribution, and it would have taken many more years to get started. We avoided all that with the earmark process. I know there is going to be a lot of debate—some even this morning on this—but my feeling is we are reaching the right balance of disclosure, transparency, and limiting the number of earmark projects so the taxpayers can have confidence that, at the end of the day, there is a process here and the scrutiny that there should be when it comes to taxpayers' dollars. At the end of the day, some of my colleagues will never be satisfied. They just will not be satisfied until every earmark is removed. I hope that doesn't happen. I think we can make the process better.

U.S. ECONOMY

Mr. President, I also wish to say a word about the state of our economy today, if I can, and set it apart in the RECORD because this is a historic anniversary week. As you may know, 76 years ago this week, exactly, on March 4, 1933, the President, Franklin Roosevelt, took the oath of office for the first time. He faced an America broken to its knees—not by a war or an invasion but by a depression which had broken the confidence of a proud nation.

It is hard for many people today to even imagine how frightened Americans were the day after he became President. Jonathan Alter, a news analyst for Newsweek, who comes from Chicago, recently wrote a book about the transition and beginning of the F.D.R. Presidency called "The Defining Moment." He sketched the picture very well. He said at that time America has experienced its gravest crisis since the Civil War.

The American economic system had gone into a state of shock. Days before the F.D.R. inauguration, the New York Stock Exchange suspended trading indefinitely and the Chicago Board of Trade bolted its doors for the first time since it opened in 1848. In the 3 years since the crash of the stock market, 16 million jobs had disappeared in 1933 and business investment had dropped 90 percent. America's official unemployment rate was 25 percent. In some areas, it went as high as 80 percent when it came to adult men. More than 5,000 banks had failed. People who were unlucky enough to put their money in them had lost everything.

The great economist, John Maynard Keynes, was asked by a reporter at the time if there was any precedent for what happened to the world economy. He replied: Yes. It lasted for 400 years. It was called the Dark Ages.

In his first inaugural address, Franklin Roosevelt told a shaken nation: "Only a foolish optimist can deny the dark realities of the moment." But then he went on to reassure America and said: "The only thing we have to fear is fear itself—" that famous phrase—"nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance."

F.D.R. said we needed to abandon the failed ideas that led us into economic crisis and try something new and bold. The Federal Government, the President said, will treat the task of economic recovery "as we would treat the emergency of a war."

What America needed, the new President said, was "action, and action now" to put Americans back to work and restore strength to our economy and rebuild people's faith in the future. He assured us: "This is no unsolvable problem if we face it wisely and courageously."

Where are we today, 76 years later, 76 years after F.D.R. took that oath of office on March 4, 1933? Another new President has inherited the worst economic crisis since that historic day in 1933. This crisis is not another Great Depression, thank the Lord, but it is grave. It is dangerous. It is unlike any crisis we have seen in our lifetime. Sadly, it appears to be getting worse at this moment. America lost more jobs last year than at any time since World War II. Manufacturing is at a 28-year low. Many businesses can't borrow or make payroll. Many workers and retirees are seeing their life savings disappear. People have seen the values of their homes and retirement plans plummet, and a large and growing number of Americans are uncertain and anxious about the future.

President Obama, sworn into office on January 20 of this year, has been in office a little over 6 weeks. He has made it clear we need to act and act quickly; otherwise, he says, the recession could linger on, unemployment could continue to grow, we could lose a generation of promise and potential as millions of Americans have to forgo college and a chance to train for jobs of the future. We could lose our competitive edge in the world if we don't act. In short, an already bad situation could get worse. He proposed to Congress, soon after he was sworn in, the American Recovery and Reinvestment Act—the most sweeping in history.

Similar to Franklin Roosevelt and Abraham Lincoln—another President who inherited a major economic crisis during the Civil War—this President has said we must put our American house in order, put Americans back to work, and invest in America's future. He has said the American Recovery and Reinvestment Act represents not just new policy but new thinking; a new approach to meeting our most urgent challenges. It will save or create 3 million to 4 million jobs over the next 2 years while investing in priorities such as health care and education. It enables us to rebuild America's crumbling infrastructure—the roads, the bridges, the schools.

The economic recovery plan also includes help for States. My State of Illinois is in deep debt. We are hoping this recovery plan will help them get through this difficult period. Also, it has a tax cut for most working families. Ninety-five percent of them will

receive this tax cut as soon as next month. It is a smart plan that invests in things that work. Congress, the President, and respected economists agree now is not the time to create new bureaucracies and new Government agencies. We should use existing programs wherever possible to make sure the recovery funds are invested quickly and efficiently to stabilize this economy. We are relying on experienced and knowledgeable Government professionals, but as most of us know, there is no playbook you can pick up at the library or find on a Web site. We are trying to make wise decisions based on economic experience.

I think this program we passed is a start, but the bill before us is equally important. This bill continues the function of Government. This bill allows many Federal agencies to continue with funding that is necessary so they can perform valuable services. If we don't pass this bill, we will reduce the amount of money that is being spent by these agencies at a time when our economy needs the spending to create the jobs to move us forward.

We are going to lose about \$1 trillion in purchasing of goods and services this year. The American Recovery and Reinvestment Act, along with this piece of legislation, will try to provide some jump-start to this economy, a catalyst for more economic recovery and growth, which is something we desperately need.

There is more that is needed as well. Next week I am going to, after we finish this bill, be talking about the housing crisis we face. I have been pushing for 2 years for a change in the bankruptcy law to allow the courts, as a last resort, to rewrite a mortgage. Last night, that measure passed in the House of Representatives. I hope we can take it up. We are in the process of working out the details of our Senate version now, and I hope that by next week we will be prepared to present it to our colleagues. We need their help. Some of them were skeptical when I last offered it. Many Democrats voted against it. They said: Well, we think this can work itself out. Some of those same Members have come to me since and said it didn't work. We thought the voluntary approach was what was needed; it didn't do the job. There are too many foreclosures. It is not only hurting the lives of those who lose their homes but the people who live next door.

I think it was Secretary Geithner who used the analogy at a hearing this week of someone who lives next door to a man who smokes in bed. Well, because of that unwise conduct, the man's house catches fire, and because of that fire in a closely packed neighborhood it endangers all the houses nearby. Now, you can shake your finger and say you never should have smoked in bed or you can pitch in and try to put out that fire because, if you don't, it could affect your home too. The same thing is happening here. Whether

the right decisions were made at the outset, whether people borrowed when they shouldn't have, whether people were the victims of predatory lending, that will eventually work itself out and we will know more about it; but in the meantime, we need to stabilize this housing market.

I listen to some of the great sources of information in America and one of them is Jon Stewart with the "Daily Show." He had a program earlier this week that was a classic. It involved a fellow named Santelli who, on a CNBC cable show, went into this what he called himself, a rant over the idea that we would help people facing mortgage foreclosure. He was critical of the wisdom of these people in entering into mortgages when they should have known better, making guesses about their economic future that turned out to be so wrong. Mr. Stewart, in a style which I find very entertaining and amusing, then proceeded to replay the statements made by economists on CNBC who downplayed the thought of a recession, who suggested that many of the great banking houses that have failed were going to do fine. He tried to make the point that even some of the people who were screaming at those who entered into mortgages they shouldn't have entered into got it all wrong when they tried to analyze the economy and give advice to America.

People do make mistakes. They should be allowed to recover from those mistakes in a situation where continued mortgage foreclosures could jeopardize housing markets and the value of everyone's home for years to come. That issue will come up before us next week. I look forward to it.

At this point, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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, Bernard Sanders, Tom Udall, Patrick J. Leahy, Ron Wyden, Christopher J. Dodd, Benjamin L. Cardin, Mark R. Warner, John D. Rockefeller IV, Debbie Stabenow, Patty Murray, Richard Durbin, Edward E. Kaufman, Jim Webb, Mark Begich, Byron L. Dorgan, Carl Levin, Dianne Feinstein, Roland W. Burris.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the list of amendments in this agreement be the only first-degree amendments remaining in order to H.R. 1105; that no amendment be in order to any of the listed amendments prior to a vote in relation thereto; that the amendments must be offered and debated Friday, March 6; Monday, March 9; or Tuesday, March 10; further, that upon disposition of the amendments and the Senate has voted on a motion to invoke cloture on H.R. 1105 and cloture having been invoked, all postcloture time be considered yielded back, the bill be read a third time, and the Senate proceed to vote on passage of the bill.

Here is the finite list of amendments: Ensign amendment No. 615, which is pending; Vitter amendment No. 621; Sessions amendment No. 604; McCain amendment No. 593—he is in the Chamber now waiting to offer that amendment—Thune amendment No. 662; Barrasso amendment No. 637, which I understand he will offer on Monday; Enzi amendment No. 668; Kyl amendment No. 631; Kyl amendment No. 629; Kyl amendment No. 630; Kyl or designee amendment—we have a copy of the proposal—Cornyn amendment No. 673; and Bunning amendment No. 665.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I have spoken with the Republican leadership, and we are going to try to have four of these votes starting at 5:30 on Monday evening.

UNANIMOUS CONSENT AGREEMENT—CONTINUING RESOLUTION

Mr. REID. Mr. President, I ask unanimous consent that if and when the Senate receives from the House a joint resolution which provides for the continuation of Government funding until March 11, 2009, if it is identical to the measure which is at the desk, it be considered read three times, passed, and the motion to reconsider be laid upon the table; that if it is not identical, then this order be null and void.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. This will get us teed up to work next week. I made my statement this morning. The Senate is the body that it is. It is sometimes difficult for even those of us who serve here to fully comprehend. But I think this Congress has reached a point in time where we are working together, when adversaries work together. It doesn't mean we always agree, but I think we all have the end in mind to try to help the country and move legislation forward.

I appreciate the work of my leadership, Senator DURBIN. He spent the evening with me last night. We finished

about midnight. He is such a good friend. I appreciate the conversation I had with Senator MCCONNELL and the many conversations I have had with Senator KYL.

Everyone is working in good faith, and this Senate agreement indicates that.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent to lay aside the pending amendment for the purpose of calling up three amendments.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 631

Mr. KYL. Mr. President, the first Kyl amendment is numbered 631.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 631.

Mr. KYL. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of State to certify that funds made available for reconstruction efforts in Gaza will not be diverted to Hamas or entities controlled by Hamas)

On page 942, between lines 14 and 15, insert the following:

GAZA RECONSTRUCTION

SEC. 7093. None of the funds appropriated or otherwise made available by this Act may be made available to aid reconstruction efforts in Gaza until the Secretary of State certifies that none of such funds will be diverted to Hamas or entities controlled by Hamas.

AMENDMENT NO. 629

Mr. KYL. Mr. President, the next amendment I would like to call up is amendment No. 629.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 629.

Mr. KYL. I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that no funds may be used to resettle Palestinians from Gaza into the United States)

On page 942, between lines 14 and 15, insert the following:

PROHIBITION ON USE OF FUNDS FOR RESETTLEMENT INTO UNITED STATES OF PALESTINIANS FROM GAZA

SEC. 7093. None of the funds appropriated or otherwise made available by this Act may be made available to resettle Palestinians from Gaza into the United States.

AMENDMENT NO. 630

Mr. KYL. Mr. President, the third amendment is numbered 630.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 630.

Mr. KYL. I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require a report on counter-smuggling efforts in Gaza)

On page 942, between lines 14 and 15, insert the following:

REPORT ON COUNTER-SMUGGLING EFFORTS IN
GAZA

SEC. 7093. Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Director of National Intelligence, shall submit to Congress a report on whether additional funds from Foreign Military Financing assistance provided annually to the Government of Egypt could be expended—

(1) to improve efforts by the Government of Egypt to counter illicit smuggling, including arms smuggling, across the Egypt-Gaza border; and

(2) to intercept weapons originating in other countries in the region and smuggled into Gaza through Egypt.

Mr. KYL. Mr. President, until Senator McCAIN arrives, let me briefly describe these three amendments.

Amendment No. 630 requires a report on countersmuggling efforts in Gaza. Within 90 days of the enactment of the Act, the Secretary of State, in consultation with the Director of National Intelligence, shall submit a report to Congress on whether additional funds from our military foreign financing assistance, provided annually to the Government of Egypt, could be expended, No. 1, to improve efforts by the Government of Egypt to counter illicit smuggling, including arms smuggling across Egypt and the Gaza border, and No. 2, to intercept weapons originating in other countries in the region and smuggled into Gaza through Egypt. This amendment requires a report to ensure the Egyptian Government can be even more effective in dealing with this difficult problem.

Amendment No. 629 is a prohibition on the use of funds in this bill for resettlement into the United States of Palestinians from Gaza. There has been a suggestion that perhaps that might be permitted, and we simply want to make it clear that will not be permitted with any funds in this bill.

Finally, related to Gaza reconstruction, amendment No. 631 provides that none of the funds available in this bill may be made available to aid reconstruction efforts in Gaza until the Secretary of State certifies that none of such funds will be diverted to Hamas or entities controlled by Hamas. The reason for that, of course, is that in providing money to people in Gaza, it is very difficult to ensure that money doesn't go to terrorists, and we want the Secretary of State to ensure that

doesn't happen. That is what this amendment would provide.

Mr. President, that is the explanation of these three amendments, and I now yield to my colleague from the State of Arizona, Senator McCAIN.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

AMENDMENT NO. 593

Mr. McCAIN. Mr. President, I call up amendment No. 593, which is at the desk, and I ask unanimous consent for its consideration, understanding that under a previous unanimous consent agreement the vote on the amendment will be on Monday.

The ACTING PRESIDENT pro tempore. Without objection, the pending amendment is set aside.

The clerk will report the amendment. The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. McCAIN] proposes an amendment numbered 593.

Mr. McCAIN. Mr. President, I ask unanimous consent that further reading of the amendment be suspended.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds provided in the bill)

At the appropriate place, insert the following:

SEC . PROHIBITION ON THE USE OF FUNDS.

None of the funds in this Act may be used for any project listed in the statement of managers that is not listed and specifically provided for in this Act.

Mr. McCAIN. Mr. President, this amendment is very simple and straightforward. It would prohibit funds to be spent on the thousands of earmarks that are listed in the statement of managers but that are not included in the bill text.

We have seen a remarkable evolution over the past number of years here in the Senate and House as to how we do business, and I think there is no greater example of it than what we are considering and have, fortunately, not passed. This is the legislation. In itself, it is 1,122 pages. You can thumb through it anywhere, and you will find moneys to be spent on various projects, none of which—or very few of which have ever been authorized or examined by the committees that have jurisdiction. That in itself is interesting.

This is a funding mechanism to keep the Government in business. It also happens to be an 8-percent increase in spending over last year. It also happens that the majority, the Democrats on the majority side last year, chose not to pass these appropriations bills because they knew, or expected, that they would have a larger majority in the Senate and House and they would be able to increase spending, which is exactly what happened—an 8-percent increase.

Here on the other side of my desk is "statement of managers." That statement of managers is 1,844 pages. Guess what it is filled with. The same ear-

marks and porkbarrel projects that are in the bill itself. The statement of managers used to basically just be a statement of the managers of the bill saying this is a bill that is being put forward and the reasons for it, the rationale for it. It used to be just a few pages. Now it is 1,844 pages. Remarkable. And guess what it is filled with. It contains part of the 9,000 earmarked porkbarrel projects in this bill, none of which have been authorized—or very few have been authorized, let me put it that way. I am sure there are some funds in here that have been authorized. But the earmarks in it are exactly that: they are unauthorized projects.

What does that mean to the average citizen? They hear about earmarks and pork, but they do not really understand what it means. Well, the way the Congress is supposed to work is, there are two parts to legislating. One is to review legislative proposals—both policy and funding by committees—and they say: OK, we will authorize this project, we will authorize \$1.7 million for a honey bee factory in Weslaco, TX. I don't particularly think that is necessary, but at least it is authorized. And then it is supposed to go to the appropriating committee, and they figure out how much money there is and then they appropriate the money. That system is completely broken. It is completely short-circuited. Now we have bills this size, statements of managers this size, and no one has ever seen or heard of many of these projects until it appears on the Members' desks. The system is completely broken.

So when I hear my colleagues stand up and defend these "porkbarrel projects," when they defend \$300,000 for the Montana World Trade Center, which may be necessary, why didn't they ask for it to be authorized because of the need and then compete with all other projects that are necessary and that Members of the Senate and the House believe are necessary for their districts or States?

Mr. President, 20 or 25 years ago, I can tell my colleagues, an earmark was an unusual event. It was an unusual occurrence. But the evil grew and grew and grew. Like any other evil, it grew and grew and grew, so that now we are presented with legislation such as this, with 9,000 of them. And I can guarantee you that none of my colleagues fully read this bill or the statement of managers. Now, some people say: Well, it is not very much. It is not very much. Well, our estimates are that it is about \$8 billion. Now, \$8 billion to the average citizen is a fairly good sum of money.

Another egregious pattern of behavior which has crept into this is that there are policy changes that are put in, again fundamental changes in policy written in, which, of course, the Senate does not then have an opportunity to debate. One example is to do away with the voucher system in the Washington, DC, school system. Another one has been noted this morning

in the Washington Post, called “Truck Stop.”

When we signed a free-trade agreement with Mexico—I believe it was 14 years ago—part of the deal was that Mexican trucks, provided they met all the safety standards and all the requirements, would be able to come into the United States, with reciprocal access to each other’s markets. Thanks to the influence of the unions and others, there is an amendment in this bill that basically kills that. Now, you can take either side of that issue. Maybe there are a lot of Americans saying—even though these Mexican trucks are inspected, even though they meet the safety standards, even though we promised in the North American Free Trade Agreement that they would have access to our markets—maybe we shouldn’t do that. But should we be doing it in an appropriations bill, in a bill this thick, in a statement of managers this thick? Should we be making policy changes in here?

By the way, I will talk a little more about this later on, but the Mexican Government is in an existential threat with the drug cartels in Mexico. Phoenix, AZ, has now become the kidnapping capital of America. There is violence on the south side of our border which is spilling over onto our side of the border. The President of Mexico, President Calderon, has staked everything on taking on the drug cartels, and the corruption he is fighting is at the highest levels of Government. So what have we done in this appropriations bill? We have just sent a signal to the Mexicans that we are not going to keep our agreements with them. We are not going to stand by our solemn pledges to them. And, by the way, we are going to do it in an obscure provision in one of these either 1,122 pages or 1,844 pages.

So I hope the American people and our colleagues understand what it is that is so badly broken here. They say: How in the world do we—when unemployment today is at 8.1 percent and people can’t afford their health insurance premiums, are losing their jobs, are being moved out of their homes—afford \$951,000 for Sustainable Las Vegas; how do we afford \$819,000 for catfish genetics research in Alabama?

You will note that there are always locations associated with these earmarks. I had a discussion with a Member of Congress about one of the provisions having to do with tattoo removal—tattoo removal—because it helps when combating gangs. Maybe tattoo removal needs to be funded, but, of course, this earmark was directed to a specific geographic part of the country. So while the American people are suffering under the worst recession since the Great Depression, we here in Congress not only are doing business as usual, we are wasting taxpayer money at an incredible rate, and these 9,000 earmark projects are part of that.

By the way, there are also 13 projects in this bill, which total approximately

\$9 million, that were the result of the efforts of an outfit called PMA. PMA is a lobbying group, the head of which was a former staff member in the U.S. Congress, and PMA has been raided and shut down by the FBI. They are under active investigation for corruption, and they were “listed” as those responsible for these 13 projects. We can’t even take those out. We can’t even take those out.

It is really remarkable. On Thursday, the media reported that in discussions with Majority Leader REID, Speaker PELOSI took the position that if a single amendment to this omnibus bill was made by the Senate, she would refuse to resubmit the bill as amended to the House but would, instead, put the rest of the Federal Government under a continuing resolution for the remainder of the year.

