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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 10, 2011.

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

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

MORNING-HOUR DEBATE

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

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

END THE WAR IN AFGHANISTAN

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

Mr. JONES. Mr. Speaker, yesterday, DENNIS KUCINICH, RON PAUL, and I, along with other colleagues, held a press conference to announce House Concurrent Resolution 28, which would require the President to withdraw all United States Armed Forces from Afghanistan by the end of 2011.

Last month's USA Today/Gallup poll, 72 percent of Americans favor congressional action this year to bring our troops home from Afghanistan.

This week the Rasmussen Report finds that 52 percent of voters want our troops home from Afghanistan this year. To quote this poll, ''A majority of voters, for the first time, support an immediate withdrawal of all U.S. troops from Afghanistan or the creation of a timetable to bring them all home within a year.''

Fourteen months ago, I asked a retired military general to advise me on Afghanistan. I have asked him for his thoughts, and I will read some of them to you. Back in November, I emailed this general and I said, What do you think about the possibility of being in Afghanistan for 4 more years?

Mr. Speaker, he replied, ''I do not believe that 40 more years would guarantee 'victory,' whatever that is; so 4 will do nothing. The war is costing money and lives, all in short supply.''

Mr. Speaker, there is a retired lieutenant colonel in Jacksonville, North Carolina, which is in my district, who served in the United States Marine Corps for 31 years. His name is Dennis Adams. He wrote me a letter, and the last paragraph of the letter I would like to read to the House.

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

Mr. Speaker, I want to show the faces. I want to show the faces of war and the faces of pain.

This is a young man whose name is Phillip Jordan. At the time of his father's death—his father was a gunnery sergeant—he was 6 years of age. I wish the people could see the eyes of this young boy, 6 years of age, with a folded flag under his arm and the coffin that is following right behind him. This is war. Children feel war as adults feel war.

Mr. Speaker, I also want to show a poster from the honor guard at Dover walking a transfer case, which most people know is a coffin. It's the remains of an American hero off the plane. This again is war and the pain of war.

Mr. Speaker, this is a beautiful, handsome couple. It's a young marine, his wife, and his child. This young marine had been deployed so much that he developed PTSD. A year ago, on the main drag at Camp Lejeune known as McHugh Boulevard, he committed suicide. He stepped out of the car, he put a gun to his head, and he committed suicide.

Mr. Speaker, I hope that the Congress would join Mr. KUCINICH, Mr. PAUL, and others in this House and let's have a debate, and let's vote. Let's meet our constitutional responsibility, and let's bring our troops home before we break the military. It is time to bring our troops home from Afghanistan.

Mr. Speaker, as I always do, I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God to love the families who have given a child dying for freedom in Afghanistan and Iraq, and I ask God to please bless the House and Senate that we would do what is right in the eyes of God. I ask God to give wisdom, strength, and courage to President Obama that he will do what is right in the eyes of God.

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

DIRTY AIR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 1 minute.

Mr. COHEN. Mr. Speaker, I rise in opposition to Chairman UPTON's dirty air act.

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In 2007, the Supreme Court issued the Massachusetts v. EPA decision, directing the EPA to examine greenhouse gas emissions and their impact on the public health. EPA conducted a highly credible, peer-reviewed scientific analysis under the Bush EPA and the Obama EPA, both concluding that greenhouse gases harm our health.

This was not a political analysis; it was a scientific analysis. But that has not stopped the chairman from trying to legislatively undermine scientific fact. According to the EPA, President Nixon's Clean Air Act will prevent 230,000 premature deaths and result in $2 trillion in economic benefits in 2020.

But, Chairman UPTON has decided, with much help from corporate polluters' lobbyists, that the fiscal and physical well-being of the American people are less important than Big Oil's importance and Big Oil's billion dollar bottom line next quarter.

The bottom line for America is that undermining EPA science will cost trillions.

PAIN AT THE PUMP

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

Mr. NUNNELEE. Mr. Speaker, frustrations are growing as Americans are feeling real pain at the pumps. The rising gas prices are a serious strain on an economy that is beginning to show small signs of recovery.

Right now, the average gas price in Mississippi is $3.50 a gallon, and I don't think anybody would be surprised if that number continues to rise. Every time gas prices go up by one penny, that costs American consumers $4 million a day.

Families in north Mississippi have been dealing with tight budgets for the last couple of years, and rising gas prices severely impact an already tightened family budget. We all know that ultimately gas prices will be passed on in higher prices to the consumer through higher transportation costs, increased costs of groceries and other commodities. When there is no extra money in the pocketbooks, there is certainly no padding in the family budget to accommodate this increase in the cost of living associated with higher gas prices.

As turmoil in the Middle East continues, coupled with emerging demand for Third World developing countries that places demand on foreign energy demands, that's going to cause gas prices to further increase. This problem is serious, and it needs to be addressed now. It needs to be addressed through exploring more domestic energy production.

However, President Obama has offered a short-term solution, tapping into the Strategic Petroleum Reserve. The Strategic Petroleum Reserve is available for national emergencies at a time of crisis. Mississippians can all agree that when President Bush tapped into the strategic reserve during the aftermath of Katrina, it was in response to a serious supply disruption and an unforeseeable disaster.

But if we draw down on these reserves when gas hits $4 a gallon, what will we do if the reserves are depleted and then a real emergency hits? The President's shortsighted answer to our rapidly increasing oil and gas prices does nothing to protect America from future energy prices skyrocketing, nor does it help lead toward American energy independence.

From the beginning, the Obama administration has failed to initiate a serious energy policy. Instead, this administration has actively taken steps to block or delay American energy production, therefore making us more dependent on unstable foreign countries' oil production.

□ 1010

Recently, we remembered the 50th anniversary of President Kennedy's inauguration. Following that inauguration, the President stood in this very Chamber and challenged our Nation to make it a national goal to place a man on the Moon and return him safely back to Earth before the decade is out. Today, we should make it a national priority that before the end of this decade, the United States should achieve energy security and energy independence. By actively producing our own energy resources, America will not only be independent from volatile regions of the world, but we will supply our own energy.

Now there is no single ''silver bullet'' and Republicans support an all-of-the-above approach that includes more American oil, more American natural gas, coal and nuclear energy. We need to expand U.S. oil exploration immediately in the Gulf of Mexico and Alaska. The gulf produces nearly one-third of our domestic oil. Offshore natural gas produced in the gulf region accounts for 13 percent of the total U.S. production. However, a de facto moratorium still exists, even though the official moratorium was lifted last May and October.

Not only has the gulf lost 12,000 quality jobs because of the moratorium, but these rigs are actively leaving that region and moving to foreign countries such as Cuba, Brazil and Mexico.

In February, Federal Judge Feldman gave the Department of the Interior 30 days to rule on seven deepwater drilling permits. As of today, only one of those permits has been issued. That is simply inexcusable. This type of deliberate inaction and negligence fails to meet the needs of a struggling U.S. economy. That is why I'm a proud cosponsor of House Resolution 140, which calls for a streamlining of the permit process for shallow and deepwater drilling in the gulf.

In 2008, President Obama put the entire Pacific coast, Atlantic coast and the eastern gulf coast off-limits to future energy production. This includes a large portion of Alaska's Outer Continental Shelf, even though expanding production would ultimately create upwards of 1.2 million jobs and generate $8 trillion in economic output. That's why we must immediately begin a long-term energy policy and begin to drill today to deal with higher gas prices.

I also believe that it is vitally important to invest in the development of clean coal technologies. Coal is our Nation's most abundant and affordable energy resource, and another way to energy independence is through economically and environmentally sound clean coal technology. President Obama has specifically said that he would bankrupt the coal industry through regulations and impossible standards.

Democrats continue to operate an anti-business agenda and restrict the advancement of domestic energy development through regulations, moratoriums and increased taxes on American energy production. The President's 2012 budget includes over $60 billion in tax and fee increases on American energy production. This will only add to the burden of families and businesses.

The current unrest in the Middle East only emphasizes the importance for America to develop more of its own domestic resources. American energy production can lower prices, create good jobs and decrease our reliability on foreign oil. We need to start paying Americans and stop funding our enemies.

Our country has been blessed with clean and efficient energy resources. Let's stop putting unreasonable restrictions on our natural resources and allow America to claim energy independence.

FORECLOSURE CRISIS AND GOP GUTTING FORECLOSURE PROGRAMS

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

Ms. CHU. Mr. Speaker, the effects of the foreclosure crisis and economic downturn have had a devastating impact on American families. Because of shoddy business practices and enormous risks taken by big banks, our housing and financial systems have utterly collapsed. And in the wake of this destruction, millions of Americans have lost their jobs, their homes and their quality of life.

As the casualties rose and homeowners clamored for some relief, the government stepped in to do what it could. But with the scope of the problem, government foreclosure relief programs alone just aren't enough. We should do more—more to fix the housing market and more especially to create jobs, because putting people back to work will do more to right our economy, help people pay their mortgages and get the banks back to lending than anything else.

But the Republican House leadership hasn't gotten the message. In the last 10 weeks since the Republicans took control of the House, they haven't created a single job. What's worse, they

haven't even put a single jobs bill on the House floor. Instead of creating jobs, they are slashing them. The GOP spending plan eliminates 700,000 jobs and stifles economic growth. Rather than moving the Nation forward, they are forcing America backward.

And this week is no different. Republicans are making things worse for American families as they continue their assault on the middle class. They want to completely abolish four programs designed to help homeowners keep their houses and avoid foreclosure. Republicans have no interest in making these programs work better for the American people. By offering nothing in their place, the GOP is simply abandoning hardworking homeowners who are underwater and struggling to find jobs to pay the bills.

Now, we all know that government foreclosure programs are not perfect. But why are we completely dismantling programs that have helped thousands of Americans stay in their homes? Though not perfect, why are we targeting the victims of the foreclosure and financial crises instead of helping them by fixing these programs?

There's a lot that we can do better without giving up on people like Francisco. Francisco is from Duarte in my district. After a year, he was underwater, and, at the height of the recession, he tried to modify his home loan. He visited his servicer and was pushed back and forth between customer representatives. After 2 years of fighting for help, he only had four pieces of mail from the lender to show for it. He was eventually denied the modification, and he can't even appeal the decision. And though we should be doing more to help him, the Republican plan of doing nothing means that he is completely out of luck.

Commonsense improvements can be made to make the government foreclosure program better, ones that could provide relief to Francisco. Take the Home Affordable Modification Program, or HAMP. Simple fixes like having a case manager assigned to each case will allow for better communication between the customer and the bank. If a customer is denied a loan modification, it would be more effective to appeal the decision instead of having to reapply all over again. And we can do more to provide incentives for banks to complete modifications and ensure that servicers complete due diligence before denying modifications.

These are reasonable solutions that servicers have been slow to adopt, if at all. And if we don't make changes to these programs and instead just throw them away, what will struggling homeowners be left with? They will be left to the banks whose bad policies caused this financial crisis in the first place. They will be left with unstable communities strewn with abandoned homes, and they will be left without a home and no one to turn to for help.

It sounds like Republicans would rather return to old policies that we know don't work rather than trying to fix the policies we know that can work. Struggling Americans deserve better than that.

NO-FLY ZONE: A CHALLENGE TO THE WAR POWERS RESOLUTION

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

Mr. PAUL. The important question being asked today with regards to foreign policy is should the United States impose a no-fly zone over Libya? There are leaders on both sides of the Capitol and leaders in both parties who are now advising this as well as individuals in the administration. It is my opinion that we should not. It would be foolish, it would have a downside, and we should think very, very carefully before we go expanding the wars that we're already involved in. We're in two major wars with Iraq and Afghanistan, and that involves Pakistan and Yemen already.

So to go into Libya now and impose a no-fly zone—we have to remember, a no-fly zone is an act of war. What moral right do we have to participate in war activity against Libya? Libya hasn't done anything to the United States. They're not a threat to our national security. There's been no aggression. There's no constitutional authority for a President to willy-nilly go and start placing no-fly zones over countries around the world.

We tried this in the 1990s and did it for 8 or 9 years. We had a no-fly zone, along with sanctions and blockades, around Iraq. Finally, it ended up with war. And the wars were based on lies. And then when that happened they said, yes, but it was well worth it because we got rid of a bad guy. But we also lost close to 4,500 American military people, 30-some thousand suffered severe injuries and hundreds of thousands are applying now for disability because we went to war when we shouldn't have gone to war.

To expand this war now makes no sense whatsoever. It's against international law. It challenges the War Powers Resolution. For that reason, we should stop and think. Congress should act. I'm preparing to introduce a resolution next week that it is the sense of Congress that the executive branch can't do this without approval from the Congress.

□ 1020

Why should we do this? Do you think it will cost some money? Yes, it is going to cost a ton of money. Innocent people will be killed. You can't just all of a sudden turn a switch and say don't fly over Libya; you have to bomb a lot of anti-aircraft sites and a lot of military establishments, so the war is on.

From my viewpoint, this is the kind of thing that has been going on too long. It contributes significantly to our bankruptcy, and we are now spending approximately $1 trillion a year maintaining our empire around the world. We are in the process of remaking all the borders and leadership in the Middle East and Central Asia, and now in North Africa we're getting involved. We have invested $70 billion trying to prop up a dictator in Egypt, and look at how that ended up. Now we are hustling around to find out who the next dictator is.

So if we get involved, I'm not sure they even know who to bomb and which one and who is going to come out on top. That is an internal matter. It is a civil war that is going on. We can cheer for one side or the other, but that is not a justification to place the burden on the American people, both militarily and individually, as well as monetarily. Some would say yes, that sounds good, I agree, and as long as we get approval from the U.N. and NATO, it will be okay. But, you know, that is just really a cop-out. What army and air force and technology does the U.N. have, and what does NATO have? You get a resolution at the U.N. that says let's take out this bad guy and do these things, or NATO does it. They are all of our airplanes and all our money. And no matter what, anything and everything that goes wrong, the United States will be blamed for it. There is enough resentment against us already for pretending that we can tell every other country how to live.

The best way to look at this, I believe, is how would we as a people and how would we as a Congress respond if we were a weaker nation and there was a stronger nation, if they came and imposed a no-fly zone over us or had sanctions against us or had a blockade. We wouldn't accept that. That would unify us. So I don't buy into this thing that this is the only humanitarian thing we can do, expand the war.

If we want to do something for humanity, we need a new foreign policy. We need a foreign policy that isn't built on militarism; it's built on more cooperation and more trade and not picking our dictators.

Look at what happened after we picked a dictator for Iran. Sure, it lasted for 25 years or so. But eventually it radicalized the Islamists and they had a revolution, and we came out on the short end of that. So I think it is time that we reassess this and think about a policy that makes a lot more sense. Economically, we need to do it.

NUCLEAR WASTE AT YUCCA MOUNTAIN: OVER MY DEAD BODY

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

Ms. BERKLEY. Mr. Speaker, I have been in Congress now for 12 years. The very first speech I made on the floor of the House was why nuclear waste should not be stored at Yucca Mountain, Nevada. I cannot believe 12 years from when I first made that speech, I am back in the well of the House talking about why Nevada should not be

the site for the nuclear repository for this country.

President Obama defunded the Yucca Mountain project, and let me tell you why he took this very bold step: because 77 percent of the people of the State of Nevada do not want nuclear waste stored at Yucca Mountain. There are groundwater issues, seismic activity, volcanic activity, and it is 90 miles from the major population center of Las Vegas.

It is dangerous. There are no current EPA standards. And why is that? No current EPA radiation standards, because there is no way to set radiation standards for material that has a radioactive half shelf life of 300,000 years. But the Republican budget that has just been submitted resurrects Yucca Mountain and starts the process of dumping another $100 billion into a hole in the Nevada desert where there will never, ever be any nuclear waste stored.

At the same time that the majority is calling for spending more money to dump nuclear waste at Yucca Mountain, they are also pushing for devastating cuts that will end the loan guarantees for a new solar power plant in the State of Nevada near the community of Tonopah. The result will be the loss of 600 jobs at a time when the Silver State has double-digit unemployment. Almost 15 percent of the people who live in Nevada have no job, and they are going to take away 600 more by this very foolish act. Construction of this new solar plant will not only provide hundreds of paychecks to Nevada workers, it will also supply enough clean and renewable energy to power 75,000 homes in the State of Nevada. Without these loan guarantees that are now on the Republican chopping block, this solar project's bright future is looking mighty, mighty dim.

Tapping renewable energy sources, like the wind and solar and geothermal, all in great abundance in the State of Nevada, is where the future of this Nation and certainly Nevada's energy needs are.

Do we want to continue to rely on the Saudis and the Venezuelans and the Libyans for our energy needs to be met? I don't think so. Renewable is the way to go.

This Nation and Nevada's future is in clean energy, not in nuclear waste stored at Yucca Mountain, yet the Republicans want to cut funding for solar and other renewable resources that can be harnessed to provide clean energy and jobs for our local workers. And they are pushing these cuts while calling for $100 billion to be dumped down a hole in the middle of the Nevada desert, as I said, 90 miles from a major population center.

I reject these efforts to restore the funding to Yucca Mountain. It is more wasteful spending at a time when they are talking about fixing the deficit. This is no way to do it by adding an extra $100 billion. And I will make this pledge to you now: There will be no nuclear waste shipped to Yucca Mountain because it will be shipped over my dead body. I will lay across those railroad tracks and stop that train from depositing nuclear waste in my great State.

I oppose the cuts as much as I oppose the funding of Yucca Mountain. I oppose the cuts in the solar energy loan guarantee program that will cut 600 jobs from the State of Nevada and prevent us from moving forward for a bright, renewable energy future.

HONORING LANCE CORPORAL RAYMON JOHNSON

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

Mr. WESTMORELAND. Mr. Speaker, I come before the House this morning with great sorrow but also with great honor to celebrate the life of Lance Corporal Raymon Johnson, who answered his Nation's call of duty in 2007 after graduating from Shaw High School in 2006. On October 13, 2010, he made the ultimate sacrifice while serving his country and protecting his country and fellow servicemen abroad. He was killed while conducting combat operations in the Helmand Province of Afghanistan.

Lance Corporal Johnson was deployed to Afghanistan as part of the 1st Battalion, 8th Marine Regiment, 2nd Marine Division out of Camp Lejeune, North Carolina. He leaves behind his mother, Gwendolyn; his father, Gregory; a sister, LaQuita; and a brother, Ramon, who serves in the Georgia National Guard. He also leaves behind a nephew, Andre.

Raymon desired to become a United States Marine from an early age. Family members recall Raymon spending hours playing military video games and watching the military channel when he was a teenager. Raymon began training to enter the service even before he graduated from high school, and he passed up recruitment offers from the Navy, the Army, and the Air Force to join the Marines. Many family members were apprehensive about Raymon joining the Marines, but he felt it was his duty to serve. He told his family: Don't try to worry about me much, I'm glad I'm doing what I always wanted to do.

Friends and family members who recalled Raymon remember a young man who was not only driven to serve his country, but also someone who was caring, compassionate, and filled with integrity. At his funeral, a teary-eyed Ramon Johnson, his twin brother, remembered the good times he and his brother had baking cakes with their grandmother. His uncle, a reverend and former Marine, said Raymon wanted to fight for a cause.

Like all men and women in the armed services, Lance Corporal Johnson wanted to serve his country bravely, and he did. He took satisfaction in his job every day because he knew his work touched so many millions of people. He was encouraged every day because he truly felt the Afghani people appreciated what the U.S. military is doing.

□ 1030

He desired to build a school for the Afghani children once the Taliban had been driven out.

No words can express the loss of Lance Corporal Johnson's family and how they feel. And I'm proud to salute such a fine young son, brother, uncle, and friend.

The young men and women of our armed services continue to make great sacrifices every day for the Nation that they love and a Nation that will never forget to remember the debt that they have paid.

Thank you, Raymon Johnson.

THE FEDERAL BUDGET AND OUR NATION'S PRIORITIES

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

Mr. MCDERMOTT. Mr. Speaker, it's been 2 years, 5 months, and 23 days since Lehman Brothers collapsed and the Wall Street dominos began to fall. It's been 2½ years since Wall Street mortgage bond traders and their criminal management brought the world financial system to its knees.

There hasn't been one person held accountable for it. Not one conviction. The biggest scandal in American history, and there's been no jail time for anyone.

We Democrats cleaned up the mess. We saved the country from riots in the streets. But no one was convicted. I think a lot of voters, Tea Party voters included, are seething with anger about the injustice.

Riding this wave of voter anger, 2 weeks ago this House passed one of the worst bills ever considered in Congress, H.R. 1, a bill the Republicans have called a ''budget,'' that was nothing less than an attack on children and working people in this country. I think all the people who voted for it should be ashamed.

Budgets are moral documents. They say what a country's priorities are. But looking at what the Republicans passed in this House, it's hard to believe that the bill is what Tea Party voters really bargained for in the last election.

In the papers this week, we're reading that the Tea Party freshmen are now going to school. They are taking classes on the Federal budget—''Budget 101'' is what they call it. So after they balanced the books of the country entirely on the backs of children and women, they are actually learning a thing or two about the budget. It's about time. They're learning the basics after the vote.

But I don't think the Tea Party voters wanted a war on children. Tea Party freshmen certainly didn't run on

that basis. I think the voters look at what this country has been through in the last few years and they see the terrible injustice of it. I don't think the Tea Party movement is about punishing women and children and poor people. I think they want commonsense justice.

Mr. Speaker, only 12 percent of the country's budget is spent on these important programs for the needy. When you cut these programs, you pull American children out of Head Start, you put Americans on the street, you let the bridges we go to work on crumble. That doesn't balance the budget.

Without any changes to current policy, the budget deficit will drop to $500 billion in 2 years. Now, that deficit will slowly rise again. This slow rise in the coming years is the big issue, and it's caused by two things: increased health care costs and a defense budget that is out of control.

Mr. Speaker, we're going to fix the long-term budget deficit of this country by lowering health care costs and by having a sensible defense budget. We aren't going to do it in an orgy of intolerance and demonization of the middle class and working people in this Republican budget.

I think the Tea Party voters want responsible spending. So do my constituents. The Tea Party voters want basic fairness. So do my constituents. Tea Party voters have been misled by the American fear machine into thinking that education and basic services and public employees is where the big savings are. That is a terrible myth and a terrible disservice to the public.

I hope the Tea Party members in the House quickly learn the basic math of the budget. The deficit is about defense and health care spending, not about pushing even more children into poverty.

Every Member of this House ought to watch the 60 Minutes segment from last Sunday night on children who are living in cars, living in motels, living in shelters because they have lost their homes. Twenty-five percent of American children in this country are living in poverty. That show looked like we were looking at Bangladesh. That's what we ought to be pointing to, not spending our time out here today on H.R. 830, whacking the daylights out of another bill to prevent foreclosures. It is simply not what America is about.

I urge all my colleagues to vote ''no'' and to go pull up on the Web that segment from last Sunday night and look at the faces of those children and realize you're creating their lives by the kind of economy you put together.

BUDGET/DISCRETIONARY SPENDING

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

Mr. HOYER. Mr. Speaker, I want to congratulate the gentleman from Washington State for focusing America on what the issues are before us.

In recent weeks I have come to the floor to argue that the Republican spending plan does two extremely harmful things: It weakens our economy and fails to seriously reduce our debt.

Democrats agree that cutting spending is part of the solution to our difficult problems that confront us. But we also believe that cuts should be smart and targeted, not reckless.

Rather than cutting investments in growth—at the same time our international competitors are ramping up theirs—Democrats support the Make It In America agenda, a plan to invest in innovation, manufacturing jobs, and middle class opportunity. That's what the President talked about in his State of the Union, and he was right.

Unfortunately, the consensus that the Republican spending plan will halt our economic recovery and cost jobs is widespread and nonpartisan.

Fed Chairman Ben Bernanke, appointed by President Bush, tells us that the plan will cost ''a couple of hundred thousand'' jobs. Macroeconomic advisers tell us that the Republican plan will wipe out approximately 450,000 jobs. Moody's Analytics chief economist Mark Zandi, who advised Senator MCCAIN in his Presidential campaign, tells us that it will cost up to 700,000 jobs. The Economic Policy Institute puts the number at 800,000 jobs. Whatever the precise number, it is a large number of jobs that will be lost if we pass the Republicans' budget solutions.

What they want to do, as the gentleman from Washington State said, this is all exempt. This is security. These are all mandatory expenditures. This small slice of the budget, about $460 billion, the Republicans want to cut by 22 percent, give or take a percentage point. So they are holding harmless almost all of 85 to 86 percent of the money that we spent and say we're simply going to cut from education, from health care, from children, from community development—projects—the guts of what makes our communities have a better quality. At the same time, I have argued the Republican spending plan barely puts a dent in our budget deficit.

It's reasonable to ask how can this plan have such severe consequences for our economy, yet so little impact on our fiscal predicament? This chart helps us answer the question. All of the proposed cuts, all of the cuts, come from this small slice of the budget, the category of our budget called ''non-security discretionary spending.''

But non-security discretionary spending, the gentleman from Washington State said 12 percent. We have here 14 percent. It's in that neighborhood depending upon exactly what you include as security or non-security. When you attempt to find $100 billion in savings and when you insist on getting these savings from 14 percent of the budget, you have to cut very deeply into absolutely essential projects and programs for our people.

□ 1040

You have to cut billions in funding into new medical cures and energy technologies. You have to kick 200,000-plus children off of Head Start. You even have to cut port and transit security by two-thirds. Hear that again. They're cutting port and transit security by two-thirds while they're holding terrorism hearings.

The chairman of the House Homeland Security Committee, a Republican, said those cuts were ''too dangerous.'' As David Brooks recently argued, Congress should ''never cut without an evaluation process.'' But instead, legislators—he referred to the Republican initiatives—''are simply cutting on the basis of what's politically easy and what vaguely seems expendable.''

It may be possible to portray taking on 14 percent of the budget as fiscally responsible, but only because doing so exploits Americans' misunderstanding of the budget. A recent poll shows that 63 percent of Americans think we spend more on defense and foreign aid than we do on Medicare and Social Security—all the blue, all the green, and then the yellow, that small sliver—which, by the way, includes discretionary foreign policy expenditures.

Mr. Speaker, I urge our citizens to look at the consequences of these cuts and look at the small sliver that the Republicans are focusing themselves on and you and me on. We need to see the whole picture if we're going to come to grips with the challenge that confronts us.

When another poll asked Americans how much we spend on foreign aid, the average estimate was 27 percent—when the right answer is about 1 percent.

It is entirely out of step with fiscal reality to attempt to tackle our deficit while ignoring 86 percent of the budget.

"Fiscal responsibility" is not synonymous with "cutting non-security discretionary spending."

In truth, fiscal responsibility is much more difficult than that.

As former Republican Congressman Joe Scarborough put it this week, "The belief of some on the right that America can balance the budget by cutting education, infrastructure, the corporation for public broadcasting, and home heating assistance to the poor is tantamount to budgetary witchcraft."

We have to start doing more.

We have to address the Defense spending that takes up more than a quarter of our budget. We have to make hard choices that can keep our entitlements strong for generations to come.

And, with tax revenues at a 60-year low, we have to pass deficit-reducing tax reform.

Unless we're willing to take on that hard work, on a bipartisan basis, none of us deserve to call ourselves fiscally responsible.

NFL PLAYERS AND TEACHERS

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

Mr. GEORGE MILLER of California. Mr. Speaker, the National Football League contract bargaining fight could teach an important lesson to the Governor of Wisconsin about how to ensure high-quality teachers in his State. When Governor Walker dictates that teachers will lose their collective bargaining rights except for negotiations over pay, he shows how out of touch he is with the teaching profession, with school reform in America, and, frankly, with the American workplace.

Having a voice at work has never been just about pay. It is about whether the American workplace will respect and nurture workers' skills, their abilities, and their ingenuity, or will it simply crush their spirits. It's about the total workplace and the ability of employees to utilize their talents and their time to the fullest extent, to be valued by and add value to the enterprise, whether that enterprise is a school, a factory, or an NFL team.

Ask yourself this: If he could, would Governor Walker limit collective bargaining for the world champion Green Bay Packers to just questions of pay? If he tried, he would discover rapidly that in the world of millionaires, as in the world of teachers, it is not just about pay. It is about the quality of the job and the career.

The Governor would quickly discover that, as important as pay is in the world of pro sports, an NFL player innately cares about the conditions of employment. He knows that his ability to get to that all-important second contract is governed by more than just his talent. Will he have to play 16 or 18 games? What is the increased likelihood of concussions or other injuries that can end his career from an extended schedule or fewer practice games? Probably good for the wallet, but is it good for the player?

The NFL owners who are worth $40 billion want the players to give back $1 billion, saying that they need it to improve and build new stadiums. Is that with or without the taxpayers' help? The players ought to find out.

Yes, in the world of megastar athletes, pay is important, but the workplace dictates so many other important issues that NFL players must be concerned with if they are to reach their potential of the profession for which they have trained their whole lives.

For many teachers, like athletes, their careers are their passion. Research tells us that a very significant number of teachers start thinking about a career in teaching while they're in middle school—not too different from athletes who start to get serious about their athletic futures. Like an athlete, the teacher's desire will not be enough to sustain his or her career.

Other important elements are involved to ensure a teacher's success and the success of his or her students. How will teachers be supported in schools? What will be their access to meaningful professional development? Will teachers be given time to perfect lesson plans and presentations? Will he or she have a say in campus safety? Will they be included in the reform decisions that are made for the school and for the students?

All over America school districts are changing the rules from the mere platitudes that teachers are the most important influence outside the home in the education of our children to really making it possible. Districts are soliciting teachers' views to improve both the learning and the teaching environment. It is happening in States and schools in tough unionized areas where some said it could never happen, and it will continue because it reflects what the new and current dedicated teachers view as a modern workplace, where results and outcomes matter to students, parents, teachers, and the community. It's not just about pay. Teachers advocate for our children. They advocate for our children when they are sick or troubled or when they're being bullied, when they need help learning.

The Governor of Wisconsin's view of dictating and mandating without the say and collaboration that teachers want and expect in their careers is a broken model from the past and will not give students, parents, or our economy the results that our country needs as we enter the next generation of a highly competitive globalized economy.

Many Americans may not care who wins between wealthy team owners and often highly paid NFL players, but no one is suggesting that the players should lose their right to collective bargaining on a wide range of issues and only be able to bargain just on pay.

Governor Walker should stop attacking his State teachers and his public servants.

WALL STREET RISES AS MAIN STREET FALLS

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

Ms. KAPTUR. Mr. Speaker, almost one in four homeowners in our country is underwater, meaning they owe more on their mortgages than their homes are worth, and all of this misery is due to Wall Street's rigging of our economy.

But on Wall Street, they're popping champagne corks. The Nation's biggest banks—Bank of America, Wells Fargo, Citigroup, JPMorgan Chase, Goldman Sachs, and Morgan Stanley—have been raking in huge profits, all at the expense of the American people. In fact, these institutions have doubled in size through predatory mergers since the fall of 2007, and these six banks now control two-thirds of the banking system in our country.

They cleaned up with profits in 2010—$51.6 billion in profits, more profits than they made before the American people bailed them out. Main Street is underwater, yet Wall Street is going on a pleasure cruise. It doesn't take a mental giant to figure who got our money.

According to a recent report, the economic crisis that Wall Street precipitated has now caused massive tax revenue shortfalls for the Federal Government and our State governments totaling nearly $300 billion. This is why people are at one another's throats in Wisconsin, in Ohio, and other places. Yes, ordinary Americans—teachers, police, firemen—are being pink-slipped, and the American people are being forced to accept cuts in government services while Wall Street keeps winning, and winning big.

They know well how to win for themselves. This year, Bank of America is receiving an income tax refund of—are you ready for this, America?—$666 million for 2010. Now, that followed $3.5 billion in refunds that Bank of America reported in 2009. Bank of America's Federal income tax benefit this year is roughly two times the Obama administration's proposed cuts to the Community Development Block Grant program, which is a lifeline to communities such as I represent where unemployment is still over 9 percent.

Six banks—Bank of America, Wells Fargo, Citigroup, JPMorgan Chase, Goldman Sachs, and Morgan Stanley—together paid income tax at an approximate rate of 11 percent—oh, those poor companies—of their pretax U.S. tax earnings in 2009 and 2010. Had they paid 35 percent like every other honest business in this country, the Federal Government would have received an additional $13 billion in tax revenue. Do you know how much that is? That's enough to cover the salaries of 132,000 teachers whose jobs have been lost since 2008. Who do you think has caused all the layoffs?

□ 1050

Wells Fargo reportedly received a $4 billion Federal income tax refund on $18 billion in pretax income in 2009 and only paid 7.5 percent of its pretax income of $19 billion in 2010. Its net Federal income tax benefit for 2009 and 2010 combined is $2.5 billion, which equals the Obama administration's cuts to the low-income energy assistance program that is vital in cold weather to senior citizens, particularly women over the age of 80 years in districts like I represent.

So who took their money? Pretty clear to me.

Banks use a variety of mechanisms to avoid corporate income taxes, including offshore tax shelters. Fifty percent of these six big banks have 1,871 foreign subsidiaries incorporated in jurisdictions we know as off-shore tax havens, like the Cayman Islands.

The Bank of America operates 371 tax-sheltered subsidiaries, and 204 in the Cayman Islands alone.

For Goldman Sachs, 75 percent of its foreign subsidiaries are incorporated in offshore tax havens.

So who's paying their freight? You are—the American people.

Closing tax loopholes for the financial sector, making them pay their fair share of taxes, and I would support imposing a financial speculation tax, could generate more than $150 billion in Federal tax revenue. And what could be more fair to those who cause such harm to the American people?

Something is really out of kilter in America, and it's not the State budgets. It's the balance of power in our political system. Everywhere you go, Big Money and Wall Street win, and the American people pay.

Mr. Speaker, I just say to the American people, think about who's hurt our Republic—and it's not the American working people.

RECESS

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

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

Rev. Raymond Bowman, Spruce Street Baptist Church, Nashville, Tennessee, offered the following prayer:

O God of freedom, referred to by many names, embraced in different ways by the many different people who make up this great Republic.

As leaders and elected officials, center us on the awesome work of serving a people who have been identified as the citizenry of a free Nation, the United States of America.

Grant us a powerful sense of Your presence so that we are not confused about Who really leads and inspires a free people.

Help us to honor the aspirations of a free Nation, so that our private ideologies do not distort public passions.

May we in our own little ways provide a concerted effort to represent well our unique, diverse, but united constituencies.

Enable us to see that our best expressions of leadership come not from bold assumptions, but out of humble submissions. Submit us, I pray, to the lofty aspirations that continue to give shape to our wonderful country.

We thank You for giving us another opportunity to make real our claim of God bless America.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

WELCOMING REV. RAYMOND BOWMAN

The SPEAKER. Without objection, the gentleman from Tennessee is recognized for 1 minute.

There was no objection.

Mr. COOPER. Thank you, Mr. Speaker.

It is an honor to recognize the Reverend Raymond Bowman today, who just gave the opening prayer. Seldom has Congress been more in need of prayer than we are today.

Rev. Bowman was raised in Chicago. He came to Nashville, Tennessee, to attend American Baptist College. Thankfully, he is the pastor of Spruce Street Baptist Church in Nashville, Tennessee, sometimes referred to as the mother church of African American churches in our area. He is also the president of the IMF, the Interdenominational Ministerial Fellowship.

He and his wife, Nancy, are here with us today, and we would like to welcome them to our Nation's capital.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

ENDING $1 BILLION OF FAILED SPENDING

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. WILSON of South Carolina. Mr. Speaker, I would like to commend the efforts of Representative JEB HENSARLING for introducing H.R. 836, the Emergency Homeowner Relief Program Termination Act.

This bill prevents $1 billion from being spent on this failed program. In the current administration's budget, it is estimated that the program has a 98 percent subsidy rate. That means for every dollar spent, taxpayers lose 98 cents. This is bad for taxpayers and bad for American families.

Making this reform possible is the South Carolina Federation of Republican Women, which has inspired the Republican revolution in South Carolina since 1961. This is the 50th anniversary of the election of the first Republican legislator in the 20th century, the late Charlie Borineau of Richland County. In 2010, the transformation was completed of all statewide elected officials being Republicans for the first time since 1876.

Under the guidance of leaders such as our Governor, Nikki Haley of Lexington, with Jocelyn Staigar, Susan Dickson, Nikki Trawick, Carla Hardee, Kim Wellman, Betty Poe, Lisa Manini Sox, Grace Rentiers, Irby Shultz, Katrina Shealy, and Eaddy Roe Willard, this organization will continue to make a difference promoting limited government and expanded freedom.

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

HOUSING, KEY TO ECONOMIC RECOVERY

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

Mr. CICILLINE. Mr. Speaker, today we will consider proposals to cut foreclosure prevention programs during one of the worst housing downturns in our Nation's history. A safe and affordable home is central to the American Dream and central to a strong neighborhood and a thriving economy.

In Rhode Island, that dream has been fading because our State has been extremely hard hit by the national foreclosure crisis. Last year alone, there were more than 4,700 foreclosures in Rhode Island; and according to Housing Works Rhode Island, one in every 10 mortgaged homeowners was in foreclosure or serious delinquency by the end of last year. The fact of the matter is that we still face a serious housing crisis all across this country.