I think we should be on a continuing resolution as we have been and examine each one of these appropriations bills individually, debate them, and decide what various appropriations should be and how they should be funded and what the priorities are.

By the way, we also have proved that we can pass another continuing resolution because we just did. The insistence that not a single change could be made or it would shut down the Government and jeopardize even the most essential Government services was high drama at its best, used to sway Members to oppose even the most commonsense proposals, such as insisting contracting be fair and subject to open competition and restricting funding that was achieved through a lobbyist organization.

By the way, it is my understanding that last year this same organization, PMA, which has shut its doors, was raided by the FBI. The home of the head of it was raided by the FBI, and last year they got \$300 million worth of earmarks in an appropriations bill.

What I am saying is, this system has become a corrupt practice. That is why we have former Members of Congress now residing in Federal prison. That is why we have continuing indictments of people who were involved in the Abramoff scandal, which all had to do with obtaining these earmarks in appropriations bills which were not authorized and nobody knew anything about. We even had a situation last year where a couple of items were put into an appropriations bill after the President signed it—after the President signed the bill. They were inserted. Investigation of that is still going on.

It seems to be the Speaker’s position that the Senate should have no voice in a \$410 billion appropriations bill that funds every agency in the Federal Government other than Defense, Homeland Security, and the Department of Veterans Affairs. I have been deeply disappointed by many things this new Congress and this new administration have begun. After all the campaign promises of changing the culture of

Washington, bringing hope for a new era, bridging differences between people, parties, and ideology, what we have actually seen and what has been delivered to the American people is far different: first, in the \$1.2 trillion stimulus bill and now in this massive \$410 billion appropriations bill, which would, in a normal year, be the largest appropriations bill the Congress would pass. There has been no serious effort at bipartisanship. There is no serious effort to hear opposing views, to have an honest debate, to balance carefully the policy implications of our actions. We should engage in serious debate and vote on amendments without the false threat of a shutdown of the Federal Government or an out-of-the-hand rejection of all amendments.

The President has said, and the Director of the Office of Management and Budget has said, this bill is last year’s business. This bill is to fund the functions of Government this year—not last year, this year. To say somehow that this is “last year’s business” because we are voting on funding for the operations of Government for this year is disingenuous at best.

I have talked to Members on both sides. I have talked to people who said: Yes, we need to do something about this earmarking, and we would like to sit down and do something about it. We would like to reduce it. That is like saying you would like to reduce any other evil. You want to eliminate it.

There is a simple way, I say to my friends who say they are unhappy with the way this explosion of earmarking and porkbarrel spending is taking place. There is one simple solution: Authorize it. Send it through the authorizing committees. Then, if I have a problem with the Buffalo Bill Historical Center in Cody, WY, for which I am going to spend \$190,000 of our taxpayers’ dollars, then fine. I may not like it, but at least we will have gone through a process of scrutiny, of proposal, of authorization, and the Buffalo Bill Historical Center would be in competition with other proposals for other historical centers throughout the country if they are needed.

Maybe we need to improve blueberry production and efficiency in Georgia. It is \$209,000 to improve blueberry production and efficiency—in Georgia. Maybe not in Maine, maybe not other places where blueberries are grown, but in Georgia.

We want to spend \$400,000 for copper wire theft prevention efforts. I would like to prevent copper wire theft as well, but maybe it should happen across the country. And I am sure the Alaska PTA needs \$238,000, but so do PTAs all over this country. Why should we earmark \$238,000 for the Alaska PTA? The list goes on and on.

As some of my colleagues may know, I have begun to twitter. We have been tweeting for the last week with “Top Ten Earmarks,” every day. We could go on for days and days. I would like to mention some of them. We began last Friday.

No. 10 was \$1.7 million for a honeybee factory in Weslaco County, TX; \$300,000 for the Montana World Trade Center; \$870,000 for wolf breeding facilities in North Carolina and Washington; No. 7 was \$332,000 for the design and construction of a school sidewalk in Franklin, TX; No. 6 is \$1 million for Mormon cricket control in Utah; No. 5 was \$650,000 for . . . management in North Carolina and Mississippi; No. 4, \$2.1 million for the Center for Grape Genetics in New York; No. 3 was \$6.6 million for termite research in New Orleans; No. 2 was \$2 million for the promotion of astronomy in Hawaii; and No. 1, on our first day, was \$1.7 million for pig odor research in Iowa.

Yesterday, the Chicago Tribune had an editorial entitled "Whoa." It goes on to say:

The Obama administration and Democratic leaders of the House and Senate are blowing the lid off of spending restraint. But they're finally meeting some resistance within their own party.

Sen. Evan Bayh (D-Ind.), in an essay published Wednesday in *The Wall Street Journal*, ripped a spending bill passed by the House last week as "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 largesse."

He said he will vote against it, and he urged President Barack Obama to veto it if it passes the Senate. We second that motion.

Politico.com reported Tuesday that 15 senators—14 Democrats and one independent—met behind closed doors this week to share concerns over the cost and reach of Obama's proposed \$3.55 trillion budget for 2010.

House Speaker Nancy Pelosi, Senate Majority Leader Harry Reid and the Obama team are pushing a gaudy expansion of deficit spending.

A \$787 billion "stimulus" package. A \$410 billion spending bill. A \$3.55 trillion budget.

Their reasoning: we need to do this in response to the economic crisis. But it's sure sounding like business as usual in Washington. When in doubt, spend. When not in doubt . . . spend.

The \$410 billion bill hikes discretionary spending by 8 percent and includes at least 8,570 earmarks worth \$7.7 billion. "Such increases might be appropriate for a nation flush with cash or unconcerned with fiscal prudence, but America is neither," wrote Bayh. "Families and businesses are tightening their belts to make ends meet—and Washington should too."

The Obama folks have tried to dismiss this huge spending bill as a little cleanup work. "Last year's business," said Chief of Staff Rahm Emanuel.

Last year's business? No, this is the nation's business right now. We're going to borrow this money right now and carry the debt for decades.

The administration says Obama will sign this bill. Hopefully, enough Democrats like Evan Bayh will join Republicans in the Senate to put the brakes on this. Let everyone catch their breath and rethink this spending spree. Right now, Democratic leaders look like they're getting dizzy from all the dollars they think they have to throw around.

What we should be doing is not passing this legislation now. Go back to the drawing board. Go through the appropriations bills and authorize them as necessary and figure out how much we need to spend rather than have a bill

that is like this and like this, which nobody has read.

Also, if the Congress goes ahead and passes this bill, then the President should veto it. The President should abide by the commitment he made in the campaign, the debate in Oxford, MS. The President of the United States, then-candidate Senator Obama, stated it clearly. He said: I will go line by line through these bills, and I will veto the ones and scrub the ones that are not necessary.

The President, then-Senator Obama, made a commitment to the American people. He can keep that commitment by vetoing this pork-laden bill.

The list goes on and on of these projects. I mentioned the 13 projects of PMA.

I want to return to something that is very disturbing, and that is the provision concerning free trade with Mexico. I would again like to quote from the Washington Post editorial today that says "Truck Stop," entitled "Congress Flashes a Yellow Light on Free Trade With Mexico."

President Obama seems to have resolved, for now, an incipient dispute with Canada over "Buy American" rules in the stimulus package. The law would have hurt Canadian steel exports to the United States, but, at the White House's insistence, Congress appended language that blunted the worst protectionist consequences. Now, however, Congress has turned on Mexico, the United States' other partner in the North American Free Trade Agreement. A \$410 billion omnibus spending bill contains a provision that would pretty much kill any chance that long-haul freight trucks from Mexico could operate in the United States, as had been promised under NAFTA.

Economically, giving U.S. and Mexican trucks reciprocal access to each other's markets makes a lot of sense. Currently, Mexican rigs can drive in only a small zone on the U.S. side of the border, where they must off-load their goods onto U.S. trucks. The process wastes time, money and fuel, harming the U.S. environment and raising the cost of Mexican goods to U.S. consumers. Yet access for Mexican trucks has been bitterly resisted by U.S. interests, most notably the Teamsters union—which claims that poorly regulated trucks from south of the border would be a menace on U.S. highways.

In an effort to disprove that, the Bush administration promoted a pilot project under which Mexican trucks, screened by U.S. personnel, could operate freely within the United States. The Mexican trucks compiled a safety record comparable to that of American rigs. Mexican participation was limited, however, because of the political uncertainty. And safety was always a smokescreen for the Teamsters' real concern—economic turf—anyway. Now the Democratic majority on the Hill has slipped into the omnibus bill a provision killing the program. The provision seems certain to survive, given that the president supported such a measure when he was a senator; his transportation secretary, Ray LaHood, backed it as a member of the House.

When the U.S. economy needs all the help it can get, this legislation perpetuates inefficiency and invites Mexican retaliation against U.S. exports. To a world looking for signs that Democratic rule in Washington would not mean revived protectionism, this can only be a disappointment.

So you not only have these earmarks that are in the thousands, you not only

have companies that are under FBI raids and shut down by the Government, adding porkbarrel projects, but you also have policy provisions in the bill which can damage relations with a country we need good relations with, given the fact that the drugs we are creating a demand for flow through their country.

As I mentioned earlier, the Mexican Government, under the courageous leadership of President Calderon, is in an existential struggling with the drug cartels. He needs to win. He needs to win for a variety of reasons, including the direct effect the flow of drugs from Colombia and other places, through Mexico into the United States, has and the damage it does to our young people and others who are using drugs.

This amendment, as I stated, simply says that all these provisions, which are in 1,884 pages, some thousands of earmarks that are in the "statement of managers," not be prohibited from being spent because they are not included in the bill here. It is a pretty straightforward amendment. I hope my colleagues will approve it.

Finally, I would like to say again, if the President of the United States wants to fulfill his promise to the people of this country if this bill is passed, he will veto the bill and he will send it back and tell us to clean it up. These are tough times in America. These are tough times. We cannot afford to do business as usual in the Senate and the House of Representatives. It is time the President led, veto this bill, if we pass it, and let's get down to the business of saving the taxpayers' dollars, rather than the profligate spending spree we have been on for so long which has mortgaged our children's futures and has committed generational theft.

I yield the floor.

Mr. DORGAN. Mr. President, on Wednesday, the Senate voted on an amendment offered by my colleague from Oklahoma, Senator COBURN. The amendment would have cut funding for thirteen congressionally directed projects. Eight of these projects are from the Energy and Water Development section of the bill.

Senator COBURN claimed these projects were included at the request of a firm that is under investigation. But every project named in his amendment was included in this bill at the specific written request of a Member of Congress.

In fact, thanks to reforms we made in the last Congress, anyone can go online and see exactly who requested these projects and where the funding is going. We have gone to great lengths to make the process as transparent as possible. Members of Congress who request funding for projects also have to file a letter with the Appropriations Committee to certify that they and their family members have absolutely no financial interest in the earmark.

Let me be clear, I did not personally sponsor any of these projects.

In fact, all of the projects in the Energy and Water Development section of

the bill that were targeted by Senator COBURN's amendment were included by the House in their version of the fiscal year 2009 Energy and Water Development appropriations bill. The Senate also carried one of the eight in our version of the bill.

So while I did not sponsor any of these projects, I find these projects are consistent with the work performed by the Department of Energy, and I saw no reason to eliminate them.

Let me briefly describe the sorts of projects that we are talking about.

One of the projects would provide \$951,000 for the direct methanol fuel cell. This type of fuel cell has the potential to meet low power needs, less than 1 kilowatt, with increased performance and improved storage ability.

Another project is focused on solar energy, providing \$951,000 to improve the efficiency of home windows, with the same goal—reducing net energy consumption.

As I said, every project on this list was requested by one or more Members of Congress. The process is fully transparent and the Members of Congress who requested this funding are fully accountable. That is why I opposed the Coburn amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. 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. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. 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 heartbreaking 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:

Just last week we had to trade in our truck, which was fully functional, in excellent condition and paid for, to finance a vehicle that we could afford to drive out of the local area. I have family and friends at Hill AFB, UT and in Eugene, Oregon. I have driven my truck to visit them before but would seriously have to plan ahead and save money to do it again using our truck. So, now we have a new to us used vehicle (a 2002) that is great, but now I have two car payments all over again. We had to weigh the fact that while we had a great truck, what good does it do you if you have to actually think about driving it someplace as close as Mountain Home? We used to drive it between Mountain Home and Micron all the time five years ago and never gave it much thought. Thank goodness we live in Kuna now, but still, when I go back to school, the 25 miles or so between Kuna and BSU would make a serious dent in my GI Bill money, which is just enough to cover daycare and tuition.

MEGHAN and WESLEY.

I am writing to you today out of major concern for our nation's stability. The price per barrel of oil continues to rise and, with it, so does our cost of living. I am just an average stay-at-home housewife raising my 6-month-old daughter with my husband, who works hard to be our sole provider. In the last six months, we have resorted to me giving up my job as a result of rising fuel, grocery and daycare costs. My husband owns an SUV, which is parked stationery now in our garage, and is taking my sedan to work each day. I rarely leave the house because of fuel costs skyrocketing! We do not have a lot of debt and rely on our savings, which is now dwindling to keep up with the rising costs of everyday living here in Idaho.

We are hurting, and I know from speaking to friends and family, they are hurting, too. The economic stimulus checks that we received went into my savings account to help our family pay for gas and groceries. Every two weeks, I buy groceries and it costs us \$165 a visit, every time we fill up the tank on our SUV its \$100 dollars every week in a half. I believe that we are in an economic crisis and that we are entering a depression, not a recession. The media maintains that we have not entered a recession yet. What reality are the media and our legislators living in?

Please take control of this situation! Do not let oil govern the direction our nation is sliding towards. Offer consumers some sort of fuel alternative. Fortunately, we do not use oil to heat our home. Those homeowners' must be reeling watching the fuel costs soar. You must react now! Salaries are stagnant, the cost of energy is rising, food costs are rising, home prices are falling all of these indicators of an impending Depression!

We cannot afford to wait 5 years for solutions to today's energy crisis! My recommendation is to put a team together in the city of Boise, which includes average middle class citizens that can give a more realistic view of everyday living costs and come up with some real alternatives/solutions which can be implemented now!

Both my husband and I have pulled our 401k plans out of the stock markets hoping for some stability. After working so hard to save through the years, it is heart wrenching to watch your 401k savings spiral downward! America is bleeding and we have to stop the flow of red! Offer the American people some

real solutions. Solutions that do not include lining the pockets of foreign oil industries with our bleeding American dollars!

I thank you for your time. I am sure you are well aware of this crisis. I wanted to give you a voice from an average middle class American Homemaker. I look forward to your administration making a memorable stand by offering America real solutions to this energy crisis!

ADRIANA.

Thank you for asking our opinion; this is a fresh change from the normal status quo in Washington. I live in central Idaho in a subdivision that has 3 full time residents and the closest town has a grand total of less than two hundred people. I love where I live and would not trade it for anything but it is getting harder and harder to just pay the bills let alone do any outdoor activities that require fuel. I work in construction and the company office that I work for is 25 miles away and 1300 feet higher in elevation than where I live. My wife works 15 miles away and has the same elevation change. This winter we had over five feet of snow on the level and temperatures below zero for many days. Needless to say, riding a bicycle is out of the question, driving a small car with no ground clearance just to get good mileage is no more than an invitation to spend the night in the snow in freezing temperatures. I have been paying \$4.99 a gallon for diesel for the last 4 weeks or so and gas for the cars has been over \$4.00 for about the same amount of time. Our weekly gas budget has almost doubled in the two plus years that we have lived here not to mention the cost of propane going up. I can guaranty you that our wages have not kept up and it does not look like there will be any increases in income in the near future. In order to have a weekend at the lake we now have to take at least one day off to make it worthwhile to go and go once every three weeks instead of every week or so. I have friends and family that used to come up all of the time and can no longer afford to come up. Tourism is a very large part of the economy up here and without the people coming to visit, going out to dinner, buying gas and just spending money this area will suffer.

I believe that we are being governed by a few very vocal extremists and special interest groups, who have enough money that they do not care or have lost touch with the average person. They advocate for and lobby for (I do not have time to lobby for anything or go to meetings I have to work to pay for the gas) all of these special regulations that supposedly protect something. I have been told by the government on more than one occasion that "We do not care what it costs to do that but you must comply to our regulations". We need to get the government out of the way, drill for oil in Alaska and off our coasts, build more refineries, increase the atomic usage and cut the ties with the countries that do not like us, but want our money and use it against us. In short we need to become more self sufficient, like we were in the past.

Thank you for your time

WADE.

Thank you very much for your e-mail. I get so frustrated and worried and feel like "we the people" are never considered by the politicians who run our government.

For the past 20 years I have lived on a small ranch in the south east corner of Idaho right near the Utah border. It has always been hard for us to make a go of it on the ranch. In fact, without our retirement we would never have been able to make it. Our nearest grocery store is either 36 miles to Malad or 46 miles to Tremonton, Utah. The

nearest large town is Pocatello, which is 100 miles from us. Ogden, Utah, is 80 miles and Brigham and Logan, Utah, are 60 miles away. Needless to say we must travel quite a distance to get the things we need. There are some times we must take the truck and this takes a lot of gas. The high price of gas is just killing us financially. Just the last two days we had to spend \$100 for fuel just to move our cattle from one field to another. We have cut down our trips and that is pretty hard to do when we really need something. There are trips to the Dr. and we always have pills that need to be refilled.

My husband has worked very hard all his life to provide a good living for our family. We have tried to prepare for the future so we would not be a burden on our children or have to live off the government. Our retirement is in a 401K in the market and we are losing money every day. We are getting old with no source of income and I will tell you it is pretty frightening.

Everything in our economy is tied to oil and energy prices. I think it is only fair to ask our Congress to act responsibly and get doing something now!

The statistics I hear say we only use 15% of the oil resources that are available right here in our own country. I have heard politicians say it won't do any good to drill because we won't see any results for such a long time. It does not take a genius to realize that if we don't start doing something now we will never get the relief we need.

I think we could start by doing something about those silly regulations that prevent us from doing so many sensible things.

I think we should be allowed to drill for oil and explore for energy resources right here where we live. I think it can be done responsibly if our hands are not tied with ridiculous regulations. I also think we could start building new refineries. I agree that we should explore and expand alternative energy sources, including nuclear. What about Iraq? We have done a lot for them why can't we get oil from them?

The thing that I think is totally irresponsible is to tax the oil companies and to put global warming nonsense before the needs of human beings.

It has always been my philosophy that doing something productive is better than setting on our hands and doing nothing. I say to the congress roll up your sleeves and get to work doing something worthwhile.

I would like to thank you for all the service and many hours you have spent in behalf of all of us in Idaho. I am grateful to have you for my Senator.

LOUISE, *Stone*.

I am a single parent trying to live on disability, a low fixed income. The current price of gas has affected me severely. I live two and a half hours one way from my doctors in Boise and I must make three to four trips a month. I do not have the resources to relocate or carry on like this.

These are a few things that I think have lead to the high price of fuel in the U.S. Until recently, all energy futures trading in the U.S. took place on the New York Mercantile Exchange, which traditionally determined the market price of crude oil and natural gas commodities bought and sold here in the United States. Recently a large portion of the futures exchange was moved to London England where they could operate outside of the regulated exchange markets. Since this took place it has driven the price of crude up dramatically, by investors with little or no assets investing in the future price of crude by putting up a fraction of the outright value of the crude oil they are investing in. The basic facts are clear—this market is purely and simply being controlled by over-speculation."

In 2000, at the urging of Enron and other large energy traders, a provision was slipped into an omnibus bill conference report that eliminated CFTC oversight of energy commodities traded by large companies outside of the regulated exchanges. This so-called Enron loophole has severely restricted CFTC oversight of energy trading. Supply and demand = There has not been a new refinery built in the US in over 30 years. We have more oil here in the US than in all of the Middle East if you take into consideration The shale in the Rocky Mountains, the oil in ANWR Alaska and off our coast.

All four of these things must be done to drive the price of fuel down in the U.S.

1. Remove this loophole for energy futures traders.

2. Change the amount of money put up front by investors in the futures trade energy market to 50%.

3. Allow drilling at ANWR in Alaska, off our coastlines and also allow the extraction of oil from Rocky Mountain shale.

4. Streamline the process for building new refineries (cracking plants) in the U.S.

Your help is needed and appreciated.

MARK, *Council*.

Thank you for notifying me that you are trying to do something about the gas prices. My husband and I are retired, but we had no retirement to fall back on. Now we live on Social Security. Our needs are not great, but the increased gas prices and the resulting increased food prices are dealing us a severe blow. We now drive to the grocery store and to church and almost nowhere else. I have also cut down on the groceries that I buy. We have even decided to cut way down on our evening meal so that we do not have to buy so much food. Any help you can give us and people in the US like us will be so appreciated. I know being a Congressman is not an easy job. I do thank you for working for the citizens of Idaho and the United States.

KAREN, *Coeur d'Alene*.

The price of heating oil has quadrupled since installing our heater. We left wood because of injuries not allowing either one of us to get the wood, split, or even get it into the stove. We are worried about being able to have any this coming winter.

Our use of our boat—the only recreation that we have. The boat does not use much fuel, about 2 gallons a day out on the lake fishing. But we cannot get the boat to the lake. It takes a rig to do that, and the rig only gets 24 miles per gallon. And to make it worse, we are only 25 miles from the lake or 9 miles to the Clearwater River! We have to worry about heat this winter. So no recreation.

I work 15 miles from home. I have a car that gets 35 plus miles per gallon. I only earn \$6.25 per hour. At present gas is \$3.99 a gallon. It eats into any profits I might have. Any higher and I will be forced to quit.

I know a girl who no longer can work there. She had a baby. The cost of child care and fuel was more than her wages. So she is on food stamps much to her dismay.

This right-to-work state with its low wages. It takes 3/4 of an hour to earn a gallon of milk! And the rest of the groceries go up every delivery of foods. Because of fuel costs.

A lot of people, not only in this state, are in the same boat. Some are having to give up jobs. Some are having to close their businesses. Some are giving up their homes. It hurts more out here in the real world than it does in the beltway. The whole economy is going down the tubes all because the price of energy.

The argument that it is only \$50 or so per month more. Well...then there is the add-on for food, and everything else. And on a fixed

income, with a low wage job to supplement. That is a lot.

I will add another thing. The summer mix for the fuel cuts the gas mileage. How's that one!! for a stupid regulation?

And you can bet your boots, if all those foreign countries and speculators thought we were really going to drill our own oil, the prices would drop like a rock. Drill for oil along with all the other things. Build nuclear, build my hydropower systems. Do it al. Open all the oil potential fields. Make our country totally self sufficient. Get away from the dictators!

KAREN, *Juliaetta*.

My family (Dad and four brothers) owns a roofing business here in Boise. The high fuel prices have made it difficult for us to make a profit. The price of materials has increased every month for the past three months and some say that they will increase by 30-40% before the end of the summer. I see this as a direct result of the price of fuel. The construction industry in Idaho has taken some hits and I don't think that Idahoans can really afford for the price of home production to increase. Especially when you consider how many houses are currently on the market and how many people are facing foreclosure.

America is the best country in the world. I think that our dependence on foreign oil is the pinnacle of stupidity. We have the resources, the technology and the manpower to become energy dependent without hurting the environment. Capitalism is the way to ensure that America will remain the best country in the world. Please do your part to help us become energy independent by letting us drill in our own country and use our own resources without taxing the oil companies and nationalizing energy production.

Idaho is the greatest state in America; I love it. It is beautiful and I would like to share that beauty with my kids someday without having to sell my house in order to pay for the gas that it cost to drive around this great state. Thanks for the great work!

VICTOR, *Boise*.

I would like to tell you my story regarding the energy prices, not only has our family been impacted by the cost of fuel, but it has also been impacted by the loss of income. I am a single parent, and up until a year ago had an income of \$35-38K a year. The only work I am able to find is part-time employment for minimum wage. (I have too much experience for the jobs posted.) Add that to the continuous increasing fuel prices and the harder I try to get ahead and to make ends meet the more behind I get. The stimulus check I received, because of the high cost of fuel, went to bills and groceries rather than into the economy as I would have enjoyed. I am constantly "robbing Peter to pay Paul" within my budget. I have to have a vehicle, which requires gasoline, to get to work. With the cost of gas equaling an hour of net income, it takes the biggest percentage after my mortgage/rent payment.

If possible, relief at the pump would be greatly appreciated. I know I am not the only who has a limited income and is struggling financially.

LORI, *Garden City*.

ADDITIONAL STATEMENTS

REUNION OF THE MUSICAL GROUP PHISH

● Mr. LEAHY. Mr. President, I want to give recognition to an event taking

place in Hampton, VA, beginning tonight, March 6. This weekend, Vermont's own musical group, Phish, will celebrate a reunion not far from our Nation's Capitol, following their retirement in August of 2004. Phish's fans, and all Vermonters, wish a warm welcome back to Trey Anastasio, Jon Fishman, Mike Gordon, and Page McConnell, and the very best on their renewed musical journey.

In the summer of 2004, the band said farewell to thousands of fans who had persevered through torrential rain and knee-deep mud—some having walked many miles to see the band's final concerts in a farm field in Coventry, VT. For so many of the band's followers, it was a bittersweet moment, historic and mournful at once and the end of a singular era in American rock and roll. True to the band's roots, and despite the rain, it was fitting that the farewell took place in the middle of the glorious Vermont countryside.

Much to the joy of many Vermonters and people across the United States, the band could not resist the desire to perform once again, and this weekend marks their return to the stage in what Phish's fans hope will be the beginning of a sustainable period of happiness and creativity for the band.

What began at the University of Vermont in Burlington, and was nurtured at Goddard College in Plainfield, flourished into an enormous creative musical force that delighted fans from across the world for many years. They spread their music throughout Europe and Japan, from coast to coast in the United States, and rang in the millennium in front of 85,000 people on the Big Cypress Indian Reservation in Florida, playing that concert's final notes as the sun rose over the horizon at the dawn of a new century.

Theirs has been a remarkable journey of musical exploration, improvisation and risk-taking much akin to the early era of the Grateful Dead. From outdoor summer festivals to Halloween celebrations that found the band donning musical "costumes" by playing an album of another musical group from beginning to end, Phish carved a niche in the musical world that was left conspicuously empty with their retirement.

As Americans stand at a crossroads and contemplate the way forward during a difficult time, artistic expression will play an important role in reminding us all that despite the difficulties we face, we should not forget those things in life that bring us happiness and that connect us to one another. Whether we find solace in a good film, a great novel, making art through photography, writing, or painting, or experiencing a musical performance, I want to acknowledge the ability of Americans to keep the creative spirit alive even when we face our most daunting challenges. And I find reason for optimism in the fact that the announcement of Phish's reunion was met with such overwhelming enthusiasm from their fans.

So as thousands of people welcome Phish back to the stage at the Hampton Coliseum this weekend, I am proud to say as a Vermonter: Phish, it is good to have you back. I know you have been missed.●

MESSAGE FROM THE HOUSE

At 12:25 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 joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 38. Joint resolution making further continuing appropriations for fiscal year 2009, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 14. Concurrent resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 14. Concurrent resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; to the Committee on Health, Education, Labor, and Pensions.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 542. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, and Mrs. MURRAY):

S. 542. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; read the first time.

By Mr. DURBIN (for himself, Mrs. HUTCHISON, Mr. BEGICH, and Mr. UDALL of New Mexico):

S. 543. A bill to require a pilot program on training, certification, and support for family caregivers of seriously disabled veterans and members of the Armed Forces to provide caregiver services to such veterans and members, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself and Mr. CASEY):

S. Res. 68. A resolution recognizing the contributions of the Pennsylvania National Guard in service to the Nation; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 231

At the request of Mr. LIEBERMAN, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 231, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 428

At the request of Mr. DORGAN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 428, a bill to allow travel between the United States and Cuba.

S. 479

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 479, a bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, and Mrs. MURRAY):

S. 542. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; read the first time.

Mr. REID. 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 placed in the RECORD, as follows:

S. 542

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

SECTION 1. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS FOR MEMBERS OF CONGRESS.

(a) IN GENERAL.—Paragraph (2) of section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 601(a)(1) of such Act is amended—

(1) by striking "(a)(1)" and inserting "(a)";

(2) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively; and

(3) by striking "as adjusted by paragraph (2) of this subsection" and inserting "adjusted as provided by law".

(c) EFFECTIVE DATE.—This section shall take effect on February 1, 2011.

By Mr. DURBIN (for himself, Mrs. HUTCHISON, Mr. BEGICH, and Mr. UDALL of New Mexico):

S. 543. A bill to require a pilot program on training, certification, and support for family caregivers of seriously disabled veterans and members of the Armed Forces to provide caregiver services to such veterans and members, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, in the Spring of 2007, I met a 27-year-old Army Sergeant named Eric

Edmondson. Eric was injured while serving in Iraq. During surgery to treat his injuries, his brain was deprived of oxygen for a period of time, and is now seriously disabled. It has been my honor to get to know Eric and his family. I am humbled and inspired by their shared struggle, pain, triumph and sacrifice as they have worked to help Eric recover as much mobility and independence as possible.

Today I am introducing the Veteran and Servicemember Family Caregiver Support Act of 2009, along with several other Senators. This bill proposes a program that would provide technical, financial and practical support for families like Eric's, families who are now caring for a veteran or a returning servicemember whose disability requires institutional or home-based care.

The first version of this bill was introduced in the last Congress by then-Senator Hillary Clinton. She already knew what many of us are now learning. Families all across the country are figuring out how best to care for returning servicemembers and veterans who are coming home with serious disabilities. We are recognizing that these families need more support than what most of them are finding.

This bill lays out a strong family caregiver support program. The program is for those seriously disabled veterans and servicemembers who have a family member willing and able to provide care at home. We want to recognize that sacrifice, which probably involved a significant loss of income, and the value of the care they are providing. So the program addresses four key concerns—training and certification, payment for services, respite care, and, finally, mental health and social support services.

The first step is to provide training for those family members who become a primary caregiver for a seriously disabled veteran or servicemember. It is common for family members to have some informal training, but we should formalize that. Figure out what training caregivers need and make sure they receive it. From changing burn wound dressings to wheelchair transfers, caregivers need the skills and knowledge to offer high quality, home-based care. The bill I am introducing today calls on VA and DoD to develop and offer training and a certification program for family caregivers.

We also need to pay for the services these trained and certified family caregivers provide. Amount of payment would be determined by the VA and DoD based on the amount and level of care required for each participant. Costs would be paid by VA, with DoD reimbursement to VA for services benefiting servicemembers. It is only fair that care provided by family caregivers, care for which the government would otherwise be responsible, is acknowledged. Qualified family caregivers are often forgoing other income, even while providing a service of real value.

Respite care is another important part of this program. Caregivers need time off. They deserve time off. VA and DoD have respite care programs, but they are underutilized because the programs are inflexible, waiting lists are long, or providers are not available nearby. That is especially true in more rural areas. In this bill, we provide for an alternate caregiver to be trained and certified who can fill in for the primary caregiver as needed. We've also asked the VA to study further options to improve the availability of respite care.

Finally, our bill directs VA and DoD to provide mental health services to family caregivers when those needs are related to the provision of care. For example, depression is almost twice as likely among caregivers as it is in the general population. The caregiver program would provide an assessment of the caregiver's needs and referral to relevant services if necessary.

Members of the armed services came forward and served when duty called. As many as 6,800 of them have come home from the Afghanistan and Iraq wars unable to perform daily functions or live independently. Now it is time for the U.S. to come forward with support for those who are able to live at home because a family member is willing to provide the care they need.

The sacrifices these family caregivers make are substantial, and can greatly affect their long-term well-being. Most have to give up their jobs outside the home, relinquishing health and retirement benefits and future earning power in the process. It is not uncommon for a family to move across the country in search of the best care for their injured loved one. We owe it to them to provide assistance as they care for their loved ones, who are our heroes.

A strong family caregiver support program also makes good economic sense. Right now, families are providing the care that VA and DoD have a responsibility to provide, but the families bear the cost. Because these families are providing care without payment or support, the costs of the care is made invisible to VA and DoD.

The VA recognizes the economic benefits of providing preventive care to veterans, and acknowledges that informal caregivers are an important source of providing such care. A recent VA study notes that "providing supportive services to caregivers will most likely help reduce the care costs for patients . . . as they will require less use of emergency care, institutionalization, and VHA services, while also improving caregiver and patient outcomes." Finally, support programs for caregivers keep the veteran with his or her family, delaying the day VA will be obligated to provide more expensive institutional care.

In testimony before Congress in 2007, Donna Shalala, as co-chair of the Dole-Shalala Commission, stated: "many families are caring for their injured

servicemember at home—and many of these servicemembers have complex injuries. These families, forced into stressful new situations, don't need more anxiety and confusion, they need support. Families are unprepared to provide 24/7 care. Those that try, wear out quickly."

We have an opportunity to step up to ensure that veterans can have the best care possible in return for their service to our country. Many of those who have been seriously injured in Iraq or Afghanistan have families who have made enormous sacrifices to provide care. We owe these families a helping hand to ensure that they have the tools and resources they need to provide the best care for their—and our—veterans.

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. 543

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 "Veteran and Servicemember Caregiver Support Act of 2009".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since September 11, 2001, at least 6,800 veterans have been injured and are living with disabilities severe enough to require in-home type care.

(2) Even with their disability benefits, the majority of seriously wounded veterans and their families are not in a strong financial position.

(3) In testimony before Congress in 2007, Donna Shalala, cochair of the Dole-Shalala Commission, stated that "families are unprepared to provide 24/7 care. Those that try, wear out quickly".

(4) The best quality private rehabilitation facilities have expertise in training family members to provide appropriate care.

(5) Current in-home care programs have limited availability and are severely underutilized. Patients who obtain in-home care from such programs receive only about ⅓ of the hours of care to which they are entitled.

SEC. 3. PILOT PROGRAM ON THE TRAINING, CERTIFICATION, AND SUPPORT OF FAMILY CAREGIVERS IN PROVISION OF CAREGIVER SERVICES TO CERTAIN DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall, in collaboration with the Secretary of Defense, carry out a pilot program to assess the feasibility and advisability of providing training, certification, and support for eligible family caregivers of eligible veterans and members of the Armed Forces to provide caregiver services to such veterans and members.

(b) DURATION OF PROGRAM.—The Secretary of Veterans Affairs shall commence the pilot program not later than 180 days after the date of the enactment of this Act and shall carry out the pilot program during the two-year period beginning on the date of such commencement.

(c) LOCATIONS.—

(1) IN GENERAL.—The pilot program shall be carried out at not fewer than 6 facilities of the Department of Veterans Affairs or the Department of Defense, or other appropriate entity, selected by the Secretary of Veterans

Affairs for purposes of the pilot program. Of the facilities so selected—

(A) at least one shall be a private facility with expertise in providing rehabilitative care; and

(B) at least one shall be a Department of Veterans Affairs Medical Center in a rural area that serves eligible veterans.

(2) EMPHASIS ON POLYTRAUMA CENTERS.—In selecting locations for the pilot program at facilities of the Department of Veterans Affairs, the Secretary shall give special emphasis to the polytrauma centers of the Department designated as Tier I polytrauma centers.

(3) PRIVATE FACILITIES.—The Secretary may not select a private facility as a location for the pilot program unless the facility is a licensed inpatient rehabilitation facility with significant experience in traumatic brain injury, traumatic spinal cord injury, burn, and amputee rehabilitation.

(4) COLLABORATION.—Private facilities and facilities of the Department of Defense selected for purposes of the pilot program shall collaborate with nearby facilities of the Department of Veterans Affairs.

(1) ELIGIBLE FAMILY CAREGIVERS.—

(A) IN GENERAL.—For purposes of this section, an eligible family caregiver of a veteran or member of the Armed Forces is a family caregiver of an eligible veteran or member of the Armed Forces who—

(A) agrees to provide caregiver services to such eligible veteran or member;

(B) is accepted by such eligible veteran or member as the veteran's or member's provider of caregiver services; and

(C) is determined, under regulations prescribed by the Secretary of Veterans Affairs or the Secretary of Defense, as applicable, to be qualified to provide caregiver services under the pilot program.

(2) REPLACEMENT.—If the Secretary of Veterans Affairs or the Secretary of Defense, as applicable, determines that a family caregiver who is determined qualified under paragraph (1)(C) to provide caregiver services to an eligible veteran or member of the Armed Forces, as the case may be, is no longer qualified to provide such services—

(A) such family caregiver shall no longer be considered an eligible family caregiver for purposes of the pilot program; and

(B) such Secretary may, with the agreement of the veteran or member of the Armed Forces concerned, designate as a provider of caregiver services for such veteran or member for purposes of the pilot program any other individual who qualifies as an eligible family caregiver of such veteran or member under this subsection.

(3) LIMITATION.—The Secretary of Veterans Affairs and the Secretary of Defense may not qualify more than one concurrent family caregiver per eligible veteran or member of the Armed Forces under paragraph (1)(C).

(4) CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary of Veterans Affairs or the Secretary of Defense to deny or discontinue participation of a family caregiver in the pilot program if such action is in the best interest of the veteran or member of the Armed Forces concerned.

(e) ELIGIBLE VETERANS AND MEMBERS OF THE ARMED FORCES.—For purposes of this section, an eligible veteran or member of the Armed Forces is a veteran or member of the Armed Forces—

(1) who—

(A) has a service-connected disability that was incurred or aggravated on or after September 11, 2001; and

(B) requires caregiver services because of such service-connected disability, as determined by the Secretary of Veterans Affairs or the Secretary of Defense as applicable;

(2) who is otherwise determined to be eligible for the pilot program by the Secretary of Veterans Affairs or the Secretary of Defense, as applicable.

(f) IDENTIFICATION AND NOTIFICATION OF ELIGIBLE VETERANS AND MEMBERS OF THE ARMED FORCES.—

(1) IDENTIFICATION AND NOTIFICATION OF ELIGIBLE VETERANS.—

(A) IDENTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a review to identify veterans eligible to participate in the pilot program.

(B) NOTIFICATION.—The Secretary of Veterans Affairs shall notify each veteran who is identified as an eligible veteran pursuant to the review required by subparagraph (A) of—

(i) the eligibility of the veteran to participate in the pilot program; and

(ii) the means by which the veteran may be accepted for participation in the pilot program.

(2) IDENTIFICATION AND NOTIFICATIONS OF ELIGIBLE MEMBERS OF THE ARMED FORCES.—

(A) IDENTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a review to identify members of the Armed Forces eligible to participate in the pilot program.

(B) NOTIFICATION.—The Secretary of Defense shall notify each member of the Armed Forces who is identified as an eligible member of the Armed Forces pursuant to the review required by subparagraph (A) of—

(i) the eligibility of the member to participate in the pilot program; and

(ii) the means by which the member may be accepted into the pilot program.

(g) TRAINING AND CERTIFICATION.—

(1) PROVISION OF TRAINING AND CERTIFICATION.—

(A) TRAINING.—The Secretary of Veterans Affairs shall provide training to each eligible family caregiver participating in the pilot program in the provision of family caregiver services. The training shall utilize curricula developed under paragraph (2).