Today, my friends on the other side of the aisle will cut mortgage relief and refinance programs that help the very homeowners who need them most. That will leave homeowners with no other choice than to turn to those who created these unfair and predatory mortgages that got us into this mess in the first place.

At a time when our economy is beginning to recover, we should not be cutting from these programs because the housing sector is key to our economic recovery. These programs deserve increased funding because a successful housing sector will be one of the major factors that will pull us out of this recession.

IN HONOR OF LEONARD ''BUD'' LOMELL

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

Mr. RUNYAN. Mr. Speaker, I rise today to honor a true American hero, Sergeant Leonard ''Bud'' Lomell.

Through his courageous actions on D-day as an Army Ranger, Bud earned a Distinguished Service Cross. Bud's brave service was crucial to the success of D-day and left an impressive imprint on our Nation's history that was documented in two best-selling books: Tom Brokaw's ''The Greatest Generation'' and Stephen E. Ambrose's ''The Victors: Eisenhower and His Boys: The Men of World War II.''

Sergeant Lomell passed away on March 1, 2011, at the age of 91, leaving his family and our country with a proud legacy of honor and service. I am proud and humbled to have been able to call this incredible American a constituent. I ask you today to please rise with me in honor of Sergeant Leonard ''Bud'' Lomell.

TERMINATING MORTGAGE RELIEF PROGRAMS

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

Ms. BASS of California. Mr. Speaker, California was ground zero of the foreclosure crisis. At one point, 40 percent of all foreclosures nationwide were concentrated in the State of California. Today in California, nearly one in eight homes is in foreclosure. By far the majority of my constituents who walk through the door have received foreclosure notices or are on the brink of foreclosure. They have been shunned by the banks and have turned to my office and the Federal Government for help.

Mr. Speaker, the two programs on the Republican chopping block this week haven't even been fully implemented: the Emergency Mortgage Relief Program and the FHA Refinance Program. The Emergency Relief Program provides no-interest loans to those who lost their jobs, which is the main reason homeowners fall behind in their mortgage payments.

Not only does this response from the majority ignore the basic economic principle that the housing sector is a key component to economic recovery; it also comes without any alternative to reduce foreclosures.

Mr. Speaker, I urge my colleagues to support struggling homeowners and vote against H.R. 830 and H.R. 836.

THE BORDER WAR CONTINUES ON THE SOUTHERN FRONT

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

Mr. POE of Texas. Mr. Speaker, on December 14, Border Patrol Agent Brian Terry was murdered in Arizona by bandits crossing into the United States. Border agents approached armed invaders carrying AK–47s. A shootout occurred where Terry was shot and killed. Now, there is evidence that Terry and possibly other agents fired first to defend themselves by firing bean bags at the outlaws before using live ammo. Documents indicate that the agents were required to fire first with non-lethal bean bags before using live ammo. Allegations also show the AK–47 used by the bandits to kill Terry was a gun the ATF had allowed a smuggler to buy in an apparent sting operation and take to Mexico.

The idea that when armed bandits invade the United States our border agents must fire bean bags is nonsense and no way to protect them or the Nation. You don't take bean bags to a gunfight. And if the guns the bandits used came from our government in some type of undercover sting operation, that is sickening and reprehensible.

And that's just the way it is.

□ 1210

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

GAS PRICES

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

Mr. SAM JOHNSON of Texas. That's the Dallas Morning News front page. And do you know what they're saying? Gas prices are going up for all drivers and it's time for the gallon of gas to come down or stop. You know, it has risen nearly a buck since last September. That's why I'm calling on the IRS to stand up for small business by increasing the gas mileage rate that they can deduct. The IRS increased the optional mileage rate during spiking gas prices in 2005 after Hurricane Katrina and in 2008. Gas prices are going upward, and there are no signs that the pain at the pump will subside anytime soon.

Taxpayers today, especially small businesses struggling to stay afloat, want, need, and deserve rates that reflect the current cost of travel. They need those deductions.

We need to drill for oil. Call the White House at 202–456–1414 and tell them about it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the gentleman from Texas that remarks in debate are properly addressed to the Chair.

H.R. 1 IS NOT THE ANSWER

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

Ms. SCHAKOWSKY. Ask Americans if we should reduce government spending and most say yes. I agree. But let's dig a little deeper. Let's make the kind of choices that families make.

H.R. 1 that the Republicans have offered in cuts will result in 218,000 fewer children getting the proven benefits of a preschool program called Head Start. H.R. 1, at the same time, does nothing to cut the $4 billion that we are giving every year to the Big Oil companies. If we want to talk about oil prices, our taxpayers give $4 billion to the wealthiest corporations in the history of the world.

We are cutting about $5.7 billion from Pell Grants in H.R. 1. I voted ''no.'' What are we doing about billionaires who are getting tax breaks to leave to their heirs? Eleven billion dollars a year for the wealthiest Americans and their heirs.

We have to make the kind of choices that help middle class Americans. We can tighten our belt, but we don't have to do it on the backs of the middle class.

TAKING A STAND FOR FISCAL RESPONSIBILITY

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

Mr. PENCE. With a $14 trillion national debt, a $1.65 trillion deficit this year alone, yesterday the United States Senate voted to reject the House effort to fund the government for the rest of the year. The Senate majority leader even took to the floor and called our $61 billion in savings ''mean spirited,'' ''reckless,'' and ''irresponsible.'' He even defended Federal funding for the Cowboy Poetry Festival, apparently in his own State.

You know, I learned a long time ago out here in Washington that sometimes things don't change in Washington, D.C., until they have to. I think we have to pick a fight. If House Republicans want to win this battle, we need to take a stand for the budget cuts and the policy changes enshrined in H.R. 1—that's $61 billion in savings this year, defunding ObamaCare, and defunding Planned Parenthood of America.

It's time to take a stand for fiscal responsibility and reform. We have to say, This far and no farther. For the sake of our children and our grandchildren, we need to make a stand for the American people. And make no mistake about it: If we make this fight, we can win this fight, because the American people are on our side.

THE PARTY OF NO PLAN

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

Mr. DEUTCH. Mr. Speaker, the Party of No has officially become the Party of No Plan. Every week under GOP control has been another week with no plan to create jobs. This is not a game.

In Florida, unemployment remains at 12 percent. People want to work. They want Washington to lead with a jobs plan. With construction and housing so integral to Florida's economy, stabilizing this sector is critical to our recovery.

Close to 1 million Florida families and seniors have lost their homes since 2009. Now, through no fault of their own, nearly half of all mortgages in Florida are underwater. But instead of creating jobs, Republicans want to kick middle class families while they're already down. Rather than improve mortgage modification programs by working with Democrats, my Republican friends want to shut them down altogether.

So to families and seniors across America who owe more to the banks than their homes are actually worth, what's the Republican plan? What's the response? Pay up, even if you have no job, no income, no health care. Under today's Republican bills, soon you and your family will have no home.

EGYPTIAN CHRISTIANS KILLED

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

Mr. PITTS. Mr. Speaker, this week, 13 Coptic Christians in Egypt were killed in clashes with Muslims. Recently, a church in the town of Sol was burned to the ground, leading many Christians to flee the village in fear of their lives. This comes only 2 months after 24 Christians were killed in a church bombing.

For thousands of years, Coptic Christians have lived and worshiped in Egypt, but some extremists want to use the chaos in the country today to drive them out of their homes and places of worship.

Egypt is in the process of developing a democratic government, one in which all the Egyptian people will have a say. These attacks undermine freedom and democracy. Democracy without protection of minority rights is mob rule and not true freedom.

I invite all my colleagues to join me on a letter to the commander in chief of the Egyptian Armed Forces calling on him to protect the Egyptian citizens during this critical period in his nation. We are glad to see the Egyptian people building a better government, and we must remind them that fundamental respect for human rights must be protected.

WISCONSIN SHENANIGANS

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

Mr. INSLEE. Mr. Speaker, middle class Americans around the country are very concerned about what's going on in Wisconsin for two reasons. The first reason is that they fundamentally understand that while we all have to tighten our belts—and they've seen workers do that in Wisconsin, to give up various rights under bargaining agreements—they understand fundamentally that we can't solve this problem by attacking the middle class. And second, they understand that the shenanigans that went on last night in Wisconsin are an assault on some democratic principles that we have long enjoyed.

We have long enjoyed the right to petition our government for redress of grievances. It's right there in the grand old document that we took an oath to. And fundamentally, this is a reduction in the ability of Americans to work together, to speak with one voice to and with their government.

This will not abide. We've got to respect the middle class. We've got to respect democracy and move forward together as a country.

WE MUST REDUCE GOVERNMENT SPENDING

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

Mr. STEARNS. Mr. Speaker, some new statistics have just come out on government wages and salaries in this country. Government payouts, including Social Security, Medicare, and unemployment insurance, make up more than one-third of total wages and salaries of the United States population, a record figure that will only increase if action isn't taken before the majority of baby boomers enter retirement.

Social welfare benefits make up 35 percent of wages and salaries this year. In the year 2000, that percent was 21 percent. In the year 1960, it was 10 percent. And these are statistics that came from the Bureau of Economic Analysis data.

Recently, it was quoted that the U.S. economy has become alarmingly dependent on government stimulus itself. So, in this country, we have a stark choice: We have to reduce government spending. Otherwise, not only will we go bankrupt, but there will become a tipping point, a tipping point where the government payout for wages and salaries will become 50 percent of all U.S. wages. All of us should know what that means.

□ 1220

WHERE ARE THE JOBS?

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

Ms. WILSON of Florida. Mr. Speaker, today I rise with my colleagues for one reason—to talk about jobs again.

My constituents still need help. They want to work, but I don't hear any solutions. I've been here for over 2 months, and I'm still waiting to hear a Republican plan for jobs. I came to Washington to focus on jobs. When are we going to talk about jobs?

I asked this same question 2 weeks ago. If I have to get up here every 2 weeks for the rest of my term and ask the same question, I will.

When I go home this weekend, I will be asked, ''What are they doing in Washington to help me find work or provide jobs for others who want to work? I want to work to support my family. I want to start a business. I've lost my home, lost my job. And the Congress promised to help the economy so that I could find a job.''

My constituents will ask me, ''Why did they cut job training? Why are they cutting educational opportunities for young people?''

People are hurting and people are suffering. Listen to the people.

Let's stop the partisan bickering and help the people find work. If not now, when? If not us, who? If not here, where? The people want to work.

REPUBLICANS CONTINUE ASSAULT ON THE AFFORDABLE HEALTH CARE ACT ON 1-YEAR ANNIVERSARY

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

Mr. PAYNE. Mr. Speaker, I rise today on the 1-year anniversary of the passage of the Affordable Health Care Act to voice my disappointment with my Republican colleagues' continued assault on the historic law that has already begun to provide aid and relief for countless Americans.

One year ago, my colleagues and I came together to enact a law because of the call to action from our constituents. We heard from seniors who could not afford their prescriptions and were in the Medicaid doughnut hole, parents whose children were being denied coverage due to preexisting conditions, individuals who were being denied treatment due to lifetime limits, and taxpayers who are bearing the costs of uncompensated health care.

We answered the clarion call from our constituents who asked us to protect them. Yet the Republican colleagues continue to assault the law. Siding the special interests, particularly the health care insurance companies that stand to lose from health care reform, my colleagues on the other side of the aisle continue to assault our program.

With that, I say let's keep the law in force and let's move forward with progress.

JOBS AND 99'ERS

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

Ms. LEE. Mr. Speaker, the American people want to know where are the

jobs. After 10 weeks of controlling the House, Republicans have no plan to create jobs, no plan to spur our economic growth.

Instead of listening to the American people and making jobs their number one priority, Republicans passed a budget that will result in 700,000 new layoffs. And what's the response? So be it. Taking food out of the mouths of hungry children by cutting WIC? So be it. Dropping 218,000 kids from the Head Start Program? So be it. Declaring a war on women by eliminating family planning services and punishing the one in five women across America who visit a Planned Parenthood clinic? So be it. Denying the extension of unemployment benefits to those who've reached that 99-week limit and are struggling to make ends meet? So be it.

And now denying homeowners to stay in their homes, the help that they need, by eliminating programs to prevent foreclosures? So be it.

The Republicans No Jobs, their So Be It agenda, it's a failure on all counts.

GENERAL LEAVE

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 830 and to insert extraneous material thereon.

The SPEAKER pro tempore (Mr. STEARNS). Is there objection to the request of the gentleman from Alabama?

There was no objection.

FHA REFINANCE PROGRAM TERMINATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 150 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 830.

□ 1225

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 830) to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, with Mr. BASS of New Hampshire in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Alabama (Mr. BACHUS) and the gentleman from Massachusetts (Mr. FRANK) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BACHUS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, just this week the American people received some very sobering news. The budget deficit for the month of February alone is $223 billion. That is $8 billion every day. That is money that we are having to borrow from countries around the world.

It wasn't long ago that our budget deficit for the entire year was only $220 billion. But thanks to a Washington spending binge that has occurred over the last 4 years, now our monthly budget deficit is larger than our annual deficit used to be. In fact, February's budget deficit was the largest monthly budget deficit in the history of the United States. Larger in real dollars than when we were fighting for our existence during World War II. Higher than the Civil War. And that has happened even though government receipts posted an increase this February from last February.

Our national debt in the last 4 years has doubled. Now think of that. In the first 220 years of our existence, we incurred a national debt which, in the last 4 years, we've doubled. And by the end of this administration, unless we take action today—action the American people asked us to take last November—we will have tripled the deficit.

In 7 years or a little less than 7 years, we will have tripled our deficit.

That's why we're here on the floor today, because the American people have sent us a message. They said, ''Don't spend us into a financial oblivion. We have to balance our own budgets at home. We expect the same from those that we send to Washington to represent us.''

The bill that we're debating today is an example of two things: too many government programs—spending programs—and too many ineffective government programs. It is a poster child for both.

It's also an example of a broken promise. In 2008, during our financial meltdown, which has led to a recession and record unemployment, we promised the American people that those steps that were taken, that that money that was loaned, would be paid back to the national Treasury.

□ 1230

I am happy to say that today most of the money that was lent to what some have called a Wall Street bailout, what the American people certainly call a bailout, it has been paid back with interest, but it's not found its way into the national Treasury. It's not been paid back despite promises to the American people on this very floor of this House a little less than 3 years ago.

Instead, that money has been diverted into all sorts—and that's the TARP bailout money—it's been used for other social programs, just what many warned on the floor of this House would happen. It's turned into a slush fund. And one of the programs that it has funded is a well-intentioned program in which $8 billion, that's 8,000 million dollars, has been designated for the FHA Refinance Program. Now, the FHA program today, the reserves are low. And that's a program that is not in the greatest of shape. It's like most government programs. Eight billion dollars for a program to allow homeowners who are underwater on their mortgages to get a reduction in their mortgage.

Now, not all can take advantage of this program. There are what the American people have come to know as winners and losers. With all government programs, it seems that some benefit, but 99 percent of Americans don't benefit. And that's what's happened here. The administration said we'll literally have hundreds of thousands of people that will line up for this program. But because lenders and borrowers are getting together and working out, or some homeowners are deciding that they can't afford their mortgage and they're selling their houses, 42 American families have been assisted by this program.

Now, this is a program that authorizes $8 billion. And $50 million has actually been set aside and disbursed. In fact, the budget that the President has submitted has a $50 million subtraction there for a program that's helped 42 families; $50 million, 42 families. But think about this. How many families are underwater? How many American families have a home where they owe more than the home is worth? Twelve million, somewhere above 11 million—let's say 12 million.

That means that even if this program could have helped 100,000 that it would help 1 out of every 120 American families. One out of 120. And yes, some government employee sitting behind a desk would say you are eligible, you can apply, you win. At the most, all the programs we're going to consider this week and next week, which if we act, will save the American taxpayers billions and billions and billions of dollars, all of them will benefit only an estimated 500,000 families.

As the Inspector General has said, about 50 to 60 percent of those families, even if it goes to families—as we found out yesterday in a hearing, a lot of it is going to nonprofit groups. In Los Angeles alone, more went to a nonprofit group than went to the county government. But we are only helping 1 out of 22 families. What about those other 21 families? They're making their mortgage payment, and they're not asking the government for help.

It seems that we're in a country where the majority of Americans aren't underwater; about one-fourth are. But out of all those, we're starting programs to help in this case 42 families, in another case 200,000 families. And we're asking every American family, and we're asking their government, to start programs when we don't have enough money to finance the programs we have.

But more than that, I put a photograph up. And this is the bottom line on this program. Fifty million dollars has been put into a fund, and $8 billion has been authorized for this program. And it's money we don't have. And it's

money we won't pay back. It's those children in that photograph. It's our constituents' children and grandchildren that will have to pay that back.

Our national debt is $12 trillion—$14 trillion. You memorize a number, and in a few months it's irrelevant. It's no longer the real number. Robert Gates on January 6, in outlining the Pentagon's budget, said, ''This country's dire fiscal situation and the threat it poses to American influence and credibility around the world will only get worse unless the U.S. Government gets its finances in order.'' Well, who will get it in order? It has to be the President and this Congress. That's his quote January 6.

The Joint Chiefs of Staff say that our national debt is a national security problem. But the message just doesn't seem to get to this floor, because today people will come to this floor and say, oh, if we get rid of this program everybody that can't pay their mortgage needs to call their Congressman and say you need to pay my mortgage, or there needs to be a government program to pay my mortgage. Well, let's not kid ourselves. Those children, that's who we are obligating. Last year we could stand on the floor and say that they each come into this world owing $35,000. Today it's $45,000.

Today we're going to have to make some hard choices for them, for our children and our grandchildren. And oh, yeah, these programs do some good. Although for most homeowners who can't pay their mortgages and they're given a reduction, it doesn't work. The default rate in most of these programs is over 50 percent. One of the programs we will consider tomorrow, out of every dollar of taxpayer money lent, 98 percent is never repaid. Never repaid. How can a country continue to function like that? What kind of future do these children have?

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield myself such time as I may consume.

First, for people trying to follow this, the gentleman from Alabama has confused several programs in this conversation, most of which aren't up today. We are dealing with one at a time. He talked about money that went to Los Angeles and went to a group instead of the county. That has zero to do with today's program. Zero. And in fact, it doesn't have to do with individual homeowners. It's a program that gives aid to municipalities, which we will be debating later, probably next week, which gives aid to municipalities to deal with property that they have been stuck with. So it has nothing to do with today.

But the gentleman does make a good point about the deficit. Unfortunately, he does not put his votes where his rhetoric is. The CBO says that this program is going to cost not $8 billion, but if it's fully operational over a 2-year period, which is its life span, will cost $175 million.

□ 1240

Now, that's money. But do you know what it is? It's much less—and the gentleman from Alabama voted during that same period to send money to the cotton farmers of Brazil. We do have a debate about the deficit here, but it's not about whether to reduce it. It's how.

The gentleman from Alabama, along with the majority of Republicans voting, defeated an amendment—with some Democrats, although the majority of us voted for the amendment—to stop sending American tax dollars to subsidize the cotton farmers of Brazil. In the 2-year period during which we will be dealing with this program: Brazilian cotton farmers—$300 million. Americans facing foreclosure—$175 million. The gentleman from Alabama has a very odd way of saving money on the deficit.

Then he says we have winners and losers. Well, among the big winners under the Republican budget and with the majority of their votes are the farmers who receive more than $250,000 per year in subsidy. Whatever happened to free enterprise? Whatever happened to standing on your own? An amendment was offered to limit to a measly $250,000 the subsidy any one entity could get. The gentleman from Alabama voted ''no.'' That was too harsh. The gentleman from Alabama is for unlimited amounts of subsidy to go to a handful of farmers—but no—we can't spare much less than that over the time period because, in the time period of this bill, that would have cost $200 million, or $100 million a year.

Then the gentleman quoted the Secretary of Defense, that we should pay more attention to the Secretary of Defense because he, along with many Republicans, voted to force money on the Secretary of Defense that he didn't want. He voted to fund the programs the Secretary of Defense didn't want. He's trying to get some reprogramming now, but the Republican Appropriations Committee won't allow it. By the way, I don't agree with the Secretary of Defense fully on this either.

I disagree with the gentleman from Alabama and the Secretary of Defense because they don't want to spend $175 million in 2 years trying to deal with foreclosures in American cities. Instead, they want to send more than twice that amount to Afghanistan for its infrastructure. You talk about inefficiency. Does anyone think that President Karzai and his administration are going to spend the $400 million my friend from Alabama has voted to send toward Afghan infrastructure projects better than we would spend it here?

How about $1.2 billion for the Iraqi security forces at a time when American municipalities are having to lay off police officers and firefighters and other essential employees? The gentleman from Alabama voted to send $1.2 billion to the Iraqi security forces. Does anyone here have a great deal of confidence in how efficiently they'll spend it?

Now let me address a couple of mistakes the gentleman made specifically about this program:

The $50 million is not being spent on 40 people; $50 million hasn't, in fact, been spent at all. Not a penny has been spent. The $50 million was reserved out of TARP money to cover losses if they were to occur. The CBO does say, yes, if this program is fully funded and if it gets the participation they expect, the total amount of losses will be $175 million, not $8 billion. The $8 billion was a resurrection on the TARP for technical reasons. The CBO says, full scale, this will cost $175 million—again, less than the gentleman of Alabama wants to send during that period to Brazilian cotton farmers.

Now, as to the people who vote consistently, as some do, to cut money for Afghan infrastructure or for Iraqi security forces or for Brazilian cotton farmers or for American cotton farmers or for other recipients of subsidy who then are opposed to this program, I honor their integrity. I disagree with them in some ways, but I honor it. Yet I cannot accept the lecture on fiscal responsibility from someone who votes to lavish money in wasteful ways on Afghan cities but begrudges it in American cities; who would send it for Iraqi police officers but not for American police officers; who would send it to cotton farmers and to other farmers in America but not to struggling homeowners.

This program has started slowly. By the way, there's a great contradiction between saying it has only helped 40 people and that it's going to cost $8 billion. If the pay starts to increase, it won't cost the full $175 million, but here's what we hope:

There are negotiations going on now to allow people the benefit of a refinancing. The gentleman says it's not going to take care of everybody. Of course not. There is not one program that is fit for everybody. There are a series of programs for people in different circumstances, and this is one for people who could benefit from a lower interest rate and a refinancing but who are under water and can't do it. It induces the financial institutions to do it. It's voluntary. If financial institutions find this is unreasonable, they won't do it.

There is an effort going on now to achieve a negotiated settlement involving the services of financial institutions, many of which are quite culpable and have misbehaved in this process, so these are not innocent victims being shaken down. The Attorneys General of every State, Republican and Democrat, and the regulators are trying to come up with a solution.

This is the other point that gets lost in the rhetoric when the gentleman who was so eager to send money to Brazilian cotton farmers begrudges a small amount going to Americans facing foreclosure, which is that the foreclosure crisis is not just a crisis of individual families. It's a national economic problem. It's a macroeconomic

problem. To the extent that we do not do something to retard the rate of foreclosure, then we make it harder to get out of the economic bind in which we have found ourselves, which, as the gentleman correctly said, started from the meltdown of 2008, and we have been getting out of that at too slow a pace. Dealing with foreclosures is a part of it.

This program has not yet become fully operational—and it may never be—but it is here to be used as a tool, especially if we are ever to get the agreement among the Attorneys General from both parties, the regulators and the financial institutions. It is a responsible way to deal with this. It will cost less than many of the unnecessary agricultural subsidy programs.

I've got to say, Mr. Chairman, that I've got to go reread. Maybe I missed a footnote. I know there are these great free market economic texts by Ludwig von Mises and Friedrich Hayek and others. They talk about free enterprise, about keeping the government out of business, and about letting the free market work. Apparently, there is a footnote that says, oh, except agriculture. Overwhelmingly, my Republican colleagues preach this to working people, to people in urban areas and to people in other jobs, but it doesn't apply to cotton farmers or to wheat farmers or to corn farmers or to grain farmers. Billions of dollars go to them.

As a matter of fact, as the gentleman from Alabama said with his vote: How dare you limit some farmer to a mere $250,000 in entitlement subsidies? Because agriculture is an entitlement, but they don't talk about that. They want to talk about Social Security for the elderly, but they don't want to talk about entitlements for agriculture.

I do believe we need to cut the deficit. I think we can cut back substantially in what we're doing in Afghanistan and Iraq. We can cut back substantially in agriculture. We can put limits elsewhere, which I would like to do. I would throw in that I did not think it was a good idea to reduce the estate tax that the heirs of William Gates and Warren Buffett are going to have to pay. Although, to the credit of Mr. Gates and Mr. Buffett, they didn't think so either. They weren't for substantially reducing the estate tax on people who were going to be inheriting—not earning—tens of hundreds of millions of dollars.

My colleagues over there, and some here, have supported all of that, and then have said we cannot put a program out there that will help Americans facing foreclosure—and not simply to help them but to help the cities and to help the whole economy. There is a great consensus among economists that dealing responsibly with foreclosures is the way to deal with this.

So, no, please don't believe in $8 billion. It's not that. The CBO says it's $175 million. And $175 million is considerable, but I will repeat that it's less than my friends want to send to Brazil. It's less than they want to send to build infrastructure in Kabul and Kandahar. It's less than they want to spend to police Fallujah. You know, if I thought that latter set of funds were going to be well used, I might feel better about it, but we know how corrupt it is.

There is a double standard, let me say finally. Expenditures within the United States are held to a very, very strict accountability, but as to expenditures in Iraq and in Afghanistan and elsewhere in the world, we know how much more wastefully and corruptly spent they are, and that doesn't seem to bother other people.

I reserve the balance of my time.

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

Mr. Chair, if I were Ranking Member FRANK, I would do exactly what he's doing. I wouldn't talk about the fact that there are only 42 people who have been served by this program. I wouldn't talk about the fact that only $50 million has been set aside. I wouldn't talk about the $8 billion that has been authorized. I wouldn't talk about the fact that the American people were told this money would be repaid into the National Treasury. No. I would talk about the cotton subsidy, the deal with Brazil. That deal sounds pretty bad. It really does. The ranking member agrees.

□ 1250

He kept talking about this the last month, about don't shut down this ineffective program to help balance the budget because some of us voted for the cotton deal with Brazil. Well, in fact, the majority of this Congress, the overwhelming majority did.

But, let's talk about that deal. Who made that deal? Did the gentleman from Alabama make that deal? Did the gentleman from Texas that's going to speak on our side, did he make the deal? Did the gentleman from Nevada make that deal? Did the gentleman from Illinois (Mr. DOLD) make that deal? No. The Obama administration made that deal.

The U.S. Trade Representative, Mr. Kirk, made that deal in an agreement with the Brazilian Government, not your Republican colleagues. Here's what he told us. He said that $60 billion worth of trade depended on our ability to export into Brazil without the tariffs they were going to impose on us. That's 420,000 U.S. jobs that were threatened, and he told us that if we didn't do that, they would impose billion $820 worth of countertariffs on such products as pharmaceuticals, autos, electronics, textiles, wheat, fruit, nuts, cotton, medical equipment. So he made a deal with them to make them certain payments, to compensate for that.

Now, I don't know if he misrepresented. I don't think that President Obama and his administration and his U.S. Trade Representative would have misrepresented this. But if that was a bad deal, then the ranking member ought to go over there and to complain to the President, whom he defends, because both of them, apparently, want to spend money at every turn and every chance they get.

U.S., BRAZIL AGREE ON FRAMEWORK REGARDING WTO COTTON DISPUTE

WASHINGTON, D.C.—Today Brazil's Ministers reached a decision in support of a Framework regarding the Cotton dispute, which would avert the imposition of countermeasures of more than $800 million this year. This includes more than $560 million in countermeasures against U.S. exports which were scheduled to go into effect on Monday, June 21, 2010, as well as possible countermeasures on intellectual property rights that could have taken effect later. We are pleased with this decision, and look forward to signing the Framework soon.

The findings in the Cotton dispute concern U.S. cotton support under the marketing loan and countercyclical payment programs, and the GSM–102 Export Credit Guarantee Program. In line with these findings, the Framework has two major elements.

First, it would provide, as a basis for a discussion toward reaching a mutually agreed solution to the dispute, a limit on trade-distorting cotton subsidies. Second, the Framework would provide benchmarks for changes to certain elements of the current GSM–102 program. In the Framework, the United States and Brazil would agree to meet quarterly to discuss the successor legislation to the 2008 Farm Bill as it relates to trade-distorting cotton subsidies and the operation of GSM–102. The Framework would not serve as a permanent solution to the Cotton dispute. However, it would provide specific interim steps and a process for continued discussions on the programs at issue with a view to reaching a solution to the dispute.

''I am pleased that we have been able to negotiate a Framework regarding the WTO Cotton dispute that would avoid the imposition of countermeasures against U.S. trade, including goods and intellectual property,'' said Ambassador Kirk. ''While respecting the role of the United States Congress in developing the next Farm Bill, this Framework would now allow us to continue to work toward a final resolution of the Cotton dispute. I believe this Framework will go a long way in alleviating the uncertainty in our business communities and enhance the ability of the United States and Brazil to build upon our dynamic trading relationship.''

''This framework agreement provides a way forward as we work with Congress toward a new farm bill in 2012,'' said Secretary of Agriculture Tom Vilsack. ''Although it is not a permanent solution, I am pleased that it allows us to maintain our programs while considering adjustments and avoiding the immediate imposition of countermeasures against U.S. exports as a result of the WTO cotton decision.''

BACKGROUND

The Cotton dispute is a long-running dispute brought by Brazil against the United States. In 2005 and again in 2008, the World Trade Organization (WTO) found that certain U.S. agricultural support payments and guarantees are inconsistent with WTO commitments: (1) payments to cotton producers under the marketing loan and countercyclical programs; and (2) export credit guarantees under the GSM–102 program, a USDA program used to provide guarantees for credit extended by U.S. banks or exporters to approved foreign banks for purchases of U.S. agricultural exports.

On August 31, 2009, WTO arbitrators issued arbitration awards in this dispute. These

awards provided the level of countermeasures that Brazil could impose against U.S. trade. The annual amount of countermeasures has two parts: (1) a fixed amount of $147.3 million for the cotton payments and (2) an amount for the GSM–102 program that varies based upon program usage. Using the data that we have given Brazil (in accordance with the arbitrators' award), the current total of authorized countermeasures is more than $800 million.

The arbitrators also provided that Brazil could impose cross-sectoral countermeasures (i.e. countermeasures in sectors outside of trade in goods, specifically intellectual property and services). It may impose cross-sectoral countermeasures to the extent that it applies total countermeasures in excess of a threshold. The threshold varies annually, but is currently approximately $560 million. Therefore, of the approximately $820 million in countermeasures Brazil could impose now, about $260 million of that could be cross-sectoral.

On March 8, 2010 Brazil announced a final list of products that would face higher tariffs beginning on April 7, 2010. Goods on the list include autos, pharmaceuticals, medical equipment, electronics, textiles, wheat, fruit and nuts, and cotton. Brazil had not made a final decision on which U.S. intellectual property rights might be affected by cross-sectoral countermeasures, but it had begun the process to make this determination.

On April 1, Deputy USTR Miriam Sapiro and USDA Undersecretary for Farm and Foreign Agricultural Services Jim Miller met with Ambassador Antonio Patriota, Secretary General of Brazil's Ministry of External Relations to discuss possible resolution of the dispute. As a result of that dialogue, the Government of Brazil agreed not to impose any countermeasures on U.S. trade at that time. In exchange, the United States agreed to work with Brazil to establish a fund of approximately $147.3 million per year on a pro rata basis to provide technical assistance and capacity building to the cotton sector in Brazil, and for international cooperation related to the same sector in certain other countries. Under the Memorandum of Understanding that the United States and Brazil signed on April 20, 2010, the fund would continue until passage of the next Farm Bill or a mutually agreed solution to the Cotton dispute is reached, whichever is sooner. The fund is subject to transparency and auditing requirements.

The United States also agreed to make certain near term modifications to the operation of the GSM–102 Export Credit Guarantee Program, and to engage with the Government of Brazil in technical discussions regarding further operation of the program. In addition, the United States published a proposed rule on April 16, 2010, to recognize the State of Santa Catarina as free of foot-and-mouth disease, rinderpest, classical swine fever, African swine fever, and swine vesicular disease, based on World Organization for Animal Health Guidelines, and to complete a risk evaluation and identify appropriate risk mitigation measures to determine whether fresh beef can be imported from Brazil while preventing the introduction of foot-and-mouth disease in the United States.

The parties further agreed on April 1 that they would work to develop a Framework regarding the Cotton dispute by June 21, which would provide a path forward for a negotiated solution to the Cotton dispute and allow both countries to avoid the impact of countermeasures. Negotiators from Brazil and the United States have been engaged intensively over the past several months, and successfully concluded this Framework.

Brazil is the United States' 10th largest trading partner with a total two-way goods trade of approximately $60 billion in 2009.

I yield such time as he may consume to the gentleman from Texas (Mr. CANSECO).

Mr. CANSECO. I thank the gentleman from Alabama.

Mr. Chairman, I am here to support the bill to terminate the FHA Refinance Program. This bill is not about programs that work. It's not about programs that have continually helped to create jobs and to help our faltering economy and our laggard job growth.

This bill is about a failed government program, because the FHA refinance program that went into effect in September of 2010 has failed to work properly. By the end of December of last year, of 2010, a mere 22 mortgages had been refinanced through the program at a cost of $50 million. That's an average of $2.3 million per mortgage. The conclusion is very, very clear. The program does not work and it's wasteful.

We are in an economic crisis. According to the Congressional Budget Office, the Federal Government is set to run a deficit for fiscal year 2011 of $1.5 trillion. If serious steps are not taken right now, we are set and ready to see in 2012 another trillion dollars added to our deficit.

This river of red ink is not sustainable. Americans are coming to grips with the fact that, if nothing is done, we will be the first generation in American history to leave for our children a legacy of insurmountable debt and economic stagnation.

And while there are a number of difficult decisions that we must make in the months and years ahead, common sense dictates that we can begin to get our spending under control by cutting programs that simply don't work, no matter how large or how small they are or no matter how beneficent they may sound. They just don't work. This one does not work.

Many of my colleagues on the other side of the aisle often think that we are just one government program away from solving our problems. But when you think that way, you end up piling one government program on top of another, wasting the taxpayers' money without even helping our fellow citizens who are struggling in this day and age.

The last 2 years have proven that government programs and government spending do very little in the way of stimulating jobs that we need most and economic growth. We in the Congress of the United States have a duty to be the stewards of the people's money, the people's tax dollars. The least we can do is tell our constituents that we are doing our job by cutting the stuff that does not work. This does not work.

Mr. FRANK of Massachusetts. I yield myself such time as I may consume.

Two points: First, you have just heard a fantasy that $50 million has been spent for 42 loans. That is not even remotely close to being true. Fifty million has been set aside in a reserve for defaults if and when they come. Not a penny of it has been given to anybody. It is simply sitting in that account, in case, and the 42 loans have nothing to do with that.

Yes, the gentleman from Alabama said I didn't talk about it. I did talk about it. I corrected the misuse of the 50 million from last week. He didn't misuse it today. And I mentioned that it started slow and it may not get beyond where it is now. I mentioned that it is in reserve to use it more. So, yes, we have only got 42. I talked about that.

The 8 billion is a fantasy. The CBO says at it's best, this is going to cost $175 million. The 8 billion is a purely bookkeeping account.

But I want to get back to the fascinating explanation by the gentleman from Alabama as to why he and the majority of Republicans voted to send $150 million per year last year, this year, and for the next couple of years to Brazil: Obama made him do it. Listen carefully. The explanation for this expenditure to go to Brazil, that the poor gentleman from Alabama voted for, is Barack Obama made him do it.

The President is a very convenient place for them to hide. In fact, if he is asking me if I am critical of the President in that, yes, I am critical of the President many times. I agree with him overall. But I did not agree with him that we should send 1.2 billion for Iraq security forces. The gentleman from Alabama did. I didn't agree we should send $400 million for Afghan infrastructure.

The gentleman seems to think it's some major debating point because the President takes the position that I disagree? Perhaps his view is you always agree with the President of your party. It's not mine. It's not a responsible way to legislate.

Secondly, there was an alternative to sending $150 million to Brazil. We could have sent $150 million less to Americans. The finding was that we were putting Brazilian cotton farmers at a $150 million disadvantage per year because of the subsidy we gave to Americans. We could have come in with legislation that would have reduced the Americans'.

So, in fact, I underestimated the waste of money that the gentleman from Alabama is indulging because Barack Obama made him do it and he was powerless to resist, apparently, because it's $300 million a year.

We had two options: We could keep the level of subsidy for American cotton farmers and match that to the Brazilians, or we could reduce it by $150 million in America and reduce it to Brazil over a 4-year period when this will be in effect. That's over a billion dollars, a considerable amount of money.

So, yes, it is true, the President sometimes makes unwise recommendations, in my judgment. But the argument for the gentleman from Alabama that he is to be absolved from responsibility for his vote, and the majority of Republicans—the majority of us on our

side repudiated the President's position in this case. But the gentleman from Alabama has claimed, Don't blame me; Obama made me do it is no more credible than his invocation of some fantasy figures.

I reserve the balance of my time.

Mr. BACHUS. May I inquire of the Chair how much time each side has remaining?

The CHAIR. The gentleman from Alabama has 11 minutes remaining, and the gentleman from Massachusetts has 17½ minutes remaining.

Mr. BACHUS. I continue to reserve the balance of my time.

□ 1300

Mr. FRANK of Massachusetts. I yield 5 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the ranking member.

I rise in opposition to H.R. 830, the FHA Refinance Program Termination Act and also the other bills that will be coming to the floor on the same subject.

I want to emphasize one thing that the ranking member has raised, and that is that these are voluntary programs. These are all voluntary programs that are trying to keep American families in their homes. These programs require the banks to agree that this is a good deal and it's deserving of these homeowners. These programs require that the homeowner also agree, obviously, and also that in many cases that the servicer agree.

Now, because you're requiring a voluntary agreement and an agreement that has been crafted in such a way that all parties are balanced in their interests, it's been difficult to generate the number of families to be helped so far.

I do want to also emphasize that this program started in November. This program started in November. We've had about 4 months to get families on board to be helped by these programs. For much of that 4 months, we have had abject resistance from the servicers. They have been the obstruction in making these programs work. But I am happy to say that in the last 10 days, we have had three major servicers, Allied, GMAC and Wells Fargo, that have finally come forward and said, we're going to work within this program, and we're going to try to help families stay in their homes not out of charity, but because they realize that we need to put a floor under this housing market in order to help sustain the weak economic recovery that we have going forward.

What exacerbates the situation is also the way the banks have handled this up until now. In my district, and it's happened all across the country, we've had situations where banks and servicers have employed robosigners to the point where many of these foreclosure documents have been signed without full knowledge by the individuals charged with that responsibility. We've seen many courts in this country look at the foreclosure process used by these banks and have ruled them to be illegal and that, in fact, the banks did not own the homes that they were trying to foreclose on. And this has happened thousands of times across the country. It has not been a smooth process.

We've also had a very, very difficult situation for our men and women in uniform. Despite the fact that there's been a law in this country since World War I that we will not foreclose on servicemembers' homes while they are in combat, while they are in Afghanistan or Iraq, we've had banks do hundreds and hundreds of foreclosures on our men and women in uniform. There are needs for these programs, and yet we are conveniently forgetting those facts.

Lastly, this bill, with all due respect, has been poorly drafted in a meaningful way. This bill, if adopted, would prohibit all voluntary agreements between parties to stop these foreclosures. And I understand what the targets of my Republican colleagues are, but the bill is drafted so broadly it would prevent the banks, the FHA, the homeowner and the servicer to come to a voluntary agreement.

Private enterprise has been something that my colleagues used to encourage, and here we have voluntary agreements that will be prohibited by this bill. And I do not think that is the intent of the gentleman, however, that is the actual impact of his legislation. And I have an amendment more specifically to deal with that at a later time. But we have to slow down the foreclosure process to put a floor under this economy. We have to help the families that can be helped. And this FHA Refinance Program Termination Act would prevent that from happening.

Mr. BACHUS. Mr. Chair, I yield 4 minutes to the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. Thank you, Mr. Chairman, for yielding.

Mr. Chairman, H.R. 830 is commonsense legislation that stops inefficient and ineffective government spending. At the outset of this $8 billion program, its failure was inevitable. That inevitable failure is now undeniable. It doesn't work for the homeowner, it doesn't work for the taxpaying American families, and it certainly doesn't work for future generations who are trying to claw their way out of the debt that we are burdening them with each and every day.

So let's go back and let's talk about the homeowners. We've got 12 million mortgages in America that are currently underwater. And yet this program, this program which was actually rolled out in March, it started about 6 months ago, has 245 applications—245. How many have actually made it over the hurdles and have gotten actually some help and refinanced? Forty-four. Forty-four refinances. We've got $8.12 billion that has been obligated. We have $50 million that has been disbursed.

Now, a quick back-of-the-envelope calculation, that's $1.1 million per mortgage refinanced thus far. If we look at it even further, were these million-dollar mortgages? Actually, the average mortgage was about $300,000. So we spent, the American taxpayers, in terms of their dollars, we spent $1.1 million in order to refinance a $300,000 loan. The administration said that we're going to have 1.5 million homeowners get into this program, and yet we've taken almost a year and we have 44 that have actually gone through.

If you were to get through this program, if you were one of the lucky ones, one of the 44, clearly, it's not going to help you insofar as you're going to destroy your credit for the next several years. The average credit score of the 44 that are in the program was 711. That credit score is going to go down. Is their monthly payment going to go down? In many instances, no, because they're going to have to come up with closing costs. They're going to have to pay private mortgage insurance if they haven't been paying it already. And so there are other requirements that are simply a burden on the actual homeowners.

It's time that we tell the American public the truth. It's time that we in this body recognize when a government program is not working. We need to get rid of this program—$8.12 billion obligated, $50 million disbursed for 245 applicants and 44 mortgages actually redone.

The program certainly doesn't work for the American taxpayer. We're looking at debts and deficits in Washington. And many of us were sent here to Washington to try to get the out-of-control government spending back in line. And I would say that certainly $1.1 million per mortgage is not a good use of the taxpayer dollars.

When we look at future generations and we look at the amount of money that we're spending right now, $1.48 trillion in deficit spending works out to be over $3 million a minute. The President's budget comes out to talking about 1.6 for the next year. We cannot continue to spend money that we don't have. Our debt is at $14 trillion. When we actually took a look at the Treasury report that came out just a couple of days ago talking about TARP, because this program is basically on TARP funds, they recognize that the mortgage modification programs were never intended to be recovered. This, to me, I think is an enormous problem.

This is a program that doesn't work for the homeowner, it doesn't work for the American public, and it certainly is not going to work for future generations.

Mr. FRANK of Massachusetts. I yield myself 30 seconds simply to say the gentleman has simply repeated an absolute fantasy. This is not a $50 million expenditure for 40 loans. The $50 million has not been given to anybody, not

a penny of it. It has been put in a reserve account. Fifty million has been set aside in a reserve account. It was disbursed from the TARP to a reserve account. The CBO, as I've submitted if this goes forward, it will be about $12,000 per loan.

Last week, the gentleman from Illinois was claiming that if you participate in this program, you would have a tax liability. He learned that that was totally wrong. He is perpetuating error.

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

Mr. MCNERNEY. Thank you, Mr. Ranking Member.

I'm proud to represent much of San Joaquin County, which is the jewel of California's Central Valley. Our valley is a great place to live and work; but, unfortunately, we've been hit very hard by the economic downturn. The valley has been ground zero for the foreclosure crisis. Over the past few years, thousands of families in San Joaquin County and throughout the valley have lost their homes.

□ 1310

I hosted foreclosure workshops, and I met with hardworking people who were misled by lenders who were struggling to stay on top of their mortgages. I have seen grown men cry because they couldn't keep a roof over their children's heads. I have talked to veterans who served their country, only to return home to notices of default. And I have met seniors on the brink of homelessness.

The administration's foreclosure prevention initiatives have fallen short in the valley. Simply put, the administration's programs haven't effectively served the people who are underwater on their mortgage, and the administration hasn't been tough enough on the big banks. I call on President Obama and his Cabinet to develop more effective efforts to stem the tide of foreclosures.

But despite these shortcomings, the bill the House Republicans are offering today is absolutely the wrong approach. It is throwing the baby out with the bath water. Instead of canceling foreclosure relief programs at their beginning stages, we should be strengthening them so they are more effective. Mortgage counselors from my district advise and plead to improve our efforts to get tough on big banks and provide meaningful relief to families.

Stabilizing the housing market is critical to economic recovery and creating jobs. For these reasons, I oppose H.R. 830.

Mr. BACHUS. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. Mr. Chairman, running a business, I have to tell you, obligated funds are one thing, disbursed funds are quite another. If I can, from the monthly 105(a) report delivered to the Congress from TARP and from the Department of the Treasury, and I will submit it for the RECORD, under ''Obligated'' all of the way down here when it is talking about the FHA refinance, it is $8.12 billion. And in an entirely different column under ''Disbursed,'' it is $50 million. From the paper here from the Department of the Treasury, obligated and disbursed are different things. We have $50 million that has been disbursed.

FIGURE 1—DAILY TARP PROGRESS REPORT AS OF FEBRUARY 3, 2011

[$ billions]

(*Dollars in billions*)	Obligated	Principal/Investment					Income/revenue					Total cash back
		Disbursed	Repayments	Write-offs	Realized loss	Outstanding	Dividends	Interest	Gain/other income	Warrants sold	Total income	
Bank Support Programs												
Capital Purchase Program (CPP)												
Preferred & Other Securities	179.89	179.89	146.08	2.58	0.00	30.88	9.45			6.93	16.38	162.46
Citigroup Common	25.00	25.00	25.00			0.00	0.93		6.85	0.05	7.84	32.84
Targeted Investment Program (TIP)												
Bank Of America	20.00	20.00	20.00				1.44			1.24	2.67	22.67
Citigroup	20.00	20.00	20.00				1.57			0.19	1.76	21.76
Asset Guarantee Program (AGP)												
Bank Of America									0.28		0.28	0.28
Citigroup	5.00						0.44		2.25	0.07	2.76	2.76
Community Development Capital Initiative (CDCI)	0.57	0.57				0.57	0.00				0.00	0.00
Bank Program Totals	250.46	245.46	211.08	2.58	0.00	31.45	13.83		9.37	8.48	31.68	242.76
Credit Market Programs												
Public-Private Investment Program (PPIP)												
Equity	7.51	5.37	0.16			5.21	0.40		0.00		0.40	0.56
Debt	14.90	10.52	0.46			10.06		0.10			0.10	0.56
Term Asset Backed Securities Lending Facility	4.30	0.10				0.10						
Purchase SBA 7(a) Securities (SBA)	0.37	0.37	0.01			0.36		0.00	0.00		0.00	0.01
Credit Market Program Totals	27.07	16.36	0.63			15.73	0.40	0.10	0.00		0.50	1.13
Other Programs												
American international Group (AIG)												
Common	47.54	47.54				47.54			0.06		0.06	0.06
Preferred	22.29	20.29				20.29						
AIG Totals	69.84	67.84				67.84			0.06		0.06	0.06
Automotive Industry Financing Program (AIFP)												
GM	51.03	51.03	23.07		4.44	23.53		0.77	0.10		0.86	23.93
Chrysler	14.43	12.37	3.85	1.60		6.92		0.58	0.06		0.64	4.49
Ally (GMAC)	16.29	16.29				16.29	2.00				2.00	2.00
AIFP Totals	81.76	79.69	26.92	1.60	4.44	46.74	2.00	1.35	0.16		3.51	30.43
Other Programs Totals	151.59	147.53	26.92	1.60	4.44	114.57	2.00	1.35	0.21		3.56	30.48
Treasury Housing Programs Under TARP												
Making Homes Affordable	29.91	0.94										
HFA Hardest-Hit Fund	7.60	0.10										
FHA Refinance	8.12	0.05										
Housing Totals	45.62	1.10										
Grand Totals	474.76	410.45	238.63	4.18	4.44	161.75	16.23	1.45	9.59	8.48	35.74	274.38

Mr. FRANK of Massachusetts. I yield myself 15 seconds to further elucidate matters to the gentleman from Illinois. It has been disbursed in a letter of credit, none of which has been drawn down. It sits there as a reserve in case of losses.

I now yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the ranking member for yielding.

I rise in opposition to H.R. 830. This bill is one of four separate anti-foreclosure programs aimed at helping troubled homeowners stay in their homes that the new House Republican majority is planning to end. What is very troubling is that they don't have any idea of what to put in its place. We know that we have 12 million mortgages that are underwater, that need help. They are in all of our States, but they are not coming forward with any ideas of how to help the economy or how to help the people.

Now, this particular program is just getting started. It is the FHA Short Refinance Program, and it is one of the foreclosure prevention programs that

would not only help the individual homeowners, but also help to stabilize the overall U.S. housing market, which is 25 percent of our economy. So it not only helps an individual. It helps a locality, it helps our country, it helps our economic strength.

The result of ending this program would be hundreds of thousands of additional foreclosures and steeper price declines in our housing. It is outrageous. It is shortsighted. It is mean, and it is wrong.

Now, in this program it would allow the borrowers to reduce the principal owed on their homes up to 10 percent so that their payments are lower, so that they can save money that they can't afford. And in return, the banks would get an FHA-insured loan that is subject to all of FHA's strict standards. So to get this loan, you will have to jump through hoops to be able to qualify.

And it is voluntary. Just last week, several major banks in America voluntarily walked forward to help out—Citibank, Wells Fargo, and Bank of America, to name a few. So the program is just getting started and the $50 million line of credit is like a line of credit you draw down on. Hopefully, we won't even have to tap into it. Hopefully, our economy improves and people are able to pay their mortgages.

The standards are very strict. The owners must be current on their payments. It must be their primary residence. They have to have full documentation to qualify. So it is a strict program.

I want to come back to an issue that is very important to me and, that is, this affects lives. This affects people.

In Congressman FRANK's home State, there are over 222,000 residents whose mortgages are underwater that could qualify possibly if they could meet the criteria. It is part of a total package to help our economy move forward, and the opposition, the Republican majority, has no ideas of their own. It is just to come in and cut a good program that is just getting started.

They mentioned the 44 people that have been helped. They say that is not important. I would say it is very important to the 44 people who have been helped, and there could be 12 million who could be helped under this program.

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

Mr. FRANK of Massachusetts. I yield 4 minutes to the gentleman from North Carolina (Mr. MILLER), one of the leading House experts on this matter.

Mr. MILLER of North Carolina. Mr. Chairman, I want to reassure Americans that it is not true that no problem ever gets fixed in Washington. Ten years ago, the debate here in Congress was what to do with the surplus. In fact, we paid off $400 billion of the debt; and Alan Greenspan, who was then the chairman of the Federal Reserve Board, worried that we would pay off the national debt too quickly and it might be unsettling to the economy. Mr. Chairman, if there is one problem that got solved in the past decade, it is that problem: the problem of paying off the national debt too quickly.

My party can claim none of the credit for that. It was a Republican President and a Republican Congress. I must admit that I don't like what they did to solve that problem of paying off the national debt too quickly. They gave tax cuts to America's top one-tenth of 1 percent, Americans making more than $2,340,000, and we saw just a couple of months ago that that was one thing that was absolutely nonnegotiable for them. They would give up everything before they would let those Americans have to pay any more in taxes.

When there was a proposal to expand Medicare to take care of prescription drugs, something I supported generally, Republicans in Congress passed a bill that was not paid for, as other programs like that had been paid for, and was a giveaway to the insurance industry and to the prescription drug industry. So when they are giving tax cuts to the very, very richest Americans, the richest of the rich, when they are giving away taxpayer money to the insurance companies and to the prescription drug industry, the drug industry, they don't worry about deficits at all. It is only when Democrats take the Presidency, and particularly in the last 2 years when we have been dealing with the worst recession since the Great Depression and have been trying to pull the country out of a nosedive, that they have suddenly become worried about the deficits and criticized everything that we have done to try to save the country from the disaster that we inherited.

It is only the programs that help working and middle class families that seem to give them a problem, like this one. Now, we have been on the case of subprime lending and its effects for a long time. I introduced legislation in 2004 to rein in subprime lending, not a bit of help from Republicans. Mr. WATT and I introduced that bill. It was Miller-Watt. Two years later, it became Miller-Watt-Frank. We have been on this case.

The gentleman from Alabama said in committee the other day, Show me a way to deal with this problem that doesn't cost taxpayer money. I did that in 2007. I introduced a bill that bankruptcy lawyers and judges have said was one way to deal with the problem, let bankruptcy judges modify mortgages in bankruptcy the same way they modify all other kinds of secured debt; no support from Republicans at all, and the opposition Republicans killed that.

I urged the Federal agencies that set rules for the banks to require they treat people better than they have been treating them when they manage their mortgages, no help from Republicans at all. Just yesterday, the Federal agencies in charge of the banks' conduct and the States' attorneys general have been pushing them, the banks, to impose fines for violating the law in how they handle foreclosures.

□ 1320

Several Republicans sent a letter yesterday to the Secretary of the Treasury protesting that Federal agencies were being too mean to the banks.

I thought most politicians learned during the Keating Five that your office does not give you the right to give your political buddies, your contributors, a get-out-of-jail-free card, but that appears to be what they're willing to do when it's the banking industry that is complaining about it. It is not true that this problem of foreclosures is just affecting a handful of Americans.

The CHAIR. The time of the gentleman has expired.

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

Mr. MILLER of North Carolina. We are in a cycle of foreclosures leading to the reduced value of homes, more Americans underwater, and when people are underwater, they've seen their life savings disappear. More Americans underwater, more foreclosures, and on and on.

We have got to put a bottom on the housing market. We know this can work. This program is very similar to a program in the New Deal that did work, the Homeowners Loan Corporation. It turned a profit—a slight profit, but a profit—saved the middle class, and saved the housing industry. We need to do something. Republicans have offered nothing.

Mr. BACHUS. Mr. Chair, I yield 1¼ minutes to the gentleman from Nevada (Mr. HECK).

Mr. HECK. I thank the gentleman from Alabama for the time.

Mr. Chairman, I rise today to oppose H.R. 830, the FHA Refinance Program Termination Act. I represent the district that is truly ground zero for America's housing crisis; 390,192 mortgages in Nevada are underwater. Let me say that again: 390,192 families in Nevada are underwater.

I agree that people need a paycheck, not a government check, but we must help individuals who are trying to do the right thing. This program gives some of those Nevadans who are current on their mortgage but underwater the ability to refinance their loan.

Some will say this program is a failure because too few mortgages have been refinanced through it. They'll say not enough money has been distributed. I say, a failed PR job should not be the reason a good program dies. And the FHA Refinance Program can be a good program, but it needs more attention, and perhaps reform, so homeowners know it's an option.

Vote ''no'' on H.R. 830 and give homeowners a chance to take advantage of this program.

Mr. BACHUS. Mr. Chair, I yield 1 minute to the gentleman from Kansas (Mr. YODER).

Mr. YODER. Thank you, Mr. Chairman.

I rise today in strong support of H.R. 830. The bill would repeal a well-intentioned but bankrupt policy.

Mr. Chairman, the American people are tired of bailout after bailout and big spending bill after big spending bill. With $14 trillion in debt and borrowing $5 billion a day, yet unemployment is at 9 percent, the American people are sending us an unmistakable message: The idea of borrowing, bailing out and spending isn't working.

We're borrowing more money in Washington with this program that we don't have to help Americans borrow more money at home that they can't afford for housing they can't afford. Mr. Chairman, this is madness. When will this stop and when will the politicians in Washington understand that we're not going to be able to borrow and spend our way to prosperity? The American people are tired of this. They want Washington leaders to step up, reduce spending, and eliminate programs that aren't working.

Mr. Chairman, I ask today that we pass this legislation and restore fiscal sanity to Washington.

Mr. FRANK of Massachusetts. How much time is remaining on both sides, Mr. Chairman?

The CHAIR. The gentleman from Massachusetts has 2½ minutes remaining. The gentleman from Alabama has 4¼ minutes remaining.

Mr. FRANK of Massachusetts. I have only one remaining speaker. I will defer until the gentleman has his last speaker.

Mr. BACHUS. Mr. Chair, I yield 2½ minutes to the gentlelady from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Chairman, President Ronald Reagan famously said—with tongue in cheek, no doubt—that the closest thing to eternal life on this Earth is a Federal Government program.

I rise today in support of H.R. 830, legislation offered by my friend from Illinois (Mr. DOLD). At the risk of disproving the late President's axiom, let me just say that H.R. 830 will demonstrate that Congress does have the good sense, the fortitude, and the wherewithal to bring an end to a Federal program, especially one that is not working.

The program in question is the FHA Refinancing Program, which was authorized under the broadest of provisions in the TARP legislation back in 2008. In 2010, the program was conceived in haste, enacted with no vote in Congress, and was designed to augment another failed program, the Making Homes Affordable Program, or HAMP, which has done more harm than good.

Under the FHA Refinancing Program, the FHA is directed to use TARP funds to refinance mortgages that are current but underwater. Its record has been abysmal, with the FHA Commissioner stating during our hearing last month: ''As of February 11, 44 loans have been endorsed.'' Where else but in Washington would it be a good idea to obligate $8 billion in taxpayer funds and disburse $50 million of those dollars? Now, whether it's to help 44 homeowners or not, we don't know how many will be in default or what it will cost. But that money has been disbursed from the U.S. Treasury.

Mr. Chairman, this bill ends another failed government program. Taxpayers shouldn't foot the bill for failure. I would urge my colleagues to support the bill.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself the balance of my time.

A week ago when we debated this in committee, the author of the bill, the gentleman from Illinois (Mr. DOLD), was telling people that if they joined this program they would have a tax liability. He was wrong. It wasn't his fault. He was told that that was the case. He dutifully read what he was told. You haven't heard that again because he found out that was wrong.

He was also told that it was going to be $50 million disbursed. They don't seem to be clear on what that means. No, $50 million has not been spent on any individual. Fifty million has been set aside in a letter of credit if necessary in the future to pay for defaults. So this million dollars per loan is, of course, a fantasy.

Now, it is true, the program has not yet had a major impact. And if it does not prove itself out, it never will. It cannot be both wildly expensive and nonexistent. It is there. If we get an agreement involving all the attorneys general of both parties, involving the regulators and the financial institutions, this will be one of the tools that will accommodate people. CBO does think there could be a loss. Their prediction is, their best guess—and they're the best objective element we have—you could get an amount of $12,000 or so per loan lost here. Not a million dollars; 12,000. It is part of a panoply of projects to try and reduce foreclosures and help the economy deal with this crisis.

And for people who, and I repeat it—they don't like it—they'll send money to Brazil, they'll send money to Afghan cities, they'll send money to Iraqi security, they'll subsidize farmers at more than $250,000 a year, but $12,000 per homeowner at most is too much for them. And it isn't just for the homeowners; it is a necessary part of getting out of our economic crisis.

So I hope that this is defeated. I appreciated what the gentleman from Nevada said. Yes, it can be improved. The fact that only 44 people have been involved so far means they are proceeding, appropriately, cautiously. This is a program with great promise. It may not turn out, but if a promise doesn't turn out, then it doesn't cost anything. And if it does turn out to be a workable part of an overall solution, it will be money much better spent than many of the billions my colleagues on the other side are prepared to subsidize some of their favored sacred cows as opposed to doing something that will help the whole economy.

I yield back the balance of my time.

Mr. BACHUS. I yield myself the balance of my time.

Mr. Chair, Members of this body, what are we talking about when we're talking about cutting government spending? We're talking about these children.

□ 1330

These children cannot afford a future where its Federal Government spends $8 billion more every day than it takes in.

Now, the ranking member has criticized our military spending. I could have a picture of my grandchildren up, and I could have a picture of one of my little granddaughters whose dad served in the U.S. Marines. Their unit served in Afghanistan and in Iraq. So I make no apology for supporting our troops. Now if the President decides to call them home, my son would support that.

Now, Ranking Member FRANK said this sits in a fund. This program that has helped 44 families whose average mortgage was $330,000—that's more than the cost of a home in my district. But here is President Obama's report to us that $50 million has been disbursed, but the alarming figure is $8.12 billion that's obligated.

The gentlelady from New York said that the banks—Citibank, Bank of America—they're all lining up to use this program. I would be too. This transfers obligations from lenders to the taxpayer. As long as these mortgages were making money, the banks profited. But all of a sudden when they're underwater and a borrower maybe can't make the payment, hey, if I was a bank, I would say, yeah, let the government, let the taxpayers reduce this mortgage. That ought to be between the bank and the homeowners.

Forty-two families? You say all these four programs we're going to debate this week and next week—which cost billions of dollars—they're going to help half a million families? There are 12 million families that are underwater.

Let's talk about something very important. If we don't get our financial house in order, I'll quote the words of Admiral Mike Mullen on August 25 before CNN, and I will close with this, ''The most significant threat to our national security is our debt.'' And that threat comes from this body and the administration. It's time to cut spending. Think about them. Think about their future.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in opposition to H.R. 830, the FHA Refinance Program Termination Act.

This legislation would end the FHA's short-term refinance program authorized under the Troubled Asset Relief Program.

A program designed to help homeowners refinance their existing mortgage for lower interest rates.

With declining home values, borrowers are caught in mortgages that they can no longer afford.

This is because their rates have reset or because their interest-only payments have not allowed them to grow any equity in their homes.

They are making their payments—but just barely.

Mr. Chair, we should continue to help hard working Americans who are paying their bills on time every month stay in their homes.

Ending this vital recovery program with no alternative plan is just wrong.

The Republicans reckless spending proposals will move our country backwards not only domestically but globally.

Eliminating this program will cost us more in the long-term.

While I believe cuts are necessary to address the Nation's long-term fiscal problems, it must be done responsibly and with the American public's interest in mind.

I encourage my colleagues to oppose this bill.

Mr. DINGELL. Mr. Chair, I rise in opposition to H.R. 830, a hasty political ploy that will terminate a promising program. I refuse to let my Republican colleagues, determined to appear fiscally austere at any cost, cut budding initiatives that are in the best interest of the country.

The FHA Refinance Program is tailored to benefit responsible homeowners—homeowners who, through principal write-downs, will be able to stay in their homes. It is also structured to protect lenders from possible foreclosure losses and save communities from increased blight. Ten states, including my home state of Michigan, posted foreclosure discounts of more than 35 percent in 2010. We must use all our tools at hand to stem this massive foreclosure epidemic.

I hear daily from struggling homeowners who are trying to keep afloat. Negative equity mortgages are plaguing our country from coast to coast. At the end of last year, 11.1 million, or 23.1 percent, of all residential mortgages were in negative equity. In Michigan, over 36 percent of mortgages were in negative equity. Home prices are expected to fall another five to ten percent in 2011. Millions of borrowers are being held captive in their homes, unable to move or sell their properties. Keeping programs like the FHA Refinance Program alive is crucial to spurring economic recovery and giving the mortgage industry the jump-start it so desperately needs.

My Republican colleagues like to point to the fact that since the program has only spent $50 million, it must be ineffective. I find it interesting that a Republican argument against a program is that it hasn't cost the government enough. So much for fiscal austerity. In fact, the FHA Refinance Program was specifically designed to be cost-effective for the government. Its allocated funds only cover incremental credit and incentive costs, and will not be spent unless a borrower defaults under the program. Since no borrowers have defaulted, no money has been spent on loans.

Let us not forget how hasty this bill is—the FHA Refinance Program has only been available since September. It is no surprise that it takes time for such complex programs to work effectively and prudently. Lenders must set up an operational infrastructure to utilize this option, and a great deal of coordination is required throughout the mortgage chain. As of February 11th, 23 FHA-approved lenders are participating in the program, including Wells Fargo and GMAC/Ally, which intend to deliver several thousand loans. FHA also indicates that numerous other lenders are in the process of developing the capability to utilize the program by midyear.

Not only does the Republican Leadership seek to terminate the FHA Refinance Program, but it also seeks to terminate the Home Affordable Modification Program, the Neighborhood Stabilization Program, and the Emergency Homeowners Loan Program. It is clear that more needs to be done to help struggling homeowners stay in their homes. However, terminating the very programs that were established to do so is not the solution. I encourage my colleagues on the other side of the aisle to come to the table and present real solutions to this epidemic. If a Member feels this program has not benefited enough homeowners, he or she should suggest a way to do so and we can go from there. Instead, Republicans are placing politics before people. Our Nation needs solutions, not denunciations.

Mr. Chair, I strongly urge my colleagues to vote against this bill.

Mr. VAN HOLLEN. Mr. Chair, the FHA Refinance Program proposed for termination in today's legislation is designed to provide distressed homeowners mortgage relief by using FHA loan guarantee authority to incentivize holders of existing single family loans to reduce the outstanding principal balance of their loans by at least 10% in conjunction with an FHA refinance when the principal balance of a borrower's loan is greater than the property's current value. Importantly, participating homeowners must be current on their existing loan, and all other FHA safety and soundness underwriting standards continue to apply. Any losses under the program are covered by funds already set aside by the TARP, adding no additional exposure to the FHA's capital reserves.

Mr. Chair, while I am aware of—and frankly, to some extent sympathetic to—the criticism and frustration around the pace and scope of this program to date, I would also point out that it has only been operational since October of last year. Furthermore, as a purely voluntary program, its success clearly hinges on the active participation of our major loan servicers, two of whom—Wells Fargo and Ally Financial—have just recently announced their intention to let qualified borrowers take advantage of the program. Finally, with an estimated one in five homeowners currently underwater on their mortgages, it is clear to me that the housing crisis is not yet behind us.

By providing struggling but credit-worthy homeowners with a reduced monthly payment and a mortgage that is more aligned with actual property values, the FHA Refinance Program can help prevent foreclosures and stabilize the housing market, which is in every American's long term interest.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule.

No amendment to the committee amendment in the nature of a substitute is in order except those received for printing in the portion of the Congressional RECORD designated for that purpose in a daily issue dated March 9, 2011, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who causes it to be printed or a designee and shall be considered read if printed.

The Clerk will designate section 1.

The text of section 1 is as follows:

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 ''FHA Refinance Program Termination Act''.

AMENDMENT NO. 9 OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 1, insert the following new section:

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) there are 35,610 underwater mortgages in Alabama;

(2) 7,801 underwater mortgages in Alaska;

(3) 648,387 underwater mortgages in Arizona;

(4) 27,580 underwater mortgages in Arkansas;

(5) 2,172,700 mortgages in California;

(6) 221,097 underwater mortgages in Colorado;

(7) 97,244 underwater mortgages in Connecticut;

(8) 23,906 underwater mortgages in Delaware;

(9) 2,029,128 underwater mortgages in Florida;

(10) 449,971 underwater mortgages in Georgia;

(11) 24,664 underwater mortgages in Hawaii;

(12) 61,566 underwater mortgages in Idaho;

(13) 431,050 underwater mortgages in Illinois;

(14) 68,196 underwater mortgages in Indiana;

(15) 28,976 underwater mortgages in Iowa;

(16) 32,787 underwater mortgages in Kansas;

(17) 24,880 underwater mortgages in Kentucky;

(18) 298,554 underwater mortgages in Maryland;

(19) 222,599 underwater mortgages in Massachusetts;

(20) 519,716 underwater mortgages in Michigan;

(21) 90,090 underwater mortgages in Minnesota;

(22) 122,543 underwater mortgages in Missouri;

(23) 8,650 underwater mortgages in Montana;

(24) 21,388 underwater mortgages in Nebraska;

(25) 390,192 underwater mortgages in Nevada;

(26) 37,488 underwater mortgages in New Hampshire;

(27) 286,293 underwater mortgages in New Jersey;

(28) 29,375 underwater mortgages in New Mexico;

(29) 129,633 underwater mortgages in New York;

(30) 160,007 underwater mortgages in North Carolina;

(31) 3,582 underwater mortgages in North Dakota;
(32) 441,379 underwater mortgages in Ohio;
(33) 24,411 underwater mortgages in Oklahoma;
(34) 108,335 underwater mortgages in Oregon;
(35) 132,805 underwater mortgages in Pennsylvania;
(36) 45,511 underwater mortgages in Rhode Island;
(37) 85,226 underwater mortgages in South Carolina;
(38) 133,956 underwater mortgages in Tennessee;
(39) 367,954 underwater mortgages in Texas;
(40) 98,093 underwater mortgages in Utah;
(41) 276,910 underwater mortgages in Virginia;
(42) 209,577 underwater mortgages in Washington;
(43) 15,240 underwater mortgages in Washington D.C.;
(44) and 81,267 underwater mortgages in Wisconsin.
(45) the aggregate number of mortgages estimated to be underwater in such States is 10,780,236; and
(46) by voting to terminate the FHA Refinance Program under this Act without a suggested replacement, the Congress is voting to terminate a program that may have helped these underwater borrowers.

Mr. BACHUS. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIR. A point of order is reserved.

The gentlewoman from New York is recognized for 5 minutes in support of her amendment.

Mrs. MALONEY. Mr. Chairman, my amendment has the purpose of making very clear what we're doing today to the American people. This amendment makes clear that we are ending a program that has the potential to help hundreds of thousands of underwater borrowers.

H.R. 830, the FHA Refinance Program Termination Act, ignores the underwater borrowers of this country and does nothing to help families save their homes.

Very simply, the bill ends a program that has the potential to help hundreds of thousands of people whose mortgages now exceed the value of their home, and also help the communities and help the overall economy.

The majority crafted a so-called ''open rule'' in such a way that it's nearly impossible to offer any substantive amendments—a number were voted down on a party line in the committee debates—in response to this reality.

In an effort to highlight the true nature of this harmful bill, my amendment identifies the numbers in each State of the hundreds of thousands of underwater borrowers across the country and makes clear that the Republican majority has no solution to the problem, nor do they have any desire to find one.

Americans must be made aware of the intention of this majority. This program allows borrowers to write down at least 10 percent to reduce the debt burden. They are all paying. They are in financial difficulty. Banks then can get an insured FHA guarantee and move forward and people can keep living in their homes and can keep participating in the economy.

Because of this vote today, if the majority wins, homeowners across the country may not have the opportunity to take advantage of the program that has just begun, and which should be made, in my opinion, available to them.

Now what this does, it goes down all of the impacts across the country. It shows that in my home State of New York there are over 129,000 mortgages underwater that would not be able to apply for this program to allow people to stay in their homes. In Chairman BACHUS' State, there are over 35,000 mortgages underwater. In Florida, there are more than 2 million mortgages underwater, and they have no alternative of any way to help these people. And these numbers are from an independent company's study.

If you go to California, our largest State, over 2 million homes are underwater. Nevada, 390,000 individuals are facing the loss of their homes. In Arizona, there are over 648,000 families that are underwater. Their home is not worth what they're paying for it, what the mortgage is.

So this program is one that I think is thoughtful, one that has only $50 million as sort of a line of credit that will be pulled down if there are defaults. But the banks participating have very strict standards, as does the FHA. It has to be their primary residence. They have to provide full documentation. No more of these ''no doc'' loans. They must be current on the mortgage. They must have a job. They have to have many, many levels that they have to meet before they get the loan. But at least it's a lifeline to these 12 million families whose homes are underwater.

With declining home values, borrowers are caught in mortgages they no longer can afford because their rates have reset or because their interest-only payments have not allowed them to grow any equity in their homes. They are making their payments, but just barely. And so this one is there to help them. And it simply adds findings to the bill with the number of underwater mortgages in each State that we've secured the data for so that it becomes very clear to the American people how many homeowners in each State we are not helping if we do what the majority wants, to terminate this program.

And I might say this program is one of four that the Obama administration has put forward to help homeowners stay in their homes and to help stabilize our economy, which is still fragile and is still recovering. Housing is 25 percent of our economy, according to many economists. So the strength of housing is important to the overall health of our Nation's economic future.

So I urge my colleagues to support the amendment, to make it clear by the vote on this bill how many Americans across this country will not be helped if the majority gets their passage of their bill that would terminate a program that has the potential of helping literally millions in America.

I urge a ''yes'' vote on my amendment.

□ 1340

POINT OF ORDER

Mr. BACHUS. Mr. Chairman, I make a point of order against the amendment because in my opinion it violates clause 7 of rule XVI which requires that an amendment be germane to the matter it's amending.

It's not germane to the bill because it's outside the scope of the bill and fails to draw the nexus to the bill.

The CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentlewoman from New York.

Mrs. MALONEY. The amendment is germane, Mr. Chairman.

This program has the potential to help underwater mortgages across our great country, which is germane to the bill we're debating today, because the bill terminates the potential of this help. You have no findings in this bill that you're rushing to the floor.

It is germane to talk about the hundreds of thousands of homeowners that are out there that possibly could lose their home because this program is being terminated. This is germane, in my opinion, to the underlying bill.

The CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentleman from Alabama.

Mr. BACHUS. Mr. Chair, she lists the number of mortgages that are underwater and says that this program may help them. Obviously, there are many of those, the buyers are behind on their payments and they wouldn't qualify for help. Just the number 44 ought to tell you that when you list 12 million homeowners and then say that the termination of this program would have helped is quite a stretch. There are certain other qualifications under this legislation that are not met by simply being underwater.

The CHAIR. Does the gentlewoman from New York wish to be heard on the point of order?

Mrs. MALONEY. Yes, I do.

As a point of information, there are very strict criteria from the FHA and from the individual banks that are voluntarily participating, and one of those criteria is that you must be current on your payments. You must be current. What the gentleman said was inaccurate, that they could be behind on their payments or not making their payments. They're having difficulty making it because their home value is not equal to what the mortgage is. And so it's difficult. But they must all be current on their payments.

The CHAIR. The gentlewoman needs to confine her remarks to the point of order.

Ms. JACKSON LEE of Texas. Mr. Chairman, I would like to be heard on the point of order.

The CHAIR. The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. First of all, the gentleman from Alabama was arguing the merits of the legislation. These are findings that pertain to the results that would occur from the language in the bill.

The bill is eliminating the existing funds or leftover funds for FHA refinance. The amendment clearly lays out the impacted persons connected to the elimination. Therefore, this is germane because it relates to the language of the amendment and the intent of the amendment.