(B) CERTIFICATION.—Upon the successful completion by a family caregiver of training provided under paragraph (1), the Secretary of Veterans Affairs shall certify the family caregiver as a provider of family caregiver services for purposes of the pilot program. Successful completion of training shall be determined utilizing certification criteria developed under paragraph (2).

(2) TRAINING CURRICULA AND CERTIFICATION CRITERIA.—

(A) IN GENERAL.—The Secretary of Veterans Affairs shall, in consultation with the individuals specified in subparagraph (B), develop for purposes of the pilot program the following:

(i) Curricula for the training of eligible family caregivers in the provision of family caregiver services, including training on techniques, skills, and strategies for the provision of such services.

(ii) Criteria for the evaluation of successful completion of such training for purposes of certification under paragraph (1)(B).

(B) CONSULTATION.—The individuals specified in this subparagraph are the following:

(i) The Secretary of Defense.

(ii) A representative of family caregivers or family caregiver associations.

(iii) A health or medical employee of the Department of Veterans Affairs with expertise in long-term care for seriously injured veterans.

(iv) A health or medical employee of the Department of Defense with expertise in long-term care for seriously injured members of the Armed Forces.

(v) A psychologist or other individual with expertise in the provision of mental health care to individuals in need of home-based or nursing home care.

(vi) An expert in the development of training curricula.

(vii) A family member of a veteran in need of home-based or nursing home care.

(viii) A family member of a member of the Armed Forces in need of home-based or nursing home care.

(ix) A representative from a veterans service organization, as recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(x) Such other individuals as the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, considers appropriate.

(C) SCOPE OF CURRICULA.—The Secretary of Veterans Affairs shall ensure that the curricula developed under subparagraph (A)(i)—

(i) is based on empirical research and validated techniques; and

(ii) provides for training that permits recipients of the training to tailor the provision of caregiving services to the unique circumstances of the veteran or member of the Armed Forces receiving such services.

(D) USE OF EXISTING CURRICULA.—In developing curricula under subparagraph (A)(i), the Secretary of Veterans Affairs shall, to the extent practicable, utilize and expand upon training curricula developed pursuant to section 744(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2309).

(3) TRAVEL EXPENSES.—The Secretary of Veterans Affairs may provide for necessary travel, lodging, and per diem expenses incurred by a family caregiver in undergoing certification and training under paragraph (1).

(h) PAYMENT OF FAMILY CAREGIVERS.—

(1) IN GENERAL.—An eligible family caregiver of an eligible veteran or member of the Armed Forces certified under subsection (g) in the provision of caregiver services under the pilot program shall be paid by the Department of Veterans Affairs for the provision of caregiver services to such veteran or member, as the case may be, under the pilot program.

(2) AMOUNT OF PAYMENT.—Payment provided a family caregiver under paragraph (1) for care provided to a veteran or member of the Armed Forces shall be in amounts the Secretary of Veterans Affairs considers reasonable upon consideration of the following:

(A) The amount of care and the intensity of the care required by the veteran or member.

(B) The cost to the Department of Veterans Affairs of otherwise providing such care through another noninstitutional care provider.

(C) Low-utilization payment adjustment mechanisms under the prospective payment system for home health services established under section 1895 of the Social Security Act (42 U.S.C. 1395fff) calculated for the geographic area of the family caregiver.

(D) Such other factors as the Secretary considers appropriate.

(3) COORDINATION WITH STATE SELF-DIRECTED PERSONAL ASSISTANCE SERVICES PROGRAM.—The Secretary of Veterans Affairs may provide payment under paragraph (1) to an eligible family caregiver in coordination with the self-directed personal assistance services program of the State of the family caregiver to the extent the State has elected to provide medical assistance to an eligible veteran or member of the Armed Forces under the State Medicaid program.

(i) RESPITE CARE.—

(1) **REVIEW OF RESPITE CARE PROGRAMS.**—The Secretary of Veterans Affairs shall review the respite care programs of the Department of Veterans Affairs and the Secretary of Defense shall review the respite care programs of the Department of Defense that are available to family caregivers to assess the adequacy, flexibility, and age-appropriateness of the facilities under such programs. The review shall include a particular focus on respite care programs for rural areas.

(2) **STUDY ON ENHANCEMENT OF AVAILABILITY OF RESPITE CARE.**—The Secretary shall carry out a study to identify appropriate options for enhancing the availability of respite care for family caregivers. The study shall include an assessment of the advisability of allowing a veteran's primary treating physician to approve respite care in excess of 30 days to make as-needed respite care more available and convenient for family caregivers.

(3) **ENHANCEMENT OF AVAILABILITY OF RESPITE CARE.**—The Secretary shall take measures to enhance the availability of respite care for family caregivers participating in the pilot program, including the following:

(A) Training and certifying alternate family caregivers using the curricula developed under subsection (g)(2).

(B) Paying expenses incidental to training of alternate family caregivers, including travel expenses.

(C) Such other measures as the Secretary considers appropriate.

(j) **PSYCHOLOGICAL AND SOCIAL SUPPORT SERVICES.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall, in collaboration with the Secretary of Defense, make available to each eligible family caregiver participating in the pilot program counseling and social services related to the provision by the family caregiver of caregiving services to an eligible veteran or member of the Armed Forces. Such counseling and social services shall include the following:

(A) An assessment of individualized needs of the family caregiver with respect to the family caregiver's role as a family caregiver.

(B) Assistance with development of a plan for long-term care of the veteran or member concerned.

(C) Services and support relevant to any needs identified under subparagraph (A) provided through—

(i) facilities of the Department of Veterans Affairs or the Department of Defense located in the community in which the family caregiver resides; or

(ii) in the case that no such facilities are available in a timely manner, community-based organizations or publicly-funded programs.

(2) **USE OF EXISTING TOOLS.**—In developing and administering assessments under paragraph (1)(A), the Secretary shall, to the extent practicable, use and expand upon caregiver assessment tools already developed and in use by the Department of Veterans Affairs or the Department of Defense.

(k) **REPORTS.**—

(1) **TWO-YEAR REPORT.**—

(A) **IN GENERAL.**—Not later than two years after the date of the commencement of the pilot program, the Secretary shall, in conjunction with the Secretary of Defense, submit to the appropriate congressional committees a report on the pilot program.

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

(i) An assessment of the pilot program.

(ii) An accounting of the costs to the Department of Veterans Affairs and the Department of Defense of the pilot program.

(iii) A comparison of the costs to the Department of Veterans Affairs and the Depart-

ment of Defense of the pilot program with the cost to the Departments of otherwise providing caregiver services to the veterans and members of the Armed Forces who received such services under the pilot program, including the cost of providing care to such veterans and members of the Armed Forces who would otherwise require inpatient care.

(iv) The recommendations of the Secretary with respect to—

(I) the feasibility and advisability of extending the pilot program or making the pilot program permanent; and

(II) modifying the pilot program.

(v) An assessment of the effect of the pilot program on—

(I) the health of veterans receiving care under the pilot program; and

(II) the financial burdens of family caregivers caused by the provision of caregiver services to veterans.

(vi) Any determinations made by the Secretary under subsection (o).

(2) **BI-ANNUAL REPORTS OF MEDICAL FACILITIES.**—Not later than 180 days after the date on which a medical facility is selected as a location for the pilot program and not less frequently than once every 180 days thereafter, the medical facility shall submit to the director of the Veterans Integrated Services Network (VISN) in which the facility is located a report that describes—

(A) the number of veterans enrolled in the pilot program through such facility; and

(B) if there is a waiting list to participate in the pilot program through such facility—

(i) the number of people on such list; and

(ii) the average wait time before admission into the pilot program.

(1) **FUNDING.**—

(1) **COSTS OF CARE PROVIDED TO VETERANS.**—Any expenditure under the pilot program relating to the provision of caregiver services to a veteran shall be borne by the Department of Veterans Affairs.

(2) **COSTS OF CARE PROVIDED TO MEMBERS OF THE ARMED FORCES.**—

(A) **IN GENERAL.**—The Secretary of Defense shall reimburse the Secretary of Veterans Affairs for any expenditure incurred by the Department of Veterans Affairs under the pilot program relating to the provision of caregiver services to members of the Armed Forces.

(B) **SOURCE OF FUNDS.**—Amounts for reimbursement under subparagraph (A) shall be derived from amounts made available to Defense Health Program for the TRICARE program.

(m) **LIMITATION ON SPENDING.**—In providing for the provision of services under the pilot program, the Secretary of Veterans Affairs shall make payment for services only to the extent that payment for such services is not otherwise covered by another government or nongovernment entity or program.

(n) **CONSTRUCTION.**—

(1) **EMPLOYMENT.**—Nothing in this section shall be construed to create an employment relationship between a family caregiver and a veteran or member of the Armed Forces, the Department of Veterans Affairs, or the Department of Defense.

(2) **ELIGIBILITY FOR BENEFITS.**—Nothing in this section shall be construed to reduce, alter, or otherwise affect the eligibility or entitlement of a veteran, member of the Armed Forces, or dependent thereof, to any health care, disability, or other benefit to which such veteran, member, or dependent would otherwise be eligible or entitled under laws administered by the Secretary of Veterans Affairs or the Secretary of Defense.

(o) **NATIONAL EXPANSION OF PILOT PROGRAM.**—Not later than the completion of the two-year period described in subsection (b), the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense,

expand the pilot program to provide training, certification, and support for eligible family caregivers nationwide unless the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, determines that such revision would be infeasible or inadvisable.

SEC. 4. SURVEY OF INFORMAL CAREGIVERS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall, in collaboration with the Secretary of Defense, conduct a national survey of family caregivers of seriously disabled veterans and members of the Armed Forces to better understand the size and characteristics of the population of such caregivers and the types of care they provide.

(b) **REPORT.**—Not later than 540 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, in collaboration with the Secretary of Defense, submit to Congress a report containing the findings of the Secretary with respect to the survey conducted under subsection (a). Results of the survey shall be disaggregated by the following:

(1) Veterans and members of the Armed Forces.

(2) Veterans and members of the Armed Forces who served in Operation Iraqi Freedom or Operation Enduring Freedom.

(3) Veterans and members of the Armed Forces who live in rural areas.

SEC. 5. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means—

(A) the Committee on Veterans' Affairs, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans' Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) **CAREGIVER SERVICES.**—The term "caregiver services" means noninstitutional extended care (as used in section 1701(6) of title 38, United States Code), including home-maker and home health aid services.

(3) **FAMILY CAREGIVER.**—The term "family caregiver" means, with respect to a disabled veteran or member of the Armed Forces, a family member of such veteran or member, or such other individual of similar affinity to such veteran or member as the Secretary prescribes, who is providing caregiver services to such veteran or member for such disability.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 68—RECOGNIZING THE CONTRIBUTIONS OF THE PENNSYLVANIA NATIONAL GUARD IN SERVICE TO THE NATION

Mr. SPECTER (for himself and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 68

Whereas the Pennsylvania National Guard is one of the largest Guards in the Nation, with approximately 20,000 soldiers and airmen;

Whereas since September 11, 2001, more than 17,000 Pennsylvania National Guard soldiers and airmen have deployed in support of the Global War on Terrorism;

Whereas the Pennsylvania National Guard is supporting the largest deployment of Pennsylvania Guardsmen since World War II;

Whereas the 28th Combat Aviation Brigade (CAB) is preparing for deployment to Iraq in support of Operation Iraqi Freedom;

Whereas the 56th Stryker Brigade Combat Team, now deployed in Iraq, predates the United States Army, traces its lineage to 1747, when Benjamin Franklin organized the "Associated Regiment of Foot" (currently 1-11th Infantry) in Philadelphia, and is the only unit in the National Guard to field the Stryker vehicle;

Whereas the Pennsylvania National Guard has deployed to more than 30 locations worldwide since September 11, 2001;

Whereas Pennsylvania's Army Aviation Flight Facility at Fort Indiantown Gap is the first and only National Guard facility in the Nation to achieve the Occupational Safety and Health Administration (OSHA) Voluntary Protection Program "STAR Award" for exhibiting exceptional safety management principles and accident-free flying hours, and effectively demonstrating the implementation of these principles during years-long intensive OSHA inspections;

Whereas in 2008, the Pennsylvania Air National Guard's (PaANG) 171st Air Refueling Wing flew more than 5,800 flying hours with more than 1,600 sorties flown, representing an 85 percent mission effectiveness rate;

Whereas the PaANG's 193rd Special Operations Wing flew more than 3,000 hours with more than 1,000 sorties in 2008 and is the only unit in the entire Armed Forces with an airborne psychological operations broadcasting platform;

Whereas the PaANG's 111th Fighter Wing flew more than 675 close-air support missions and provided more than 2,000 hours of on-station time to coalition forces in Iraq and Afghanistan; and

Whereas soldiers and airmen from Pennsylvania's Counterdrug Program supported 575 cases that resulted in the seizure of more than \$27,000,000 in illegal narcotics, money, weapons, property, and vehicles directly related to illegal drug sales in 2008: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Pennsylvania National Guard for its meritorious service to Pennsylvania and the Nation;

(2) honors the men and women who serve, or have served, in the Pennsylvania National Guard; and

(3) encourages the people of the United States to thank the Pennsylvania National Guard for its continued service.

Mr. SPECTER. Mr. President. I have sought recognition to recognize the contributions of the Pennsylvania National Guard in service to Pennsylvania and the Nation. Pennsylvania units have taken part in every conflict America has faced since the Revolutionary War, and contributions made by the men and women of the Pennsylvania National Guard to our Nation's security continue to be nothing short of outstanding. The citizen soldiers and airmen who serve in the Guard have answered the call to serve their Nation both at home and abroad time and time again. I am honored to stand before you to recount some of the Pennsylvania National Guard's recent accomplishments.

With approximately 20,000 soldiers and airman in its ranks, the Pennsylvania National Guard is one of the largest National Guards in the Nation. It has the largest Army National Guard and the fourth largest Air National Guard. I commend the Adjutant Gen-

eral of Pennsylvania, Major General Jessica Wright, and Deputy Adjutant Generals, Major General Stephen Sischo and Brigadier General Joseph De Paul, for ably leading this force that has armories or airbases in 90 communities throughout the Commonwealth.

Since September 11, 2001, over 17,000 Pennsylvania National Guard soldiers and airmen have deployed to over 30 worldwide locations, and the Guard is currently supporting the largest deployment of Pennsylvania Guardsmen since World War II.

I regret that I do not have time to list all of the Pennsylvania National Guard's accomplishments and accolades. I will briefly highlight accomplishments of individual units within the Pennsylvania National Guard that attest to the impressive quality of the whole.

Currently, the 56th Stryker Brigade Combat Team, an element of the 28th Infantry Division, is deployed in Iraq. The unit, which is the only unit in the National Guard to field the Stryker vehicle, traces its lineage to 1747, when Benjamin Franklin organized the "Associated Regiment of Foot", currently 1-11th Infantry, in Philadelphia.

Pennsylvania's Army Aviation Flight Facility at Fort Indiantown Gap is the first and only Army National Guard facility in the Nation to achieve the Occupational Safety and Health Administration Voluntary Protection Program "STAR Award" for exhibiting exceptional safety management principles and accident-free flying hours, and effectively demonstrating the implementation of these principles during years-long intensive inspections.

The Pennsylvania Air National Guard's 171st Air Refueling Wing, based in Coraopolis and commanded by Brigadier General Roy E. Uptegraff III, flew over 5,800 flying hours with more than 1,600 sorties flown in 2008, representing an 85 percent mission effectiveness rate.

The Pennsylvania Air National Guard's 193rd Special Operations Wing, based in Harrisburg and commanded by Brigadier General Eric G. Weller, flew over 3,000 hours and over 1,000 sorties in 2008 and is the only unit in the entire Armed Forces with an airborne psychological operations broadcasting platform.

The Pennsylvania Air National Guard's 111th Fighter Wing, based in Willow Grove and commanded by Colonel Paul Comtois, flew over 675 close-air support missions and provided more than 2,000 hours of on-station time to coalition forces in Iraq and Afghanistan.

The soldiers and airmen from Pennsylvania's Counterdrug Program supported 575 cases that resulted in the seizure of over \$27 million in illegal narcotics, money, weapons, property and vehicles directly related to illegal drug sales in 2008.

The accomplishments I have enumerated are but a few of the many that the

Pennsylvania National Guard can claim to its credit. Whether through deployments overseas, the deployment of 2,500 Pennsylvania Army and Air National Guard members to support hurricane disaster relief efforts along the Gulf Coast following Hurricane Katrina, or service within the Commonwealth of Pennsylvania, the men and women of the Pennsylvania National Guard have repeatedly answered the call to duty. Their performance has been in keeping with the finest traditions of the military and has reflected great credit upon themselves, the Pennsylvania National Guard, and the United States Military.

I will continue to do all that I can in the United States Senate to ensure that the Pennsylvania National Guard has the necessary equipment, training and facilities to accomplish the missions it is called on to perform both for the Commonwealth and the Nation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 673. Mr. CORNYN 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.

TEXT OF AMENDMENTS

SA 673. Mr. CORNYN 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 366, line 24, strike "rule." and insert the following: "rule, provided that an attorney general of a State may not enter into a contingency fee agreement for legal or expert witness services relating to a civil action under this section. For purposes of this paragraph, the term 'contingency fee agreement' means a contract or other agreement to provide services under which the amount or the payment of the fee for the services is contingent in whole or in part on the outcome of the matter for which the services were obtained."

MEASURE READ THE FIRST TIME—S. 542

Mr. WARNER. Mr. President, I understand that S. 542, introduced earlier today by Senator REID, is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill title.

The bill clerk read as follows:

A bill (S. 542) to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

Mr. WARNER. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, MARCH 9,
2009

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, March 9; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of H.R. 1105, the Omnibus appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WARNER. Mr. President, Senators should expect a series of rollcall votes in relation to amendments to the appropriations bill beginning at 5:30 p.m. Monday.

ORDER FOR ADJOURNMENT

Mr. WARNER. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order, following the remarks of Senator BOND.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECORD TO REMAIN
OPEN

Mr. WARNER. I ask unanimous consent that the RECORD remain open until 1 p.m. for the purpose of submitting statements and cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. 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. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING FURTHER CONTINUING
APPROPRIATIONS FOR FISCAL
YEAR 2009

The PRESIDING OFFICER. Under the previous order, H.J. Res. 38, having arrived from the House, is considered read three times and passed, and the motion to reconsider is considered made and laid upon the table.

The Senator from Missouri.

Mr. BOND. Congratulations, Mr. President. You have witnessed democracy in action, and that is the most painless way to pass a measure I have seen.

CREDIT CRISIS

Mr. BOND. On a much more somber note, Americans got more bad news today.

For February, our Nation's unemployment rate is now a staggering 8.1 percent. This is the highest unemployment rate in more than 20 years. More than 650,000 jobs were lost in February. These job cuts come on the heels of 655,000 jobs lost in January and another 681,000 jobs lost in December.

This job loss means that what we are doing to solve the economic crisis is not working. This job loss is much more than a bad number for millions of Americans. These layoffs may mean missing a mortgage payment and facing foreclosure. These layoffs may mean not being able to take a sick child to the doctor. These job layoffs may mean not getting enough money to put food on the table.

Right now, in every community across the Nation, workers are losing their jobs. These families are suffering as bills pile up and savings evaporate and businesses are struggling to meet payroll.

After the new administration heralded the passage of their trillion-dollar spending bill as the answer to this economic crisis, some Americans began hoping their economic futures may be turning around. Unfortunately, this crisis is one where we cannot spend our way out.

Until we fix the real root of the crisis, our credit crisis, the hemorrhaging of jobs will not stop. I spoke about this earlier this week, and I will keep speaking about it until policymakers decide to act responsibly.

The President, in his message in the State of the Union, said nothing is going to work until we fix the credit crisis. This latest jobs report is another sad reminder that right now our financial system is not working. Our financial system has become clogged with toxic assets, and until they are removed, fear and uncertainty will continue to dominate the markets and our economy.