Twelve million people left behind, thousands of homeowners in different States, and the fact that there is no other solution to these homeowners except FHA refinance, it is a germane amendment. The findings are simply laying out the impact. We do that in all of our bills to put findings on what the impact of legislation would be.

I ask the Chairman to consider the gentlelady's amendment being germane. The findings are germane, and it is doing simply that of listing the elements of the impact of this legislation.

I ask for a waiver of the point of order.

The CHAIR. The Chair is prepared to rule on the point of order.

The gentleman from Alabama makes a point of order that the amendment offered by the gentlewoman from New York is not germane.

The bill addresses repeal of a Federal Housing Administration program that provides for refinancing of a specified set of mortgages.

One of the fundamental principles of germaneness is that the amendment must relate to the subject matter of the underlying bill. The bill is confined to a specific type of refinancing program. The amendment seeks, in part, to address mortgages on broader bases, beyond the ambit of the bill.

The amendment is therefore not germane. The point of order is sustained.

Mrs. MALONEY. I move to strike the last word.

The CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. MALONEY. I'm distressed with this ruling because I think it is germane that people will lose their homes, that they are eliminating a program that is just starting that is thoughtful, that would give FHA financing and guarantees to help people stay in their homes, and that people in Nevada, over 390,000, could be affected by this; California, over 2 million people's homes are underwater; in Florida, over 2 million homes are underwater; Arizona, 648.

And in my own State, over 129,000 people will not have the access to this program that allows them to adjust their mortgages so that they reflect the true value of their homes, make their payments on that value so that they can move forward and be part of the community, keep these homes from becoming blight and emptied in an area.

We all have stories in our districts and across the Nation where people cannot make their mortgage payments because they have lost values in their home. They are deserting them. They are leaving them. In some States, they are literally bulldozing the homes underground because no one can afford to live in them. This is an answer to some of the challenges.

And my colleagues on the other side of the aisle talk about the cost. Well, I would say that the cost—not only to the individual homeowner, but to the overall economy—will be greater by terminating the four efforts, the four antiforeclosure efforts from the Obama administration to help with the housing crisis.

And we know that the subprime crisis was a scandal. Many people were not—got into homes they couldn't afford under misinformation.

We have helped other areas of our economy. We certainly should help the homeowners, the working Americans to help them through this economic crisis, too.

And we have to remember that although we are digging our way out of this Great Recession, the recovery has been slow. We are still in a fragile recovery. The economists testified before the Financial Services Committee that housing was 25 percent of our economy.

So, helping people stay in their homes, I would say that our overall economy has a stake in it.

Now, some people said, well, the banks will run in and do this. Banks are not going to do this unless they think that the loan is going to be paid and they're not going to be hurt with it. And the standards from FHA are very high. You have to be current. You have to have a job. You have to live in your home. You have to have a proven track record. You have to have good credit before you can be approved. So that is why only 50 million is the line of credit that will be drawn down if there are foreclosures.

Hopefully the economy improves, people keep their jobs. Hopefully the banks do a good job and do not hand out loans unless people can actually repay them. And this will be a tool to move forward not only to help people, but to help the overall economy.

Now, what I find very troubling about this is that my friends on the other side of the aisle want to terminate four antiforeclosure programs, but they have no alternative. It's sort of like their approach to jobs. They have not come forward with any program to help create jobs. They have not come forward with any program to help people stay in their homes. It's part of the ''so be it'' attitude. You're on your own. We're not going to help you.

But this is a program that helps people help themselves adjust to the reality of what their homes are actually worth. And I think that it's important that this information of how many people, the 12 million people and where they live in America, is important information that should be part of this bill.

And that's why I am now respectfully requesting unanimous consent to place into the RECORD the listing of where these 12 million people live so people will know these are the people we are saying ''no,'' ''so be it,'' ''we're not going to be there to help you.''

And let me tell you, my follow colleagues. I would be cautious about voting for this, because you're voting against your economy. You're voting against your State. You are voting against your own colleagues, your own residents and neighbors who may need this. We know the trouble that's in this economy. Practically every family in America has some relative who's lost a job or is unemployed. So this is some way to help with this economic recovery. It is thoughtful. It is a good program.

And I urge my colleagues to vote against the ''so be it'' bill the Republicans have before us today and to really work with, in a bipartisan way, the Obama administration to help working Americans, struggling Americans stay in their home.

□ 1350

It's the least that we can do as a caring Nation, absolutely the least we can do as a caring Nation. So I urge my colleagues, and I would be very cautious in your vote, because I believe your constituents are going to remember this vote if this program is terminated and their lifeline, their ability to stay in their homes, is terminated because of your vote today.

TABLE 1: NEGATIVE EQUITY BY STATE*

	Properties With a Mortgage Outstanding					$ Outstanding			
State	Mortgages	Negative Equity Mortgages	Near** Negative Equity Mortgages	Negative Equity Share	Near** Negative Equity Share	Total Property Value	Mortgage Debt Outstanding	Net Homeowner Equity	Loan-to-Value Ratio
Alabama	340,665	35,610	19,188	10.5%	5.6%	65,482,055,550	43,970,078,384	21,511,977,166	67%
Alaska	87,286	7,801	5,160	8.9	5.9	23,773,756,773	15,920,518,570	7,853,238,203	67
Arizona	1,333,398	648,387	63,304	48.6	4.7	263,693,025,194	243,760,655,061	19,932,370,133	92
Arkansas	238,011	27,580	14,360	11.6	6.0	37,303,484,103	27,450,225,612	9,853,258,491	74
California	6,870,914	2,172,700	299,067	31.6	4.4	2,864,273,476,858	2,008,766,937,342	855,506,539,516	70
Colorado	1,125,434	221,097	91,187	19.6	8.1	301,289,945,528	217,120,459,818	84,169,485,710	72

TABLE 1: NEGATIVE EQUITY BY STATE*—Continued

State	Properties With a Mortgage Outstanding					$ Outstanding			
	Mortgages	Negative Equity Mortgages	Near** Negative Equity Mortgages	Negative Equity Share	Near** Negative Equity Share	Total Property Value	Mortgage Debt Outstanding	Net Homeowner Equity	Loan-to-Value Ratio
Connecticut	816,560	97,244	29,957	11.9	3.7	294,814,146,661	171,517,175,208	123,296,971,453	58
Delaware	179,322	23,906	8,937	13.3	5.0	47,059,588,802	31,949,546,484	15,110,042,318	68
Florida	4,459,951	2,029,128	182,323	45.5	4.1	853,646,775,841	757,212,788,734	96,433,987,107	89
Georgia	1,605,825	449,971	120,854	28.0	7.5	319,934,838,691	255,319,644,351	64,615,194,340	80
Hawaii	229,600	24,664	8,280	10.7	3.6	117,791,198,842	65,339,432,694	52,451,766,148	55
Idaho	243,589	61,566	12,927	25.3	5.3	48,204,517,879	35,737,930,659	12,466,587,220	74
Illinois	2,227,602	431,050	108,239	19.4	4.9	534,999,520,161	377,625,407,977	157,374,112,184	71
Indiana	603,484	68,196	28,936	11.3	4.8	91,672,823,585	64,195,877,062	27,476,946,523	70
Iowa	334,689	28,976	14,366	8.7	4.3	51,019,867,858	34,150,823,254	16,869,044,604	67
Kansas	295,839	32,787	16,284	11.1	5.5	53,431,665,604	37,737,206,158	15,694,459,446	71
Kentucky	279,187	24,880	14,092	8.9	5.0	47,549,597,328	32,335,774,221	15,213,823,107	68
Louisiana	NA	NA	NA	NA	NA	NA	NA	NA	NA
Maine	NA	NA	NA	NA	NA	NA	NA	NA	NA
Maryland	1,358,672	298,554	67,580	22.0	5.0	433,409,001,574	298,109,259,531	135,299,742,043	69
Massachusetts	1,494,099	222,599	51,704	14.9	3.5	546,053,917,907	329,062,834,394	216,991,083,513	60
Michigan	1,381,232	519,716	76,403	37.6	5.5	198,169,103,537	169,373,043,369	28,796,060,168	85
Minnesota	554,535	90,090	27,608	16.2	5.0	124,901,317,584	81,787,965,185	43,113,352,399	65
Mississippi	NA	NA	NA	NA	NA	NA	NA	NA	NA
Missouri	779,328	122,543	44,131	15.7	5.7	137,735,363,892	98,445,466,785	39,289,897,107	71
Montana	112,444	8,650	3,939	7.7	3.5	28,244,797,730	16,968,913,610	11,275,884,120	60
Nebraska	221,686	21,388	13,072	9.6	5.9	35,462,342,354	25,920,022,837	9,542,319,517	73
Nevada	586,515	390,192	23,037	66.5	3.9	103,720,996,430	123,072,698,809	−19,351,702,379	119
New Hampshire	211,489	37,488	11,351	17.7	5.4	51,974,243,397	35,837,313,271	16,136,930,126	69
New Jersey	1,882,603	286,293	78,230	15.2	4.2	678,172,085,088	415,710,918,011	262,461,167,077	61
New Mexico	234,004	29,375	10,847	12.6	4.6	55,009,963,072	36,551,762,344	18,458,200,728	66
New York	1,838,917	129,633	40,013	7.0	2.2	835,125,621,032	415,765,632,474	419,359,988,558	50
North Carolina	1,521,406	160,007	101,945	10.5	6.7	317,535,658,347	223,145,876,102	94,389,782,245	70
North Dakota	48,415	3,582	1,478	7.4	3.1	8,291,290,055	4,967,349,459	3,323,940,596	60
Ohio	2,204,754	441,379	137,601	20.0	6.2	324,006,229,515	242,010,058,915	81,996,170,600	75
Oklahoma	408,155	24,411	14,962	6.0	3.7	60,039,397,170	42,451,471,333	17,587,925,837	71
Oregon	693,304	108,335	38,849	15.6	5.6	179,130,635,748	122,988,902,147	56,141,733,601	69
Pennsylvania	1,794,563	132,805	58,312	7.4	3.2	401,020,775,572	248,939,681,403	152,081,094,169	62
Rhode Island	227,897	45,511	8,120	20.0	3.6	64,414,910,589	39,693,719,643	24,721,190,946	62
South Carolina	598,223	85,226	37,091	14.2	6.2	131,254,482,178	92,349,858,129	38,904,624,049	70
South Dakota	NA	NA	NA	NA	NA	NA	NA	NA	NA
Tennessee	962,894	133,956	67,386	13.9	7.0	166,572,683,790	118,119,771,078	48,452,912,712	71
Texas	3,286,505	367,954	194,944	11.2	5.9	602,239,776,419	418,772,404,728	183,467,371,691	70
Utah	472,867	98,093	30,339	20.7	6.4	114,775,697,922	84,499,611,037	30,276,086,885	74
Vermont	NA	NA	NA	NA	NA	NA	NA	NA	NA
Virginia	1,252,705	276,910	73,763	22.1	5.9	419,006,811,369	295,429,338,477	123,577,472,892	71
Washington	1,407,416	209,577	75,920	14.9	5.4	441,789,933,181	292,406,352,738	149,383,580,443	66
Washington, DC	100,340	15,240	4,513	15.2	4.5	49,085,895,573	28,782,522,751	20,303,372,822	59
West Virginia	NA	NA	NA	NA	NA	NA	NA	NA	NA
Wisconsin	619,792	81,267	30,026	13.1	4.8	120,246,415,775	80,769,544,053	39,476,871,722	67
Wyoming	NA	NA	NA	NA	NA	NA	NA	NA	NA
Nation	47,871,838	10,780,236	2,376,159	22.5	5.0	12,711,358,863,378	8,850,515,659,256	3,860,843,204,122	70

*This data only includes properties with a mortgage. Non-mortgaged properties are by definition not included.

** Defined as properties within 5% of being in a negative equity position.

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Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I am very sorry that Congresswoman MALONEY's amendment was subject to a point of order. I would like to simply add that you need to put faces on what this legislation is doing. It is a simple act. It guts and eliminates all remaining funding. It does say that if you are in the midst of the program you might continue.

But everyone knows how solid FHA is. Whenever you hear FHA, you know that there is a framework that really provides for protection for the Federal Government and a fiscally responsible program that provides the Federal Government with protection for those who are able to utilize it.

But even traveling through airports, Mr. Chairman, I had a man with a family who indicated that in the midst of the holiday season, even though he had been told by the banking institution that his mortgage was intact, they would allow him to continue to pay, he was keeping up but having difficulty looking for modification, a few days into the new year, January 6, he was foreclosed on, and a few days later, or at least on that day foreclosed with a sign or a notice on his door, ''Vacate in 3 days.'' These are the faces of individuals who probably would have fared better under FHA.

At the same time, a law enforcement, a police officer came to me and said the very same thing, naming an institution that I had never heard of, had no national standing, some fly-by-night. Here is a law enforcement officer, a local police officer putting his life on the line every day, and he needed to sell his home. He had managed to find a buyer. He had communicated that to the bank. But lo and behold, the lowlife thing to do was what this financial institution did. And I would call it not a bank, but probably a mortgage entity. They took the house right from underneath a man that goes out every day and projects himself into the community and could lay his life on the line.

I am against H.R. 830 and H.R. 836. It doesn't make sense when we've got hundreds of thousands of individuals who are in need of this program. I will venture to say that if a program needs fixing, have we ever heard of fix it, don't end it? Mend it, don't end it? Of course it is always important to do due diligence and have oversight over these programs. But I would think that the Financial Services Committee, under our past chairman and now the ranking member, working with the chairman now, could come up with the genius to make FHA work better if that is the case.

But the nonsensical plan of eliminating it, not helping the underwater mortgagees, the individuals who have these mortgages, with homes that are distressed, with mortgages that are worth more than the homes—we know there are many communities like this, and my colleague mentioned some, but let me cite three States again because it's so enormous, and we have heard so much from them: Florida, 2 million; California, 2 million; Nevada, 390,000. They are still in distress.

Everyone knows that the housing market has a lot to do with this economy. And even without the help of my good friends on the other side of the aisle, we still saw the unemployment go down and 192,000 jobs created. But I can tell you that this does nothing to create jobs. It simply puts Americans out on the street. It devastates families. And who knows, with the lack of sales of homes and remodification or modification of these, it puts people out of work, not in work.

So I argue vigorously, a little too late on the gentlelady's amendment, but I want to thank her for her astuteness, carefully defining what impact this bill would have. And it's unfortunate that the good work of FHA that requires documentation, a current job, a decent salary, all that is needed is

now thrown to the wolves with no other plan. So we go home, and constituents will ask us about modification or the viability of FHA, which has been in place for a long period of time. All we have to do is give them our empty hands and our blank face, saying obviously greater minds than you, who knew this was a good program, decided to eliminate it with no substitute in place.

So Mr. Chairman, let me conclude by simply saying to the hundreds of thousands of borrowers, have faith, because this is only the first step. We know this is wrongheaded, the wrong direction. Thank goodness for the Founding Fathers that gave us the House and the Senate and a President. I can be assured that this legislation, I hope, is destined for a route of no return.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair would remind the gentlewoman to direct her comments to the Chair, and not the viewing public.

The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. RESCISSION OF FUNDING FOR FHA REFINANCE PROGRAM.

Effective on the date of the enactment of this Act, there are rescinded and permanently canceled all unexpended balances remaining available as of such date of enactment of the amounts made available under title I of the Emergency Economic Stabilization Act (Public Law 110–343; 12 U.S.C. 5211 et seq.) that have been allocated for use under the FHA Refinance Program (pursuant to Mortgagee Letter 2010–23 of the Secretary of Housing and Urban Development) of the Making Home Affordable initiative of the Secretary of the Treasury.

AMENDMENT NO. 11 OFFERED BY MR. FITZPATRICK

Mr. FITZPATRICK. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 12, after the period insert the following: ''All such unexpended balances so rescinded and permanently canceled shall be retained in the General Fund of the Treasury for reducing the debt of the Federal Government.''.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes in support of his amendment.

Mr. FITZPATRICK. Mr. Chairman, I want to thank my colleague from Illinois (Mr. DOLD) for introducing this legislation to end a failed Federal program, the FHA Refinance Program. This amendment ensures that the savings realized from ending this program go directly to debt reduction.

Last month, Mr. Chairman, this Chamber began a process of examining the Federal budget line by line, asking tough questions and making tough decisions on Federal spending. While our work was substantial, it is also continuing. In order to encourage economic growth and job creation, the Federal debt is and must remain public enemy number one. Over the past 2 years, Federal discretionary spending has increased by 24 percent. The rate of growth is simply unsustainable.

Despite the record pace of new spending over the last 2 years, that spending continues today. Just this week, Mr. Chairman, we learned that the Federal deficit for the month of February 2011 was the highest ever, and exceeded the deficit for the entire fiscal year 2007, $233 billion, Mr. Chairman, the biggest monthly deficit in the history of our country.

Over the past decade, we have seen the excesses and unsustainable growth in sectors of our economy that can have disastrous effects across the entire economy. Unless we take dramatic action now, the tax burden placed on small businesses and families in my own Bucks County and across the Nation will outpace our ability to pay, killing jobs and straining family budgets.

Just as troubling is the fact that the money our government is using to feed today's spending is being borrowed from future generations, much of it borrowed from foreign Nations. The sheer amount of cash owed to foreign powers led the chairman of the Joint Chiefs of Staff, Admiral Michael Mullen, last year to declare the deficit as the number one security threat facing our Nation. Reduce the debt.

I ask my colleagues to support the amendment, support the underlying bill.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. First, I would repeat that I am glad to hear the support for Admiral Mullen—earlier we heard of Secretary Gates—in their warning about the deficit. I just wish that all of those who were accepting their warning on the deficit would refrain from forcing money on them that they don't want. We have people citing the military leadership and then voting for weapons systems, swelling an already swollen military budget, that they don't want.

As to this amendment, I am tempted to come to the defense of the drafters of the bill, because if you read the bill, the bill purports to do what the amendment purports to do. Apparently the author of the amendment didn't think the bill did a good enough job, or somebody thought the author of the amendment, being a nice fellow, ought to get in on the credit. So this is an amendment that is either editorial refinement or political redundancy. In either case, it does not have much effect; so I urge the Members to adopt it.

Mrs. MALONEY. Madam Chairman, I move to strike the last word.

The Acting CHAIR (Mrs. MILLER of Michigan). The gentlewoman from New York is recognized for 5 minutes.

Mrs. MALONEY. I would just like to point out to Congressman FITZPATRICK from the great State of Pennsylvania that there are over 132,000 homes that are underwater now that could benefit from this program, and urge my colleagues to support the program.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The amendment was agreed to.

□ 1400

The Acting CHAIR. The Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. TERMINATION OF FHA REFINANCE PROGRAM.

(a) TERMINATION OF MORTGAGEE LETTER.—The Mortgagee Letter referred to in section 2 shall be void and have no effect and the Secretary of Housing and Urban Development may not issue any regulation, order, notice, or mortgagee letter based on or substantially similar to such Mortgagee Letter.

(b) TREATMENT OF REMAINING FUNDS.—Notwithstanding subsection (a) of this section, any amounts made available for use under the Program referred to in section 2 of this Act and expended before the date of the enactment of this Act shall continue to be governed by the Mortgagee Letter specified in subsection (a) of this section, and any other provisions of law, regulations, orders, and notices, applicable to such amounts, as in effect immediately before such date of enactment.

(c) TERMINATION.—After the enactment of this Act, the Secretary of Housing and Urban Development may not newly insure any mortgage under the FHA Refinance Program referred to in section 2 of this Act except pursuant to a commitment to insure made before such enactment, and upon the completion of all activities with respect to such commitments under the provisions of law, regulations, orders, notices, and mortgagee letters referred to in subsection (b) of this section, the Secretary of Housing and Urban Development shall terminate the FHA Refinance Program referred to in section 2.

(d) STUDY OF USE OF PROGRAM BY MEMBERS OF THE ARMED FORCES, VETERANS, AND GOLD STAR RECIPIENTS.—

(1) STUDY.—The Secretary of Housing and Urban Development shall conduct a study to determine the extent of usage of the FHA Refinance Program referred to in section 2 by, and the impact of such program on, covered homeowners.

(2) REPORT.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary shall submit to the Congress a report setting forth the results of the study under paragraph (1) and identifying best practices, with respect to covered homeowners, that could be applied to the FHA Refinance Program.

(3) COVERED HOMEOWNER.—For purposes of this subsection, the term ''covered homeowner'' means a homeowner who is—

(A) a member of the Armed Forces of the United States on active duty or the spouse or parent of such a member;

(B) a veteran, as such term is defined in section 101 of title 38, United States Code; or

(C) eligible to receive a Gold Star lapel pin under section 1126 of title 10, United States Code, as a widow, parent, or next of kin of a member of the Armed Forces person who died in a manner described in subsection (a) of such section.

AMENDMENT NO. 3 OFFERED BY MR. LYNCH

Mr. LYNCH. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, strike lines 14 through 19.
Page 5, line 20, strike ''(b)'' and insert ''(a)''.
Page 5, lines 20 and 21, strike ''Notwithstanding subsection (a) of this section, any'' and insert ''Any''.
Page 5, line 25, strike ''specified in subsection (a) of this section'' and insert ''specified in section 2''.
Page 6, line 3, strike ''(c)'' and insert ''(b)''.
Page 6, lines 10 and 11, strike ''subsection (b)'' and insert ''subsection (a)''.
Page 6, line 14, strike ''(d)'' and insert ''(c)''.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. LYNCH. Thank you, Madam Chair.

I want to, first of all, clarify what this bill is intending to do. The goal of the bill by my colleagues is to end the FHA Refinance Program. While I do support voluntary workouts—and I think that's the best way to approach the problem—I want to point out that the bill as it is written does not allow that to be accomplished by the FHA. Not only does the bill eliminate the targeted programs that have been identified, but it also, in its breadth, eliminates the possibility of any voluntary agreements outside this program. That's what my amendment would seek to address.

I do know that the CQ House Action Report indicated that I was amending section 2. However, I want to make sure that they understand that the language my amendment addresses is section 3: Termination of FHA Refinance Program.

Basically, to understand it, what this amendment would do is: The FHA facilitates mortgage workouts and other actions under its purview through mortgagee letters. These are written guidances to mortgagees, lenders, HUD-approved counselors and appraisers—essentially, anyone who is actively providing services on behalf of or with the permission of HUD. Similar guidance is done for other HUD programs.

Administrative law dictates that the agencies can issue administrative guidance that interprets statutes and regulations that we adopt, and it requires public notice and comment, and must be based on an authorizing statute. The FHA's guidance for lenders comes in the form of handbooks and these mortgagee letters, which essentially provide periodic advice and clarification while we are trying to do these voluntary agreements. Last year, the FHA issued 43 separate versions of this mortgagee letter. So far this year, it has issued about 14.

My amendment would strike the text that I believe and that the FHA believes would interfere with the rest of the work that the FHA is doing in its operation. These are not areas targeted by the bill by the gentlewoman from Illinois. The bill provides that anything substantially similar to what they have prohibited in section 2, which is a mortgagee letter titled 2010–23, would also be prohibited.

That creates a problem. That stops the FHA from doing a lot of the other work that both sides agree needs to be done. We are talking about voluntary agreements where the bank and the servicer and the homeowner agree. Basically, that would be stopped by this legislation. So I'm not trying to undo the targeted work that you're trying to do. I'm just trying to let the FHA do its job in general.

I also want to remind the gentlewoman from Illinois that the FHA, by itself, cannot recreate the finance program through a mortgagee letter. It can only do so if it is legislation that is clearly underlying its action. All the mortgagee letters must go through departmental clearance and must be viewed by OMB before they become official guidance. So I am asking that this amendment be accepted to clarify the action of the bill, itself.

I yield back the balance of my time.

Mrs. BIGGERT. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. This amendment came up in committee and failed during our committee markup by a vote of 33–22. The amendment removes all references to the mortgagee letter issued by HUD concerning the FHA Refinance Program, and I think that this announcement was the defining document for the program and provided guidance to lenders on the FHA Refinance Program.

I think our concern is that the amendment leaves the door open for the Treasury and for HUD to at a later date create another substantially similar program to the FHA Refinance Program, again, without the express consent of Congress.

As the sponsor of the bill mentioned, this program was never authorized by Congress. The funding came from the TARP moneys that were set aside for the HAMP program, and the mortgagee letter was effectively the authorizing document for the program. If this were to be in, there would be no nullification of the program; it wouldn't be terminated. This mortgagee letter speaks directly to this program, and I don't think that it affects the other parts of the FHA. It really just voids the letter, in doing so, to end the program.

We don't need to further burden the FHA with this program. An FHA program right now is currently operating below its congressionally mandated 2 percent capital reserve ratio, and this program has the potential to further expose taxpayers to FHA losses. Even the administration has expressed concerns over the new program loan performance. During testimony delivered to the Financial Services Committee, the FHA Commissioner testified ''these loans may perform worse than refinanced loans that were not previously under water.''

This is another example of the administration's using TARP dollars in questionable ways. I think that the program is similar in scope to the failed HOPE for Homeowners program established under FHA in 2008, and even that program has helped fewer than 200 borrowers since its inception.

So we are concerned that the method of funding for this program exposes taxpayers to higher levels of TARP money. I don't think that it affects FHA other than that this program is terminated. This program, along with its companion programs and the failed HAMP program, should be terminated, and all unobligated funds associated with the program should instead be used to pay down the Nation's unsustainable debt. I would oppose the amendment.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Madam Chair, I regret the fact that my colleague from Massachusetts, who is a good lawyer and a careful student of what we do, has drafted a very specific amendment aimed at a particular point. He has been answered with a lot of general rhetoric, and I don't think his point was understood. The gentlewoman simply repeated general rhetoric about the bill.

He is not trying by the back door to reestablish this program. He has talked to thoughtful people, and is worried about an overreach. I think the only thing we're seeing now is pride of authorship by whoever drafted this bill for them. The gentlewoman from Illinois is, as I said, using a lot of general rhetoric, which is totally unresponsive to the very specific point my friend from Massachusetts made.

With that, in the hope that if he says it again he might get them to pay attention to the specifics, I yield to my friend, the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Madam Chair, look, I will concede that the gentlelady from Illinois has raised a lot of good points. Unfortunately, none of them are relevant to my amendment. If you look at section 2, which is what you just talked about, that remains intact. That remains intact.

□ 1410

Basically, what you have done on the bill is it says: effective on the date of the act there are rescinded and permanently canceled all unexpended balances remaining available as of such date of enactment of the amounts made available under title I of the Emergency Economic Stabilization Act. So you have cut out the top and you say it can't be used for mortgages, and I left that language alone.

But then in that section you identify, specifically, mortgage letter 2010–23. And you say, nothing can be used for that. I am not trying to turn over that apple cart.

However, when you go to section 3, you say that the Secretary of Housing and Urban Development may not issue any regulation, any order, any notice, or any mortgage letter based on, or substantially similar to, such mortgage letter referred to above. Okay, so what you are saying is no notice, no orders, no mortgage letters, no communications on voluntary agreements between the bank, the lender, the servicer and the homeowner. So you are prohibiting FHA from working out a voluntary agreement with any of your constituents.

Mr. FRANK of Massachusetts. Reclaiming my time, the problem is the ambiguity is substantially similar. It kills this program, but it bans things that would be substantially similar so that innovator private sector entities trying to do something would be deterred because no one could tell them what substantially similar is.

I yield to the gentleman from Massachusetts.

Mr. LYNCH. Well, let me just say this: The idea here, it's a two-step problem. One, the gentlewoman's bill would seek to eliminate voluntary agreements. Okay, so that's a problem. So we are asking the FHA and the homeowner and the lender and the servicer all to agree that this mortgage should be modified and that the homeowner should be allowed to remain in their home, which is a good thing. But for some reason you don't want any of that, so you are eliminating all four of those programs. That's a problem.

The underlying problem that we have here specific to this language is compounded by the fact that you are eliminating all voluntary agreements, not only the ones that you seek to eliminate in these four voluntary programs.

Mr. FRANK of Massachusetts. I yield at this point to the gentlewoman from Illinois (Mrs. BIGGERT) to respond.

Mrs. BIGGERT. Thank you. I think what we are doing here is to terminate the mortgage letter which sets up the program and to make sure that there won't be a substantially similar letter.

Mr. FRANK of Massachusetts. Reclaiming my time, because the gentlewoman is simply not responding, we have the same general rhetoric.

The point, as my friend has pointed out, is you were introducing an ambiguity which is substantially similar so that people will be deterred from further innovator activities.

I yield again to my friend from Massachusetts.

Mr. LYNCH. Thank you.

Madam Chair, the funding authorization you have already deleted in section 2. So there is no funds and there is no authorization for FHA to issue a letter in connection with a program that no longer exists. So you have eliminated that.

But when you are going further, section 3 is saying, and we don't want you even; we don't want you issuing a letter or a notice or an order that is substantially similar to the one we just eliminated. That's the problem, that you are taking the ability of the FHA to work out voluntary agreements that, I think on the merits, for the people in your district you would like to see occur, that are in good faith and that are affecting homeowners.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. MALONEY. I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. MALONEY. Congresswoman BIGGERT, do you know how many underwater mortgages there are in your home State?

Mrs. BIGGERT. No, I don't.

The Acting CHAIR. The gentlewoman from New York is advised to address her remarks through the Chair.

Mrs. MALONEY. Reclaiming my time, there are 431,000 mortgages that are underwater in the great State of Illinois where the residents would be eligible to participate in this program that the Republican majority is voting to terminate.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FRANK of Massachusetts. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. PAULSEN

Mr. PAULSEN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 15, strike ''AND''.

Page 6, line 16, before the period insert the following: '', AND MEMBERS AND VETERANS WITH SERVICE-CONNECTED DISABILITIES AND THEIR FAMILIES''.

Page 7, line 11, strike ''or''.

Page 7, line 17, strike the period and insert ''; or''.

Page 7, after line 17, insert the following:

(D) such members and veterans of the Armed Forces who have service-connected injuries, and survivors and dependents of such members and veterans of the Armed Forces with such injuries.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PAULSEN. Madam Chair, last summer I met with a woman whose husband, who was born and raised in Eden Prairie, Minnesota, had died in Afghanistan; and we discussed issues that she was facing as the widow of a servicemember. One of the concerns she raised was absolutely paying her mortgage, given all the changes and stresses that had taken place in her life.

This conversation led me to introduce legislation last year, which actually passed the House last fall, that directed the appropriate agencies to take into account and consideration the special circumstances of wounded servicemembers and widows of fallen soldiers and their families in housing programs.

Along those lines, this amendment and my amendment today would add military servicemembers and veterans who have service-related injuries, as well as survivors and dependents of such individuals, to be included in the study on the use of the FHA refinance program.

These families do face, often, new hardships. They may need modification to their houses if the servicemember is now in a wheelchair. They may have significant changes in their ability to move around, as well as the skills they are able to perform, which could have a significant impact on their livelihood.

It's my hope, Madam Chair, through this amendment we can get a better understanding of how we can best provide for these families who have made that service and sacrifice. I urge adoption of the amendment.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Madam Chair, the gentleman from Texas (Mr. AL GREEN) in the committee offered amendments that would have provided some substantive protection to veterans.

My Republican colleagues neither wanted to provide help to the veterans nor be caught not providing the help. So they came up with some study amendments that would give them the appearance of being concerned, but no reality. That was, unfortunately, adopted over Mr. GREEN's objections and mine, but it's part of the bill.

This is in addition to what is largely a cosmetic amendment, and I see no reason to object to it or prolong the debate, so I urge everybody to vote for it.

I yield back the balance of my time.

Mrs. MALONEY. I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. MALONEY. Congressman PAULSEN——

The Acting CHAIR. The gentlewoman is advised to direct her remarks to the Chair.

Mrs. MALONEY. I would like to inquire from Congressman PAULSEN if he is aware of how many mortgages are underwater in his home State, the great State of Minnesota.

I yield to the gentleman from Minnesota.

Mr. PAULSEN. Congresswoman, I am not aware of the exact number. The amendment applies, actually, for addition to the study. But I would be happy if you would share that information.

Mrs. MALONEY. Reclaiming my time, I would like to point out to the gentleman from Minnesota that there are over 90,000 homes, 90,000 homeowners who are underwater in the great State of Minnesota and that could benefit if they meet the criteria in this important program that the Republican majority is urging to be eliminated today.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. INSLEE

Mr. INSLEE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 16, before the period insert ''AND REPLACEMENT PROGRAM''.

Page 6, line 19, before ''the extent'' insert ''(A)''.

Page 6, line 20, after ''section 2'' insert '', including''.

Page 6, line 21, before the period insert the following: '', and (B) the need, and appropriate guidelines and standards for, a mortgage insurance program of the Secretary that (i) provides for loan modification involving a write-down of the remaining principal balance on existing mortgages on 1- to 4-family residences under which such principal balance exceeds the appraised value of the mortgaged residence, and (ii) serves the needs of covered homeowners with such mortgages''.

Page 7, line 1, after ''paragraph (1)'' insert the following: '', setting forth the Secretary's determination of the need for, and the appropriate guidelines and standards for, the mortgage insurance program determined pursuant to paragraph (1)(B),''.

Page 7, line 1, after ''best practices,'' insert ''including''.

Page 7, line 3, before the period insert the following: ''and to the mortgage insurance program identified and described pursuant to paragraph (1)(B)''.

Page 7, after line 17, add the following:

(4) IMPLEMENTATION.—Upon the expiration of the 90-day period beginning upon the submission to the Congress of the report required under paragraph (2), the Secretary of Housing and Urban Development shall implement the mortgage insurance program described in such report pursuant to paragraph (1)(B) through issuance of appropriate guidelines and standards set forth in the report.

At the end of the bill, add the following new section:

SEC. 4. STUDY OF BORROWERS OTHERWISE ELIGIBLE FOR FHA REFINANCE PROGRAM.

Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall conduct a study, and submit to the Congress a report regarding the results of such study, to determine the effects that authorizing bankruptcy courts, in bankruptcy proceedings under chapter 13 of title 11, United States Code, to reduce the debt secured by a mortgage on the principal residence of a debtor would have on mortgagors who, but for termination of the FHA Refinance Program under this Act, would have qualified for refinancing of a mortgage under such Program, under the terms of such Program as in effect immediately before the enactment of this Act.

□ 1420

Mrs. BIGGERT. I reserve a point of order against this amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Washington is recognized for 5 minutes.

Mr. INSLEE. Madam Chair, we know how dire the situation is for tens of thousands of Americans with underwater mortgages who are making good faith efforts to make the right decisions both for themselves and for the lender. And we are very concerned that if this program prematurely is destroyed, we will be yanking back a lifeline that Congress has sent to these folks. And, of course, this is important because it's not just the people who own these homes that are underwater right now that are affected by the collapse in housing values, but all of us are because that housing debacle has affected employment in the construction trades and in the real estate industry broadly. We all have a stake in this issue.

So what my amendment would do is to basically say that we want the FHA, if, in fact, this situation moves forward like this bill is, that they will conduct a study and essentially implement a substitute program that will fix anything that needs fixing in this program to achieve the ends that we ought to be able to have as our goal.

Now, the basic underlying theory of our amendment is simple. Before you take away a lifeline from some American to solve a problem that thousands are experiencing, come up with a substitute, come up with an improvement, come up with an alternative. And that's what our amendment simply says. If we're going to eliminate this program in its current embodiment, let's come up with an alternative and have it implemented in a way that we keep this lifeline out there.

Now, the reason we feel that this is important is that all too frequently in this Congress we have seen the majority party remove these solutions to programs and not replace it with an alternative. We've seen this in health care, where they have wanted to remove a health care program arguing it's ineffective or they think they have a better program but not come up with a substitute to replace it. That's not good enough. Americans deserve better.

The same thing with the Environmental Protection Agency. Today, my friends in the majority party sought in the Energy and Commerce Committee to eliminate protection against airborne pollutants that are hurting human health, but they did not come up with any alternative to solve that problem.

Now, we want to join in a bipartisan fashion, if there are impediments or imperfections in this bill, to come up with a solution. Let's not allow those Americans to be hanging out there without a lifeline. My amendment would do that. And I would commend it to my fellows.

POINT OF ORDER

Mrs. BIGGERT. Madam Chairman, I make a point of order against the amendment because in my opinion it violates clause 7 of rule XVI, which requires that an amendment be germane to the matter it's amending.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

The Chair recognizes the gentleman from Washington.

Mr. INSLEE. Thank you.

Briefly, I would hope that the Chair would consider a couple of salient points. Number one, it is our intent, and I believe universal intent, that by this amendment we don't intend to change the basic nature of this program. It does apply this benefit to those homeowners who are current on their mortgage obligations. We would intend that that standard and condition would continue.

And I would point out to the Chair the language of our amendment specifically says that this program would only be carried out under ''appropriate guidelines and standards.'' We think this solves that problem. We seek our congressional intent to continue. We hope that the Members will be able to be heard on this.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The gentlewoman from Illinois makes the point of order that the amendment offered by the gentleman from Washington is not germane.

The bill addresses repeal of a Federal Housing Administration program that provides for refinancing of a specified set of mortgages.

One of the fundamental principles of germaneness is that the amendment must relate to the subject matter of the underlying bill. The bill is confined to a specific type of refinancing program. The amendment seeks to address a different type of refinancing program, a matter outside the ambit of the bill.