Our banking and financial system affects every American's standard of living, our ability to create and maintain jobs, and our ability to compete globally. It is central to all financial and household activities for Main Street America.

Nothing the Government has done, to date, is working. Instead, the previous and the current administrations have been throwing billions in good taxpayer dollars into bad, failing banks. Why hasn't pouring more money into the system worked? Because policymakers are only treating the symptoms rather than the cause.

The good news is, though, we do not have to go back to the drawing board. Under my American Credit Cleanup Plan, the Government can put to work the statutory authorities already in existence and long used by the FDIC, the Federal Deposit Insurance Corporation, for failed banks. This plan is to take advantage of the lessons we have learned. We saw what works in our Nation's experience during the savings and loan crisis. We also saw what won't work.

During the 1990s, Japan lacked the will to clean up its sick banking system by taking out the toxic assets, and the end result was a "lost decade" during which Japan was stuck in a recession. I, for one, refuse to repeat Japan's mistakes, dooming the Nation's families and workers to a recession any longer and deeper than it takes to clean up the mess.

The first step toward recovery is to identify troubled banks and then remove the banks' toxic assets in a transparent, market-friendly manner that is free from political interference and micromanagement. The toxic assets of the troubled banks would be removed through a temporary conservatorship. Under conservatorship, the first order of business there is to protect the banks' depositors up to the current FDIC guaranteed loan levels. It is essential that we continue to protect American families' investments.

Also, many Americans are understandably angry as policymakers debate lowering pay caps for some executives who got us into this mess. Well, capping pay or taking away corporate jets isn't enough. Instead, we need to fire the failed executives and the boards of directors that took their businesses and their banks down the tubes.

Next, the Government needs to separate the bad assets from the good and hold the bad assets until the market conditions improve when the value of these assets—a good part of the value of these assets—can be realized. Unlike the current ad hoc approach, my plan also provides an exit strategy. Once you get the bad assets out, you cleanse the toxic assets, then you have the restructured institution which won't continue to call on the taxpayer for more dollars to survive.

I share the bailout fatigue all Americans are feeling, but we cannot afford to ignore the crisis. Failing to act could lead to families being unable to get loans to refinance homes, farmers unable to get credit to buy seed, students unable to get loans to go to school, and businesses unable to get credit to meet payrolls, keep workers, or expand. Our economic recovery depends directly on unlocking the credit system. It is time for policymakers to act.

This action must be a bold, coherent, and smart approach like my American Credit Cleanup Plan. It has to tackle the root cause of the problem—the toxic assets—get them out of the system, and lead us out of this economic crisis and help Americans get back to work. I, for one, say no more throwing good taxpayer money down a rat hole, no more "ad hoc" where we look at the crisis of the day and throw money at some institution that has already depreciated significantly in value in hopes of keeping it afloat. We need to take those institutions, cleanse the assets necessary, get new management, new executives, and put them back in the marketplace to function without Government interference.

new executives, and put them back in the marketplace to function without Government interference.

Mr. President, I thank the Chair. I yield the floor.

ADJOURNMENT UNTIL MONDAY,
MARCH 9, 2009, at 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands

adjourned until 2 p.m. on Monday, March 9, 2009.

Thereupon, the Senate, at 12:34 p.m., adjourned until Monday, March 9, 2009, at 2 p.m.

EXTENSIONS OF REMARKS

HONORING GULFPORT, FLORIDA
POLICE CHIEF G. CURT WILLOCKS

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. YOUNG of Florida. Madam Speaker, I rise to pay tribute to G. Curt Willocks, the Police Chief of Gulfport, Florida, who retires after 18 years of service to the people of Gulfport and 38 years in law enforcement.

Chief Willocks was selected to lead the Gulfport Police Department in January 1991 and since then made his priority the development of modern professional standards in law enforcement. Under his leadership, the department earned state accreditation in 2000 and was re-accredited in 2003. He also led a department-wide effort to incorporate the newest technologies into the force's daily work. This includes bringing to Gulfport in-car, digital video recorders and computers.

Chief Willocks also worked hard to improve the process for selecting and training new officers, ensuring that all officers received training that exceeded the state's minimum requirements, and raising the education standards for applicants. More than one-third of all Gulfport officers have a bachelor's degree.

Before coming to Gulfport, Chief Willocks served for 20 years on the Boca Raton, Florida police force, retiring there as Deputy Chief. He has been active in many local and state-wide law enforcement organizations, including serving as President of the Tampa Bay Area Chiefs of Police Association, Chairman of the Pinellas County Police Standards Council, Director of the Florida Police Chief's Association, as a member of the Commission for Florida's Law Enforcement Accreditation, and on the Policy Board for the Florida Criminal Justice Executive Institute.

Madam Speaker, Chief Willocks has served our community and our state well. He has instilled pride and the highest standards in the officers who protect our residents, their families and their places of work with dedication and professionalism. It is my hope that my colleagues join me today in thanking Chief G. Curt Willocks for a job well done.

CONGRATULATING THE GRAND
OPENING OF THE MCAULIFFE-
SHEPARD DISCOVERY CENTER

HON. PAUL W. HODES

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. HODES. Madam Speaker, I want to congratulate the McAuliffe-Shepard Discovery Center in Concord, New Hampshire today on its official opening. The McAuliffe-Shepard Discovery Center honors two of New Hampshire's pioneers—Christa McAuliffe, the winner of the NASA Teacher in Space Project, and

Alan Shepard, the first American in space. The incredible courage and curiosity of these two Granite Staters allowed for them to reach for the stars.

Christa McAuliffe taught middle school and high school students at Rundlett Junior High, Bow Memorial Middle School, and Concord High School between 1978 and 1985. On July 19, 1985, she was selected from a field of roughly 11,000 applicants to participate in NASA's Teacher in Space Project. Christa McAuliffe's mission on the flight was to teach schoolchildren lessons from space, and to encourage students to pursue careers in science and mathematics. Sadly, in 1986, her life was cut tragically short in the *Challenger* disaster, but her legacy of teaching children is remembered by her quote, "I touch the future. I teach."

Christa McAuliffe's incredible commitment to teaching is being honored by the McAuliffe-Shepard Discovery Center. This interactive center will be the first air and space center in New England. The McAuliffe-Shepard Discovery Center honors her life as well as her dedication to education.

On May 5, 1961, Alan Shepard piloted the *Freedom 7* mission and became the first American to travel into space. Alan Shepard also commanded the *Apollo 14* mission, and was the fifth person to walk on the moon. Following his incredible work with NASA for over 13 years, he has been honored in many different ways including the Congressional Space Medal of Honor, two NASA Distinguished Service Medals, the NASA Exceptional Achievement Medal, Naval Astronaut Wings, the Navy Distinguished Service Medal, and the Distinguished Flying Cross. The McAuliffe-Shepard Discovery Center is another wonderful way to honor his service to our country.

I would also like to applaud the McAuliffe-Shepard Discovery Center's dedication to green building and energy efficiency. According to the Department of Energy, buildings are responsible for 39% of U.S. carbon emissions per year and account for 39% of U.S. primary energy use. By incorporating natural lighting and energy efficient HVAC systems, the Center is helping decrease total carbon emission. It also highlights how important it is for all of us to preserve our energy, resources and planet.

The McAuliffe-Shepard Discovery Center is a great opportunity for Concord and New Hampshire to have a facility that can be a national leader in introducing the next generation to space exploration and provide a valuable education resource to both students and teachers in science, math, engineering, and technology. Education is one of the best investments we can make for our children. It provides an increasingly important advantage in the workplace and helps our students to succeed in the 21st Century. Education, and science, math, engineering, and technology education in particular, should be within the reach of all children. The McAuliffe-Shepard Discovery Center helps us towards that goal.

I am honored and humbled by the incredible legacy of these two astronauts from New Hampshire, and congratulate the McAuliffe-Shepard Discovery Center on its grand opening.

A TRIBUTE TO SPECIALIST AARON
DRAKE SANDLIN

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. PRICE of Georgia. Madam Speaker, I would like to take a moment to pay tribute to Specialist Aaron Drake Sandlin, a constituent of the Sixth District of Georgia and one of the many Americans who serve in our Nation's Armed Forces with honor and valor.

MY SOLDIER—ONLY YESTERDAY

(By T. Maxwell Sandlin)

Only yesterday—the pregnancy test was positive
And your mom's face glowed
Then you were born healthy
And my pride showed—only yesterday.
Only yesterday—late feedings kept us up nights
And you oed and coed at Christmas lights,
As in your car seat you saw the sights—only yesterday.
Only yesterday—I snapped your picture
As you slept like a log;
With a little stuffed toy
Called Brownie Dog—only yesterday.
Only yesterday—selling popcorn for the Scouts
Day after day you went all out.
We shed a tear—the both of us,
As you got on that yellow bus—only yesterday.
Only yesterday—crayon artwork on refrigerator
Drawn by the masterpiece that I would later
Share with the nation in a cause greater;
But, we didn't know it then—only yesterday.
Only yesterday—along a river at a family camp
As you got to know cousins, uncles and aunts,
And those veteran uncles in the firelight glow,
Their WWII stories told—only yesterday.
Only yesterday—we faced the coming teenage years
With their pitfalls, trials and fears.
You grew so fast you stripped your gears—only yesterday!
Only yesterday—driving in your first used car,
The leash got longer
And you drove far
I saw you son as a rising star:
Becoming a man—only yesterday
Only yesterday—you were bringing us papers from Sunday School
And memorizing the Golden Rule.
Hiking these mountains and swimming in pools.
You can't be grown. . . it was only yesterday!!

• 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.

Only yesterday—they called your name and you came down
 You and your brother in your caps and gowns,
 All those years we couldn't wait.
 Your mom and I saw you graduate—only yesterday.
 Only yesterday—as I rehearse
 Your mother, well, she knew it first
 That after thinking about it hard
 You told her you joined the Army National Guard!!
 She knew I'd be proud and so I was—only yesterday.
 Only yesterday—you went to boot camp at the fort,
 And you did not sell yourself short
 You joined the army at a time of war,
 Like your family that went on before—only yesterday.
 All those yesterdays we enjoyed
 Only yesterday—we learned you were being deployed,
 To fight those who attempt to destroy. . . .
 Those yesterdays . . .
 Only yesterday—I'll say it over and over:
 Only yesterday—it was me and my Cub Scout
 And today it was me and my soldier!!!

**HONORING LEONARD AND ADELE
 BLUMBERG OF BRIDGEWATER,
 NEW JERSEY**

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. LANCE. Madam Speaker, I rise today to pay special tribute to Leonard and Adele Blumberg of Bridgewater, New Jersey. For over seven decades, Leonard and Adele Blumberg have worked hard day and night to make a difference in their community and help others.

In fact, there are dozens of New Jersey civic, social welfare, educational, artistic and religious organizations that have benefited from their hard work, dedication and selfless sacrifices to help those in need.

On Sunday, March 15, 2009 Temple Shalom in Bridgewater, New Jersey will honor Leonard and Adele during a special tribute ceremony for their remarkable and enduring lifelong contribution to communities throughout Central New Jersey.

Over the years, the Bloombergs have helped the Bridgewater Township Welfare Board, Somerset County United Way, People-Care Center, Somerset County Homemaker Service, American Red Cross, Somerset Valley Visiting Nurse Association, Somerset County Heart Association, Somerville Rotary Club, Education Foundation of Bridgewater, Jewish Federation of Somerset, Hunterdon and Warren Counties, The Shimon and Sara Birnbaum Jewish Community Center and Temple Shalom.

Because of their exceptional community outreach efforts, Temple Shalom established the Leonard and Adele Blumberg Community Outreach Fund. The fund will be used to augment the Temple's existing and future community outreach programs to aid the needy in Somerset County.

It gives me great pleasure to share the remarkable efforts of Leonard and Adele Blumberg with my colleagues in the United States Congress and with the American peo-

ple. I am also honored to join Temple Shalom at this special event recognizing their outstanding service to our community.

**HONORING THE LIFE AND SERVICE
 OF MRS. SUE WILK**

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. McCOTTER. Madam Speaker, today I rise to honor and acknowledge Sue Wilk upon receiving the Women of Westland's 2009 ATHENA Award. The ATHENA Award recognizes individuals who have attained and personified the highest level of professional excellence in their business or profession, have devoted time and energy to the community in a meaningful way, and have opened the door of leadership opportunity for women.

Throughout her distinguished career, Sue has been committed to her community. Mrs. Wilk serves as the Department Chair for School Social Workers for the Wayne-Westland Community School District, where she affords her students the means and opportunities to be successful by offering personal and academic guidance. As the first female social worker assigned to the William D. Ford Career-Technical Center, she focuses on providing encouragement to young women interested in pursuing careers in non-traditional and male dominated fields.

Sue's community service activities focus on assisting student groups, families, and the underprivileged, as evidenced by her position as Vice-President of the Monroe High School Band Boosters, involvement in the Family Resource Center in Wayne-Westland, and participation as a Bell Ringer for the Salvation Army. Mrs. Wilk has accrued numerous accolades for her service including a special recognition from Wayne County acknowledging her efforts on behalf of children. She was also named Ancillary Professional of the Year by Wayne County RESA, and listed as "Who's Who Among American Teachers."

Madam Speaker, I ask my colleagues to join me in extending sincere congratulations to this year's ATHENA Award winner, Sue Wilk, for her dedication to professional excellence and passionate leadership in her community and country.

**HELPING FAMILIES SAVE THEIR
 HOMES ACT OF 2009**

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 26, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability:

Mr. ETHERIDGE. Mr. Speaker, I rise in support of H.R. 1106, Helping Families Save Their Homes Act of 2009.

Across our country, millions of responsible homeowners are facing foreclosure. Some reports indicate there could be up to 6 million

families currently in danger of losing their homes. Although the foreclosure crisis has not been as pronounced in my state as in some others, North Carolina has seen one of the fastest rises in unemployment in the country, with a rate of 8.2% earlier this year. These job losses will risk damaging neighborhoods and towns across the state by placing more families at risk of defaulting on mortgages. H.R. 1106 will ensure that lending institutions work with borrowers to help keep Americans in their homes to strengthen the housing market, which is critical for our nation's economic recovery.

H.R. 1106 takes steps to address this crisis and help families across the country. This bill will help millions of struggling homeowners re-finance or restructure their mortgages. H.R. 1106 reforms the Hope for Homeowners initiative by lowering fees and providing \$1,000 to servicers that participate. This will make the initiative more attractive to lenders and more effective in reaching the many families seeking help. H.R. 1106 provides "safe harbor" for mortgage lenders so that they can modify mortgages without the threat of lawsuits from the secondary mortgage market. In addition, this bill would protect consumers' savings by permanently increasing the amount of federal deposit insurance savings in banks or credit unions from \$100,000 to \$250,000.

H.R. 1106 also contains a provision that would allow for the modification of some mortgages under the terms of Chapter 13 bankruptcy. Current law allows for a bankruptcy judge to adjust the principal on all secured loans except for those on primary residences. Provisions in H.R. 1106 ensure that people can afford their mortgage. The bill also stipulates that judicial modification should only be employed as a last resort for saving a family's home. Only existing mortgage loans are eligible, and a judge is required to consider whether all other options are exhausted before changing the principal of a home loan. Finally, this bill ensures that if a borrower gets relief through this mortgage relief initiative and then sells their home for a profit, the lender is able to recoup a sizable portion of that profit. This is a key provision to incentivize lenders to work with at-risk borrowers who are seeking help through mortgage modification initiatives.

In order to get our struggling economy back on track, we must address the foreclosure crisis, one of the main factors that precipitated this recession. Not only are foreclosures devastating to individual families, but their effect ripples throughout the economy, hurting manufacturers and construction firms, dropping consumer spending and confidence, and cutting the value of neighboring homes. H.R. 1106 is an important step to deal with this crisis.

I support H.R. 1106, Helping Families Save Their Homes Act of 2009, and I urge my colleagues to join me in voting for its passage.

**EXTEND CERTAIN IMMIGRATION
 PROGRAMS**

SPEECH OF

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 2009

Mr. BISHOP of New York. Mr. Speaker, I rise today in opposition to H.R. 1127. I oppose

this legislation, not due to a lack of merit, but because many members of this body have sought relief for an equally vital visa issue—the H-2B Visa program.

The H-2B Visa program was designed to provide access to nonimmigrant, temporary workers for seasonal needs when no American workers can be found. These foreign workers offer short-term assistance and return to their home country at the end of their season. H-2B visas are capped at 66,000 per year. This still does not meet the needs for small businesses. In fact, the 2009 cap was met within the first week of January.

I have previously called upon the leadership of the Congress to address this urgent need in districts like mine across the country. To the detriment of so many of the small businesses that are the engine of our economy, this issue is ensnared in the broader immigration debate and no action has been taken to date.

In the absence of such a consensus, I respectfully oppose this bill and ask my colleagues to join me in supporting and calling for a vote on H.R. 1136, the "Save Our Small and Seasonal Businesses Act," introduced by my friend from Michigan, Mr. STUPAK.

During these difficult economic times, we cannot leave our small businesses with few options and even fewer workers.

HONORING THE LIFE OF MRS. JESSIE WADE, ON HER 100TH BIRTHDAY

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. McCOTTER. Madam Speaker, today I rise to honor and acknowledge Mrs. Jessie Wade, a long time Michigan resident and teacher, upon her 100th birthday.

Jessie Wade was born in Detroit, Michigan on March 6, 1909 to a large family of two brothers and three sisters. In 1926, she graduated from Southwestern High School and subsequently worked her way through college. Jessie attended Wayne University for two years and in 1931 graduated from Michigan State Normal College, currently known as Eastern Michigan University. In the midst of the Great Depression, Jessie struggled to find fulltime employment. Coming from a family of educators, Jessie devoted her life to Detroit-area students as a teacher with the Detroit Public Schools through World War II and until her retirement. Jessie married Starr Wade on April 7, 1931 at the Dearborn Inn and spent 49 wonderful years with him until his passing. Jessie and Starr were blessed with one daughter, Linda, who tragically passed away on November 3, 1945 leaving her three children in their care.

Jessie Wade is a life-long educator and a fulltime grandmother and great-grandmother to her three grandchildren and two great-grandchildren. Jessie has lived for the past twenty year in the Silver Village retirement community in Livonia, Michigan. She has been an active and founding member of Grosse Pointe Congregational Church. Although she had to give up driving at the age of 96, Jessie has remained a very independent and active member of her community.

Madam Speaker, admired by all who know her, Jessie Wade has enriched and inspired

everyone she has touched throughout her life. As Jessie celebrates her 100th birthday today, I ask my colleagues to join me in congratulating her on reaching this spectacular milestone and honoring Jessie for her loyal service to her community and the country.

HONORING THE MEMORY OF
BETTY McCRARY MCCORQUODALE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. BONNER. Madam Speaker, the city of Jackson and, indeed, the entire state of Alabama recently lost a dear friend, and I rise today to honor Betty McCrary McCorquodale and pay tribute to her memory.

A lifelong resident of Jackson, "Miss Betty" graduated from Jackson High School and attended Florida State University before marrying Joseph Charles McCorquodale Jr. In World War II, her husband served in the U.S. Army Air Corps, and during the time they were stationed in Big Spring, Texas Air Force Base, "Miss Betty" was selected as the Beauty Queen of the Cadet Corps. She also served as president of the Cadet Wives Club.

In 1959, Mr. McCorquodale was elected to the Alabama House of Representatives. "Miss Betty" was actively involved during his 23 years in the Alabama Legislature. She helped organize the Legislative Wives Club and served one year as its president. She was also instrumental in having replicas of the original gas lights installed in the lobby of the entrance to the Alabama Capitol building as well as in the House chamber.