The amendment is therefore not germane. The point of order is sustained.

Mr. LEWIS of Georgia. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LEWIS of Georgia. Madam Chair, I rise today for each and every person who owns a home. I rise today for every American who has struggled to pay their mortgage each month. I rise for every person who has watched their home, their piece of the American Dream, slip away because they lost their job through no fault of their own or because they got cancer and are no longer able to work and pay their medical bills.

I rise to condemn what these bills are trying to do today. Make no mistake; repealing these programs will close the

door on the American Dream for more and more Americans.

Madam Chair, when I was a young boy, my family did not own a home. My father was a sharecropper. My mother and father had to ''go without'' for years. They saved and they saved. They prayed. They waited. My father could never get a mortgage. Mortgages were not available where we lived. They were not available for families like mine. It's just the way it was.

In 1944, my parents bought a house with three rooms and 110 acres outside of a small town called Troy in rural Alabama. It cost us $300. I couldn't imagine that much money changing hands at once. I look around this Chamber, and I see some suits in this room that cost much more than what my father paid. Up until the time she died, my mother spoke about the day we moved in. How proud she was. It was a huge achievement for us. It changed everything. That house, that land, it was ours. Ours.

Looking back, I can't imagine what it would have been like to have lost it all for reasons beyond my father's control—the harvest or the weather or because it would fix someone else's bottom line.

Madam Chair, I know that buying a house is the biggest decision most people will ever make, and it is the greatest source of pride. For most people, their dream is their house. It was for me. When I bought my house, I thought of my mother and my father. His house made it possible for me to buy mine.

This American Dream is built from hard work. But that dream is also made of bricks and mortar. It's a house, Madam Chair. It is a home. And this Chamber is shutting the door on that house. They're locking the door on the American Dream. These two bills today would end two new programs that are helping struggling homeowners who have lost their job through no fault of their own. To me, it is unthinkable.

Madam Chair, I strongly oppose H.R. 836 and H.R. 830. We must stand up for the American homeowner. We must stand in their corner. We must not walk away from them in their time of need.

I urge all of my colleagues to stand with me and defeat these bills. Don't lock the door on the American Dream.

The Acting CHAIR. Are there any other amendments to section 3 of the bill under consideration? If not, the Chair is prepared to entertain other amendments.

AMENDMENT NO. 5 OFFERED BY MS. WATERS

Ms. WATERS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 4. STUDY ON IMPACTS REQUIRED.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall, in consultation with the Secretary of the Treasury, conduct a study on the negative impacts of underwater mortgage loans on the housing market and the economy of the United States and report to the Congress on the findings of such study, including recommendations to the Congress on how to mitigate such impacts.

(b) UNDERWATER MORTGAGE DEFINED.—For purposes of this section, the term ''underwater mortgage'' means a mortgage loan on an owner-occupied residential property that has an appraised value that is less than the outstanding obligation under such mortgage loan.

Mrs. BIGGERT. Madam Chairman, I reserve a point of order against this amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Madam Chair, my amendment would mandate that the Secretary of Housing and Urban Development and the Secretary of the Treasury conduct a study on the negative impacts of underwater mortgage loans, or loans where the borrower owes more than the house is worth, on the housing market and the economy of the United States and report those findings to Congress. Importantly, the report would also include recommendations to Congress on how to mitigate the effects of these underwater mortgages.

□ 1430

Before I go any further talking about these underwater mortgages, I think it is extremely important for me to help everyone understand that my friends on the opposite side of the aisle are moving to eliminate all of the programs that we have worked so hard to develop; good, strong public policy to assist homeowners of America in a number of ways.

They are eliminating this FHA program that will assist with refinance on homes that are underwater. They are eliminating the HAMP program that we are going to hear more about. They are eliminating the neighborhood stabilization program, commonly referred to as NSP. And they are eliminating the program for homeowners who find themselves out of a job who would be able to borrow and, of course, to pay back the money that is loaned to them—they cannot afford to pay their mortgages because of the loss of their job.

So while they are eliminating all of the programs that many of us have worked so hard to develop—in the former Congress, I was the chair of the Subcommittee on Housing and Community Opportunity, and so I know these programs very well. Not only do I know these programs very well, I understand very well what has happened here in America that has caused homeowners to be in the situations they are in now.

We have a situation that occurred that created this crisis with the subprime meltdown. We had loans that were initiated in this country that were exotic loans, loans that were teaser loans, no documentation loans, liar loans, loans that reset. People were encouraged to sign up for mortgages that they did not understand.

Now we have millions of Americans, really through no fault of their own, and I have said it once and I will say it again: That all of a sudden homeowners didn't decide that they were going to default, that somehow they weren't going to pay their bills. It certainly didn't happen like that. It happened because of what I just alluded to, all of the tricks and the fraud that were perpetrated on American homeowners who were simply trying to live the American dream.

We don't have the numbers in committee any more or on this floor. My friends on the opposite side of the aisle are in control. They have the majority, and they are going to eliminate the programs. We have made every argument possible that you can make in committee to try and hold on to these programs. As you have seen on the floor today, we have the gentlelady from New York reminding them how many homes they have underwater. And, of course, they know because they are getting the calls, just as we are getting the calls, from homeowners begging for assistance. So while we won't be able to stop them, I'm trying to make sure that at least we do this study so we can help bring to light what has taken place and how these underwater mortgages pose a severe threat to our economy.

If you owe more than your home is worth, you can't pick up and move if you get a new job. You're stuck. That impedes our economic recovery. Likewise, you can't move if you want to go attend school somewhere. And you can't move in order to care for an elderly parent.

The chief economist for First American CoreLogic noted last month that negative equity is a significant drag on both the housing market and on economic growth. It is driving foreclosures and decreasing mobility for millions of homeowners. Since we expect home prices to slightly increase during 2010, negative equity will remain the dominant issue in the housing and mortgage markets for some time to come. The FHA refinance program is a modest step to address the problem of underwater mortgages. This program would provide that if banks agree to at least a 10 percent principal write-down for the borrower, the borrower can refinance into a FHA loan. Only borrowers current on their mortgages, not those in default, qualify for the program. So this study will help people to understand the impact it is having. I ask for an ''aye'' vote on my amendment.

POINT OF ORDER

Mrs. BIGGERT. Madam Chair, I make a point of order against the amendment because in my opinion it violates clause 7 of rule XVI, which requires that an amendment be germane to the matter it is amending. It is not germane to the bill because it expands the scope of the bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to speak to the point of order?

Ms. WATERS. Madam Chair, I move to strike the last word, I suppose.

If we terminate a program, we should understand the impacts of such a termination, and so this is relevant.

The Acting CHAIR. The gentlewoman will suspend. The gentlewoman has been recognized to speak to the point of order.

Ms. WATERS. This is the point of order.

The Acting CHAIR. The gentlewoman may proceed.

Ms. WATERS. The point of order indicates that this is not germane. I am maintaining that this is germane because if we terminate a program, we should understand the impact of such termination. I believe that does speak to the point of order.

The Republicans say this program doesn't work. So our regulators should suggest to Congress what they think will work. This is just a study. This is not a new program or an extension of the FHA short refinance program.

The Acting CHAIR. Does any other Member wish to speak to the point of order? If not, the Chair is prepared to rule.

The gentlewoman from Illinois makes the point of order that the amendment offered by the gentlewoman from California is not germane.

The bill addresses repeal of a Federal Housing Administration program that provides for refinancing of a specified set of mortgages.

One of the fundamental principles of germaneness is that the amendment must relate to the subject matter of the underlying bill. The bill is confined to a specific type of refinancing program. The amendment seeks to address mortgages more generally, a matter outside the ambit of the bill.

The amendment is therefore not germane. The point of order is sustained.

AMENDMENT NO. 15 OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

Ms. LORETTA SANCHEZ of California. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. USE OF FUNDING FOR FHA REFINANCE PROGRAM.

Effective on the date of the enactment of this Act, all unexpended balances remaining available as of such date of enactment of the amounts made available under title I of the Emergency Economic Stabilization Act (Public Law 110-343; 12 U.S.C. 5211 et seq.) that have been allocated for use under the FHA Refinance Program (pursuant to Mortgagee Letter 2010-23 of the Secretary of Housing and Urban Development) of the Making Home Affordable initiative of the Secretary of the Treasury shall be available to the Secretary of Housing and Urban Development for carrying out a program for insuring mortgages made to refinance existing mortgages on 1- to 4-family residences, in accordance with such guidelines and standards as the Secretary shall issue, which shall provide that under such program—

(1) the residence subject to a mortgage being refinanced and to the insured refinancing mortgage shall be the principal residence of the mortgagor;

(2) the mortgagor under the insured refinancing mortgage shall have an annual family income not exceeding $180,000;

(3) the insured refinancing mortgage shall have a term to maturity of 30 years;

(4) the insured refinancing mortgage shall bear interest at a single rate of 4.0 percent annually for the entire term of the mortgage; and

(5) the mortgagor under the insured refinancing mortgage may not have failed to timely make any payments due under the mortgage being refinanced.

Mrs. BIGGERT. Madam Chair, I reserve a point of order against this amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. LORETTA SANCHEZ of California. Madam Chair, I rise today in support of this amendment that I am sponsoring.

My amendment replaces the FHA Refinance Program Termination Act and would allow the use of unexpended funds to create a program that will allow qualifying homeowners to apply to refinance a 30-year mortgage at 4 percent as long as the mortgage they are refinancing is on their primary home, that they are up to date on their mortgage, and that their annual income, adjusted gross income, does not exceed $180,000.

People back home are hurting, and they are desperate to keep their home. I know there are many who have lost their homes. There are some who are behind on payments, and they haven't kept up with their payments, but what about the people who have actually held onto their home? They have actually paid. They have had to actually give up their car, they are walking to work, they are taking the bus because they understand how important it is for them to hold onto their house because a house is not just a house. Your primary residence is your home. It is where your kids are. It is where they find a stable life. So while this program is not perfect—there is not a perfect program we have come up with—we have tried to help people who have been losing their houses, people who through no fault of their own, who have either lost their jobs, have had to take a lesser job, who were swindled, who were talked into loans they didn't understand what they were signing because they were hit by the subprime lenders, and they are paying too much, and people are sometimes paying in the double digits with respect to their loan. Maybe they are at 10 percent or 9.5 percent 12 percent on their loan. This program would actually say to those who somehow have held on, we are going to refinance your primary home at 4 percent because there are a lot of people who could do this and their payment would come down significantly, but today, they can't refinance. To refinance today on a 30-year loan is 4.9 percent. There are a lot of people who are paying 8 percent. It means a lot. It could be anywhere between $2 and $2,000 in their payment a month. But they can't qualify. They don't have the chunk of money they need, their home is underwater, et cetera.

□ 1440

So this is a very important thing we could do. Let's take the money. Let's take that money that we have not spent on this program and let's put it to help the people who have done the right thing, the people who, no matter what, have continued to pay on their loan, because there are many of them out there.

I would hope that we could find a compromise, that we could find a way in which we can keep people in their homes. No program is perfect, but I think we have the opportunity to do the right thing, Madam Chair.

I yield back the balance of my time.

POINT OF ORDER

Mrs. BIGGERT. Madam Chairman, I make a point of order against this amendment because it violates clause 10 of rule XXI as it has the net effect of increasing mandatory spending within the time period set forth in the rule.

The Acting CHAIR. Does any other Member wish to speak to the point of order?

The Chair recognizes the gentlewoman from California.

Ms. LORETTA SANCHEZ of California. Madam Chair, this is about eliminating a program. I understand that those people who are behind on their payments, you're just going to let them go. You're just going to let them lose their home. Then they're going to have a hard time finding an apartment. I understand that. But this is about helping the people who truly, the middle class, the lower-income class, who have a home, who need to hold onto that home.

I do believe that this is germane to the underlying bill. I respectfully request that we consider this amendment.

The Acting CHAIR. Does any other Member wish to speak to the point of order? If not, the Chair is prepared to rule.

The gentlewoman from Illinois makes a point of order that the amendment offered by the gentlewoman from California violates clause 10 of rule XXI by proposing an increase in mandatory spending over a relevant period of time.

Pursuant to clause 10 of rule XXI and clause 4 of rule XXIX, the Chair is authoritatively guided by estimates from the chair of the Committee on the Budget that the net effect of the provisions in the amendment would increase mandatory spending over a relevant period of time as compared to the bill.

Accordingly, the point of order is sustained and the amendment is not in order.

AMENDMENT NO. 14 OFFERED BY MR. INSLEE

Mr. INSLEE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 4. ENFORCEMENT OF FORECLOSURE LAWS.

The Attorney General of the United States, in consultation and coordination with the Secretary of the Treasury, the Federal Deposit Insurance Corporation, the Director of the Federal Housing Finance Agency, the Secretary of Housing and Urban Development, the Board of Governors of the Federal Reserve System, the Director of the Bureau of Consumer Financial Protection of the Federal Reserve System, any other appropriate Federal banking regulatory agencies, and the Attorneys General of the States, shall pursue, to the fullest extent of the law, criminal prosecution of directors and officers of any financial institutions that the Attorney General, in such consultation and coordination, determines have failed to comply with State laws relating to foreclosure of mortgages on residential real property and shall provide appropriate assistance to such State Attorneys General in such prosecutions.

Mrs. BIGGERT. Madam Chairman, I reserve a point of order against this amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Washington is recognized for 5 minutes.

Mr. INSLEE. Thank you very much.

Madam Chair, one thing that I think there is universal anger about, Republicans, Democrats and independents alike in this country, is the lack of responsibility that has been shown, criminal responsibility, for the huge malfeasance and criminality that got us into this economic pickle that we are in. To my knowledge, there has been not one person go to jail as a result of the economic collapse precipitated by the shenanigans and outright criminality in the highest financial places in the land. All Americans, I think, are very angry, with justifiable reasons, about that. If you read any of the books about the collapse on Wall Street, you will share that anger, if you read any of those books.

We do not want to see that replicated in this scandal regarding the mortgage servicing situation. We are now advised that there are multiple cases of people knowingly signing affidavits that were false. We are told there are numerous occasions of this robo-signing situation. These nefarious acts have resulted in losses by Americans that should not have happened.

We want to send a message, on a bipartisan basis, that the criminal laws need to be respected. My amendment would simply call upon the attorneys general, both Federal and State, to prosecute, as appropriate, these criminal violations. The amendment does not change the responsibility under the criminal statutes for any officers or directors if they are not personally responsible for these wrongful acts. There's no criminal liability. But we do think where there were violations of these criminal statutes, they ought to be prosecuted.

This Nation has been brought to the brink of financial ruin because of many, many instances of violation of these standards. The least we can ask is that we prosecute these cases where it is appropriate.

We think it's the right thing for us to do on a bipartisan basis to make that statement today. I hope that Members will join me in making that statement and make sure justice in fact is meted out here where it has not been in other instances.

I yield back the balance of my time.

POINT OF ORDER

Mrs. BIGGERT. Madam Chairman, I make a point of order against the amendment because, in my opinion, it violates clause 7 of rule XVI, which requires that an amendment be germane to the matter it is amending. It is not germane to the bill because it is outside the scope of the bill.

The Acting CHAIR. Does any other Member wish to speak to the point of order?

The Chair recognizes the gentlewoman from California.

Ms. WATERS. I do think this amendment is germane, for a number of reasons. The gentleman talked about the fact that this country was almost brought to the brink of total disaster because of this subprime meltdown. He pointed to things, that have already been identified, that we can put squarely on the shoulders of the servicers who are responsible for the management of these mortgages after they have been packaged, securitized, and then sent on their way to be collected on.

This gentleman is talking about the fact that many of these servicers when they are trying to collect on these mortgages can see that fraud has taken place, but they do nothing about it. They can see that amendments have been slipped in that the homeowners did not know about. They can see that sometimes the signature does not even belong to the homeowner, but they continue to try and collect on these mortgages.

I think that this amendment is germane. I would ask that the Chair rule in favor of this amendment. It is time somebody paid a price for what has been done to the American public.

The Acting CHAIR. Does any other Member wish to speak to the point of order? If not, the Chair is prepared to rule.

The gentlewoman from Illinois makes a point of order that the amendment offered by the gentleman from Washington is not germane.

The bill addresses repeal of a Federal Housing Administration program that provides for refinancing of a specified set of mortgages.

One of the fundamental principles of germaneness is that the amendment relate to the subject matter of the underlying bill. The bill is confined to a specific type of refinancing program. The amendment seeks to address foreclosures generally, a matter outside the confines of the subject addressed by the bill.

The amendment is therefore not germane. The point of order is sustained.

Ms. HIRONO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. Madam Chair, an amendment offered earlier directing the Secretary of the Department of Housing and Urban Development (HUD) and the Secretary of the Treasury to study the negative impacts of underwater mortgages on the housing market and on the U.S. economy and to report the findings of this study to Congress, including recommendations on how to mitigate the effects of these mortgages, makes eminent sense to me.

About 12 million to 15 million homeowners, nearly one quarter of homeowners in this country, are currently underwater on their mortgages, meaning that they owe more on their mortgages than their homes are worth. These borrowers are diligently making their mortgage payments but need some kind of lifeline to reduce their debt burden.

We all agree that we need to look at ways to cut government spending to address our country's fiscal crisis, but what is the purpose of this underlying bill? Why are my colleagues on the other side of the aisle trying to end programs that were established to assist families suffering from the foreclosure crisis without offering any plan or remedy to help the millions of Americans who are trying to stay in their homes?

Families in every single one of our congressional districts are desperately seeking help to stay in their homes, the American Dream. Last year, I met with an owner of a car dealership in Kihei, Maui. This constituent had a successful business until the economic downturn reduced the number of her car sales. Increasingly, former customers of hers were returning to her dealership to return the cars that they had purchased from her, handing back their keys because they could no longer afford to make their car payments.

This car dealer eventually found herself in dire straits, so much so that her lender wanted to put her dream home up for a short sale. She didn't understand why the lender was only considering a short sale and didn't want to work with her to help her keep her house.

□ 1450

It was only when my office contacted the lender on her behalf that she was able to receive a forbearance on a portion of the principle and get a permanent modification. Sadly, stories like hers are commonplace these days.

The Federal foreclosure mitigation programs, which unfortunately have not helped as many homeowners as we would like, still provide a lifeline. Without these programs, many more lenders would be pursuing short sales and foreclosures rather than trying to help meet homeowners halfway in helping them keep their homes.

The FHA Refinance Program, also known as the FHA Short Refinance Option, assists underwater borrowers by facilitating voluntary mortgage principal write-downs and refinancing the loans into a new stable FHA-insured mortgage, thereby enabling borrows to have a reduced monthly payment and a mortgage that is more aligned with actual property values.

FHA just started implementing this program a few months ago; we need to give the agency time to get it off the ground. We should also focus on what can be done to make the programs more effective so that the maximum number of underwater borrowers who are eligible for the program can benefit.

Instead of coming up with new initiatives to assist thousands of homeowners or working to improve existing foreclosure mitigation programs, bills like this will only serve to destabilize an already fragile housing market and further delay our economic recovery. With bills like this, the House majority continues to turn their backs on the middle class families and our country. Let's focus on what can be done now to stabilize the housing market, create jobs, and get the economy back on track.

I urge my colleagues to vote against the underlying bill.

Madam Chair, I yield back the balance of my time.

AMENDMENT NO. 8 OFFERED BY MR. HOLT

Mr. HOLT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 4. MODIFICATION OF REAL PROPERTY STANDARD DEDUCTION.

(a) EXTENSION.—Subparagraph (C) of section 63(c)(1) of the Internal Revenue Code of 1986 is amended by striking ''in 2008 or 2009'' and inserting ''after December 31, 2007, and before January 1, 2015''.

(b) ADJUSTMENTS FOR INFLATION.—Subparagraph (B) of section 63(c)(4) of such Code is amended by striking ''and'' at the end of clause (i), by striking the period at the end of clause (ii) and inserting '', and'', and by inserting after clause (ii) the following:

''(iii) 'calendar year 2010' in the case of dollar amounts contained in paragraph (7)(B).''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years beginning after December 31, 2009.

(2) INFLATION ADJUSTMENT.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2011.

Mrs. BIGGERT. Madam Chair, I reserve a point of order against this amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Madam Chair, instead of focusing on job creation, innovation, retirement security or fair taxes, today we're considering legislation that would terminate a program that has the potential to help struggling homeowners stay in their homes. We are not here to debate fixing the program or to consider replacing it with a more effective alternative; but, rather, we're here to end the program that is only a few months old, to declare it a failure and go home. This is not good government. It will not help the middle class. This is not what my constituents sent me to Washington to do.

New Jerseyans, as so many around the country, are burdened by high property taxes. While we allow individuals who itemize their Federal taxes to deduct State and local taxes, many non-itemizers—particularly retirees on fixed incomes—feel the impact of high rates. The amendment before us that I present would provide real help to millions of homeowners, especially senior citizens, across the country and, yes, in central New Jersey, my district.

Specifically, my amendment would renew for 5 years the property tax deduction for American homeowners who don't itemize on their Federal taxes. It would allow single filers to deduct $500 and joint filers to deduct $1,000 on top of the standard deduction and index these additional deductions for inflation. This property tax provision—based on legislation that I wrote and was signed into law by former President Bush in 2008 and was extended through the 2009 tax year—would continue that.

Unfortunately, although the extension of this tax credit for 2010 was passed by this House, it failed to become law. So that is why on the first day of this Congress I introduced the Universal Homeowners Tax Relief Act. And with this amendment, we have the opportunity to pass my legislation to provide an estimated 30 million people nationwide, and 600,000 in New Jersey, with a few extra hundred dollars that I'm sure they could use. In these uncertain economic times, it is no small matter. And unlike the bill before us today, my amendment would provide real help for American homeowners.

I urge passage of the amendment.

POINT OF ORDER

Mrs. BIGGERT. Madam Chairman, I make a point of order against this amendment because in my opinion it violates clause 7 of rule XVI, which requires that an amendment be germane to the matter it is amending. And it is not germane to the bill because it's outside the scope of the bill.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Madam Chair, I recognize that under the structure of this bill this amendment is not in order. I only say it should be.

The Acting CHAIR. Does any other Member wish to speak to the point of order?

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Thank you very much.

Madam Chair, I rise to support the amendment. I'm opposed to the point of order. I think it is absolutely germane. Not only do we have a bill before us that will eliminate taxpayers' ability to have their homes that are underwater refinanced; this also impacts their taxes. They will continue to have to be taxed on those homes at the same rate. And so here we have before us the Universal Homeowner Tax Relief Act that would impact 30 million Americans nationwide.

And I must add that if we can, in this House and in this Congress, give tax breaks to the richest 1 percent of Americans in the way that we have done, certainly we can support these homeowners who are underwater, these homeowners who have been tricked into mortgages that they didn't understand, these homeowners who are the victims of fraud. And I think this is germane.

The Acting CHAIR. The gentlewoman from California must confine her remarks to the point of order.

Does any other Member wish to speak to the point of order. If not, the Chair is prepared to rule.

The gentlewoman from Illinois makes the point of order that the amendment offered by the gentleman from New Jersey is not germane.

The bill addresses repeal of a Federal Housing Administration program that provides for refinancing of a specified set of mortgages.

One of the fundamental principles of germaneness is that the amendment must confine itself to the jurisdiction of the committees represented in the underlying bill. The bill was referred to and reported by the Committee on Financial Services. The amendment proposes a direct amendment to the Internal Revenue Code, a matter within the jurisdiction of the Committee on Ways and Means.

The amendment is therefore not germane. The point of order is sustained.

AMENDMENT NO. 7 OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 4. TREATMENT OF BONUSES FOR FINANCIAL SECTOR EMPLOYEES.

The Federal regulatory agencies for banking and financial institutions and for securities regulation shall jointly issue regulations that—

(1) require all new employees of any institution, company, or entity regulated by such a regulatory agency, upon hiring, to sign a contract stipulating that any bonus income provided to such employee will be paid in securities or obligations that such institution,

company, or entity creates or deals in in its regular course of business;

(2) require that any such bonuses paid shall be held in escrow for such period as may be necessary to determine whether the such securities or obligations created or dealt with by such institution, company, or entity are of substandard quality or cannot be readily identified as an asset or a liability;

(3) require such escrow accounts to be portable so that an employee may change jobs without hindrance; and

(4) prohibit use of any such bonuses to hedge against future losses.

Mrs. BIGGERT. Madam Chair, I reserve a point of order against this amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Madam Chair, 10 weeks ago on this floor there was great celebration by our colleagues in the Republican Party as they took control of this House, and there were many sermons given to all of us by the Members in the majority party about the need to listen to Americans. I suggest we do that at this moment as we consider this bill.

Madam Chair, 10,780,236 American families are crying out for help. We should be listening to them.

I know the gentlewoman from Illinois has a big heart, and she knows that 430,000 of the homeowners in Illinois are crying out for relief. And I'm certain, Madam Chairman, that the author of this bill, the gentleman from Alabama, is well aware that in his State 35,000 homeowners are crying out for relief. And I'm certain that all of the Members of the Republican Party are listening to the 10,780,236 families in America that are crying out for relief. I can assure you the Democrats are listening.

My amendment, Madam Chair, is one that goes to one of the three reasons why they are crying out for relief.

□ 1500

There was no regulation imposed during the years 2001 to 2009. That was one problem. We attempted to address that with the Dodd-Frank law that's now in place.

The second reason was irresponsibility; and certainly some of those homeowners who are crying out for relief were irresponsible, and certainly some of those who lost their homes already that are crying out for relief were irresponsible. But the big irresponsibility were the bankers in this Nation. They took advantage of millions upon millions of homeowners and engaged in irresponsible activity.

The third item is where my amendment goes, and that is to Wall Street greed. We know, from the commission that was assigned the responsibility of looking at why the great crash occurred, we know from that report that greed was the underlying motivation for Wall Street. My amendment goes to that greed.

In the future, not in the past—and some of my colleagues have spoken to the need for criminal action, which is also part of that report done by the commission—this goes to the future. This amendment goes to the future and says for those in Wall Street, the high and the mighty that get the huge bonuses, most of whom were just in the newspaper this week, that their bonuses should be in the stock of the company in which they are operating and that those bonuses be held in an escrow account for a period of time so that either the good or the bad effect of their action would be known and so that they could not take immediate benefit from their irresponsible actions.

This amendment would put a damper on Wall Street greed. This amendment is necessary to put a damper on Wall Street greed, and it goes directly to one of the reasons why this bill is before us. This bill is before us, I think in an inappropriate way, to deal with the housing crisis. The housing crisis was caused in part by Wall Street greed. We ought to be addressing that. That's what this amendment does, by withholding from immediate benefit those members of Wall Street who have created the crisis in the past and who may very well be in the process of creating tomorrow's crisis.

I ask for the support of this amendment.

POINT OF ORDER

Mrs. BIGGERT. Madam Chairman, I make a point of order against the amendment of my good friend and colleague because in my opinion it violates clause 7 of rule XVI, which requires that an amendment be germane to the matter it is amending. It is not germane to the bill because it is outside the scope of the bill.

The Acting CHAIR. Does any other Member wish to speak to the point of order?

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. I think that it's necessary when we take up a bill that would eliminate a law that is intended to help 10,780,326 homeowners that we look to the underlying reason why the problem exists. This amendment does that.

We ought not be using artificial rules that prevent us from the underlying problem, allowing those rules to stop us from taking up the real problem.

I oppose the proposal to rule this out of order.

The Acting CHAIR. Does any other Member seek to speak to the point of order? If not, the Chair is prepared to rule.

The gentlewoman from Illinois makes the point of order that the amendment offered by the gentleman from California is not germane.

The bill addresses repeal of a Federal Housing Administration program that provides for refinancing of a specified set of mortgages.

One of the fundamental principles of germaneness is that the amendment must relate to the subject matter of the underlying bill. The bill is confined to a specific type of refinancing program. The amendment seeks to address regulation of the financial industry, a matter outside the confines of the subject addressed by the bill.

The amendment is therefore not germane. The point of order is sustained.

Mr. BACHUS. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. BACHUS. Madam Chair, there seems to be some confusion on what the underlying bill does and what the amendments are trying to accomplish. In fact, in certain cases, it's quite evident that some of my colleagues don't understand the bill.

This bill authorizes $8 billion to go towards the FHA refinance plan. It has already disbursed $50 million. Now we're hearing these claims of 10 million and 11 million homeowners. There are probably closer to 12 million homeowners that are underwater than 11. I think the numbers are understated. So let's assume 12 million.

This Federal program that we've disbursed $50 million to, how many American families have had their mortgages refinanced? Forty-two.

Now, who refinanced those? Who paid for that? Was it the lenders who loaned the money? No. Was it the borrowers who borrowed the money? No. It was these children, because it was taxpayer money.

Now you say they're not taxpayers. No, but they're going to have to pay this back because we're spending $8 billion more every day than we're taking in in revenue.

It was announced earlier this week—I think the American people, and I don't blame them, don't want to really put their arms around this—but we just announced a deficit for the month of February, 28 days, that was more than the deficit 4 years ago for the entire year. We're hemorrhaging red ink.

Are we better off than our parents? Most of us are. Are these children going to be better off than we are? Not if we don't start cutting spending. And the American people, those who are parents and grandparents, are crying out for this Congress to address this. And that's what we're on this floor today to do.

Now, if I were one of the 12 million homeowners who was underwater, I might say, Why those 42? But if I were the taxpayers, I would say, Why are you taking money from me that we have to borrow from other countries—42 cents out of every dollar that we're putting into this program—why are you paying this mortgage down? Isn't that the lender—if a loan gets in trouble, is it up to the taxpayers to bail that lender out?

Someone mentioned Bank of America. Somebody mentioned Citibank. If I were Citibank or Bank of America and someone who was making their payments who was underwater who may

walk off, yeah, I'd say if the taxpayers will come in and take that obligation off my hands, I would love that.

My district, the average home is worth $212,000. And it's the highest—one of the highest in the State. And actually when I say that, let me say the community I live in, which is one of the more—it's above average in income.

But the average loan here that people borrowed was $313,000—the loan itself. That's quite a loan. And to say that the taxpayers need to pay that mortgage down makes no sense when these are the children, this is the generation that's going to have to pay it back.

We need to get serious. We need to get out pictures of our children and our grandchildren and we need to say, Do we really need to come to the rescue of these banks when they've overextended loans?

□ 1510

How about all of those Americans who are making their payments and didn't buy a house and are not underwater? Should you ask those Americans to pay to banks money that they didn't obligate themselves to? The answer is ''no.'' ''No'' to more government spending.

Mr. GARAMENDI. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Yes, we ought to look to the children. Last Sunday on ''60 Minutes'' was a report about our children in America today. Twenty-five percent of our children in America today are hungry, and many of them are homeless because their parents have lost their homes.

Forty-two families. Yes, this program hasn't yet kicked into its full potential. Forty-two families are in their homes today, and those children are not out on the street homeless.

Listen to America. Listen to the 25 percent of children in America today that are hungry, and a large percentage of them are homeless. Listen to their cry. Listen to them. Yes, we have an obligation as good citizens of this Nation to see to it that our neighborhoods, even if they are the high-end neighborhoods in Alabama, that those problems are addressed.

Ten months ago, the new majority took this floor and they said, Listen, listen to Americans that want jobs. Not one job bill has passed this House. The only bill that's passed this House that dealt with jobs was H.R. 1, the continuing resolution, that destroyed 700,000 jobs and will put more of those children homeless, will destroy more families. Yes, we ought to be listening to the generations ahead of us. But if we do not listen to today's problems, those problems in the future will only be worse.

And $8 billion, yes, that's a lot of money. But it happens to be 8 percent of what we spend every year in the Afghan war. Get our priorities straight here on this floor. You bet I'm worried about the children of today. But 25 percent of Americans' children are hungry, and a large percentage of them are homeless because their parents have been unable to meet the mortgage commitments.

This program is one of four that is going to be terminated by the Republican majority.

So what is it that you are offering those children? The children of today, what is it that you are offering them? The opportunity to be homeless. That's what you're offering.

Come to this floor and talk to me about tomorrow's generation. Yes, do that. And that's my concern also. But I'm concerned about those that are homeless and hungry today.

So don't eliminate this program. Make it work. Don't eliminate the other three programs that are an effort to try to keep people in their homes so that they don't go homeless.

Madam Chair, I know my colleagues on the Republican side care about the children of America, today's children. Why they would put four bills forward this week and next week that eliminate the opportunity for those parents to stay in their home I do not understand. We need compassion. We need to be aware of the deficit. We need to make choices. If our choice is to force more families to be homeless, that's the wrong choice.

I yield back the balance of my time.

Ms. WATERS. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Madam Chair, I rise because I want to make sure that the chair of our committee, who just took the floor, understands that we understand the bill. When our chairman first took the floor to talk about what this bill is and what it is not, he said he did not think that we really understood what the bill was all about. I would like to assure you that the Members on this side of the aisle understand this legislation. I would like to assure you that those of us who work on the Financial Services Committee, who put these bills into operation, who organized these bills, who presented these bills, who got these bills passed into law to help homeowners, understand what is now happening to them.

We understand that the bill before us would eliminate this program. This is an FHA program that's designed to provide refinance opportunities for those homes that are underwater.

What do we mean when we say ''underwater''? We mean that when middle class homeowners, hardworking citizens went and signed for that mortgage where they were paying $250,000, $300,000, $400,000 for a home, they signed that mortgage, that was supposed to be the value of that home. That's what it was assessed at at the time. That was what it is supposed to be worth.

Now, because of this crisis that we are in, the subprime meltdown that we are in, this economic difficulty, these homes have lost their value. They are no longer the homes that they signed that mortgage for. The value has changed. That $400,000 home, that $300,000 home that middle class citizens were now buying is 35 percent less, or 50 percent less in some areas.

Mr. BACHUS. Will the gentlewoman yield?

Ms. WATERS. No, I will not yield.

These homeowners are saying, Will you please help me? Will you please do something about the fact that I am working every day, paying a mortgage amount for a home that's 35 to 50 percent less than what I signed up for? Will my government please help me? This is not fair. They're simply saying, Can't you do something? And we said, Yes. We put into play legislation, FHA, that would help to refinance these homes. Let's get the amounts right.

I now yield to the gentleman from Alabama, because I don't want to deny my friend the opportunity to have his say.

Mr. BACHUS. Would the gentlelady tell the Members, when you write that check to help them with their underwater home, that check goes to Bank of America. That check goes to Citibank. That check goes to just fill in the bank, fill in the mortgage company. It goes to whoever loaned the money. It doesn't go to the homeowner. Are they benefited? Yes. And tell the Members of this body who pays for that check. We do. The American people.

Ms. WATERS. Reclaiming my time, I am focused on the homeowner who was supposed to be protected by the regulators that have been appointed and given the jobs of regulation so that they could make sure that our consumers are being treated fairly. We failed them. We let them down. We allowed them to get into mortgages where fraud was quite evident. We did not do the job. And so now they have these homes that are underwater, and they're saying, Help us. And we did. That's what this FHA legislation would have done, helped to refinance so that they could lower their mortgage payments.

Now, my friends on the opposite side of the aisle are saying to the taxpayers and to the homeowners, No, we're not going to help you. We know your home is underwater. We know this information. We know what the servicers have done to you. We know that you are working every day to pay a mortgage for a home that you thought was worth an amount that is no longer so.

So we are saying please don't do that. We're saying please don't do that. Don't strip the homeowners of this opportunity to refinance this home.

In addition to stripping the homeowners of this opportunity, the other programs that you are going to hear about, the other three programs, the HAMP program, the NSP program, the

program for homeowners who have lost their jobs who simply want a loan, we're saying no to all of this. We're saying, No, homeowners, we're not going to help you.

I yield back the balance of my time.

□ 1520

AMENDMENT NO. 6 OFFERED BY MS. WATERS

Ms. WATERS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 4. PUBLICATION OF MEMBER AVAILABILITY FOR ASSISTANCE.

Not later than 5 days after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall publish to its Website on the World Wide Web in a prominent location, large point font, and boldface type the following statement: ''The FHA Short Refinance Program, which would have provided borrowers who are current on their mortgage but owe more than their home is worth with the ability to refinance into an FHA loan with better terms, has been terminated. If you owe more on your mortgage than your home is worth, please contact your Member of Congress for assistance.''.

Ms. WATERS. Madam Chair, I ask unanimous consent that amendment No. 6 be modified with the modification that is at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 6 offered by Ms. WATERS:

Strike all after the section heading and insert the following:

Not later than 5 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall publish to its website on the World Wide Web in a prominent location, large point font, and boldface type the following statement: ''The FHA Short Refinance Program, which was intended to provide borrowers with refinance opportunities, has been terminated. If you are having trouble paying your mortgage and need help contacting your lender or servicer for purposes of negotiating or acquiring a loan modification, please contact your Member of Congress to assist you in contacting your lender or servicer for the purpose of negotiating or acquiring a loan modification.''

The Acting CHAIR. Is there objection to the modification?

Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Madam Chair, this amendment that I've worked on with my colleagues on the opposite side of the aisle is simply about transparency. It is simply about making ourselves available to the homeowners who are trying to get some help because they are under water. This amendment would simply say that the program is no longer in existence and that you may call us to help you to get to your lender or to get to your servicer in some way.

It is certainly not what I would prefer to have to do, but I understand we're going to lose. The Members on the opposite side of the aisle have made up their minds, and they have decided that this is important and that this is what they're going to do.

So I would simply like our citizens to know that this program that they may have started to hear about is no longer in existence and that, if they call us, we will agree that we will try and help them, in some modest way, to get to their servicers or to their lenders.

I yield back the balance of my time.

Mr. BACHUS. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. BACHUS. Let me say this: I would prefer that this amendment notify all Americans, particularly taxpayers, that we are stopping a program that authorizes $8 billion worth of spending.

Having said that, I think this is a good amendment. I know there may be Members who say they don't want to be contacted, but I will tell you this: People do call us from time to time, and they say, I'm having trouble with paying my mortgage. I'm facing foreclosure, and I can't get in touch with my lender or my servicer, and I'm not sure who I should talk to.

We put them in communication many times with the servicer or the lender. We go further and actually help some of them with their applications. On 18 occasions this last year, we helped citizens with applications to lenders for modifications.

I think it's a good service, particularly with the recession we have now. I think it's a far, far better approach than a government program that uses taxpayer dollars, because we are contacting the lender or the servicer, and that is who ought to talk to the borrower. That's who could have an obligation or who has an interest in working it out. On almost every occasion with the mortgages, it is in the interest of the borrower and the lender to work it out.

Ms. WATERS. Will the gentleman yield?

Mr. BACHUS. I yield to the gentlewoman from California.

Ms. WATERS. Thank you so much.

First of all, Mr. Chairman, I would like to thank you for your cooperation on this amendment. I know that there are other words that you would, perhaps, use to explain to the homeowner or to the citizen your point of view; but you did work with me on this, and you thought that this kind of transparency was good.

I do commend you because I know that you have worked directly with some of your constituents. We found out, as we talked with you, that you had helped 18 people with loan modifications and that you were willing to contact the servicers. As you know, there are those who tell us that we shouldn't be doing any of this, but I think you and I agree that we should offer some assistance to the homeowners who contact us.

I would like to thank you for that.

Mr. BACHUS. Thank you.

If I continue to have time, let me say this in closing: I do want to caution Members that it is not an obligation of Congress or of Members of Congress—and I think Ms. WATERS would agree—to intervene and to suggest to the lenders that they do anything other than give due consideration. We simply put them in communication. Now, we will help them with the applications, but I think it is important, in all our dealings, that we do not try to intervene in legal obligations or in any way appear to coerce or influence that outcome.

I think this is a very good amendment, and I would encourage Members to support it. There are also VA programs and FHA programs that we can put borrowers in touch with. This, I believe, is an amendment I will support.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from California (Ms. WATERS).

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

Mrs. BIGGERT. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment, as modified, offered by the gentlewoman from California will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 3 by Mr. LYNCH of Massachusetts.

Amendment No. 6 by Ms. WATERS of California, as modified.

The Chair will reduce to 5 minutes the time for the second electronic vote in this series.

AMENDMENT NO. 3 OFFERED BY MR. LYNCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 243, not voting 5, as follows:

[Roll No. 168]

AYES—184

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

NOES—243

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

NOT VOTING—5

Diaz-Balart
Giffords
Manzullo
Reyes
Smith (WA)

□ 1553

Messrs. DUFFY, ROGERS of Alabama, HUNTER, DENHAM, BROOKS, TIPTON, TERRY, LAMBORN, McHENRY, ROONEY, and Mrs. MYRICK changed their vote from ''aye'' to ''no.''

Messrs. GARAMENDI, CARSON of Indiana, DINGELL, DOGGETT, and Ms. SPEIER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. WATERS, AS MODIFIED

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WATERS), as modified, on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 278, noes 147, not voting 7, as follows:

[Roll No. 169]

AYES—278

Ackerman
Aderholt
Akin
Alexander
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fitzpatrick
Flake
Forbes
Fortenberry
Frank (MA)
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibson
Gonzalez
Goodlatte
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Gutierrez
Hanabusa
Hanna
Harper
Harris
Hastings (FL)
Heinrich
Heller
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Nugent
Nunnelee
Olson
Olver
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Renacci
Richardson
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rohrabacher
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Sires
Slaughter
Smith (NJ)
Smith (TX)
Speier
Stark
Stearns
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (FL)
Wittman

Wolf	Woodall	Wu
Womack	Woolsey	Yarmuth

NOES—147

Adams	Guthrie	Peterson
Altmire	Hall	Pitts
Amash	Hartzler	Pompeo
Bachmann	Hastings (WA)	Posey
Barton (TX)	Hayworth	Price (GA)
Bishop (UT)	Heck	Quayle
Black	Huelskamp	Reed
Blackburn	Huizenga (MI)	Rehberg
Bono Mack	Hultgren	Ribble
Boren	Hunter	Rivera
Brady (TX)	Jenkins	Roby
Brooks	Johnson, Sam	Roe (TN)
Broun (GA)	Jordan	Rogers (MI)
Buchanan	Kelly	Rokita
Bucshon	King (IA)	Rooney
Buerkle	Kingston	Ros-Lehtinen
Burgess	Labrador	Roskam
Burton (IN)	Lamborn	Ross (FL)
Campbell	Lance	Royce
Cantor	Landry	Runyan
Carter	Lankford	Scalise
Chabot	Latham	Schilling
Chandler	Latta	Schmidt
Coble	Lewis (CA)	Schrader
Coffman (CO)	Lipinski	Scott (SC)
Conaway	LoBiondo	Scott, Austin
Cooper	Long	Sensenbrenner
Culberson	Luetkemeyer	Sessions
Denham	Lummis	Shuler
DesJarlais	Lungren, Daniel E.	Shuster
Diaz-Balart	Mack	Simpson
Duffy	McCarthy (CA)	Smith (NE)
Duncan (SC)	McCaul	Southerland
Ellmers	McClintock	Stutzman
Fincher	McCotter	Sullivan
Fleischmann	McHenry	Terry
Fleming	McKinley	Thompson (PA)
Flores	Mica	Thornberry
Foxx	Mulvaney	Walberg
Franks (AZ)	Murphy (PA)	Walsh (IL)
Frelinghuysen	Myrick	Webster
Garrett	Neugebauer	West
Gibbs	Noem	Westmoreland
Gingrey (GA)	Nunes	Wilson (SC)
Gohmert	Owens	Yoder
Gosar	Palazzo	Young (AK)
Gowdy	Paul	Young (FL)
Graves (GA)	Pearce	Young (IN)
Graves (MO)	Pence	
Griffith (VA)		

NOT VOTING—7

Giffords	Marchant	Smith (WA)
Hurt	Poe (TX)	
Manzullo	Reyes	

□ 1559

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. POE of Texas. Madam Chair, on rollcall No. 169 I was unavoidably detained. Had I been present, I would have voted "yes."

Stated against:

Mr. HURT. Madam Chair, on rollcall No. 169, I was unavoidably detained. Had I been present, I would have voted ''no.''

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Mrs. MILLER of Michigan, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 830) to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, and, pursuant to House Resolution 150, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. DEUTCH. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DEUTCH. I am, in its current form.

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

The Clerk read as follows:

Mr. Deutch of Florida moves to recommit the bill, H.R. 830, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendments:

In section 3(b), before ''shall continue'' insert the following: '', and any amounts made available for use under such Program pursuant to subsection (d),''.

In section 3(c), after ''such enactment,'' insert ''or pursuant to a commitment to insure made pursuant amounts made available for use under such Program pursuant to subsection (d),''

In section 3, strike subsection (d) and insert the following new subsection:

(d) CONTINUATION OF PROGRAM FOR SENIOR HOMEOWNERS.—

(1) IDENTIFICATION OF AMOUNTS FOR REFINANCINGS FOR SENIOR HOMEOWNERS.—Not later than the expiration of the 180-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall—

(A) determine the amount necessary to provide assistance under the FHA Refinance Program described in subsection (a) to senior homeowners (as such term is defined in paragraph (3) of this subsection); and

(B) submit notice of such determination to the Congress that specifies such amount.

(2) AUTHORIZATION OF APPROPRIATIONS.—Effective upon the submission to the Congress by the Secretary of Housing and Urban Development of the notice required under paragraph (1), there is authorized to be appropriated, for assistance under the FHA Refinance Program referred to in section 2 only for mortgages for senior homeowners, the amount identified in such notice.

(3) SENIOR HOMEOWNER.—For purposes of this subsection, the term ''senior homeowner'' means a homeowner who is a member of a household composed of one or more persons at least one of whom is 62 years of age or older.

Mr. DEUTCH (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

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

Mr. DEUTCH. Mr. Speaker, I present an amendment to this legislation that will help the seniors who built America from the bottom up. This amendment provides us with an opportunity not to stall this bill, but improve it, right here and right now. The contributions of the men and women who became known as America's greatest generation should humble us all.

As teenagers, Mr. Speaker, they confronted unspeakable evil and endured incredible sacrifices during World War II. In the aftermath of the Great Depression, their love of country and commitment to hard work created the world's most vibrant economy. They were doctors and nurses, teachers and engineers, steelworkers and pipefitters, secretaries and truck drivers. Today, they are seniors who deserve to live their retirement years with dignity and self-sufficiency.

Unfortunately, throughout the financial crisis and this devastating recession, seniors have often gone forgotten. For many, their pensions have dried up or come under attack. Their life savings were decimated by recklessness on Wall Street. They have not received a Social Security cost of living increase for 2 years. Finally, Mr. Speaker, their homes, often their last standing pillar of equity and economic security, have lost their value through no fault of their own.

The community of South Florida I am so privileged to represent is home to one of our Nation's largest populations of retirees. But it is also ground zero for the foreclosure crisis. In 2010, Mr. Speaker, South Florida outpaced the Nation for new foreclosure filings. The counties of Palm Beach, Broward, and Miami Dade have suffered the majority of these foreclosures in Florida, and my office fields calls from struggling homeowners every day.

Statewide in Florida, nearly 1 million families and seniors have lost their homes since 2009. Today, nearly half of all Florida homeowners are underwater on their mortgages. They owe banks more money than their homes are now worth. Through no fault of their own, thousands of seniors who built this Nation face the tragedy of losing their homes.

Now, America's greatest generation has never been one to ask for handouts, and today is no exception. What we have the opportunity to do here today is to give our seniors a chance—a chance—to rearrange their deal with their lenders, make their payments, and keep their homes. The mortgage program abolished by the bill needs to be fixed. So let's start by fixing it for seniors, as my proposal will do.

Before us is a real opportunity to amend these programs for the future. It will not send this legislation back to committee. It will not stall this bill. It will simply preserve these mortgage

modification programs for seniors and open the door to improving these initiatives.

According to leading economists, high foreclosure rates and our struggling housing sector remain the biggest challenge to our economic recovery. In Florida, with unemployment at 12 percent, the real estate industry is so integral to our economy, we must stem foreclosures in order to grow the private sector and create jobs. We can begin stabilizing the housing market today and do right by Americans who made this country great for every one of us in this Chamber.

Seniors answered the call of Uncle Sam every week of their working lives, paying taxes for America's schools, roads, military and health care. When asked to serve, these Americans always said yes. Now, when these same men and women are asking for a modest amount of time to renegotiate in good faith, to prevent foreclosure, to remain self-sufficient as retirees, what answer will this body give them?

Every day, it seems, mortgage lenders have their day in Washington. Every day, Wall Street executives have their day in Washington. Every day, Mr. Speaker, banks have their day in Washington. Isn't it time to give the seniors who made America great their day in our Nation's capital?

Let's make today a day for the people who rebuilt this country after the Great Depression, who started the businesses small and large so important to our economy, the people who are our parents and our children's grandparents, who served our nation, who made America what it is today, the people who taught us what it means to be Americans. They're not asking for credit or recognition or attention, but we owe it to them to honor their lifetimes of hard work and responsibility and decency by making it possible for them to live out the rest of their lives with four walls around them and a roof over their heads.

Vote ''yes'' on this amendment.

Mr. BACHUS. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. BACHUS. Mr. Speaker, this is simply a procedural measure to stop this legislation which cuts yet again another wasteful government program. This program has already allocated $50 million and it has only helped 42 American families. Do that math. It authorizes $8 billion. That's at a time when this country has a record deficit for this year.

□ 1610

And yet they don't get the message, my Democratic colleagues. They simply do not realize this money goes to the lender, this goes to the banks, that's who the checks are made out to. And who pays for it? The taxpayers. And, ultimately, this is who pays for it: our children and our grandchildren. We can't pay it back because we borrow 42 cents out of every dollar. And let me tell you, a lot of them have grandparents. When you talk about seniors, let's talk about our children and our grandchildren. Let's talk about that we're endangering their future.

Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. GRIMM).

Mr. GRIMM. Thank you, Chairman BACHUS.

You know, I just came back from my district in Staten Island and Brooklyn, and I visited several senior centers. And I'll tell you, the seniors are nervous, they're worried. You know what their number one fear is? Their number one fear is that their children and grandchildren will not have the opportunities that they had. I heard countless story after story that their children are out of work. So when I hear about another failed program, I think of the mandate—and it was a mandate. I'm not sure if everyone in this room heard it in this Chamber, but I heard it—and the mandate was very simple: cut the spending, grow the economy, and create jobs.

This program is broken, and to think that somehow suddenly—miraculously—it's going to work for seniors is outrageous. And I have to tell you, I cannot, in good conscience, go back to my district, go back to those senior centers, look those seniors in the eye and tell them that I supported another failed program because someone stood up and said, well, it's for seniors. You can label it any way you want, you can put anything you want on this, but at the end of the day it's a failed program.

And for that reason, I strongly urge my colleagues to support the chairman and end this reckless spending.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

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. DEUTCH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 185, noes 243, not voting 4, as follows:

[Roll No. 170]

AYES—185

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

NOES—243

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

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

NOT VOTING—4

Giffords
Manzullo
Reyes
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1630

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. HENSARLING. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 256, noes 171, not voting 5, as follows:

[Roll No. 171]

AYES—256

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

NOES—171

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

NOT VOTING—5

Farr
Giffords
Manzullo
Reyes
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1637

Mr. MCINTYRE changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 830, FHA REFINANCE PROGRAM TERMINATION ACT

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 830, the Clerk be authorized to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

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

There was no objection.

UNEMPLOYMENT IN AMERICA

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

Mr. JACKSON of Illinois. Mr. Speaker, last month our Nation created 200,000 new jobs. That's good news. But our country needs to create 335,000 jobs per month to keep up with population growth and to reduce unemployment to what it was before the recession. In communities like mine, unemployment is at least 15 percent, and the numbers do not include those who stopped looking for a job.

In order to hear the stories of the unemployed Americans, I have asked them to send me their resumes to resumesforAmerica@mail.house.gov so I can submit them for the RECORD.

I heard from Peter Haas of Parlin, New Jersey, who said, ''I am sending out resumes every day. No response from any company out there. I think no company is hiring at all. No response, not even an email.''

Ms. Christine Stumpf of Chicago said she's had only one phone interview in a year of looking, and she can hardly believe it.

Why is it so hard to find work? Maybe it's because the unemployed are not even being considered for many jobs. It's been reported that some companies will not even accept applications or grant interviews to those currently without a job.

I hope unemployed Americans will send me their resumes and stories to resumesforAmerica@mail.house.gov to keep stories of the unemployed in front of our government, in front of Democrats and Republicans.

PETER HAAS

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Cell: (949) 878–1953,
Home: (732) 588–5145,
E-mail: ph@phpeterhaas.com

SIGNIFICANT EXPERIENCE:

11/89–03/2006 THE WALDORF-ASTORIA IN NEW YORK HILTON HOTEL

Director—Food & Beverage Operations (6 years)

Assessed company staffing needs and recruited staff through various methods

Coordinated the successful and complete training for 140 or more employees within the establishment

Successfully trained team members on customer service, teamwork, and leadership in the hotel

Assisted with training, monitoring, and developing employee skills within all service departments

Implemented policies and procedures for the restaurants, bars, and banquets within the Waldorf Astoria

Monitored compliance with health and fire regulations regarding food preparation and serving, and building maintenance in lodging and dining facilities

Performed all aspects of marketing and promotions for restaurants, bars, cocktail lounge, and banquets

Reviewed operational procedures to determine ways to improve services, performance, and safety

Estimated food, liquor, wine, and other beverage consumption to anticipate amounts to be purchased and used for food & beverage operations within the hotel

Successfully maintained and updated food, wine, liqueur, and equipment inventories in a monthly time

Monitored budget and payroll records and review financial transactions to ensure that expenditures are authorized and budgeted

Restaurant Manager—Managed restaurants, bars, fine dining, and casual dining (5 years)

Coached assistant managers and supervisors on management and communication skills

Successfully maintained all service standards according to Hilton Restaurant services and policies

Trained, supervised and evaluated new staff for restaurant operation and services

Monitored restaurant sales activities to ensure customer satisfaction and service

Maintained quality control by evaluating satisfaction records with restaurant sales and constantly sought new ways to improve employee performance and service

Banquet Manager—Managed all banquet functions, liquor purchase, inventory, and sales (5 years)

Directed recruitment and retention of new employees or potential supervisors and current employees

Monitored all sales distribution throughout the hotel and customers satisfactory in banquet services

Successfully improved banquet operations and customer satisfaction within the banquet department

Monitored the budget for any banquet function within the client's arrangement and negotiated event

Quickly and effectively solved customers' questions, comments, and concerns

Steward Department Manager—Managed restaurant, banquet, and kitchen supplies (2 years)

Assigned employees to specific duties to maintain quality service throughout the hotel

Ensured all health regulations are maintained and updated within the establishment

Tracked inventory stock and reordered as inventory dropped to a specific level

Responsible for restaurant, kitchen, and banquet supplies within the Waldorf Astoria

Coached steward supervisors on management and communication skills within the department

Responsible for scheduling, budgeting, and training employees for safety regulations, standards within the steward department

Performed weekly department meetings to evaluate ways to improve service standards

Ensured that all requisitions and services are completed according to Hilton Hotel policies and standards

Maintained acknowledged all sanitation, dishwashing maintenance, and safety standards

(MOST RECENT EXPERIENCE: 04/06–03/09)

04/2006–01/2008 ECOLAB CORPORATION IN AUSTRIA-VIENNA

(Moved to Vienna to be near family when mother ill)

http://www.ecolab.com/

District Manager—For Hospitality Services & Business Development

Contacted strategic business and operational projects, managed public and investment relationships, prepared presentation, and developed business plans directly for the CEO

Managed 90–110 employees and engaged in frequent customer contact, collaboration, and feedback

Planned and directed staffing, training, and performance evaluations to develop and control sales and service programs

Appointed as lead trainer for all company products and services within the establishment

Recommended the correct use of proper chemicals and products in customers' environment

Maintained basic knowledge of operation, cleaning, and maintenance of various dishwashing machines and equipments

Reviewed operational records and reports to project sales determine profitability

Formulated plans to extend business with new established customers

Managed all customer accounts in sales and marketing for better business development

Arranged weekly department meetings to improve customer service and satisfactory

Reviewed monthly forecast and reports how to expand customer's needs and solutions

02/2008–03/2009 PC-MALL CORPORATION IN IRVINE, CALIFORNIA

(Took position due to downturn in hospitality employment opportunities. Although successful, too much travel involved.)

http://resources.bnet.com/topi/pc+mall+inc,html.com

Senior Account Manager—For Sales & Marketing Research and Business Development

Conducted research to identify potential markets for products and services within the United States

Consistently demonstrated excellent communication skills, customer service, teamwork, and leadership

Successfully refined and implemented new projects to improve operation and customer service

Prospected and profiled current customers' account information through any new projects

Formulated plans to extend business with new and established customers

Negotiated contracts with customers and vendors to manage product distributions

Marketed hardware and software products for customer solutions via e-mail and telephone

Directed and coordinated activities involving sales of manufactured products or other subjects of sale

Visited franchise dealers to stimulate interest in establishment or expansion of leasing programs

Represented company at trade association meetings to promote products and company services

SCHOOL EDUCATION AND CERTIFICATIONS

Hotel & Resort Hospitality Administration, Graduate School—Manhattan College, New York City

New York Hotel & Motel Trades Council—Professional Labor & Delegate Training Program

Master's Degree in Electrical Engineering, Institute of Electrical Engineering College, Austria—Graz

Professional Sales & Marketing Asset Management, Graduate School, Germany—Hamburg BMG

Professional Institute of Graduate School, Masters of Electrical Building Engineering, Austria—Graz

SPOKEN LANGUAGES:

German & English—Some Spanish

PROFESSIONAL EXPERIENCE

2010 TO PRESENT—EXAMINER.COM, CHICAGO, IL

Chicago Community Life Examiner

Write online articles about events, places and people in Chicago

2007 TO 2010—INTERPARK (RETAIL PARKING COMPANY, A SUBSIDIARY OF GENERAL ELECTRIC), CHICAGO IL

Executive Assistant

Supported six key executives including the general counsel and the heads of asset management, acquisitions and dispositions, and engineering

Made travel, meeting and conference call arrangements; managed calendars for everyone in the department

Processed expense reports and check requisitions for each member of the team; performed billing and collection projects

Created marketing presentations, forms, directories; typed documents and correspondence for the team

Processed legal, real estate and human resources issues

Did on-going research projects related to company's many real estate holdings

Assisted with closings by coordinating and typing large volumes of legal documents

Key Accomplishments:

Reorganized, catalogued and maintained confidential departmental electronic and hard files (legal and corporate documents)

Created online picture gallery of properties for company-wide use

Reduced costs by finding ways to save money, including subscription consolidation and bulk ordering

Oversaw implementation of IT processes (i.e., Instant Messaging) to boost team efficiency and trained team

2005 TO 2007—FISHER AND SHAPIRO, LLC (BANKRUPTCY AND FORECLOSURE LAW), CHICAGO, IL

Executive Legal Secretary

Supported attorneys, helped head accountant, processed evictions and assisted with real estate closings; planned events; maintained office needs

Opened files; prepared court documents; billed clients; sent out mailings; handled calls

Served as a closing assistant: Opened and processed closing files, interacting with clients, title companies, real estate brokers, attorneys, closers; created and maintained hard files and database; ordered title and other pertinent documents; typed closing documents; billed and closed files

Served as an eviction specialist: Opened and processed eviction cases from start to finish, interacting with clients, attorneys, title companies, real estate brokers, county clerks and sheriffs; researched foreclosure cases; created and kept hard files and database current, including client websites; calculated bills and invoiced clients; closed cases

Key Accomplishment:

Saved thousands of dollars by identifying accounting errors while assisting head accountant with monthly balancing of the books

2003 TO 2004—MID-NORTH FINANCIAL SERVICES, INC. (COMMERCIAL MORTGAGE LOANS), CHICAGO, IL

Assistant Loan Servicing Officer

Processed insurance portion of new mortgage loans and served as liaison between company, borrowers and insurance agencies

Paid insurance premiums and claims

Analyzed escrow accounts and filed quarterly and annual reports

2001 TO 2002—NEAR NORTH INSURANCE/NEAR NORTH TITLE, CHICAGO, IL

Sales Assistant/Marketing Representative

Supported Director of Marketing and staff in promoting and generating business

Participated in sales calls, presentations, meetings and oversaw successful client events; distributed client gifts/promo items; sent out mass mailings; handled client orders

Key Accomplishments:

Reduced the problem of work overload in the typing pool by volunteering to type title commitments and policies during slower times

Reorganized the hard files in the Marketing Department

2000 TO 2001—U.S. BANCORP PIPER JAFFRAY (INVESTMENT BANKING), CHICAGO, IL

Executive Assistant

Supported two investment bankers and an analyst in the public finance sector by generating municipal transaction and sales bulletins

Tended calendars; arranged travel, meetings and conference calls

Performed check requisition and expense reporting

Typed correspondence, regulatory contracts and proposals

Prepared marketing presentations

Key Accomplishments:

Reorganized the bankers' filing systems

Performed special research projects utilizing the Internet and Bloomberg terminals

1997 TO 2000—TMP WORLDWIDE (FORMERLY LAI) (EXECUTIVE SEARCH), CHICAGO, IL

Administrative Assistant

Coordinated travel, meetings, conference calls; scheduled candidate interviews; maintained recruiters' calendars

Handled expenses for consultants, candidates; invoiced clients; paid bills

Prepared marketing presentations; typed correspondence, resumes, contracts

Assisted partner with entrepreneurial start-up businesses including extensive Internet research and study

1995 TO 1997—RUSSELL REYNOLDS ASSOCIATES (EXECUTIVE SEARCH), CHICAGO, IL

Administrative Assistant

Coordinated travel, meetings, conference calls; scheduled candidate interviews; maintained recruiters' calendars

Handled expenses for consultants, candidates; invoiced clients; paid bills

Prepared marketing presentations; typed correspondence, resumes, contracts

EDUCATION

Associate's Degree in Science, Clinical Dietetic Technology, Kettering College of Medical Arts, Kettering, OH

Northern Illinois University, 2 years, DeKalb, IL

Triton College, 1 year, River Grove, IL

SKILLS

Computer programs and applications include: Windows MS Office (Word, Excel, PowerPoint, Outlook); Lotus Notes; DOS WordPerfect & Lotus 1–2–3; DeltaView, Workshare; CMS, PerfectPractice, Mortgage Computer, Vantive, AS 400, DataBase IV; Etrack; Bloomberg; RE/Xplorer, eMLS; Internet research (including Munistatements), etc.

Typing speed 80+ wpm

Transcription: shorthand, dictaphone

□ 1640

THE U.S. ECONOMY

The SPEAKER pro tempore (Mr. HULTGREN). Under the Speaker's announced policy of January 5, 2011, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. AKIN. Thank you, Mr. Speaker.

We are going to talk for a little while here this afternoon about a subject that is on, I think, everybody's minds regardless of their political affiliations. The more we look at it, the more significant it seems to be—in fact, the more frightening it seems to be. It is the simple situation with our economy and the level of what the government is doing in the ''spending money'' department. This, of course, ties into the job situation in America. The many people who are looking for work, some of the businesses that are struggling as well as the families who are struggling, all of it is tied together in the economy. It is also, of course, tied to the Federal Government and its spending.

What I'm going to try to do is paint a picture in simple terms. Sometimes economists make things seem a little bit too complicated. This doesn't have to be so complicated. In fact, the less complicated it is, the less frightening it becomes. So, first of all, I'd like to talk about some words that we use in Washington that we maybe aren't familiar with here, particularly our freshman Members. The first word is ''entitlements.''

I'm an engineer by training, so ''entitlements'' you could think of as a machine. In fact, it's a little bit like those machines in bathrooms, and when you put your hands in front of them, they spit out those brown paper towels you see. In fact, the entitlements we're talking about here spit out dollar bills. What happened is a legislator or a legislature maybe 30 years ago created some bill which automatically gives money to certain people who come and put their hands in front of the machine. Of these entitlements, the biggest ones are Social Security, Medicare and Medicaid. These are programs that have been around for quite a while, but they're a little bit like that, if you think of them as things that spend money automatically. So those of us here on the floor of the Congress talk about whether we're going to fund this or fund that or how we're going to run the government. These things were created a long time ago, and they just keep on running and spending money. Those are called ''entitlements.''

There is another thing that is like the entitlements, and it is the interest on our debt. When the U.S. Government issues a Treasury bill, the Treasury bill is supposed to pay some interest. It's a little bit like that machine in that it spits out some dollar bills. It, like an entitlement, is something that's spending money.

Now, here is the thing that I think is frightening, and I think you'll think it's frightening as you give this a little bit of thought, and this isn't sometime way out in the future but, rather, just this year. If you add up the Social Security, the Medicare, the Medicaid, and the other entitlements—there are some other smaller entitlements—and if you put those together with the interest on our debt, it comes to $2.2 trillion. I don't know what $2.2 trillion is in terms of trying to visualize the money, but it's very easy to visualize this. $2.2 trillion is also the total revenue that the Federal Government brings in in taxes, so that makes it easier to see. In other words, these entitlements and the interest on the debt, $2.2 trillion, is the same thing as the revenue that we get in from taxes.

Now, why is that frightening?

It's because it doesn't include two other things: the defense budget and what's called non-defense discretionary.

So what are these two things over here?

The defense budget is pretty obvious. Obviously, it's tanks and airplanes and ships. It's men with rifles, and it's our national security. That's a piece of that, and you can see that it's almost $700 billion. Then non-defense would be things like the building that we're in. It would be the Capitol building. It would be the Federal parks. It would be the Federal prisons. It would be the Department of Energy or Commerce or

Justice or Education. All those different government things that we spend money on are in this non-defense.

In other words, if you want to balance the budget today, what do you have to do?

What you'd have to do would be to cut defense to zero: not one soldier, not one rifle left, not one uniform. You cut that to zero, but that's not enough. Then you'd cut the rest of the stuff the government is spending money on. You'd close this building down, the Capitol. You'd close the Senate and the House down. You'd close down the Federal parks. You'd close down all of those different departments, those of Commerce, Justice, Education, Energy, and all those things. You'd close them all down. When those are all zero, you will have a balanced budget.

How is that going to work? Not very well.

That's why I say what we're dealing with is a far bigger problem than, I believe, most Americans are aware of. If you think about that, you ask: How in the world can our government and how can America continue when we're doing this?

As I've said, I'm a conservative Republican. These aren't Republican or Democrat numbers. These are just the numbers. This is just our country. This is a country that we inherited. This is really our country, and these are what the numbers look like. So this is pretty frightening. What that means is we're going into debt, deeper and deeper into debt at an incredible rate right now, trying to do something that mechanically, economically, mathematically just will not work. That's the nature of the problem.

So, if anybody has a little bit of sense of intuition, if anybody has a good American spirit, one of the first things you ask when you see a good problem is: Oh, how can we fix the problem? Because this is something all of us have to deal with. Let's take a look at what the possibilities are.

The real possibilities remind me a little bit of all of these kinds of funny weight-watching programs that are out there. I always think it's sort of interesting when people say they're going to go on a low-carb diet or this diet or that diet or something. When you come to be a little bit older, such as I am, you're really faced with two realities. You either get more exercise or you don't eat so much. It's about that simple. You don't have to have a lot of fancy dietary programs.

This situation suggests that it's kind of simple. It's either don't spend as much money or tax everybody a whole lot more. The trouble is, in this situation, the ''tax everybody a whole lot more'' doesn't really work. Let me explain why it doesn't. We'll take a look at another chart.

What happens to our economy is that we have these different taxes that we run. In spite of all the different taxes—sometimes we raise them and sometimes we lower them—what the experience of the Federal Government has been is that our revenue kind of comes in at this 18 percent average. So you say, Well, look. We've got way too much spending and not enough revenue coming in, and we need an extra $1.5 trillion in revenue, so we're going to just raise taxes about 30 percent. The trouble is, if you do raise the taxes, you don't get more revenue coming in. That's sort of a weird thing, isn't it? Let's talk about that for just a minute.

Why would it be that if you raise taxes the government wouldn't get more revenue?

The reason is, if you tax the economy to a certain degree, then you start to collapse the jobs and the economy. The economy goes south. When it does, it stalls, and you don't get as much tax revenue. Think about it this way. I'd like to explain it by just having you picture yourself, if you will, as being king for a year and that your job is to try to raise some tax revenue for your kingdom.

□ 1650

And the only thing you can do is to tax a loaf of bread. And so you start thinking in your mind about this. You say, well let's see, in my kingdom they eat a lot of bread. So I could just tax a loaf of bread for just 1 penny a loaf.

Or you could say to yourself, ha, I know how to get a lot of taxes. I am going to put a $10 tax on every loaf of bread. But you think, yeah, but I bet nobody would buy any bread if we did that.

So your common sense would say somewhere between a penny and $10 for that loaf of bread, there is going to be an optimum tax. If you raise it or lower it either way, you won't get as much money raised in taxes, and that's what's going on here.

You can raise the tax rate, but what happens is people find out ways to avoid it. The economy stalls and so, in fact, your revenue starts to fall off, and you don't get any more money in. Of course, the problem is your spending is still going like mad.

So the solution to this problem isn't even as easy as trying to lose weight. You really don't have two alternatives. What you have is really one alternative, and that alternative is you have got to get these entitlements under control.

Now, the fact of the matter is that even if you look at a snapshot of this year, you have to get the entitlements under control, but particularly this graph shows that the entitlements here, these are just three of them, the big ones, Medicaid, Medicare, Social Security, that these entitlements are growing rapidly over time.

So even if we went to the scenario up here, and we got rid of defense and non-defense spending, and we balance the budget with the government spending nothing, except just entitlements, even if we did that, in a couple of years these entitlements are going to eat our lunch.

The problem is you can't fix it by getting more revenue in. And so what's your alternative?

The alternative is the uncomfortable fact that America cannot continue to afford these entitlements.

Now, of course, that's radioactive to say that politically. I am surprised I haven't been hit by lightning yet. But that is, unfortunately, the pure mathematics of it. Now, there are some people in politics, they like to sugarcoat things and may not tell you absolutely all the truth, but those are the facts. That's where we are.

Now, how are you going to deal with these things? None of us really know. We have a bunch of ideas. We are struggling with how you are going to do it, but there are a lot of people that are dependent on these entitlements. Yet, the money is not going to be there.

We can't keep borrowing money from the Chinese to pay for these things because sooner or later what's going to happen, the interest rates will go up on that money, and the whole Nation will be bankrupt.

And I don't quite know what that would look like. What does it look like if you picture, you get up one morning and you find out that the dollar bill doesn't work any more? You go to your grocery store and it seems like everything stopped moving. The trucks aren't moving and you can't get food for the shelves because the trucks don't have gas. The whole thing just kind of comes to a stop because the dollar bill, the whole country has gone bankrupt.

I don't know what that looks like. I don't think it's particularly pretty, but that's going to be the picture if we don't deal with this problem.

What I am suggesting is that, first off, what we have to do, every one of us as Americans, we have to educate ourselves on the simple facts. You don't have to be a wizard on the budget or economics; all you have to realize is that the entitlements are using up all of the tax revenues. That's a problem. Plus the entitlements are also growing, and you don't really have flexibility to raise the taxes too much more.

Let's take a look at the problem a little bit more closely. This is a picture of what's going on relative to the national defense. I am on the Armed Services Committee. We have spent 10 years, all kinds of hearings, listening to what the Russians do, what the Chinese are doing, what the different threats are, and also understanding the logic of why America has a strong national defense, why that buys us a great deal.

You might ask yourself why in the world do we have nuclear aircraft carriers. What exactly do they do, because other countries that are allies of ours, they don't have ships like that. Why would we? Well, the reason is because if you think about America and the globe you find that America is sitting there a little bit to a degree by itself, a little bit of an island. And our two main

trading partners, which is Europe and all the way around to China and Japan and India, those trading partners are a considerable distance around the world.

And it is in our interest because of all of the things that we buy that are traded that we protect those trade routes from some hegemon that might want to cause trouble. So we have things like our Navy and our nuclear-powered aircraft carriers so that we can go to the other side of the world and conduct operations and not to worry about fueling these things up. That's the reason why we have a lot of national defense. This started a long time ago, and you can see this blue line here talks about our defense and what's going on with defense spending, and then what's going on with entitlements.

You see entitlements back here in 1965, this is just Medicare, Medicaid, and Social Security. This chart says it's 2.5 percent of GDP. You see defense is much, much higher, it's jumped up to above 9 here.

But then over time these entitlements are going up. That 9.9 percent is low because it doesn't add all of the entitlements. That's just three of the big entitlements, and defense spending is going down. So people that say, well, aren't you open-minded, shouldn't we be cutting defense and cutting other things as well?

The answer is no, not really. Because you see any freedom that you enjoy in this country isn't worth anything if we are being attacked by an enemy and there are bombs falling and there is chaos all around us. Our national defense provides us with what we enjoy in a peaceful and decent world to live in.

As you see, the defense budget is going down and yet the entitlements are going up. So this gives you a sense, again, that you can't fix this by cutting defense. You could cut defense to zero and you still are not going to deal with the problem here.

Here is another way of saying that you can't really fix the problem by raising taxes. This is a curve of the very highest marginal income rate, back here in 1960. If you were very well-to-do, your tax rate is 90 percent. So if you earn $1, you give 90 cents to the government.

Well, you can imagine the people that are making a whole, whole lot of money aren't dumb enough to give 90 cents out of a dollar away. So what they find a way to do is move to another country, or they find different tax shelters and things to avoid paying this. But, anyway, you have this very high tax rate here on the people that are very well-to-do.

These lines show how much revenue comes into the Federal Government. You see, as this highest tax rate is decreased, that's the red line, what you see is that actually the revenue that the government is collecting goes up. This is reflecting that same idea that we talked about, the loaf of bread.

If the loaf of bread is overtaxed, people won't buy much of it, and you won't get that much tax. If you put a thousand-dollar tax on a loaf of bread, nobody would buy any. Golly, you have got nice, high taxes. Should you have a lot of money coming in? No, because it doesn't make sense. That's what this chart is showing: That as the taxes actually come down, you actually get more revenue with the government.

Has this actually been proven to happen? Yes, historically it has. There are several times when it did.

And those times were, first of all, when JFK inherited not a very good economy, I mention this because JFK was obviously a Democrat, a Democrat President. He understood these principles, and when the economy was bad, what JFK did was he decided to cut taxes.