"Miss Betty" was a founding member of the Jackson Woman's Club and served as its first president. She was a member of the First United Methodist Church of Jackson where she taught Sunday school classes.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout south Alabama. Betty McCrary McCorquodale will be dearly missed by her family—her husband of 67 years, Joseph Charles McCorquodale Jr.; their two sons, Joseph Charles "Mac" McCorquodale III and Gaines Cowan McCorquodale; their four grandchildren, Elizabeth M. Percy, Joseph Charles McCorquodale IV, Martha Virginia "Ginny" Stewart, and Mary Helen Marks; seven great-grandchildren; her sister, Jean McCrary Payne; nieces, nephews; and other relatives—as well as the countless friends she leaves behind.

Our thoughts and prayers are with them all during this difficult time.

THE INCREASED STUDENT
ACHIEVEMENT THROUGH IN-
CREASED STUDENT SUPPORT
ACT

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I rise in strong support of the Increased Student Achievement Through Increased Student Support Act.

With the No Child Left Behind Act dramatically increasing the pressure on teachers and administrators to improve test scores, too often we forget that students' academic success is also dependent on a number of other factors. For example, as students transition into adulthood, they experience social, emotional and behavioral needs that if unmet, impede academic success.

These diverse needs often cannot be met by already over-burdened teachers. Students need school counselors, school social workers and school psychologists. Yet, in low income neighborhoods, students lack these essential resources. Nationwide, the average student to counselor ratio is 475 to 1, nearly double the suggested 250 to 1 ratio. In California, the ratio is a dismal 920 to 1, the worst in the nation.

To help improve student performance and increase graduation rates, this bill would authorize funding to form partnerships between under-served school districts and higher education institutions that train school counselors, school social workers, and school psychologists. By increasing school support staff, we can address children's out-of-the-classroom needs so that when they're in the classroom, they can be safe, engaged, and achieving their full potential. The students of low-income neighborhoods deserve the same opportunities as others for a productive learning environment.

Today's children are the economic engine of our future. We must make certain all children have the opportunity to develop academically and socially, and all schools have the resources to achieve this goal. Academic success does not come when children are hungry, bullied, traumatized, or depressed. We need more personnel to help address and alleviate these issues so that all children, no matter what their economic situation is, can focus on math, reading, and science. This is why I urge my colleagues to invest in our children and our future by supporting the Increased Student Achievement Through Increased Student Support Act.

COMMENDING THE WORK OF THE
STATE DEPARTMENT'S HUMAN
RIGHTS OFFICERS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. WOLF. Madam Speaker, I would like to share with our colleagues a letter I sent to the State Department's Bureau of Democracy, Human Rights and Labor (DRL) following the successful rollout of the 2009 Country Reports on Human Rights Practices.

These sweeping reports reflect the hard work of hundreds of human rights officers in Washington and abroad. I would like to thank, by name, the DRL staff people without whom this report would not have been possible. Specifically the editorial staff of the Country Reports Team consisting of: Editor in Chief Stephen Eisenbraun; Office Directors: Bruce Connuck, Kay Mayfield, and Michael Orona; Senior Editors: Jonathan Bemis, Douglas B. Dearborn, Daniel Dolan, Jerome L. Hoganson, Patricia Meeks Schnell, Julie Turner, and Rachel Waldstein; Editors: Naim Ahmed, Sabrina

Bahir, Joseph S. Barghout, Katherine Berglund, Sarah Beringer, Alisha Bhagat, Sarah Buckley, Laura Carey, Elise Carlson-Rainer, Ebenezer Concepcion, Sharon C. Cooke, Susan Corke, Stuart Crampton, Frank B. Crump, Mollie Davis, Cortney Dell, Morton Dworken, Jennifer Evans, Verinda Fike, Joan Garner, Karen Gilbride, Jeffrey Glassman, Edward Grulich, Cheryl Harris, Patrick Harvey, Matthew Hickey, Alexandra Hoey, Victor Huser, Stan Ifshin, Sami Jiries, Simone Joseph, Jennifer King, Jane Kim, Sidney Kewir, Lawrence Lesser, Jessica Lieberman, Katie McLain, John McKane, Michael McKenna, Gregory Maggio, Jessica Megill, Nicole Morales, David Mikosz, Leonel Miranda, Stephen E. Moody, Jennie Munoz, Sandra Murphy, Daniel L. Nadel, Catherine Newling, Susan O'Sullivan, Meredith Pierce, Drue Preissman, Peter Sawchyn, Amy Schmisser, Wendy Silverman, Erin Spitzer, Rachel Spring, Brian Stout, James Todd, Rachel Waldstein, Nicole Willett, Mikel Wood, and Isabelle Zsoldos; Contributing Editor: Lynne Davidson; Editorial Assistants: Adrienne Bory, Karen Chen, Carol Finerty, Elizabeth Mokaba, and Kimberly Jorgensen; and Technical Assistant Eunice Johnson.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 2, 2009.

Ms. KAREN STEWART,
Acting Assistant Secretary, Bureau of Democracy, Human Rights and Labor, Washington DC.

DEAR Ms. STEWART: I write following the successful rollout of the 2009 Country Reports on Human Rights Practices. I know that this exhaustive report which catalogues human rights abuses globally is the result of countless hours of hard work on the part of human rights officers in DRL and in American embassies abroad. I also know that the final product often comes after hard fought battles within the building.

I ask that you share with your staff and with human rights officers the world over my profound appreciation for their efforts. At times I know it can seem a thankless task. But the efforts of your bureau to speak truth to power and to be a voice for the voiceless brings hope and makes a difference to millions.

You have my profound thanks. Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

PERSONAL EXPLANATION

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. SPACE. Madam Speaker, today, I will be absent from votes in the House, as I will be travelling to Ohio with the President to discuss the economic challenges facing my home state of Ohio.

The most recent unemployment numbers only underscore the clear and glaring need for economic revitalization in my district. I look forward to sharing the perspective of Appalachian Ohio with the President and discussing how we can move forward with plans that offer new opportunity for the people I represent.

This cooperation will be critical to steering our nation's economy back on track.

I will return to the House for any scheduled votes this afternoon.

HONORING THE MEMORY OF FORMER ALABAMA GOVERNOR GUY HUNT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. BONNER. Madam Speaker, it is with great sadness that I rise today to honor the memory of former Alabama Governor Guy Hunt. Our nation lost a wonderful friend and an individual who made numerous contributions toward the betterment of our state.

A native of Holly Pond, Alabama, Governor Hunt enlisted in the United States Army upon graduation from Holly Pond High School and served in the Korean War. Following his discharge in 1956, he returned to Alabama where he operated an egg farm. In 1958, he was ordained a Primitive Baptist minister.

Governor Hunt's political career began in 1962 when he ran for a seat in the Alabama Senate. He lost the election; however, in 1964, he was elected probate judge of Cullman County becoming the youngest probate judge in Alabama. Honoring a campaign promise, he stepped down after two terms.

He was also active in the Republican Party, serving as state chairman of Ronald Reagan's presidential campaigns in 1976 and 1980. He also chaired Alabama's Republican delegations at the 1976 and 1980 Republican National Conventions.

After President Reagan won election in 1980, he appointed Governor Hunt state director of the Agricultural Stabilization and Conservation Committee. He served on the committee until 1985 when he stepped down to run for governor.

Winning the 1986 election with the most votes ever for a gubernatorial candidate at that time, he became Alabama's first Republican chief executive since Reconstruction. His election to the governor's office is credited with creating a two-party system in the state. Governor Hunt was re-elected in 1990.

Madam Speaker, I ask my colleagues to join me in remembering this dedicated public servant. Guy Hunt will be deeply missed by his family—his wife, Anne Smith Hunt; two sons, Keith Hunt and his wife Heather, and Cary Smith and his wife Jayne; five daughters, Pamela Hunt, Sherrie Williams, Lynn Harris and her husband Doug, Judy Gurley and her husband Mike, and Lois Swindal and her husband Bruce; 16 grandchildren, Nigel Hunt, Nolan Hunt, Ashley Hunt, Kayla Hunt, Samuel Hunt, Heath Williams, Eric Williams, Kelly Williams, Raygen Catoe, Dusty Kanute, Dawn Brantley, Rachel Gurley, Caryanne Swindal, Bradley Swindal, Joshua Swindal, and Anna Grace Swindal; and eight great-grandchildren, Bonnie Catoe, Katelyn Kanute, Cale Kanute, William Brantley, Parker Brantley, Levi Hunt, Skye Hunter, and Helen Anne Williams—as well as the countless friends he leaves behind.

Our thoughts and prayers are with them all at this difficult time.

HELPING FAMILIES SAVE THEIR HOMES ACT OF 2009

SPEECH OF

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 26, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability:

Ms. ROYBAL-ALLARD. Mr. Chair, I rise today in support of H.R. 1106, the Helping Families Save Their Homes Act of 2009.

Mr. Chair, my congressional district, like districts all across the nation, has been hit hard by the foreclosure crisis. In 2007 Los Angeles County had a foreclosure rate of 12%. In 2008 this number had jumped to 35%. Worse yet, while many parts of the country have already received the full brunt of the foreclosure crisis, experts agree that the full force of the crisis has yet to reach Los Angeles.

I have been concerned that previous congressional efforts to stabilize the economy and help my Los Angeles constituents have failed to address the root of the problem—defaulting mortgages.

I am pleased that the Helping Families Save Their Homes Act will make substantive reforms to end the rising tide of foreclosures and keep families in their homes.

Specifically, the measure will allow a judge to modify primary mortgages in the case of bankruptcy so that families can stay in their homes. Currently, when a family files for bankruptcy they can modify loans on second homes, and other property but not on their primary residence. It is widely recognized that judicial modification of mortgages on primary residences is one of the most significant things that we can do to keep families in their homes.

By encouraging homeowners to work out their loans before filing for bankruptcy, the measure ensures that bankruptcy still remains a measure of last resort. The bill will also adapt federal loan modification programs to make it easier for mortgage servicers to participate.

In addition, the bill begins to address a growing concern—the growing number of organizations that aim to profit off of families who are in crisis and at risk of losing their home. This problem is highly visible in my congressional district, and is a cause of great concern. The measure increases oversight over the FHA home mortgage insurance program to better ensure that predatory lenders are barred from participating.

Mr. Chair, this legislation is necessary to help our nation's path of recovery by addressing the cause of the economic crisis.

I urge my colleagues to vote "yes" on this critical measure that will keep our constituents in their homes.

HONORING VICE PRESIDENT WALTER MONDALE ON HIS DECORATION BY THE GOVERNMENT OF JAPAN

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Ms. MCCOLLUM. Madam Speaker, I rise today to recognize former Vice President Walter Mondale as he receives the Grand Cordon of the Order of the Paulownia Flowers from the Government of Japan. This prestigious decoration is the highest honor given to foreign civilians by the Japanese government and is being bestowed to Vice President Mondale for his contribution to enhancing friendship and mutual understanding between Japan and the United States as U.S. Ambassador to Japan from 1993 to 1996.

No public servant is more deserving of this honor than my friend and fellow Minnesotan Walter Mondale. For five decades, Minnesotans have supported the man they warmly call "Fritz" as he served as Vice President of the United States under President Carter, Minnesota's U.S. Senator from 1964 to 1976, and State Attorney General. His contributions in areas including education, social justice and international human rights have forever changed Minnesota, our nation and the world.

Walter Mondale's career in public service is distinguished, however, not by the greatness of his titles, but by the goodness of his heart. He used his positions of authority to tirelessly promote cross-cultural understanding, economic justice and civil rights. While his accomplishments are many, his greatest legacy may be the model of principled and diligent public service that continues to inspire America and fill Minnesotans with quiet pride.

Madam Speaker, I urge my colleagues to join me and all Minnesotans in congratulating Vice President Mondale on this distinct and much-deserved honor.

CONGRATULATING TRAY SMITH FOR BEING NAMED ATMORE'S "CITIZEN OF THE YEAR"

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. BONNER. Madam Speaker, I am proud to rise today to congratulate my friend Tray Smith of Atmore, Alabama, for being named Atmore's 2008 "Citizen of the Year." As evidenced by an outstanding list of accomplishments, he is one of the most exceptional young men I have ever known.

Tray has a love of people and an understanding of politics that is certainly beyond his years. As a freshman in high school, he was given an opportunity to write a weekly political column for The Atmore Advance. He has also been an active member of the Student Government Association, a member of the National Honor Society and helped start a recycling program at Escambia County High School. In addition, Tray is an Eagle Scout and last year helped more than 100 citizens register to vote, most of them being minorities.

Although I have known Tray for years, I have been especially proud of some of his

more recent accomplishments. As you may know, Governor Bob Riley chose Tray to be the first high school intern working in his office in Montgomery. Additionally, as part of the Junior Statesmen of American Summer program at Georgetown University, Tray also attended the 2008 Republican National Convention in Minneapolis-St. Paul, Minnesota. During both opportunities, Tray excelled in every way possible.

Last year, however, I was especially proud to nominate Tray to serve as a page in the U.S. House of Representatives in Washington, DC. This is an honor that falls on only a select few high school juniors from throughout the nation; needless to say, he made me proud every day that I saw him on the floor of the U.S. Congress, and he has made south Alabama proud countless times as well.

Tray's list of accomplishments reads more like someone who is three or four times his age. Suffice it to say, he truly represents the very best of our young people today. Perhaps the highest compliment I can pay Tray is that as a father of a teenage daughter and an 11-year-old son, I can only hope that my children will one day have the maturity, the value system and the sense of priorities as they continue to grow-up that Tray has. There couldn't be a better role-model for them—or for our other young people—than Tray Smith.

Madam Speaker, on behalf of the proud citizens of the First Congressional District and the entire state of Alabama, I ask my colleagues to join me in congratulating Mr. Tray Smith on this tremendous achievement. I know I speak for all my colleagues in the House of Representatives when I say we can't wait to see what he accomplishes in the next 18 years of his life.

PERSONAL EXPLANATION

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, I am respectfully writing to you so that it is acknowledged, had I been present to vote on H. Res. 153 "Commending the University of Southern California Trojan football team for its victory in the 2009 Rose Bowl" my vote would have been cast in support of this resolution.

EARMARK DECLARATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. JORDAN of Ohio. Madam Speaker, pursuant to House Republican Conference standards, I am submitting the following information for publication concerning a project included at my request in the Fiscal Year 2009 Omnibus.

Requesting Member: JIM JORDAN (Fourth Ohio District)

Bill Number: H.R. 1105, the Omnibus Appropriations Act of 2009

Account: United States Army Corps of Engineers, Section 205 (Flood Damage Reduction)

Legal Name of Requesting Entity: United States Army Corps of Engineers, Buffalo District

Address of Requesting Entity: 1776 Niagara Street, Buffalo, New York 14207

Description of Request: The City of Findlay, Ohio, saw three of its worst floods in history in just a 13-month period in 2007–8. These floods devastated the city, causing significant damage to the downtown business district and displacing hundreds of residents. The Army Corps of Engineers has worked diligently since the January 2007 flood toward developing flood damage reduction plans; the feasibility study is on schedule for completion in 2010.

I certify that neither I nor my spouse has any financial interest in this project.

HONORING THE GOOD DEEDS OF BEVERLY YOUNG

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. MURTHA. Madam Speaker, I rise today to recognize the valor of someone who is no stranger to good deeds and heroic actions. For those of us who have the pleasure of knowing her, Beverly Young is an activist at heart, and a go-getter by reputation.

Beverly, wife of our good friend and colleague BILL YOUNG, has never backed down from an obstacle or challenge standing in her way. She is universally recognized for getting things done.

On a US Airways flight from Tampa, FL to Washington, DC this week, an elderly woman collapsed in the airplane lavatory and lost consciousness. When no one with medical training stepped forward to help, Beverly, a former firefighter and medic, rushed to her side. Using her skills in CPR, Beverly revived the woman and remained with her to make sure she kept awake and alert.

Others on the flight that day probably thought that this was just the one-time act of a Good Samaritan. But for those of us who know her, her quick action to help someone in need was far from ordinary.

Madam Speaker, since the beginning of the wars in Iraq and Afghanistan, Beverly Young has been a fixture in the halls of our nation's military medical centers. She's not there to receive fanfare or to seek recognition; she's there to support the thousands of our nation's best and brightest who have been injured serving our great country.

Beverly is not an occasional visitor; she is there constantly for these young men and women and their families, becoming as familiar to them as anyone else they encounter during their recovery. She listens to each and every one of them, and she makes sure that they get what they need, whether it's food or supplies or fighting the Washington bureaucracy on their behalf.

Madam Speaker, our country is a better place because of people like Beverly Young. Her selfless service has earned her the respect and gratitude of all those she has helped, and all those who have witnessed her good deeds in action.

EARMARK DECLARATION

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mrs. SCHMIDT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, "Omnibus Appropriations Act, 2009."

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Ohio Riverfront, Cincinnati, Ohio

Account: Army Corps of Engineers, Construction General

Legal Name of Requesting Entity: "The City of Cincinnati"

Address of Requesting Entity: 950 Eden Park Drive, Cincinnati, Ohio

Description of Request: Provide an earmark of \$2,871,000 to begin construction of Phase I of the project, including a flood-tolerant, stabilized river bank that will become a riverfront park linking central riverfront attractions to Downtown Cincinnati. This request is consistent with the intended and authorized purpose of the Army Corps of Engineers, Construction account [PL 110-114, Section 5116 (WRDA 2007)]. The City of Cincinnati will match this funding 50-50 and has thus far provided \$11.97 million toward this project. The State of Ohio has also appropriated \$1.75 million for the project.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Metropolitan Region of Cincinnati, Duck Creek, Ohio

Account: Army Corps of Engineers, Construction General

Legal Name of Requesting Entity: "The City of Cincinnati" and "Village of Fairfax"

Address of Requesting Entity: 950 Eden Park Drive, Cincinnati, Ohio and 5903 Hawthorne Avenue, Cincinnati, Ohio

Description of Request: Provide an earmark of \$3,828,000 to continue construction of 100-year level of flood protection to existing commercial, industrial, and residential areas along Duck Creek. This request is consistent with the authority provided by WRDA 2000 (PL 106-541) and the intended and authorized purpose of the Army Corps of Engineers, Construction account.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Ohio Environmental Infrastructure, OH: Village of St. Martin, Ohio

Account: Army Corps of Engineers, Construction, Section 594, Ohio Environmental Infrastructure

Legal Name of Requesting Entity: "Village of St. Martin"

Address of Requesting Entity: P.O. Box 213, Fayetteville, Ohio 45118

Description of Request: Provide an earmark of \$200,000 to replace the wastewater treatment plant serving the Brown County Ursuline School for Girls, Chatfield College and 27 neighboring residences. The treatment plant is mandated by the EPA to be replaced by June 1, 2010. This request is consistent with the

authorized purpose of the Ohio Environmental Infrastructure account (Section 594). The Village is prepared to provide 50 percent of the total project cost. Funds will be used for engineering (\$48,000); preliminary engineering (\$5,000); design (\$22,500); and construction (\$326,000).