Now, doesn't that seem like an odd thing? The economy is bad. The government needs more money, and yet he cuts taxes. What an odd thing to do. Yet it certainly worked. It worked beautifully.

So how did it work?

Well, over a period of time by putting more money back in the economy, the people that were small business owners took the money, invested in their businesses, and they built warehouses, new machines, new technology, new research to develop better products.

As their businesses grew, they hired more people. And as they hired more people the government got more tax revenue. The economy got better and better, and as the economy got better they made more money. So the result was, by actually cutting taxes, particularly cutting taxes in certain ways, that is you cut taxes on the people that own the businesses, when you do that, you can actually pick an economy up and get it going so you get more revenue coming in.

□ 1700

What we're getting at is the part of the solution to the problem that we talked about in the very beginning. And the solution is two-fold. The first is fairly obvious: We have to cut spending. And particularly we must cut these entitlements in some way. The second thing, though, is that you don't have to cut them entirely. What you can do probably is also to some degree grow your way out of the problem.

In May of 2003—George Bush had been elected in 2001, the same time I was elected—and when we came in, there was a recession going on. You can see that reflected in some of these graphs. This is the time period of 2001 on up to about 2006. This chart is a little bit old, but it makes an interesting point. And so this is the gross domestic product before and after tax relief. The tax relief is this vertical line right here. This was not a particularly popular tax. It was a tax relief to get rid of capital gains, dividends and get rid of the death tax.

People say, well, those are taxes that favor the rich. Well, the problem is, if you want jobs, you've got to have employers. If you tax small business into the dirt, you won't have as many jobs. And so you can't have it both ways. If you want to allow small business owners to keep enough money that they can invest in their business, you can't tax them very, very heavily.

And so the deal was here, you change capital gains, dividends and death taxes. That freed money up for small businesses to invest. Now look what happened. This is the GDP, or the growth of our economy. Here's the tax cut. These average about 1.1 percent of GDP. And then here after that tax cut, this thing averages 3.5 percent. This, then, is the result of generating a lot more money for the Federal Government.

So when business is doing well and when people are being employed, when people have good job markets and the economy is strong, not only do individual citizens prosper, the Federal Government prospers. It gets more money. So let's take a look at this question. And we're going to look at this exact same graph. This is May of 2003 when those tax cuts went into place; they were called the Bush tax cuts, as you recall.

Here's the chart on employment, job creation, before and after tax relief. You see here, these lines, anything going down means we lost jobs, and so you're seeing we're losing a lot of jobs in the front end when we were in the recession. Then as we did some tax cuts in here, it helped a little bit. But still when we do this tax cut, take a look at how things turn around; and this is the average loss of 100,000 jobs per month, this is a gain of 168,000 jobs a month after this tax cut goes into place.

So, you can see where I'm going. I'm starting to get to a solution to this problem, and there are really two pieces of solution. And so let's take a look at the final chart here. This is government revenues. Again, May of 2003: Capital gains, dividends and death tax. So this tax goes into place.

This is the Federal revenues coming down here from 2 trillion down to 1.9 down to 1.8. Revenues are going down. The country is in a recession. We do the tax cuts. And take a look at government revenue. Government revenue takes off. Because the economy is starting to strengthen now, so are the revenues for the Federal Government, 4 straight years of increases right after the tax cut. What an odd thing. You might not have expected that.

What does that say then about our problem overall? Coming back to our first chart here then, the problem is that the entitlements are eating our lunch. Entitlements are taking everything that the Federal Government has.

And so the solution is what? Well, it's two-fold. First of all, we're going to have to reduce the amount of spending here, reduce spending anywhere we can, for that matter, particularly in this sector, because a lot of the spending over here creates a tremendous

amount of red tape and regulations for businesses. If we can reduce the red tape and regulations on businesses, if we can also cut taxes on businesses in certain specific ways, you can start to get this economy growing again.

And if you do that, then what starts to happen is instead of having 2.2 trillion in terms of receipts from the Federal Government, they will start to go up. We will get more tax revenues so we have less debt, and so we both reduce here, but we also grow our way out of the problem.

And so that's the general strategy that I think most any economist would say that you're going to have to do faced with the problems. Now, of course, there's a whole lot of politics, as you can imagine, that's involved in these questions and these issues.

The politics are, the main political questions would be, first of all, what should the Federal Government do? Is it really the job of the Federal Government to get involved in education per se? Or is that something that should be done at the local level? Is it really the Federal Government's job to get involved in flood insurance? Is the Federal Government to be involved in providing loans to people? Is that really the job of the Federal Government? What really is the job of the Federal Government? That is the biggest political question here and what we argue about quite a lot, and with good reason, because that is the big question.

As you recall, there was a nation that believed that the job of their federal government was to provide you with a good education, to provide you with health care, to provide you with a home and some food, provide you with a job and a future. It was the federal government's job to do those things. And that particular nation went into the dustbin of history.

And we thought, as the Soviet Union collapsed, oh, that will never work. That's communism. Communism doesn't work very well. Socialism doesn't work very well. And yet, here, years later, in America, we're thinking the Federal Government should be providing health care, the Federal Government should be providing housing, the Federal Government should be providing food, the Federal Government should make sure that you have a job, the Federal Government should be doing this and that and the other thing. And so we're wondering why we're starting to get in trouble.

Now that's a debate. What should the Federal Government be doing? Should it be doing all these entitlements? Well, if you go to the U.S. Constitution, you would find out, well, no, in fact, a lot of these things are unconstitutional. The Constitution says that the only things the Federal Government can do are the things which are specifically enumerated. Well, what's one of the main ones enumerated? Well, you don't have to read past the, not only the first page, it's in the first paragraph, it's in the Preamble. As a Federal Government, we're supposed to provide for the common defense. First of all, the job of the Federal Government is to protect our country. Any other rights you have mean nothing if you're being bombed and people are attacking your shorelines.

The main job of the Federal Government is to provide for the national defense. A lot of these other things, they might be nice. They're probably, even though they've been around for generations, not constitutional because they're not specifically enumerated powers of the Federal Government. And what we're seeing happening, what was a safety net has become a way of life for huge blocks of our citizens.

And we're getting to the point where, in fact, we are and have arrived at the point where the numbers don't work. America's solvency, everything you and I think of as America, is up for grabs. This is a very, very sober moment for our country.

I would ask you to, if you will, just pretend in your mind, pretend that you were a Congressman or a Senator in the year 1850. In the year 1850, you might recall, there was this 10,000-pound gorilla in the tent. People politically didn't quite know what to do with it. It was called the issue of slavery. And the way politics was working, you had the Southern guys and the Northern guys, and so the power was somewhat divided, and the people that were Congressmen and Senators didn't know what to do with this huge gorilla which we call slavery. They didn't know what to do with the issue, so they sort of tried to step around it the best they could politically. And they said, well, we'll let one State come into the Union, and it will be a free State, and then we'll let another one come in, and it will be a slave State. They tried to make a compromise instead of dealing head-on with a massive problem that they had.

□ 1710

In 1852, there was a book, ''Uncle Tom's Cabin,'' and it increased the rhetoric and the tension of the slavery issue. So the issue of the gorilla was now glowing, and he is there and he is threatening. By 1857, the terrible decision from the Supreme Court, the Supreme Court again decided to act like legislators. Instead of just interpreting the law, they decided to create law. They decided in Dred Scott that Dred Scott was not really a person, he had to go back to slavery, et cetera, he was property. They made other decisions that the Congress couldn't decide whether new States coming in were slave or free. So now this whole great big slavery gorilla was really ready to storm out and cause trouble.

President Lincoln, the first Republican President, is elected. The South knows he is against slavery. He gets on the train, and he hasn't even gotten here to Washington, D.C., and the Southern States start to secede. America, like a train going off a cliff, starts in the Civil War. After 4 years, Abraham Lincoln writes his second inaugural address, and he references the fact this war is more miserable, there has been more suffering, and it has been much, much worse than anybody imagined it would be.

So what's the point? The point was that there is this gorilla in the room that the leadership failed to deal with, and the results were absolutely horrible. Statistics don't touch your heart, but statistics also are helpful to know. Six hundred thousand Americans died in the battles of the Civil War. That is more than all of the Americans killed in all the wars of our past other than the Civil War.

But the stories that come from that war are even more compelling. I recall one that every time I think of it, it puts a face on the Civil War. There was a Northern unit that was trying to take a position occupied on some higher ground by a Southern unit. The Northern unit seemed like they had the South just wavering. They were about to be able to take the hill, and there was a young officer at the top of the hill who would reappear, almost not worried about his own safety. He would reposition his Southern troops, and they would settle down and fight the North back. They fought back and forth a number of times until the officer of the Northern unit remembered he had an older man who was an excellent shot with a rifle. He said: There is a young officer up there that is really the one who is holding this hill, and I want you to use your great marksmanship ability, and I want you to take that officer out.

So the next time that young officer showed himself, this crack marksman shot him. And the young officer, the Southern officer, dropped dead on the spot. The Northern troops moved up and by the time they took the position, the marksman went over to see who he shot. He realized he had shot his own son. He was so distraught that he just stood up and ran across the field where the Southern army was shooting, and he was killed by rifle fire.

That is a little personal tragedy. The Civil War was full of those. But they are full of them because there was a leadership failure to deal with the crisis that America had to deal with, and they didn't do it, for whatever reason.

Today, we also have a crisis that is right here in front of us. And as Americans start to understand where we are with the budget, we also have to deal with this thing. The face on our entire economic system collapsing could be very ugly indeed.

And so my point of being here on the floor today is not to be particularly partisan, but simply to acknowledge that the numbers don't work. Now I have to be somewhat partisan because our President submitted the 2012 budget. The 2012 budget is irresponsible because it refuses to deal with these mathematics. It pretends that it is a budget but it never deals with entitlements, for whatever particular reason,

and tries to kick the can down the road, pretending that the gorilla is not there. That we cannot do.

The fact is that we are overspending. We are overspending at a horrendous rate, and something has to be done. So America now faces a great challenge in the next couple of years as to how are we going to deal with this problem.

As I said before, the solutions are not simple. In fact, the solutions are simple, they are just not easy. I think Ronald Reagan said that. The solution is simple, but it is not easy. The simple part is we have to cut the spending. The simple part is we need to grow the revenues of the government by getting the economy and the jobs going. We know how to do that. We have to cut the redtape. We have to cut taxes on small business owners, and we have to try to make sure that the liquidity is available to small business owners through the banks. And then we have to stop the era of uncertainty so the businessman feels like the economy has settled down and they can actually make some investments. Those are the things you do to get jobs going. We know it is fairly simple what it takes to get jobs because we know employers make jobs, and that means businesses have to be healthy and we have to do the things so they are not red-taped out of existence. We have to allow them to be competitive with businesses overseas. I would stack up Americans competition-wise with any foreign country as long as we don't burden them down with too many taxes and redtape and uncertainties and things, and scare all the jobs overseas. So it is simple, but it is not easy.

Also, cutting the tremendous level of entitlement spending. You can see you have to do it. You just can't not do it. But how do you do it? That is not easy. That is where we are. But we cannot continue to ignore the gorilla that is in the tent. If we do that, we threaten all kinds of very serious problems in our economy.

The other different pieces that have to go into place—we have to stop all of the regulations that make it so we can't drill for oil. We have a Federal Government now that ever since the oil spill has shut down drilling for oil. I guess they have got one well working. You have chaos in the Middle East, and we are dependent on foreign oil, which we shouldn't be because we have a lot of oil in America. We have great natural gas resources that we just discovered, all kinds of coal to last us for hundreds of years. We have the resources in America, but we are not developing them. We don't have drilling rigs going out and drilling where we know there is oil. Those drilling rigs are silent. Why? Well, because there is an environmental lawsuit on almost every promising well—the big, heavy wells that could really bring in oil. Or, if it's not that, there are regulations that say you can't drill. There is an area in Alaska called ANWR. It is basically like Oklahoma only frozen. It is very flat and cold. The idea would be you could bring drilling rigs when it is frozen solid, drill down there and pull them out before it is thawed. You have a pipe, and you would pump the oil out of that area. And you could pull the pipes out later after the oil is tapped out. Why are we not drilling?

Why is it, on our Continental Shelf, foreign nations are coming onto our Continental Shelf and drilling for oil and we are not? That just doesn't make sense.

So there are some policies that kind of come over in this area where America can do some things to get our economy back in shape. We can cut a lot of the ridiculous regulations that come from places like the EPA.

There was an award that we presented last week here on the floor. I think was called the Golden Turkey Award for the fact that the EPA decided that milk, because it contained oil or fat or whatever it was, had to be treated like an oil spill. And so farmers had to put containment around their dairy barns instead of having a few cats to lick up the milk that was spilt. I guess it is a sort of cry over spilt milk type situation. But talk about overregulation, my goodness.

Another part of EPA was a decision now that we cannot, if you are a farmer, have any rogue dust. Well, what would rogue dust be? That would be if you are plowing a field, if any dust comes off your field, that would be terrible. So the EPA is very concerned about rogue dust. They haven't been to my good State of Missouri and seen, when you are harvesting corn in the fall and that stuff has got all kinds of dust that the rain has deposited on it. And, boy, when that machine goes by, it is a cloud of dust. Still the corn is good, and it feeds a lot of cattle. What would you do with all of that rogue dust? Somehow that just seems a little absurd to me. So we have to get rid of all this redtape and ridiculous kinds of things and let good old American innovation go.

On the subject of innovation, that is what free enterprise is all about. That is what we are pretty good at. There is guy in my district that I am just so proud of. His name is Kent Schien. He has a company called Innoventor. One of the things that he started playing with is something that some of us who grew up a little closer to town try to avoid at all cost. We try to avoid it at a distance. It is called pig manure.

□ 1720

It has its own special smell. Some people can take it and some people have trouble with it. He thought, well, maybe if we could find something good to do with this pig manure, we'd really have something. As you can tell, he's a guy with a lot of imagination.

So what did he do? Well, he gets this pig manure. He puts it in a big kettle. He puts it under pressure and temperature and works something like a petroleum cracking process until he breaks the stuff down into sort of a primitive asphalt. They've then taken the asphalt, mixed it with gravel and used it to asphalt some roads. You may think, that must be a smelly road, but it's not. It doesn't have the smell anymore because of the temperature and the changes chemically. So now they're testing out a section of highway that's been made with pig manure. He has this thing designed so that it's not that big a unit so you could put different ones of these units in areas where there are pig farms and they could bring over their pig manure and get paid for it and still make a profit on selling the asphalt.

That's the kind of thing that makes America. That's the kind of thing that has made America such a special place. It's called freedom. It's called free enterprise. It's called innovation. It's talking about somebody that has a dream in their heart, and they're willing to take a risk and to try to do something that no one's ever done before. They hear people say, you can't do that and you can't do that, and the American in them comes out and the American says, ''Ain't no such word as 'I can't.' '' And so they go forward.

America has been built that way. This great nation was built that way, by all these people that had some crazy dream that became a vague possibility, and then a possibility, and then it actually happened. America was built one dream at a time. A beautiful country. But a country now that because of government irresponsibility is in a crisis state and something that we all have to deal with.

Some of us that hold elective office, we travel around. We talk to our constituents. We talk to people in different States, but our own particularly, and there's a perception out there that we can solve this problem by taking out a line in the budget that's called waste, fraud and abuse. Now, we've never found that line. It's like a fat marbleized in meat. It's all over the place. We try to get at that and get rid of waste, fraud and abuse. But you're not going to fix this problem by fixing waste, fraud and abuse. You're not going to fix this problem by more efficiency. You're not going to fix this problem by saying we're not going to send any more money to foreign countries. You're not going to fix this problem by trimming a little bit here and there. This is a massive problem, and it's going to require a rework of the entire way that we're spending money in the Federal Government. That doesn't mean that it can't be fixed.

I recall Ronald Reagan. It seemed like things were kind of in rough shape when he took over as President. But he had that can-do attitude, his little twinkling sets of wit. He would kind of cheer America along and he put us on the right path, got the economy going and basically won the Cold War. He was a great man, a great leader, that God brought to our Nation at a critical time.

I think we need to be praying now for great leaders in America, people who understand the problem, are not going to turn their tail and run away from it; they're not going to pretend it doesn't exist but take it straight on, because I believe the American public, when they understand the nature of what we're dealing with here, I think they're willing to roll their sleeves up and say, Let's do what Americans have always done so well. Let's just move forward and solve this problem. Let's figure out what each of us has to do, what's reasonable, and let's move forward and get this thing done.

It was my father's generation. My father served with General Patton, and there was that phrase, everybody did their bit. That was kind of the speak of the day. We, likewise, are challenged now that we have to do our bit. We have to be making the wise decisions to put our business and industry back in place.

Now, that's very controversial. You might be surprised here on the floor of the U.S. Congress—you wouldn't be surprised if I said Republicans and Democrats are pretty polarized on the abortion issue, and they are. But you might be surprised to know that in terms of voting, Republicans and Democrats are more polarized on the energy issue than they are on the abortion issue. But I believe that the fact that the foreign oil is starting to become very expensive and more scarce is going to tip the balance of that argument. And I believe that America is going to start developing our own supplies of energy, and I think that's the way we have to go. I think we have to get rid of the redtape and the ridiculous regulations like rogue dust and spilled milk in the dairy barn and things like that that just don't make any sense. There's a Clean Water Act, also, that has incredible kinds of regulations and things that don't make any sense at all from an engineering point of view.

We have to look at those things. We're going to have to trim out some of those things in this budget in order to create that environment, a good, strong environment for business. But we're going to also have to look at this spending. We're going to have to figure out ways to reduce that spending.

As a member of the Armed Services Committee, and actually I'm a chairman of the subcommittee that deals with the Navy, the Marine Corps and projection forces—that would be things like bombers and long range—we realize that there is not a whole lot we dare to cut here because of the various other nations and the rate that they're spending on defense and the threat they could be to our country. This money is not always spent as wisely as it should be, but, again, the Navy right now, the American Navy, has the same number of ships as we had in the year 1916. That's not enough ships to do what we need to do in order to try to create a peaceful and free trade area where we can trade back and forth across the oceans of the world.

And so there's not going to be a lot here to be able to solve this problem. We can spend this money more efficiently probably, but we're not going to be able to cut a whole lot there. The solution to this is, once again, pretty straightforward: We have to cut particularly the amount of spending we're doing on entitlements, and particularly we have to reduce the growth where the entitlements, as the years go out, are going to become more difficult. This growth is induced because of the fact that the population is getting older and the older people are taking up more of these entitlement programs, so it becomes more expensive.

So people like me, I'm a baby boomer, as the baby boomers get older, then they're going to get onto these programs. It's going to cost a lot more, and there's not as many younger workers to be able to pay. That's part of why this gets high. We have to be able to bring that curve down, and we have to cut the level of spending in that area.

So we have to do the cutting on the one hand, and the other thing is we have to grow the economy. We know how to do it. It's been done by other Presidents. We understand the economics of it. But it's just a big challenge. The sooner that Americans across the board understand what we're dealing with, say, ''Okay, let's roll up our sleeves. Let's get to work on this thing,'' I have tremendous confidence. Americans in the past have always rolled up into challenges. They've done well, and we've gotten through many things.

I think the way we'll get through them, also, is something we can learn from the past. That was what the Pilgrims did when the Pilgrims first landed. They had a dream of creating a nation that was designed in an entirely different way than the European countries. They arrived here, and in the first couple of months half of them died. The Mayflower, in the time spring came around, up anchor, was headed back to England. The captain said, Come back to England with me, but 50 Pilgrims said—52 or 53—said, No, we felt like God called us to this country to do something new and different and unique, and they stayed, and that dream started the great American Dream.

Later on, 160-some years later, there was a general by the name of General Washington at Valley Forge. He also was forced to his knees looking to God for help in America's time of crisis. He saw the answer to his prayers. In fact, there was this old guy with bifocal spectacles when the first Constitution was going to be ratified that talked about those days when George Washington ran the army. He rose to speak because the politicians were disagreeing with each other at the Constitutional Convention, and old Ben Franklin with his glasses down on his nose, 80-something years old, which of course was very old in those days, stood to address George Washington.

He said: I have lived through a long time, and the longer I have lived, the more convincing proofs I see of this truth, that God governs in the affairs of men. And if it's possible that a sparrow cannot fall to the ground without His notice, is it probable that a nation can rise without His aid?

Then he goes on to say that in the recent war we saw frequent instances of God's superintending Providence. And he closed by saying: We need to be in prayer as a Constitutional Congress here as we look at adopting the new U.S. Constitution.

Well, Washington called the first day of Thanksgiving as America adopted the U.S. Constitution, but that tradition that when we got in a jam that we looked to God continued. General Eisenhower, recognizing that trend, decided to add it to our Pledge of Allegiance. And so it was that he added words that came from Lincoln, from his Gettysburg address, the words ''one nation under God.''

□ 1730

And so Eisenhower, on just the front steps behind me of this Capitol, recited for the first time the new pledge, which included ''one nation under God, indivisible.''

And so as we approach this crisis in our history, I have faith, faith in the American people that we will take a look at the problem, that we will solve it, we will do the right thing, and that we will recognize that the problem is bigger than we are, and that we will have the wisdom to also ask God's blessing on our efforts, and that by His help we will be able to overcome and put America back on a more solid fiscal footing.

I thank you for allowing me to do, I suppose you'd call it, a 30,000-foot view of the budget, not a lot of details, but the big picture, a very sober, a very serious big picture, one that we all have to think about, we all have to become engaged in and take part in.

Mr. Speaker, I thank you for your indulgence. I thank you for your attention and the attention of my colleagues and friends. God bless you all and God bless America.

A TRIBUTE TO PUBLIC EMPLOYEES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Mr. Speaker, I rise to lead a Special Order this evening in tribute to public employees everywhere, and especially our Federal employees here in the United States, 85 percent of whom do not work in Washington. I hope that my colleagues and I will be able to offer some little

known facts about Federal employees today so that the word ''Federal employee'' gets a face and you know who it is we're talking about.

Today I introduced a resolution supporting the right of all workers to bargain collectively, public and private workers. I'm grateful that Representative DONNA EDWARDS cosponsored this resolution with me and invite others to cosponsor the resolution. The resolution reminds us of what our grandfathers and our forefathers would have told us, that for a long time there was a fight waged after it became clear that individual workers standing alone have little or no bargaining power against some employer that they hope will hire them or in whose employ they find themselves. Thus rose, and finally was legalized as the National Labor Relations Act, the right of workers to form unions.

In no free society in the world is the right to bargain collectively barred. That right has been under attack for decades, and the decline of unions in the United States is directly attributable to the difficulty in organizing workers today because the National Labor Relations Act is a figment of another century.

I think we will see in some of the statistics coming out of Wisconsin and out of the country at large that the decline of unions today does not mean that unions are not prized institutions in our country, and I will have some statistics that show that.

What I think most Americans recognize is that they owe to the American trade union movement much that they take for granted today, even if you are not a member of a union movement. Unions could have been content to bargain at the table for health and safety conditions, for a 40-hour week and the rest of it. Instead, they led the country in making laws that require a 40-hour workweek, child labor laws, require health and safety conditions, require overtime pay, and encourage health insurance and pension insurance. Those matters which began at the bargaining table now many Americans enjoy, and yet we have seen targets especially placed on the backs of public employees.

I'd like to open by giving you an idea of who a public employee is by speaking of a public employee in my own district, the District of Columbia. I don't know Anthony Hutchinson, but I've heard about him. He is an example of an exceptional Federal employee, I understand. He is a husband and a father of two. He lives on Savannah Street in southeast Washington. He is a transportation security officer, and he has worked at the Ronald Reagan National Airport for the last 6 years. He is also a member and shop steward of his union, which in this case happens to be the National Treasury Employees Union. He has been named the Transportation Security Officer of the Year. He has received outstanding ratings from his employer. He was once the chair and once the vice chair of the Safety Committee. He is on a team that has designed ways to keep transportation security officers up to date on techniques for identifying weapons and prohibited items through x-ray machines. He served on the Emergency Readiness Team—that's a team that deploys within 24 hours in the event of an emergency or national disaster. Anthony Hutchinson is a Federal employee.

When you speak of Federal employees, it seems to me we owe them at least the courtesy of recognizing them for what they do for the American people. But you would not have understood that if you have been watching over the last few weeks the episodes in Wisconsin. These were shocking. And many I think thought, well, maybe it has come to this. Unions aren't very popular and maybe people are ready to bash unions in just this way. But look what the polls are showing us.

The polls show, following Wisconsin, when there have been national polls about the standing of public employees and public employee unions, that Americans oppose weakening the bargaining rights of public employee unions by a huge margin, by a margin of 2–1, 60 percent to 33 percent. Only a slim majority, just a slim majority of Republicans favored taking away bargaining rights. It's as if Americans understand a right when they see one.

Now, bargaining rights are not like the rights of freedom of religion or freedom of speech.

□ 1740

But they're right up there on my list of six or seven rights that Americans believe, once you get, you are entitled to because you have gotten them democratically. You had to go worker by worker. You had to organize. And it looks as though there has been a horrific backlash from Wisconsin.

Indeed, now Americans, when asked how they would choose to reduce their own State deficits, having watched Wisconsin, say they prefer tax increases over benefit cuts for State workers by a margin of 2-to-1. That is what Wisconsin has given the country. It has laid bare what a frontal attack on a basic right means. And what it means is Americans are not for it.

We saw what happened in Wisconsin overnight, that through the tricks of parliamentary maneuvers they were able to, in fact, weaken the bargaining rights of Wisconsin workers. There is going to be a price to pay in Wisconsin, I believe, and I'm going to point to why.

The present Governor of Wisconsin came in with a six-point margin of victory. His polls show seven points behind now. Forty-five percent strongly approve of his performance. The man has only been in office a little more than 3 months. Public employees' unions, including teachers' unions in Wisconsin, now have favorable, positive ratings, 16 points higher than Walker's ratings.

The turnaround in Wisconsin I think tells us where the country is headed when they see the overreaching here in Washington and when they see the overreaching at the State level.

The Wisconsin results are just astounding. They fly in the face of everything Walker was doing. They are the classic backlash to overreach. The State's population now believes that Walker should reverse course and raise taxes on those making $150,000 a year. That's by a 72 percent to 27 percent margin.

There you have it. A kind of incubator in one State that I think, writ large, tells us where the country stands when it comes to public employees.

Now, the national poll found, not unexpectedly, that 71 percent of Democrats opposed weakening collective bargaining rights. But there was also almost as strong opposition from Independents—71 percent Democrats, 62 percent of Independents. And only a bare margin of Republicans were for weakening collective bargaining rights.

We know that when it came to Walker, there was no doubt what he was after, because the unions, seeing that the State was indeed in trouble, had a huge deficit, gave him what he desired in savings. And still he would not compromise. He held his ground, and in holding his ground, appears to have lost his State.

This is a turning point moment for the country. This is a moment that is sorting out those who linger on the extreme from those who have fought to find their way to the mainstream. And Wisconsin is a harbinger of what overreach will reap here in the House of Representatives as polls in Wisconsin show it has already done there.

Look what we have here. The President already announced a freeze, a 5-year spending freeze, on Federal employees in the State of the Union. They didn't like that. But that seems to have whet the appetite of Republicans for more and even more.

They come to the floor with bills that would furlough Federal workers for the 2 weeks, would impose an additional 1-year pay freeze, and cut 200,000 Federal jobs. There's another bill that would limit the ability of Federal workers to bargain collectively.

The bills just roll out of Republicans—a freeze, a cut in the Federal workforce by 15 percent. Don't you think somebody would want to look and see who the workers are before coming up with a number like that? Cutting agency funding to 2008 levels in 2012, as H.R. 1 does, and then to 2006 levels for the next 9 years. That would reduce most agency budgets by 40 percent.

I see that my good friend who has also cosponsored the resolution paying tribute to America's public and Federal employees has come to the floor, and I am pleased to grant her such time as she may desire.

Ms. EDWARDS. I want to thank the gentlewoman from the District of Columbia.

Mr. Speaker, I'm here today because I'm here on behalf of and with the 150,000 Federal workers who live in the Fourth Congressional District in Maryland. But in our region, in our metropolitan region, we know that there are some 700,000 Federal workers just in the Washington metropolitan region who do so much to protect this country, to keep our neighborhoods, our communities safe, to keep our food safe, to make sure that we know what the weather is; 2.7 to 2.8 million Federal workers all around the country and around the globe. That means that they're not all here in Washington. So I'm always troubled when I hear people who, for the last couple of decades, have just gone on an all-out attack against the great work of Federal workers.

And I would say to the gentlewoman from the District of Columbia, I know a little bit of something about Federal workers. I grew up in a household with two Federal workers. My mother and my father both worked for the Federal Government. In fact, it was working for the Federal Government that really helped them become a part of the middle class in this country. It was the work that they did as Federal workers that saved taxpayers lots of money. It was the work that my father did in uniform in this country protecting and honoring all of us by his service.

And so there's such a wide range of the Federal workforce, and yet some who want to go after Federal workers—and I say ''go after,'' and I mean that very directly—do it without actually knowing what it is that Federal workers do.

Well, I want to tell you about some of the Federal workers in my congressional district. They are workers who work at the Food and Drug Administration. They're doing some of the most cutting-edge research that is out there. They are looking to make sure that our—that the food and the drugs that are in our marketplace are safe for children and families and consumers.

I want to talk about the Federal workers at the National Oceanic and Atmospheric Administration.

□ 1750

Today in the Washington region, and up and down the east coast, we have actually had flood warnings for communities, including communities around the District of Columbia metropolitan area, that are under flood warnings and watches today. It's Federal workers who actually helped us to analyze the data coming from the satellite that was put up into our atmosphere by Federal workers that help us understand what's happening in our environment with our climate and our weather.

It's the Federal workers at NASA who took the charge that President Kennedy gave to them to explore space, to discover that new frontier, who have been at the cutting edge of all kinds of research that benefit us in every capacity. I like to say to people it was actually a Federal worker and the Federal workforce that figured out through technology and experimentation that they could create materials that would lead to the creation of air bags and seat belts in our space program. And those are the same air bags that I know saved my life one time when I was in a car accident, and have saved many lives all across this country. Well, that's the product of what happens when you make an investment in our Federal workforce.

It's a Federal worker who works at Andrews Air Force Base in my congressional district looking out for the protection of the President and for diplomats who fly in and out of Andrews, making sure that we safeguard the protected space in this capital region, making sure that we have an Air Force and personnel who are deployed to as far away places as Afghanistan and Iraq looking out for improvised explosive devices, training some of our great other servicemembers, those German shepherds and other service dogs that we see. It's the Federal workforce that's doing those things.

So I am often shocked, Mr. Speaker, when I hear people targeting the Federal workforce. Let's just be clear, Federal workers have actually absorbed and been willing to absorb and to take, not liking it, as the gentlewoman from the District of Columbia points out, a freeze that's been placed on their wages, but they continue to serve. It's the Federal worker, Mr. Speaker, who makes sure that that Social Security check and that disability claim and those veterans services are provided not just in the Fourth Congressional District in Maryland, but all across this country.

So when I think about the range of things that Federal workers do that no one else does, it's really extraordinary. People try to compare, the gentlewoman knows this, try to compare wages and salaries to wages and salaries in the private sector; but it's not a direct match. I mean, imagine, if you would, that we could get away in the private sector with paying a top-notch engineering researcher $100,000 to work for us. But that's what happens in the Federal Government, even though those salaries may be significantly higher than that.

Ms. NORTON. The gentlewoman is making a very important and much misunderstood point with these comparisons between apples and bananas. Half of the Federal workforce, I learned, work in the nine highest paying occupation groups: judges, engineers, scientists, nuclear plant inspectors. That's half of the Federal workers. Less than a third of private sector workers work in these same nine top-drawer occupations. So when you hear these comparisons, you are not comparing comparable workforces. The private sector has categories we don't even have here like cooks and manufacturing workers.

So these comparisons that you speak of, I say to the gentlelady, could not be more important to distinguish. We are talking about the highest level workforce in the United States of America. And I will say to the gentlelady, I learned as well that there are far fewer of them than when I was a child. In 1953, there was one Federal worker for every 78 residents. Today, there is one for every 147. How did you go from one Federal worker for every 78 residents to one for every 147 residents? Productivity. This is a knowledge workforce. It is a workforce to die for.

I yield to the gentlelady from Maryland.

Ms. EDWARDS. I want to thank the gentlelady, because I think it's really important for us to understand really who is the Federal worker. You know, what is it that they do? And as the gentlelady has pointed out, our food is safe because of Federal workers. The drugs that we take, whether they come over the counter or they're prescription drugs, they're safe because of a Federal worker. When that prediction is coming through for severe weather that hits the middle of our country in the most oppressive way, it's a Federal worker who analyzes that data and works really hard and really quickly to get that information out to the public.

Federal workers also work in some of the most dangerous fields, in addition to being some of the most skilled fields in this country. You mentioned the work, the gentlelady did, the work of our nuclear scientists that Federal workers do, in our laboratories all across this country, not just in Washington, D.C., in States like Colorado and California and New Mexico, some of the highest level of scientific work that's going on in the country.

So we have a skilled Federal workforce. And, you know, I was really shocked about this story that we have heard evolving in Wisconsin and the struggle of Wisconsin workers for collective bargaining rights that indeed on the committee on which we serve in Transportation, just a couple of weeks ago we were looking at an authorization for the Federal Aviation Administration. In that authorization we actually passed legislation through our committee that would say that if you didn't show up for a union vote, maybe you were sick, maybe you didn't want to vote, for whatever reason, your not showing up would be counted as a ''no'' vote.

Can you imagine if any of us actually conducted elections like that? All those folks who decided to stay home for whatever reason would be counted as ''no'' votes? I daresay there would be a lot of Members of this Congress who would not be Members of this Congress under those kinds of rules. Yet those are the kinds of rules that are being promoted by the Republican majority

through our continuing resolution, through our authorization that really go at the heart of taking the feet out from under the Federal workforce.

Ms. NORTON. I thank the gentlelady, and I hope she will remain with us, because the gentlelady is pointing out distinctions that the public is largely unaware of. Some of these job categories that my friend from Maryland points to ought to be instructive: rocket scientists, VA nurse, park ranger, cancer researcher, prison guards.

It's interesting that the cooks in the Bureau of Prisons are probably paid more than the cooks in the private sector because they have supervision of prisoners, who also work in the kitchen. How do you measure that? You don't do it by throwing out a bunch of statistics, public versus private, and believe that that tells the whole story.

Now we are very pleased to be joined by the gentlewoman from Hawaii, our new Member from Hawaii, and I am pleased to grant her 5 minutes.

Ms. HIRONO. Thank you. Relatively new Member. I am really glad to join the two of you in honoring and acknowledging the work of our Federal workers. Ms. EDWARDS and I sit on the same Transportation and Infrastructure Committee; and, yes, it was quite revealing to talk about the kinds of changes some people were proposing to the FAA bill that would have totally changed the way you count votes. It is a way to count votes that doesn't happen in any other arena.

Certainly, if we had to count votes where all the people who were registered to vote didn't vote would be counted as a ''no'' vote, I would say that most of us here, including our friends on the other side of the aisle, would not be here.

That's very telling to me, the kind of perspective that's reflected, any kind of an effort that goes after government employees. And today we are here to talk about the thousands and thousands of Federal employees who are doing the job every single day to keep our government going.

□ 1800

Who do we think keeps government going but our workers? We need to acknowledge that and honor them.

When you go to the Social Security office, for example, as I have, and when you see the Federal employees processing the paperwork, that needs to happen so that our seniors can get the benefits that they've worked hard for and that they deserve. When you go to an unemployment line, you see State workers. This is what I mean. Government employees are there, doing the jobs they need to do to enable our working people and middle class families and everyone else in our country to get the kinds of services that we pay for.

They're being scapegoated as though they're the ones who are responsible for this economic crisis. Some people refer to it now as the ''Great Recession,'' with a capital ''G'' and a capital ''R,'' as opposed to the Great Depression. So many of the stories that we hear are about people just struggling to make ends meet, including our Federal employees. They're like the rest of us. Of course there are faces to all of these Federal employees. In fact, let me just tell you about some of the Federal employees who have been acknowledged in my State for the exemplary work that they're doing.

For example, I want to talk about Sergeant Michael Schellenbach, who is a combat camera officer in charge of the Kaneohe Marine Corps Base in Hawaii. He won a Federal Leader of the Year award. He provided unparalleled customer service to prepare marines for Operations Iraqi and Enduring Freedom.

Warren Au won the 2010 Federal Employee of the Year award for professional, administrative and technical professions. Warren works in the Naval Facilities Engineering Command as an electrical engineer on the Far East planning team. He developed and implemented an electronic data-gathering tool to produce an updated facilities plan. The tool is now required at all Navy and Marine Corps installations, and it has greatly increased productivity and efficiency, saving taxpayers—that's all of us—a lot of money.

Bill Pursley was a 2008 Federal Mentor of the Year. He works for the Transportation Security Administration at Maui County Airports. Under Bill's guidance and leadership, over dozens of officers have been promoted to lead, supervisor and master positions. Bill's very calm and convincing demeanor has earned him the respect of airport employees and leaders, and he has had a significant impact on keeping us safe.