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Rankin House State Memorial

Account: National Park Service, Save America's Treasures

Legal Name of Requesting Entity: "Ohio Historical Society"

Address of Requesting Entity: 1982 Velma Avenue, Columbus, Ohio 43211

Description of Request: Provide an earmark of \$150,000 to preserve and restore the Rankin House. Funds will be used for exterior trim and brick repair (\$28,000); restoration of dining room and bedroom woodwork (\$43,000); conserve parlor mural (\$50,000); interior painting (\$30,000); new HVAC system (\$25,000); upgrade electrical system (\$12,000); plumbing repair (\$3,000); security system upgrades (\$9,000); relocate utilities to house underground (\$30,000); reproduction floor coverings, wallpapers, drapes, bed coverings (\$75,000); and conservation of furniture and painting (\$60,000). This request is consistent with the authorized purpose of the Save America's Treasures account.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Metropolitan Sewer District of Greater Cincinnati, Eastern/Delta Sewer Separation Project

Account: STAG Water and Wastewater Infrastructure Project

Legal Name of Requesting Entity: "Metropolitan Sewer District of Greater Cincinnati"

Address of Requesting Entity: 1600 Gest Street, Cincinnati, OH 45204

Description of Request: Provide an earmark of \$500,000 to separate sanitary sewage from storm water flows in order to reduce the amount of combined sewer overflow (CSO) volume discharged to the Ohio River. \$1 million authorization in the Water Resources Development Act (WRDA) of 2007. This is part of MSD's Wet Weather Improvement Plan (WWIP) to comply with the federally-mandated consent decree for combined sewer overflows (CSO) and sanitary sewer overflows (SSO). The agreement between MSD and various regulatory authorities, including the United States Environmental Protection Agency, was codified into two Consent Decrees entered in the United States District Court for the Southern District of Ohio on June 9, 2004. The total cost of the WWIP is estimated to be nearly \$2.0B (in 2006 dollars) and has been funded thus far by the MSD rate payers. Implementation of this project would reduce the volume of untreated combined sewage entering the Ohio River by 13 million gallons per year. This request is consistent with the authorized purpose of the STAG Water and Wastewater Infrastructure account.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Shawnee State University for an Immersive Technology and Arts Center

Account: Small Business Administration

Legal Name of Requesting Entity: "Shawnee State University"

Address of Requesting Entity: 940 Second Street, Portsmouth, Ohio 45662

Description of Request: Provide an earmark of \$300,000 for an Immersive Technology and Arts Center at Shawnee State University (ITAC). ITAC will house a motion capture lab and advanced video and sound editing studios to create a fully-realized virtual environment. ITAC will play a prominent role in attracting national and international professionals and businesses to the area, fostering the development of locally owned companies and supplementing a strong high-tech education at the University. ITAC emphasizes local partnerships and will be part of a regional collaboration of businesses and institutions of higher education working to cultivate the intellectual and financial capital to create a high-tech economic base in the Southern Ohio region. Funding will be used for 30 computer workstations, proprietary software, and furniture (\$270,000) and staffing for one year (\$100,000). This request is consistent with the authorized purpose of the Small Business Administration account.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Clermont County Multi-Jurisdictional Drug Task Force

Account: OJP—Byrne Discretionary Grants

Legal Name of Requesting Entity: "Clermont County Sheriff's Office"

Address of Requesting Entity: 4470 State Route 222, Batavia, Ohio 45103-9777

Description of Request: Provide an earmark of \$230,000 for the Clermont County Drug Unit, a multi-jurisdictional narcotics task force formed in 1988. Funds will supplement local resources to provide for personnel and operations. The mission of the unit is to identify, investigate and arrest mid and upper echelon narcotics violators who otherwise would operate across jurisdictional boundaries with impunity. Funds will support personnel (\$289,646) and operations (\$77,008). This request is consistent with the authorized purpose of the OJP, Byrne Discretionary Grants account.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Cincinnati Communications Equipment

Account: COPS Law Enforcement Technology

Legal Name of Requesting Entity: "City of Cincinnati"

Address of Requesting Entity: Regional Computer Center/Communications Technology Services, 805 Central Avenue, Suite 310, Cincinnati, Ohio, 45202

Description of Request: Provide an earmark of \$1,270,000 to implement 800MHz radios for non-public safety agencies in the City of Cincinnati so they can communicate with public safety agencies, and to eliminate the need to replace aging (20+ years old) UHF/VHF equipment because of federal (FCC) mandates related to narrowbanding. Total project cost is \$2.5 million, including \$100,000 personnel, engineering, and design and \$2.4 million for equipment. This request is consistent with the authorized purpose of the COPS Law Enforcement Technology account.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Eastgate Area Improvements, Clermont County, Ohio

Account: Transportation, Community, and System Preservation

Legal Name of Requesting Entity: "Clermont County Transportation Improvement District"

Address of Requesting Entity: 175 E. Main Street—Suite 150, Batavia, OH 45103

Description of Request: Provide an earmark of \$570,000 for Eastgate Area Improvements (Local Network Improvements-Segments IV and IVa) including Preliminary Engineering/Environmental Impact Studies (PE/EIS) and related activities to develop and construct projects consistent with appropriate federal project development and ODOT requirements. Total project cost is \$2.5 million. Seeking \$2 million in federal support with non-federal/local match of \$500,000. This request is consistent with the authorized purpose of the Transportation, Community, and System Preservation account.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Village of Morrow, Morrow, Ohio

Account: Economic Development Initiatives

Legal Name of Requesting Entity: "Village of Morrow"

Address of Requesting Entity: 150 E Pike Street, Morrow, Ohio 45152

Description of Request: Provide an earmark of \$237,500 for streetscape improvements to help revitalize Morrow's central business district and support economic development. Elements of the project include funding for street lighting (\$27,500), signage-façade (\$2,500), removal of existing walk (\$3,850), curb and gutter removal (\$4,950), removal and reinstallation of traffic signs (\$2,625), storm pipe removal (\$8,800), engineering and design (\$34,000), relocate street utilities (\$25,000), pipe culverts (\$44,000), misc pipe culvert for drain basin (\$8,000), underdrains (\$7,040), ODOT Type 2 curb and gutter (\$22,000), concrete sidewalk (\$45,000), construction observation-inspection (\$10,000), seeding and mulching (\$2,775), and misc approaches—ADA ramps (\$12,500). The Village is prepared to provide \$25,000 or a 5 percent match of total project costs. This request is consistent with the authorized purpose of the Economic Development Initiatives account.

Requesting Member: Congresswoman JEAN SCHMIDT

Bill Number: H.R. 1105

Project Name: Central Riverfront Street Grid

Account: Transportation, Community, and System Preservation

Legal Name of Requesting Entity: "City of Cincinnati"

Address of Requesting Entity: Department of Transportation and Engineering, 801 Plum Street, City Hall, Room 450, Cincinnati, Ohio 45202

Description of Request: Provide an earmark of \$475,000 to design and construct pedestrian facilities, utility infrastructure, and other street improvements on Race Street in downtown Cincinnati. The CRF Street Grid Project provides the streets, sidewalks and utility infrastructure necessary to support the new Central Riverfront redevelopment, including the Paul Brown Stadium, the Great American Ballpark, the National Underground Railroad Freedom Center, Central Riverfront Park, and The

Banks mixed-use development. The project augments Fort Washington Way by increasing mobility and providing roadway connections to accommodate localized access to and from Cincinnati's Central Business District and Central Riverfront areas, as well as the Northern Kentucky Riverfront. This request is consistent with the authorized purpose of the Transportation, Community, and System Preservation account.

TRIBUTE TO MR. DAN SHERMAN

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Ms. MOORE of Wisconsin. Madam Speaker, I rise today to recognize a compassionate labor leader and tireless worker, Dan Sherman, who has given 36 years of service to Wisconsin's energy industry.

Dan Sherman has worked as Forester, Line-man and Trouble Shooter for Wisconsin Electric Power Company. Mr. Sherman has given unprecedented service to Local 2150 of the International Brotherhood of Electrical Workers and during his tenure has served as Business Representative, Assistant Business Manager, and Business Manager for Local 2150.

Since 1987, Mr. Sherman has been a member of the State AFL-CIO Executive Board where his leadership has led to greater cooperation within organized labor, and forged stronger relationships with local, state, and federal officials on the importance of issues affecting working families. Mr. Sherman served on the Missouri Valley Board of Trustees that contributed to strong labor-management regarding industry performance, training and safety issues.

Mr. Sherman is a veteran having proudly served as a United States Marine. He is also a devoted family man, who together with his wife, Chris, has raised four children and has been blessed with seven grandchildren.

On March 13, 2009, Dan Sherman will be recognized and thanked for his many contributions to the citizens of Wisconsin and all of Wisconsin by family, friends and colleagues. In fact, Mr. Sherman continues to set a strong example to us all by displaying humor, grace and goodwill to all, in spite of extreme challenges to his own health.

Madam Speaker, for these reasons, I am honored to pay tribute to Mr. Dan Sherman for his contributions to the Fourth Congressional District and the State of Wisconsin. He has helped transform the lives of many people in our community.

CELEBRATING THE ONE-YEAR ANNIVERSARY OF THE SPRINTER

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. BILBRAY. Madam Speaker, I rise today to pay tribute to the North County Transit District and the successful completion of the first year of service by the Sprinter. The Sprinter is a light commuter rail line operating between Oceanside and Escondido, California, United States.

The Sprinter is operated by the North County Transit District of Oceanside, the area's public transit agency and is the first passenger train service of any kind along the Escondido Branch since the Santa Fe Railroad discontinued passenger service in 1946. The Sprinter service has helped the San Diego region battle traffic congestion and pollution while providing a critical 22-mile route from Oceanside to Escondido, with 15 stops along the way.

The light rail on average services 7,300 weekday riders and ridership is increasing steadily. The Sprinter had over 2.3 million passengers in its very first year and has maintained a 99 percent on time performance. I am especially proud of the Sprinter's success during these difficult economic times. My congratulations go out to the entire Sprinter family and the North County Transit District team!

RECOGNIZING BEVERLY ECKERT'S SERVICE

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. KING of New York. Madam Speaker, today I rise in support of H. Res. 201, recognizing the service of 9/11 widow Beverly Eckert who was killed aboard Continental Flight 3407 last month.

This resolution is a fitting memorial to the life and service of Beverly Eckert. After her husband, Sean Rooney, was killed in the September 11, 2001, terrorist attacks on the World Trade Center, Beverly dedicated her life to keeping alive the memories of Sean and the nearly 3,000 others killed that day. It was my privilege in the dark days following 9/11 to meet Beverly and work with her to obtain justice for the families of those who were murdered.

I was deeply saddened to learn about the death of Beverly and so many others on that flight to Buffalo last month. She was truly an advocate for the 9/11 families, and her strength and resolve will be missed.

IN HONOR OF REV. DR. ANDREW DURGAN

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. RAHALL. Madam Speaker, I rise today to extend my deepest sympathy in the passing of my dear friend Rev. Dr. Andrew Durgan. Over 60 years ago, Rev. Durgan began his radio ministry over the airways of my family's radio station, WWNR, becoming the first African American to host a weekly program. I am proud that my father created an opportunity which Rev. Durgan used as a launching pad for his ministry. Joining together with my dear friend, the late Helen Dobson, made them both a powerhouse in the community.

I was honored to be with Rev. Durgan as guest speaker for his 60th Anniversary of Broadcast Ministry and remember fondly the testimonies he shared concerning the goodness of the Lord. Rev. Durgan recounted the

seven battles he had witnessed during his time in the service and although he never knew if he would make it out alive, he held fast to the words of the old hymn, "The Lord will make a way Somehow." And though he may have had many storms in his life, he would say to his soul, Precious Lord, take my hand and lead me on, let me stand.

Now, Rev. Durgan has another testimony, his living was not in vain, because he helped somebody as he traveled along this way, all because of God's Amazing Grace. Rev. Durgan's legacy will live on for years to come to inspire others to Hold On to God's Unchanging Hand.

May God's blessing of peace be with you and may the memories of Rev. Durgan bring joy to your hearts.

CHINA'S ABUSES KNOW NO LIMITS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. WOLF. Madam Speaker, I bring to the attention of the House an interview conducted by the non-governmental organization (NGO) Human Rights in China. Upon her release from prison, Shaung Shuying, the 77-year old mother of house church pastor Hua Huiqi, recounted that she endured beatings and electric shock at the hands of her captors. She was the oldest inmate at Beijing Women's Prison where she served a two-year sentence.

This severe treatment of an elderly woman is evidence that the Chinese government is indiscriminate in its human rights abuses. Chinese officials truly know no limits.

[Feb. 13, 2009]

CASE UPDATE: ELDERLY ACTIVIST SHUANG SHUYING RELEASED; REPORTS ABUSES IN PRISON

Shuang Shuying, 77, evictions activist and mother of house church pastor Hua Huiqi, was released from the Beijing Women's Prison on Sunday morning, February 8, 2009. In an interview with HRIC on the day of her release, Shuang recounted the abuses she suffered in prison.

Shuang served a full two-year term on conviction of "intentional damage of public and private property" for striking an on-coming police car with a cane during a 2007 visit to a local government office to protest her son's detention.

On the afternoon of her release, Shuang went to visit her ailing husband, Hua Zaichen, 89, hospitalized at the Beijing Electricity Hospital since February 5. Hua passed away at 7:50 am the following morning, February 9, 2009.

Shuang and her family are longtime rights activists. She and her husband have spoken out against Reeducation-Through-Labor (RTL) and religious persecution. Their son, Hua Huiqi, has suffered numerous detentions, beatings, and threats for his activities as a house church pastor. In 2002, Shuang saw her Beijing home demolished to make way for Olympics redevelopment. Subsequently, the family had to relocate eight times.

At Beijing Women's Prison, Shuang was the oldest inmate, and endured beatings and electric shock. She suffered from diabetes, high blood pressure, cataracts, heart disease, and arthritis, but prison authorities denied her request for medical parole. According to her husband in 2008, Shuang was almost completely blind in both eyes due to the abuses inflicted upon her.

The following is Shuang's account of the abuses she suffered in prison.

[From HRIC interview with Shuang Shuying, Feb. 8, 2009]

SHUANG SHUYING: PRISON EXPERIENCE (Translation by HRIC)

When I first arrived at Block 11 of Beijing Women's Prison, officers from the Beijing Public Security Bureau came to ask me whether I thought the sentence was just. I said no.

During interrogations, I had to sit upright. If I sat a little askew, "pa!"—I would get slapped. The person who hit me was a 30-something female prison guard. There was also another prison guard, a 50-something woman named Yang. I had a sore on my buttocks, and it hurt a lot when I was sitting on a chair. If moved even slightly, they would pinch me and twist [my arms]. I still have marks on my arm.

Later, they stripped me completely naked and put me in a large room. Prison guard Yang said to me, "We just want to show your old, skanky skin."

During interrogations, if a mosquito bit my face, and I tried to swat it away with my hand, that 30-something prison guard would tell me not to move. They wouldn't allow me to explain. They would just say, "Where is it? How come we don't see anything?" And they would take the opportunity to slap my face.

After I was beaten by them, they wouldn't allow me to tell my son about the beating. They said, "When your son visits you, you'd better not talk nonsense. If you do, we'll stop your family visits. If you disobey us, we'll put you into the 'squatting cell' [solitary confinement], where it's hot in the summer and cold in the winter." Soon afterwards, they took me on a tour of a "squatting cell." The cell was extremely small; you cannot stand up or sit in there. And you eat, drink and shit in there. After that, I simply didn't dare tell my son about the beatings, as I was afraid that they would send me to the "squatting cell."

There were seven other prisoners in my cell. Sometimes, prison guard Yang would wake me up in middle of the night and say I was snoring, and that I shouldn't sleep. I'd say I wasn't snoring, but she wouldn't allow any talk back. One day, a cellmate beat me, and I asked: "Why did you beat me?" Prison guard Yang answered, next to us, "Hey, you're getting away easy this time. You don't have to ask her. She beat you because we ordered her to."

One day, Yang said, "Didn't you say you thought your sentence was not just? There are seven people in your cell. They are taking turns to torment you. We are not going to stop until you're tormented to death." Afterwards, when they let us go out for air, and I saw there were a lot of people upstairs and downstairs, I said to the people who were also let out for air: "Hey, fellow prisoners, listen up, there are seven people in our cell. If they torture me to death, don't forget to tell my family when you get out."

Prison guard Yang was incensed. She took her electric baton and shocked me.

After that, I was transferred to Block 9 of the Beijing Women's Prison, and my situation improved, little by little.

[On the day she was released from prison, Shuang Shuying went to the Beijing Electricity Hospital to visit her seriously ill husband, Hua Zaichen.]

My husband didn't recognize me at all. He worried about me and our family all these years, and his health worsened day by day.

[Interviewer's notes: Shuang Shuying's voice was strong and clear, and her tone was calm. I wished her and her family good health, safety, and happiness. She said, with a laugh, "All of us relied completely upon the blessing and protection of our Lord Jesus Christ. I also want to thank Human Rights in China for your concern, and for the Lunar New Year card that you sent us."]

COMMENDING DANNY COTTRELL FOR LAUNCHING HIS OWN ECO- NOMIC STIMULUS IN ESCAMBIA COUNTY, ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 6, 2009

Mr. BONNER. Madam Speaker, I am proud to rise today to commend Danny Cottrell for his generosity in creating his very own economic stimulus package for Escambia County, Alabama.

As a way to thank his employees and give back to his community, Danny gave each of his full-time employees at his pharmacies in Brewton and Atmore an envelope of \$2 bills worth \$700, and his part-time employees each received \$300. They were asked to donate 15 percent to charity and spend the rest of the money locally at shops and restaurants. The \$2 bills were used so the community could see how the money circulates.

The \$16,000 that Danny distributed to his employees—the "country boy's stimulus package" as he calls it—has served as a wonderful example of generosity in these difficult economic times. Local business owners have noticed the \$2 bills being spent, and one business owner is even saving the \$2 bills to spend at Danny's pharmacy.

As the Brewton Standard recently noted on its editorial page, Danny's stipulation that 15 percent of the money be given to charity "is an example of the kind of generosity most needed right now, when many people don't have a lot of extra money to give to those in need."

Madam Speaker, on behalf of the citizens of Escambia County and, indeed, all of Alabama's First Congressional District, I ask my colleagues to join me in commending Danny Cottrell for his tremendous example of generosity. I know his family, his many friends, his employees, and his loyal customers join me in praising his accomplishments and good deeds.

Daily Digest

HIGHLIGHTS

Senate passed H.J. Res. 38, Continuing Resolution.

Senate

Chamber Action

Routine Proceedings, pages S2855–S2872

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 542–543, and S. Res. 68. **Page S2866**

Measures Passed:

Continuing Resolution: Senate passed H.J. Res. 38, making further continuing appropriations for fiscal year 2009, clearing the measure for the President. **Page S2871**

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 S2856–64**

Pending:

Ensign Amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program. **Page S2856**

Kyl Amendment No. 631, to require the Secretary of State to certify that funds made available for reconstruction efforts in Gaza will not be diverted to Hamas or entities controlled by Hamas. **Page S2860**

Kyl Amendment No. 629, to provide that no funds may be used to resettle Palestinians from Gaza into the United States. **Page S2860**

Kyl Amendment No. 630, to require a report on counter-smuggling efforts in Gaza. **Pages S2860–61**

McCain Amendment No. 593, to prohibit the use of certain funds provided in the bill. **Page S2861**

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 Tuesday, March 10, 2009. **Page S2860**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at 2 p.m., on Monday, March 9, 2009, and that the

following amendments in this agreement be the only first-degree amendments remaining in order to H.R. 1105; that no amendment be in order to any of the listed amendments prior to a vote in relation thereto; that the amendments must be offered and debated Friday, March 6, 2009; Monday, March 9, 2009; or Tuesday, March 10, 2009; provided further, that upon disposition of the amendments, and Senate has voted on the motion to invoke cloture on the bill, and cloture having been invoked, all post-cloture time be considered yielded back, the bill be read a third time, and Senate vote on passage of the bill: Ensign Amendment No. 615, Vitter Amendment No. 621, Sessions Amendment No. 604, McCain Amendment No. 593, Thune Amendment No. 662, Barrasso Amendment No. 637, Enzi Amendment No. 668, Kyl Amendment No. 631, Kyl Amendment No. 629, Kyl Amendment No. 630, Kyl or designee amendment relative to dues notification, Cornyn Amendment No. 673, and Bunning Amendment No. 665. **Page S2860**

Continuing Resolution—Agreement: A unanimous-consent agreement was reached providing that if and when the Senate receives from the House of Representatives, a joint resolution which provides for the continuation of government funding until Wednesday, March 11, 2009, that if it is identical to the measure which is at the desk, it be considered read three times, passed and the motion to reconsider be laid upon the table; that if it is not identical, then this order be null and void. **Page S2860**

Messages from the House: **Page S2866**

Measures Referred: **Page S2866**

Measures Read the First Time: **Pages S2866, S2870**

Additional Cosponsors: **Page S2866**

Statements on Introduced Bills/Resolutions: **Pages S2866–70**

Additional Statements: **Pages S2865–66**

Amendments Submitted: **Page S2870**

Adjournment: Senate convened at 10 a.m. and adjourned at 12:34 p.m., until 2 p.m. on Monday, March 9, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2871.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 9 public bills, H.R. 1373–1381; and 2 resolutions, H. Res. 220–221 were introduced. **Pages H3077–78**

Additional Cosponsors: **Page H3078**

Report Filed: A report was filed today as follows:

H. Res. 219, providing for consideration of the joint resolution (H. J. Res. 38) making further continuing appropriations for the fiscal year 2009 (H. Rept. 111–25). **Page H3077**

Speaker: Read a letter from the Speaker wherein she appointed Representative DeGette to act as Speaker Pro Tempore for today. **Page H3057**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 220 yeas to 142 nays, Roll No. 107. **Pages H3059–60**

Recess: The House recessed at 9:15 a.m. and reconvened at 10:13 a.m. **Page H3059**

Order of Business: The House agreed by unanimous consent that it should be in order at any time without intervention of any point of order to consider in the House the joint resolution (H. J. Res. 38) making further continuing appropriations for fiscal year 2009; such joint resolution shall be considered as read; such joint resolution shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and the previous question shall be considered as ordered on such joint resolution to final passage without intervening motion except one motion to recommit. **Page H3059**

Making further continuing appropriations for fiscal year 2009: The House agreed to H. J. Res. 38, making further continuing appropriations for fiscal year 2009, by a recorded vote of 328 yeas to 50 noes, Roll No. 109. **Pages H3060–66**

Rejected the Lewis (CA) motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 160 yeas to 218 noes, Roll No. 108. **Pages H3064–66**

Privileged Resolution—Intent to Offer: Representative Flake announced his intent to offer a privileged resolution. **Pages H3066–67**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, March 9th for morning hour debate. **Page H3067**

Migratory Bird Conservation Commission—Appointment: The Chair announced the Speaker's appointment of the following Members of the House of Representatives to the Migratory Bird Conservation Commission: Representatives Dingell and Wittman. **Page H3067**

Tom Lantos Human Rights Commission—Appointment: The Chair announced the Speaker's appointment of Representative McGovern to serve as co-chair of the Tom Lantos Human Rights Commission. **Page H3076**

Tom Lantos Human Rights Commission—Reappointment: Read a letter from Representative Boehner, Minority Leader, in which he reappointed Representative Wolf as co-chair of the Tom Lantos Human Rights Commission. **Page H3976**

Quorum Calls—Votes: One yea-and-nay vote and two recorded votes developed during the proceedings of today and appear on pages H3059–60, H3065–66, H3066. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:39 p.m.

Committee Meetings

PREVENTING SEXUAL ASSAULT IN THE MILITARY

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on Sexual Assault in the Military: Prevention. Testimony was heard from the following officials of the Department of Defense: Carolyn Collins, Program Manager, Sexual Harassment and Assault Response and Prevention (SHARP) Program, U.S. Army; Raymond Bruneau, Manager, Sexual Assault Prevention and Response Program,

U.S. Marine Corps; Katherine Robertson, Deputy Manager, Counseling, Advocacy and Prevention Program, Commander, Navy Installation Command, U.S. Navy; Charlene M. Bradley, Assistant Deputy, Force Management Integration, Office of the Assistant Secretary, (Manpower and Reserve Affairs), U.S. Air Force; and Kaye Whitley, Director, Sexual Assault Prevention and Response Office (SAPRO); and public witnesses.

MAKING FURTHER CONTINUING APPROPRIATIONS FISCAL YEAR 2009

Committee on Rules: Committee granted, by a non-record vote, a closed rule providing for consideration of H.J. Res. 38, making further continuing appropriations for the fiscal year 2009, and for other purposes. The rule provides one hour of general debate in the House equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the joint resolution (except for clause 10 of rule XXI). The rule waives all points of order against provisions in the joint resolution. The rule also provides that the joint resolution shall be considered as read. The rule provides one motion to recommit with or without instructions.

Joint Meetings

EMPLOYMENT

Joint Economic Committee: Committee concluded a hearing to examine the employment situation for February 2009, after receiving testimony from Keith Hall, Commissioner, Bureau of Labor Statistics, Department of Labor.

CONGRESSIONAL PROGRAM AHEAD

Week of March 9 through March 14, 2009

Senate Chamber

On *Monday*, at 2 p.m., Senate will resume consideration of H.R. 1105, Omnibus Appropriations Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: March 10, 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, 9:30 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: March 10, to hold hearings to examine enhancing investor protection and the regulation of securities markets, 10:30 a.m., SD-538.

March 12, Full Committee, to hold hearings to examine sustainable transportation solutions, focusing on investing in transit to meet 21st century challenges, 10 a.m., SD-538.

Committee on the Budget: March 10, to hold hearings to examine the President's proposed budget for fiscal year 2010, 2:30 p.m., SD-608.

March 11, Full Committee, to hold hearings to examine the President's proposed budget request for fiscal year 2009 for the Department of Energy, 10 a.m., SD-608.

March 12, Full Committee, to hold hearings to examine the President's fiscal year 2010 budget and revenue proposals, 10 a.m., SD-608.

Committee on Commerce, Science, and Transportation: March 12, to hold hearings to examine climate science, focusing on empowering our response to climate change, 10 a.m., SR-253.

Committee on Energy and Natural Resources: March 10, 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, 10 a.m., SD-366.

March 12, Full Committee, to hold hearings to examine proposed legislation regarding siting of electricity transmission lines, including increased federal siting authority and regional transmission planning, 9:30 a.m., SD-366.

March 12, Full Committee, to hold hearings to examine the nomination of David J. Hayes, of Virginia, to be Deputy Secretary of the Interior, 2:30 p.m., SD-366.

Committee on Finance: March 9, to hold hearings to examine the nomination of Ronald Kirk, of Texas, to be United States Trade Representative, with the rank of Ambassador, 5 p.m., SD-215.

March 10, Full Committee, to hold hearings to examine the President's fiscal year 2010 health care proposals, 10 a.m., SD-215.

March 12, Full Committee, to hold hearings to examine workforce issues in health care reform, focusing on assessing the present and preparing for the future, 10 a.m., SD-215.

Committee on Health, Education, Labor, and Pensions: March 9, to hold hearings to examine preventing worker exploitation, focusing on protecting individuals with disabilities and other vulnerable populations, 2:30 p.m., SD-430.

March 10, Full Committee, to hold hearings to examine rebuilding economic security, focusing on empowering workers to restore the middle class, 10 a.m., SD-106.

March 10, Full Committee, to hold hearings to examine the next generation of national service, 2:30 p.m., SD-430.

Committee on Homeland Security and Governmental Affairs: March 11, to hold hearings to examine violent Islamist extremism, focusing on al-Shabaab recruitment in America, 10 a.m., SD-342.

Committee on Indian Affairs: March 12, to hold hearings to examine the President's proposed budget request for fiscal year 2009 for tribal priorities, 9:30 a.m., SD-628.

Committee on the Judiciary: March 10, to hold hearings to examine patent reform in the 111th Congress, focusing on legislation and recent court decisions, 10 a.m., SD-226.

March 10, Full Committee, to hold hearings to examine the nominations of Lanny A. Breuer, of the District of Columbia, to be an Assistant Attorney General, Christine Anne Varney, of the District of Columbia, to be an Assistant Attorney General, and Tony West, of California, to be an Assistant Attorney General, 2:30 p.m., SD-226.

March 11, Subcommittee on the Constitution, 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, 10 a.m., SH-216.

March 12, Full Committee, business meeting to consider S. 49, to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law, 10 a.m., SD-226.

Committee on Rules and Administration: March 11, to hold hearings to examine voter registration, focusing on assessing current problems, 10 a.m., SR-301.

Committee on Veterans' Affairs: March 10, to hold an oversight hearing to examine budget for veterans programs for fiscal year 2010, 9:30 a.m., SR-418.

March 12, Full Committee, to hold joint hearings to examine legislative presentations of veterans' service organizations, 9:30 a.m., SD-106.

Select Committee on Intelligence: March 10, to hold hearings to examine the nomination of David S. Kris, of Maryland, to be an Assistant Attorney General, 2:30 p.m., SD-106.

March 12, Full Committee, closed business meeting to mark up certain intelligence matters, 2:30 p.m., SH-219.

House Committees

Committee on Agriculture, March 11, Subcommittee on Livestock, Dairy, and Poultry, hearing to review animal identification systems, 10 a.m., 1300 Longworth.

Committee on Appropriations, March 10, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Major Challenges Facing Federal Prisons, 10 a.m., and 2 p.m., and on Offender Drug Abuse Treatment Approaches, 3 p.m., H-309 Capitol.

March 10, Subcommittee on Defense, on Marine Corps Ground Equipment, 10 a.m., H-140 Capitol.

March 10, Subcommittee on Financial Services and General Government, on Treasury Actions Relating to the Financial Crisis, 10 a.m., 2359 Rayburn.

March 10, Subcommittee on Homeland Security, on Secure Border Initiative and Control of the Land Border, 10 a.m., and on Department of Homeland Security Response to Violence on the Border with Mexico, 11:30 a.m., 2358-C Rayburn.

March 10, Subcommittee on State and Operations, on The Merida Initiative, 10 a.m., 2362A Rayburn.

March 10, Subcommittee on Transportation, Housing and Urban Development and Related Agencies, on De-

partment of Transportation Inspector General and GAO, Top Management Challenges and High Risk, 10 a.m., 2358-A Rayburn.

March 11, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Assessment of the Serious and Violent Offender Reentry Initiative, 9:30 a.m., on Innovative Prisoner Reentry, 1:30 p.m., and 3 p.m., H-309 Capitol.

March 11, Subcommittee on Defense, on Soldier Equipment, Ergonomics and Injuries, 10 a.m., and executive, on Army and Marine Corps Readiness, 1:30 a.m., H-140 Capitol.

March 11, Subcommittee on Interior, Environment and Related Agencies, on U.S. Forest Service Oversight, 9:30 a.m., B-308 Rayburn.

March 12, Subcommittee on Commerce, Justice, Science and Related Agencies, on What Works for Successful Prisoner Reentry, 10 a.m., H-309 Rayburn.

March 12, Subcommittee on Defense, on Army and Marine Corps Force Protection, 10 a.m., H-140 Capitol.

March 12, Subcommittee on Energy and Water Development, and Related Agencies, on Nuclear Weapons Complex, 10 a.m., 2362-B Rayburn.

March 12, Subcommittee on Homeland Security, on Securing the Nation's Rail and Transit Systems, 10 a.m., 2362-A Rayburn.

March 12, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Review of VA Challenges, 10 a.m., and on Family and Troop Housing, 1:30 p.m., H-143 Capitol.

March 12, Subcommittee on State, Foreign Operations, and Related Programs, on Africa: Great Lakes, Sudan and the Horn, 11 a.m., 2359 Rayburn.

March 12, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Transportation Challenges of Rural America, 10 a.m., 2358-A Rayburn.

Committee on Armed Services, March 10, Subcommittee on Seapower and Expeditionary Forces, hearing on Littoral Combat Ship program update, 10 a.m., 2118 Rayburn.

March 10, Subcommittee on Strategic Forces, hearing on space and U.S. security, 3 p.m., 2212 Rayburn.

March 11, full Committee, hearing on security challenges arising from the global financial crisis, 10 a.m., 2118 Rayburn.

March 11, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Tracking and Disrupting Terrorist Financial Networks: A Potential Model for Inter-Agency Success? 3:30 p.m., 2118 Rayburn.

March 12, full Committee, hearing on the Department of Defense at High Risk: Recommendations of the Comptroller General for Improving Department Management, 10 a.m., 2118 Rayburn.

March 12, Subcommittee on Military Personnel, hearing on military resale and morale, welfare and recreation overview, 1 p.m., 2212 Rayburn.

Committee on the Budget, March 11, hearing on Members' Day, 10:30 a.m., 210 Cannon.

March 12, full Committee, hearing on Department of Education Fiscal Year 2010 Budget, 10 a.m., 210 Cannon.

Committee on Education and Labor, March 10, Subcommittee on Health, Employment, Labor and Pensions, hearing on Strengthening Employer-Based Health Care, 10:30 a.m., 2175 Rayburn.

March 12, Subcommittee on Healthy Families and Communities, and the Subcommittee on Crime, Terrorism and Homeland Security of the Committee on the Judiciary, joint hearing on Lost Educational Opportunities in Alternative Settings, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, March 10, Subcommittee on Energy and Environment, hearing on the Future of Coal under Climate Legislation, 9:30 a.m., 2322 Rayburn.

March 10, Subcommittee on Health, hearing on Making Health Care Work for American Families with emphasis on Designing a High Performance Healthcare System, 10 a.m., 2123 Rayburn.

March 11, Subcommittee on Health, hearing on How Do You Fix Our Ailing Food Safety System? 10 a.m., 2123 Rayburn.

March 12, Subcommittee on Communications, Technology and the Internet, hearing on Universal Service: Reforming the High-Cost Fund, 10 a.m., 2123 Rayburn.

March 12, Subcommittee on Energy and Environment, hearing on Consumer Protection Policies for Climate Legislation, 10 a.m., 2322 Rayburn.

Committee on Financial Services, March 10, hearing entitled "Exploring the Balance between Increased Credit Availability and Prudent Lending Standards," 10 a.m., 2128 Rayburn.

March 11, to consider the following: S. 383, Special Inspector General for the Troubled Asset Relief Program Act of 2009; and a Committee Print entitled "Views and Estimates of the Committee on Financial Services on Matters to be Set Forth in the Concurrent Resolution on the Budget for Fiscal Year 2010," 9:30 a.m., 2128 Rayburn.

March 11, Subcommittee on Financial Institutions and Consumer Credit, hearing on Mortgage Lending Reform: A Comprehensive Review of the American Mortgage System, 2:30 p.m., 2128 Rayburn.

March 12, Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises, hearing on Mark-to-Market Accounting: Practices and Implications, 10 a.m., 2128 Rayburn.

March 12, Subcommittee on International Monetary Policy and Trade, hearing on H.R. 1327, Iran Sanctions Enabling Act of 2009, 10 a.m., 2220 Rayburn.

Committee on Foreign Affairs, March 11, hearing on The Summit of the Americas: A New Beginning for U.S. Policy in the Region? 10 a.m., 2172 Rayburn.

March 12, Subcommittee on Terrorism, Nonproliferation and Trade, hearing on U.S. Foreign Economic Policy in the Global Crisis, 10:30 a.m., 2172 Rayburn.

Committee on Homeland Security, March 10, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled "Reviewing the Federal Cybersecurity, Mission," 2 p.m., 311 Cannon.

March 12, Subcommittee on Border, Maritime and Global Counterterrorism, hearing entitled "Border Violence: An Examination of DHS Strategies and Resources," 10 a.m., 311 Cannon.

Committee on the Judiciary, March 10, hearing on H.R. 848, Performance Rights Act, 10 a.m., 2141 Rayburn.

March 10, Subcommittee on Crime, Terrorism and Homeland Security, hearing on Sex Offender Registration and Notification Act (SORNA): Barriers to Timely Compliance by States, 2 p.m., 2141 Rayburn.

March 11, Subcommittee on Commercial and Administrative Law, hearing on Circuit City Unplugged: Why Did Chapter 11 Fail to Save 34,000 Jobs? 2 p.m., 2141 Rayburn.

Committee on Natural Resources, March 10, Subcommittee on Water and Power, oversight hearing on Federal Power Marketing Administration Borrowing Authority: Defining Success, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, March 10, to consider pending business, 2 p.m., 2154 Rayburn.

March 11, Subcommittee on Domestic Policy, hearing on TARP Oversight: Assessing Treasury's Efforts to Prevent Waste, and Abuse of Taxpayers Funds, 10 a.m., 2154 Rayburn.

March 12, Subcommittee on National Security, and Foreign Affairs, hearing on Money, Guns, and Drugs: Are U.S. Inputs Fueling Violence on the U.S.-Mexican Border? 2 p.m., 2154 Rayburn.

Committee on Science and Technology, March 10, Subcommittee on Technology and Innovation, hearing on Strengthening Forensic Science in the United States: The Role of the National Institute of Standards and Technology, 10 a.m., 2318 Rayburn.

March 11, Subcommittee on Energy and Environment, hearing on FutureGen and the Department of Energy's Advanced Coal Program, 10 a.m., 2318 Rayburn.

March 12, Subcommittee, on Investigations and Oversight, hearing on ATSDR: Problems in the Past, Potential for the Future, 10 a.m., 2318 Rayburn.

Committee on Small Business, March 11, Subcommittee on Regulations and Healthcare, hearing entitled "Impact of Food Recalls on Small Businesses, 10 a.m., 2360 Rayburn.

March 12, Subcommittee on Contracting and Technology, hearing on Ensuring Stimulus Contracts for Small and Veteran-owned Businesses, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, March 10, Subcommittee on Economic Development, Public Lands and Emergency Management, hearing on EDA Reauthorization: Rating Past Performances and Setting Goals During an Economic Crisis, 10 a.m., 2167 Rayburn.

March 11, Subcommittee on Coast Guard, and Maritime Transportation, hearing on overview of Coast Guard Acquisition Policies and Programs, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, March 10, hearing on U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2010, 2 p.m., 334 Cannon.

March 12, full Committee, Meeting to Approve the Views and Estimates for the Fiscal Year 2010 VA Budget, 2 p.m., 334 Cannon.

Committee on Ways and Means, March 10, Subcommittee on Trade, to meet for organizational purposes, 11:15 a.m., 1100 Longworth.

March 11, full Committee, hearing on Health Reform in the 21st Century: Expanding Coverage, Improving Quality and Controlling Costs, 10:30 a.m., 1100 Longworth.

March 12, Subcommittee on Income Security and Family Support, hearing on Protecting Lower-Income Families While Fighting Global Warming, 10 a.m., B-318 Rayburn.

Permanent Select Committee on Intelligence, March 10, full Committee, executive, briefing on National Intelligence Council, 4 p.m., 304 HVC.

March 11, executive, to consider pending business, 4:45 p.m., 304 HVC.

March 12, full Committee, executive, Briefing Intelligence Activities, 9:30 a.m., 304 HVC.

Joint Meetings

Joint Hearing: March 11, Senate Committee on the Judiciary, Subcommittee on the Constitution, 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, 10 a.m., SH-216.

Joint Economic Committee: March 11, to hold hearings to examine Troubled Asset Relief Program (TARP) accountability and oversight, focusing on achieving transparency, 10 a.m., Room to be announced.

Commission on Security and Cooperation in Europe: March 10, 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, 10 a.m., SR-428A.

Joint Hearing: March 12, Senate Committee on Veterans' Affairs, to hold joint hearings to examine legislative presentations of veterans' service organizations, 9:30 a.m., SD-106.

Next Meeting of the SENATE

2 p.m., Monday, March 9

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, March 9

Senate Chamber

Program for Monday: Senate will resume consideration of H.R. 1105, Omnibus Appropriations Act.

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

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