These are just a few of the 4.6 million Federal workers and retirees in every State in our country who have not only provided services to us over the years and who have earned their retirements, but they're continuing to, as we have referred to in so many of our committees, step up to do more with less. They have been doing that for years now, and I am proud of them. I am proud of the Federal workers in Hawaii.

Ms. NORTON. If the gentlewoman would yield, I think it's very interesting that we have on the floor Members from, perhaps, the most dense part of the Federal workforce, all the way to Hawaii. Eighty-five percent of Federal workers does not work in the Washington region. Ms. EDWARDS and I feel fortunate to live in the National Capital Region, but we by no means regard ourselves as representative of Federal workers. Every Member has Federal workers in her district. So, when you're bashing Federal employees, you'd better watch yourselves because you're bashing your own constituents.

Does the gentlelady from Maryland want to speak to that issue?

Ms. EDWARDS. I do.

Too often we hear: Let's cut Washington. We don't care if the Federal Government shuts down because it's just a bunch of Federal employees. In fact, only 1 quarter of Federal employees works in the Three-State Region that comprises the Washington Metropolitan Region. The other 75 percent of Federal employees works someplace else.

I love this idea of exploring what it is that Federal employees do because I'm often fascinated by the many jobs that they do which provide so many important resources for us:

Meteorologists. Well, could we do without meteorologists? Ask the people in California and in these other earthquake zones. In the gentlelady's home State of Hawaii, we need meteorologists in that sector. Aerospace engineers, who are exploring these 21st century new technologies and horizons that are not here on this Earth, who are looking at things like climate and planetary science, they don't make a lot of money. They may have Ph.Ds. An aerospace engineer with a Ph.D., who works for the Federal Government, probably makes about $70,000. Imagine if you translated that skill level into the private sector.

So I thank the gentlelady for reminding us of the fact that Federal workers span the spectrum of job skills, and they're in every single State and in every congressional district in this country.

Ms. NORTON. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman has 25 minutes remaining.

Ms. HIRONO. Will the gentlewoman yield?

Ms. NORTON. I am glad to yield to the gentlewoman from Hawaii.

Ms. HIRONO. Thank you.

When we think about the kinds of resources in our country that everyone enjoys, think about our national parks. What a tremendous resource for all of us, and so many families go to all of our national parks. Guess who is there to make sure that families, individuals—all of us—have a lovely time? Who is protecting our endangered species, these national parks? We have a lot of national parks in Hawaii. In fact, you may have seen the pictures recently of one of them. We have the continuing eruption of Kilauea on the Island of Hawaii, which is part of my district.

So there are just so many areas in which we could not do without the commitment of our Federal employees. Truly, I feel as though they're getting picked on for basically political reasons, and it's unjustifiable to do that and to scapegoat our workers in that way.

Ms. NORTON. They deserve just the opposite.

Ms. HIRONO. Yes.

Ms. NORTON. Far from scapegoating, it seems to me we ought to stand up

and salute Federal employees for what they're doing for this country now.

Ms. HIRONO. You mentioned Ms. EDWARDS and about exploration and about meteorologists. Well, the astronaut program, that's a Federal program. We had a wonderful astronaut from Hawaii, Ellison Onizuka, who tragically lost his life in the *Challenger* disaster.

This is part of what we need to do to educate all of us and the young people and our students. In fact, I was visited by a group of students in my district yesterday. They were here with the Close Up program, and were here to learn about the Federal Government and what keeps the Federal Government going. It's not just us. It's all those 4.6 million people out there who are helping.

Ms. NORTON. Ms. EDWARDS, you are probably also aware that we hear about the best and the brightest. The Federal workforce, now with many baby boomers, is eligible to retire, and there is absolute panic about whether or not we will ever see a workforce as good as the workforce we got in the post-Kennedy period. These were people who came fresh with all of the notions of the Kennedy era that public service was a wonderful thing, and they made their careers in the Federal service. Ninety percent of them could retire in the next 10 years. Now the whole world is open to them. They could go to the high-tech companies. They could go to Hawaii. They could go to California.

Will we be able to attract the best and the brightest right when we most need them—in an era when the country needs, on this side as well as on the military side, the very best talent we can find?

□ 1810

Ms. EDWARDS. The gentlewoman from the District of Columbia raises yet another really interesting point and it is that not only could they go anyplace in the United States, but the world is their oyster. We know that our best and brightest are not just being recruited from State to State outside of the Federal workforce, they are being recruited outside of the United States, because we know that we have the talent here, and what better place to absorb that talent in public service than in service in the Federal sector.

I am just so proud. I think about the time that I met a scientist, a researcher over at the National Institute of Standards and Technology. Let me tell you what they do at NIST.

Any piece of the electronic equipment that you might have, and maybe it's in your doctor's office, and it's an MRI machine, or maybe it is something, a piece of your home equipment in your home, or maybe it's the iron, or it's the toaster, or it's the microwave, the National Institute of Standards and Technology sets a standard for industry for those products and tests those to meet standards. It means that no matter where you go, no matter what store you shop in, that that equipment is calibrated in the same way. Now, you may not think that matters for a toaster, but it surely matters for an MRI machine.

Those are the kinds of jobs that our Federal employees do. Those are jobs that you really can't translate into the private sector but that are so necessary to safeguard the public.

Ms. NORTON. That's such an important point about translating them. Unlike what the Federal Government is required to do, the people who have been throwing around the comparisons don't do what the Bureau of Labor Statistics does. Now, this is very, very difficult work.

When the Bureau of Labor Statistics compares workers in the public and private sector, they have to, for example, look beyond the title of budget analyst. In the Federal Government, they may be dealing with a budget analyst who has oversight over multimillion-dollar agency budgets.

In the private sector, that may be somebody who is sitting in an office pushing papers, is qualified, but nowhere near the same kind of responsibility. What the Bureau of Labor Statistics does, and only the government can do this, because only the government has the resources, is to literally get into the weeds so that when you see the government statistics, those are the statistics to be trusted.

I have got to ask my good friend to help me as well on one of the great distortions, and that is on Federal benefits.

I think most Americans don't know that Federal employees pay for 30 percent of the cost of their health care. If you get dental and vision, you pay 100 percent.

If you have group life insurance, the employee pays 66 percent of the premium and the full cost of any additional coverage, and if you have, and many employees now have, Federal long-term care, 100 percent.

The Federal Government, yes, is a decent employer. It is by no means an overly generous employer. Just compare that to Fortune 1000, Fortune 500 employers and see if these employees who pay 30 percent of their health care premium are coddled. I don't think so.

Another issue that is often raised is contractors. One of the most astounding things about the Federal workforce, and some things should be done by contracting out, but there are more contracted, contracted Federal employees than there are Federal employees. When you are attacking Federal employees, you are attacking people who work in the agencies, who work, as my two colleagues have spoken in detail, work as a park ranger, who work as a rocket scientist.

But the invisible workforce is the contracting workforce. At the Department of Homeland Security, for example, we have 188,000 employees but there are 200,000 contracting employees working for the Agency. So if the public really wants to know where the money goes, they shouldn't be targeting the employee who stands up, has USA written across their chest, is proud to work for the Federal Government. They should look at the entire workforce, which turns out to be many, many contracted workers.

It's interesting to know that the President is cutting the number of contracted workers and expects to save $40 billion annually by, in fact, bringing that work in-house, so that we know who is performing it, we can measure them. We can get rid of the work we don't need. You contract the work out, it's gone, and it gets a life of its own.

Ms. EDWARDS. Well, I think that you raise such an amazing point for the American people on two points, one about Federal benefits. There is this wide assumption across the country that Federal workers don't contribute to their own health and life insurance and their dental insurance, and it's just not true. So I think it's really born for us to debunk that right now.

As you say, the Federal Government is a decent employer, but it is by no means the best employer when it comes to providing benefits, as some of those Fortune 500, Fortune 1000 companies that you point to. Nonetheless, it's the Federal worker who contributes to her own benefit, contributes to her pension, contributes to her health insurance, contributes for her family members across the board.

The gentlewoman also makes an important distinction for us to know that, in fact, the Federal workforce, because they sometimes work alongside contract employees who are paid different rates, who have different benefits, but are in some cases doing very, very similar kind of work. I applaud the Obama administration for trying to get a handle on what is uniquely government work and shouldn't be contracted out because we need much greater oversight.

I know, I mentioned earlier to the gentlewoman that I come from a family of Federal workers. I want to tell you about one of those workers, because I bet if anybody goes back, they would say that my mother saved the Federal Government a boatload of money.

She was a steward of the taxpayer. She worked in the Department of Defense doing military housing, overseeing contracts. She would tell you in a minute if a contractor was violating a contract. She would tell you in a minute if they were overspending where they didn't need to overspend, and she would save the taxpayer money because she viewed herself as a steward of the taxpayer as a public servant.

I know that my mother is not alone. She is joined by millions of Federal workers all across this country who take pride in the work that they do for the taxpayer, the work that they do in service to this Nation, whether it's processing Social Security disability claims, or it is making sure that our veterans get appropriate medical and

mental health attention, or whether it's making sure that our airways are safe and clear, that our planes are landing and taking off safely, protecting us in our parks.

After all, if someone gets lost, a child gets lost in a park, it's a Federal worker that goes to find that child and reunite him or her with their parents. The Federal workforce is varied, it's diverse, it's efficient. It's becoming more efficient every day. Federal workers are really contributing to the lifeblood of this country.

So I think for those who want to get about the business of cutting spending where it's appropriate, let's do that responsibly. But let's not make the Federal worker the scapegoat for budget-cutting and for ending deficit spending. Let's continue a strong and vigorous Federal workforce that really is working to the best benefit of the taxpayer.

Ms. NORTON. This is such an important point. I would say to my friend from Maryland because, remember in Wisconsin, the public employees said, look, we will do our share. Yet the Governor insisted upon going at collective bargaining. Anyone who thinks public employees are not willing to do their share does not understand how unions operate.

□ 1820

If you have a workforce that needs to be downsized, if you have a workforce that needs to give up some of what it has for a period of time, the best way to deal with that workforce is through an agent that the workers trust. If the employer has no agent and simply goes in and does it, that becomes a deflating, morale-sapping exercise. Unions are very sophisticated. Unions operate within our capitalist system. They know when there's money on the table and when there's not. Unions are said to have been the major agent in creating the American middle class.

What do we mean by that? After all, there were businesses, automobile companies and managers. What we mean by it is that when that money was coming, when that revenue was coming to business, it was sitting across from a union who said, workers help produce this product, the revenue from this product should be shared with workers. Out of that came the great American middle class. That is why an automobile worker, for example, who didn't have a college education, could get a pension and could support a family.

And unions did this, yes, across the bargaining table; but in doing it for their own members, they spread it through the society, because then competitors had to meet the union wage. And so what happened was you got a great American middle class that you did not have before the unionization of American workers. And they deserve credit for that. Unions deserve credit for that. They don't deserve to be bashed.

I have to say to my good friend, I was never so gratified to read what the polls show us. And I indicated some of those figures when we began this special hour that 2–1, Americans oppose weakening the bargaining rights of public employees. After all that has happened in Wisconsin, instead of their reaping the whirlwind for it, American people understand what it means to take away a precious right, even a right some of them don't enjoy. And so they say they would rather have their taxes raised than to even weaken—weaken the collective bargaining rights of workers.

If that is not a lesson for the other side of this Chamber, which is overreaching in 1,000 different ways, nothing is. It is a bellwether of what is to come.

Ms. EDWARDS. I want to thank the gentlelady and my friend because I think what you've done is you've brought the connection from the public sector worker in Wisconsin and throughout our States to the Federal workforce and to the private sector workforce.

I think what we've seen over these last couple of decades, and I think it is evidenced in the poll and the support that all workers are showing for the workers in Wisconsin and for the idea of collective bargaining rights, is that we all recognize as workers whether you're in the public sector or the private sector, whether it's State or municipal government or it's the Federal Government, that, in fact, it's that organizing and the ability to organize and the ability to bargain that has helped so many of us to achieve a place in the middle class. And I think that there is an understandable fear of losing that given what's transpired over the years.

In fact, you look at wages in the private sector, and private sector wages have, in fact, remained stagnant for about the last decade. And so you can understand that a private sector worker is actually feeling that strain, but they understand the position of the public sector workers, of the Federal workers. And so we're all united as workers together to make sure that we can lift all of us into the middle class.

And I think the Federal workforce is particularly important because the Federal workforce then becomes sort of a bellwether for what can happen in other sectors in our workforce. Thank you for bringing that full circle.

Ms. NORTON. I want to thank the gentlelady for coming down. You make a very important point about the stagnation of the American standard of living. It correlates with the stagnation of the American labor movement. The stagnation of the American labor movement has everything to do with the difficulty under the National Labor Relations Act of organizing a union today.

When unions were first legalized in the 1930s, they were encouraged. Today, it is very difficult under the existing statute to organize a union; and I'm amazed that unions are still alive and kicking. But I must say what we've seen from Wisconsin is a national reawakening of the American trade union movement. I think unions are going to be able to organize in ways they would never have been able to organize without Wisconsin. Thank you, Governor Walker.

As I close this hour, I want to particularly thank my two friends from Hawaii and from Maryland for coming down to share this special hour with us. We think the least we can do is to, every once in a while, say to Federal employees and to public employees, we appreciate what you're doing.

President Obama perhaps said it best. I don't think it does any good, he said, when public employees are denigrated or vilified or their rights are infringed upon. We need to attract the best and the brightest to public service. These times demand it.

Again, I thank the gentlelady for coming forward.

THE FUTURE OF EDUCATION IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. JACKSON) is recognized for 30 minutes.

Mr. JACKSON of Illinois. Mr. Speaker, let me first begin by associating myself with the remarks of the distinguished gentlelady from the District of Columbia and the gentlelady from Maryland on a very thoughtful presentation that they offered the body this evening.

Mr. Speaker, there has been some controversy in the blogosphere and on conservative talk radio shows about some comments I made last week regarding my belief that every child in this country should have the constitutional right to an education of equal high quality. Let me be clear. Last week, I raised the possibility that such a right might lead to an education standard in this country of an iPad for every child just like it could lead to standards of class sizes and athletic facilities and music classes and other important resources for our children.

Let me be clear on a few things. These devices are revolutionizing our country, and they will fundamentally alter how we educate our children. Mr. Speaker, this is an iPad. It is an incredible device, so incredible, in fact, before I could open it up after I recently purchased it, Apple came out with the iPad 2.

Mr. Speaker, this is the Kindle, a device from Amazon that allows you to download books and to read them. Before I could finish opening up my Kindle, Kindle came out with an even smaller Kindle, neither of which has been activated at this time.

Mr. Speaker, it will not be very long before every child in this country is educated using one of these devices or something similar. Why? Just go to your local Borders bookstore, that is, if there's one left.

Recently, Borders announced it was closing 200 of 508 stores, including one in my congressional district. If the recent history of the music business is any guide, then other bookstores and libraries, both private and public, may not be far behind them. That's because the future of publishing isn't in hard copy books any more or magazines or newspapers. It's all digital. The iPad, the Kindle, the Nook, and other similar devices make it possible to access any book, any periodical at any time any place.

As digital downloadable music has gained in popularity, we've seen a fundamental shift in the music industry. Now there are hardly any physical stores where we can buy CDs or other music products anymore. We've gone from the 78 to the 45 to the long-playing LP to DVDs, and now to downloadable music. The same will be true for publishing. Books will soon become obsolete. So the school library will soon, unfortunately, be obsolete.

Schools are likely in the future to use that space for more classrooms. Maybe it will help alleviate our classroom size problems. But for certain, architects in the future will likely be designing future schools without a library.

□ 1830

Hard copies of textbooks will become obsolete. Instead of incurring the costs of buying them and storing them and instead of forcing our children to lug around huge backpacks full of heavy books, we'll just download them onto a device just like one of these. This is going to happen in the future. In fact, it is happening right now.

In my district, at Chicago State University, thanks to the innovation of President Wayne Watson, the freshmen class of students this past fall, every single freshman received an iPad. Over time as new classes enroll, the administration at Chicago State University hopes that all students will use electronic devices for textbooks and to submit assignments. It could be a textbookless campus within 4 years. ''Imagine the cost savings for schools,'' President Watson said. ''Give a child an iPad, a Nook or a Kindle or any of these devices when they are in the first grade, and he or she could use it all of the way through college. All of the cost of buying hard copy books for the course of that child's educational career would be simply wiped out.''

Now, Mr. Speaker, because I suggested this idea, I have been called a communist and a socialist and any number of other things, but let me tell you why that is misleading and malicious. Let me go back to what I talked about last week.

Last week from the House floor, I talked about the greatest capitalists in the history of our world. In my opinion, the greatest capitalists in the history of our world were the men who founded our country, our Founding Fathers. They were engaged in all manners of trade and commerce that ranged from farming cotton and beans and corn. And even before the Constitution of the United States was ratified in 1788, even before the Bill of Rights in 1791, even before the Declaration of Independence, from 1492 until 1776, and certainly and even more tragically in 1619, 19 scared Africans arrived on the shores of Jamestown, Virginia, 157 years before the Declaration of Independence. Their desire for commerce and capitalism even had them trading people. They traded among themselves and with others across the world. And when they rebelled against the government of England and established their own country, they had a choice in an unregulated, unfettered free market system or a system of government with checks and balances and regulations and rules. So much for the antigovernment movement in our Nation. Our Founding Fathers were not antigovernment. They chose government, but they chose government with an overall structure of freedom and personal liberty along with regulation and rules, which leads us to the Bill of Rights.

Mr. Speaker, the First Amendment is one of the great landmarks in human rights and personal freedom. It certainly is that not only in domestic history but in world history. It protects free speech, freedom of and freedom from religion, the right to assemble and to petition the government. It also happens, and often not talked about in our country, it also happens to be the greatest economic program in the history of our country. Think about it.

I asked the Congressional Research Service and their experts responded by saying to a specific question: How many jobs in the United States of America are tied to the First Amendment? Initially they said: It is practically incalculable. He said any job, and I quote, ''with a public presence'' could be considered protected under the First Amendment. And, therefore, the Congressional Research Service conservatively estimated that approximately 50 percent of all jobs in the United States are tied to the First Amendment. Imagine, or just stop and think about it. Every newspaper in this Nation and the jobs that emanate from those newspapers are tied to the First Amendment. Books, Internet publications, every TV station, social media, public speaking, Sirius Network, AM/FM radio, advocacy, lawyers, movies, CDs, DVDs, VHRs, VHSs, Comcast, Blu-ray, MP3 players, Democrats and Republicans, telephone services, cell phones, Droids, pagers, music—classical, R&B, pop, country western, hip-hop, techno, karaoke—the United States Postal Service, Federal Express, UPS, print advertising, Times Square, New York City, commercials, iPods, iPhones, iPads, computers, art, museums, photography, education, colleges and schools, theaters, plays, musicals, and on and on and on, they have their basis in the First Amendment.

That doesn't even include freedom of religion, the churches, the synagogues, the mosques, all religions, nonprofit organizations, 501(c)(3)s, 501(c)(4)s, charitable giving. All of this is First Amendment activity.

Mr. Speaker, the First Amendment, with American innovation through time, from the founding of our country to this very date has unleashed over time the greatest economy that the world has ever known. The Founding Fathers set in place a system that through our value system would give birth to more than 50 percent of all jobs in the United States of America. And that system has worked remarkably well for a long, long time.

But now there is a problem, Mr. Speaker. These devices will cause the loss of jobs at bookstores. Borders is closing almost 50 percent of its stores. It is going to cost the jobs of librarians and libraries, publishing houses, printers, book binders.

And where do we think these devices are made? They are not made here in the United States. They are most likely made in China or other places. So if you are not an American and if you believe in the value system that emanates from the First Amendment, including all of the jobs that emanate from the First Amendment, and you are outside of America and you are looking in, you need only wait for American innovation as a result of our own freedom system to take advantage of selling to the United States at some cheaper labor costs a product that helps strengthen our First Amendment. It comes, however, at the cost of jobs. Significant jobs.

So the First Amendment, the amendment that has unleashed such great economic activity and brought about such amazing innovation and helped America become the greatest economy in the world, is now known for helping the Chinese economy grow and create jobs and prosperity and, ironically, challenge America's place in the global economy.

We all know our economy has struggled over the past few years. The financial and economic crises have been devastating for many Americans. The unemployment rate still hovers near 9 percent. And in communities like mine, it is near 15 percent.

How do we turn our economy around? I have suggested, Mr. Speaker, that we follow the mold of the greatest capitalists and turn to our Constitution; turn to our bylaws, the bylaws of the American enterprise. That is what President Roosevelt did as he began his fourth term in office.

Mr. Speaker, here is what President Roosevelt said on January 11, 1944, in his State of the Union address. January 11, 1944, unemployment is beginning to come down, but throughout President Roosevelt's administration, we see the highest levels of unemployment in the history of the United States, the period known as the Great Depression.

But as we are coming out of that Great Depression, President Roosevelt, after having served nearly four terms as President of the United States, has some insights on how future generations of Americans must address unemployment. Today, unemployment hovering at around 9 percent.

Let's hear what our President had to say: ''It is now our duty to begin to lay the plans and determine the strategy for winning a lasting peace and the establishment of an American standard of living higher than we have ever known before. We cannot be content, no matter how high the general standard of living may be, if some fraction of our people''—and this is January 11, 1944—''whether it be one-third or one-fifth or one-tenth is ill-fed, ill-clothed, ill-housed and insecure.''

□ 1840

''This Republic had its beginning''—1788, 1791—''and grew to its present strength, under the protection of certain inalienable political rights.''

Here Roosevelt is giving deference to the idea that the First Amendment through the Great Depression is responsible for most of the Nation's jobs.

''Among these rights,'' President Roosevelt says, ''is the right of free speech, free press, free worship, trial by jury, freedom from unreasonable searches and seizures. They were our rights to life and liberty.

''As our Nation has grown in size and stature, however,'' the President acknowledges, ''as our industrial economy expanded, these political rights proved inadequate to assure us''—that is, every American—''equality in the pursuit of happiness.

''We have come to a clear realization of the fact that true individual freedom cannot exist without economic security and independence.

''Necessitous men are not free men. People who are hungry and out of a job are the stuff of which dictatorships are made.

''In our day, these economic truths have become accepted as self-evident. We have accepted, so to speak, a second Bill of Rights under which a new basis of security and prosperity can be established for all, regardless of station, race, or creed.

''Among these are:

''The right to a job; the right to earn enough food to provide for one's family; the right to every farmer to raise and sell their products; the right of every businessman, large and small; the right of every family to a decent home; the right to adequate medical care; the right to adequate protection from the economic fears of old age and sickness and accident and unemployment; the right to a good education; all of these rights.

''And after this war is won,'' he said, ''they spell security. We must be prepared to move forward''—forward through time, a time that President Roosevelt himself would not live to see—''in the implementation of these rights, to new goals of human happiness and well-being.

''America's own rightful place in the world depends in large part upon how fully these rights and similar rights are carried into practice by our citizens.''

Mr. Speaker, what if we amended the Constitution, if we amended the bylaws of America, to include the right of every citizen to an education of equal high quality? What would that do for architects, and roofers, and bricklayers and manufacturers, as school districts across this country seek to meet the equal high quality standard by building new schools and improving existing ones?

What would it do for the NASDAQ, as schools improve their technological capabilities with laptops and computers and iPads and Nooks and Kindles and other devices? There are 60 million children in the Nation's public school systems. Sixty million. I believe that, like the First Amendment over time, an amendment guaranteeing every American the right to a quality education for all students would provide a huge economic boost for our country, just like the First Amendment at the inception of our country is responsible for 50 percent of all jobs, if we truly want to compete with China, with India, with other countries around the world, if we truly want a population that is better educated than any other population on planet Earth, capable of paying more taxes, eliminating unemployment, rebuilding schools, rebuilding bridges, rebuilding hope in our communities, and by definition every time we build a newer first class school, we change the property values of every home around that school. In America we just don't sell housing anymore, we sell housing plus schools at the same time.

I wish every Member of Congress, Mr. Speaker, in my home State would visit New Trier in the northwest suburbs. New Trier High School represents quality of education that is provided unlike any other high school in the Nation. There are state-of-the-art classrooms, with small class sizes. It has top quality athletic facilities including two aquatic centers. That's swimming. The school rents it out for fees, raising revenue to help offset some of its cost. There are 17 varsity athletic teams for boys and 17 varsity athletic teams for girls. New Trier is noted for its drama, for its music, for its visual arts programs. Students are given the opportunity to develop all of the aspects of their talent. They are given a full educational experience that molds boys and girls into young men and women. The academics at New Trier are unrivaled. In 2006, the mean SAT verbal score was 620, and the mean SAT math score was 650, meaning that 1370 was an average score at New Trier. The school literally churns out Ivy Leaguers.

Mr. Speaker, I think we need more New Triers. We need all of our schools to have the facilities, the resources, the rigor of New Trier. I certainly need it in my congressional district on the south side of Chicago. And if there is someone out there in America who wishes they had a school like that in their congressional district, I wish they would just go touch their television set, Mr. Speaker and say ''amen.''

But we can't get there, Mr. Speaker, under local property tax regimes that fund our schools. In the 50 States and territories, there are 95,000 public schools in 15,000 school districts, in 20,000 cities—all different, all separate, all unequal and all funded differently.

At New Trier, roughly $15,000 is spent on every child per year, which is nearly double the State average. That's because New Trier is located in one of the wealthiest areas in my State and, therefore, has the resources to fund such a high quality education.

Now I don't want to take, Mr. Speaker, anything from New Trier. My vision on the floor of this Congress is that the United States of America should be building 95,000 New Triers across our country—that's 95,000 schools putting millions of Americans to work in high quality education—for as long as there is an America, not for the 112th Congress, not for the 113th Congress, but for all of these Congresses, and there have been 112 Congresses that have made the First Amendment responsible for 51 percent of all jobs in this Nation. It has taken 112 Congresses for 51 percent of all jobs to be vested in the First Amendment.

What's the great thing about my amendment? The jobs that are associated with building 95,000 schools are not likely to end up in Beijing. Because building schools has something to do with putting Americans to work. That's very different than building iPads, or using First Amendment values that tend to leave our own country and, yes, they spread good will throughout the world but it takes our quality of life and our standard of living with them.

And that's what Mr. Roosevelt is talking about. I mean, he is the President that had to address unemployment. So what Roosevelt is looking for are jobs with domestic content. But he recognizes that the Constitution of the United States, however much we honor it, is insufficient on the question of economic rights for all Americans to ensure that future generations of Americans will be the beneficiary of the highest possible education standard that the world has ever known.

As I have said, Mr. Speaker, it will create new jobs over time. As teachers are hired to provide that high quality education and schools are built and rebuilt and technology is purchased and maintained, that will unleash over time immense economic capitalistic activity that will drive job creation and corporate profits for generations to come. Yes, Mr. Speaker, there will be a cost. But if we can find money for the

wars in Iraq and Afghanistan, if we can find money to bail out Wall Street, if, as Martin Luther King, Jr. said, we can find money to put a man on the Moon, then we ought to be able to find money to put a man and a woman on their own two feet right here in America and guarantee our children an equal high quality education like that of New Trier.

Mr. Speaker, only the Constitution of the United States can guarantee that kind of education system and at the same time unleash incredible job growth and economic activity.

With the few minutes I have remaining, I have been dedicating this session of Congress to the unemployed. A lot of unemployed people have been sending me their resumes, and the cost of inputting their resumes into the House RECORD, for which I am asking them to continue to send me their resumes and stories, is astronomical.

□ 1850

And I wonder sometimes, Mr. Speaker, why the CONGRESSIONAL RECORD isn't digitized, why we still have to cut down trees to print all of these speeches delivered by Members of Congress. Well, the cost would be significantly less if the Congress of the United States would catch up to the Nation's education system and start digitizing the CONGRESSIONAL RECORD. I'm not totally unconvinced yet that we're not dragging our feet into the future on purpose.

With that said, I want to read a few stories of some people who have been going through, well, a whole lot of hell, Mr. Speaker, in this economy. These are the stories of our men and women who have served. This is from John Bridges:

''Representative JACKSON, I appreciate your effort to show the country what's happening to the veterans by entering their resumes in the CONGRESSIONAL RECORD. A bit of background for you: I was raised in Tilden, Illinois, and joined the U.S. Navy when I was 17. And after 22 years, I retired in the Dallas, Texas, area. I then went into the wireless telecommunications industry for over 12 years before being laid off at the end of August, 2010.

''I have not had any success with any position since that time. I've had one interview with the VA, and an upcoming one with the University of North Texas. However, I have not heard back from anyone, so I'm assuming that the positions have gone to other individuals. Thank you, and good luck with this effort, as well as your service to the Congress.''

Thank you, Mr. Bridges. We're going to do what we can, I hope, one of these days in this Congress to find you a job.

How about a former sergeant from the United States Marine Corps, Robert Green: ''Congressman JACKSON, Jr., thank you for thinking of the veterans, whose sacrifice for our country should always be respected and honored the way one veteran honors another.

''My story is that after getting out of the Marine Corps in 1980 I landed a job as a welder working in Arizona on a power plant. I went to night school, obtained my certificate of completion for the trade I was working in and continued to use my benefits to add classes at the local community college level while raising my family and trying to live the American Dream. After nearly 30 years of work in the construction industry I found myself laid off.

''I had not completed the degree program, but had the experience and enough credits for a 2-year degree in the industry. I had worked hard to establish a role of senior project manager on a construction project; yet without that degree, most companies will not even give me a call.

''It is my hope that this idea not only heightens the concern of veterans, but sheds light on the college industry's business model that keeps people forever pursuing degrees that, despite their personal life changes, nothing changes. Thanks again.'' Former sergeant, United States Marine Corps, Robert Green.

''Congressman, I am currently a government contractor with the 505th Training Squadron at Hurlburt Field, Florida. We're undergoing a Research Management Decision, RMD 802, which includes the realigning of resources for fiscal year 2010 and 2014 to decrease funding for contract support and increase funding for approximately 33,400 new civilian manpower authorizations, 10,000 of which are for the defense acquisition workforce.

I and three other 30-percent-or-more disabled veterans are being replaced by workers and will be terminated from employment effective the 25th of February, 2011. All three of us have served our country for over 20 years and have been an integral part of the 505th Combat Training Squadron for years. It's going to be a difficult task to find work because of our age and our disabilities.

''I myself, having young children and limited opportunities for work, find myself wondering if everything that I've worked for and the American Dream of keeping my house and putting my kids through college has now become a nightmare. Thanks for promising to post the veterans' resumes. And I believe that even though you're not promising jobs, at least you're trying to bring visibility to the plight of our Nation's veterans.'' Mr. Tracy L. Palmer—put his life on the line for the United States of America. The least we can do is try and find Mr. Palmer a job.

''Good evening. My name is Thomas Gadbois. I recently read an article about this program in the Marine Times. I served in the Marine Corps from 2001 to 2002 before receiving a medical discharge. I was separated after having a seizure disorder. During my time in the Corps I served as a radio operator, a platoon sergeant, and worked a complex entry control point while serving in Iraq in 2007. I've been searching for a job for over 1 year now, and my family and I recently relocated to Okinawa, Japan, where the job search still continues.

''I would like to thank you for starting this program. There are so many veterans out there that can be productive members of our society if the Congress of the United States would just find something for them to do.''

Out of respect for your resume, which is going into the CONGRESSIONAL RECORD tonight, my hat is off to you, Thomas Gadbois. We're going to do what we can to try and find you a job.

''I served as an active duty member, full time, in the 111th Fighter Wing of the Pennsylvania Air National Guard for over 20 years, Mr. Speaker, as an ordnance mechanic. I took advantage of the VA programs after retiring in 2000 to start a second career in the information technology field. I applied to all technology positions at a local VA medical center as they were available. My application was not even considered. I never gave up and tried for at least 10 more years.

''In my last job, I was making $44,000, but it was just enough for the both of us. Now I am forced to tell potential employers I will take a minimum of $15 per hour just to get interviewed. I see American companies wallowing in their greed, Mr. Speaker, to outsource jobs to other countries because it's cheaper, and that's what we're getting into, cheap products instead of investing in the talents and the skills and the knowledge of the American worker. This has to stop somewhere. ''Respectfully yours, Pasquale Filoromo, TSgt United States Air Force, retired.''

They go on and on and on.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to submit extraneous materials for the RECORD relating to the subject of this Special Order, including the names of these veterans that I specifically offered tonight.

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

There was no objection.

JOHN M. BRIDGES

(817) 846–9080

Profile:

Technical Applications, Quality Control, Training/Development, Management, Customer Relations, Troubleshooting

A self-starter with proven ability to deliver high quality projects from inception to completion, on schedule and within budget. Innovative, resourceful and inventive with an extra-ordinary ability to identify opportunities, make things happen, and consistently achieve goals and objectives.

Areas of expertise:

DMS HLR100/200, ATCA, VSE , GSM, Telecommunication System Troubleshooting, Commissioning/Installation, Customer Support, System Maintenance/Upgrades/Expansion, Customer/Employee Technical Training.

Professional history:

NORTEL/ERICSSON, Richardson, Texas, 1999–2010, Network integration specialist—

Commissioned and integrated DMS, GSM, iDEN, HLR100/200 and ATCA HLR (VSE) systems. Performed internal technical support,

installation support, as well as customer information, documentation, and training.

Completed all DO–EMS application installations for the CCMP equipment for the Verizon Ohio/Michigan area.

GSM HLR Subject Matter Expert for Readiness group, responsible for implementing and activating ATCA HLR's and transferring knowledge base to co-workers and customers to ensure satisfaction of quality and service.

Coordinated work activities for 6 different HLR200's and the initial commissioning in absence of the Implementation Prime. Assisted with provisioning of equipment as well as monitoring of sites including resolution of difficult or non-existent procedures.

On-site Team Leader/Prime for HLR 200 commissioning and installation on over 30 HLR sites for Cingular Wireless, T-Mobile, and AWS.

NSS Prime for coordinating FP Decommissioning on HLR100's for three major market customers as well as over 120 different DMS–MSC's. This in addition to completing the procedure to remove the software itself.

Completed SDM–FT upgrades on various customer sites from GEM 10.1 to GEM12, GEM16 to GEM17 including software and CPU card upgrade, SBA applications, and associated hardware.

Completed all NI acceptance testing requirements for iDEN CDMA and GSM DMS–MSC customers assigned within acceptable parameters and time limits.

SPRINT PCS, Trouble Management Team Leader, Ft. Worth, Texas—

Promoted rapidly to Team Leader. A position requiring specialized knowledge of all other departments within the organization as well as a proven ability to interact with the general public. Combined proven market cognizance with a practiced business sense.

Coordinated efforts of 30 team members, as well as other department personnel, to fully understand all aspects of the telecommunications industry. Exercised planning, controlling and organizing skills to set priorities and determine the correct handling of difficult activation's, report and resolution of network transmission issues.

THE ASSOCIATES, Customer Service Advocate, Irving, Texas—Contributed vision, planning and interpersonal expertise crucial to organizational efficiency and business growth.

Military service:

UNITED STATES NAVY, Various Locations/Domestic and Foreign, Radioman Chief Petty Officer—RMC(SW)/E–7 Various Locations—

Progressed through numerous promotions with a broad range of responsibilities culminating in Director Navy/Marine Corps MARS, Region Three.

Managed up to 80 enlisted personnel and more than 300 volunteers in settings that ranged from a one-person office to a five-state directorship.

Chief in charge of Radio Communications aboard USS Tuscaloosa which included assignment as ship's CMS custodian. Responsible for all UHF, HF, and Satellite communications.

Provided physical security for all assigned stations as well as electronic security to prevent unauthorized access to classified material.

Held a Top Secret Clearance for over 20 years.

Education:

Bachelor in Business Administration, Northwood University—GPA 3.74

Management/Computer Information Management

ROBERT G. GREEN

Cell 480–297–4103, Scottsdale, AZ, rggreen@qwest.net

Profile:

Multi-project management—More than 14+ years of successful management of small and large scale, complex construction projects, with a proven record of completing projects on time and under budget. Project portfolio encompasses schools, healthcare, warehouse, high rise, private and public sectors. My Completed Construction Dollar Volume Ranged from $5 million to $35 million.

Communication—Reputation as an confident leader with strong interpersonal and written communication skills that provides a foundation for building a successful collaboration with architects, engineers, building officials, management and owners.

Safety—Extensive experience in developing project safety programs that incorporate quality control specifications, OSHA safety standards and regulatory compliance to prevent accidents. Programs regularly exceeded project and governing authorities' expectations.

Leadership—Proven leadership ability to mentor project engineers and directly manage staff while indirectly supervising the efforts of project workers in support of various aspects of the project. Leadership qualities uphold honesty, integrity, and a commitment to safety.

Experience and achievements:

Summit Builders, Inc., 10/2008–06/2009, Sr. Project Manager—Recruited to organize and manage operations for multiple construction projects. Responsibilities included estimating, budget analysis, scheduling, writing sub contracts and maintained budgets, monitoring quality control standards, sub-contractor and owner relations.

McCarthy Building Companies, Inc., 6/2003–10/2008, Project Manager—Employed as a Project manager for the Small Projects division however the first assignment was the project manager for a large scale, high-profile LEED Green project with involvement from Preconstruction through completion. Performed tasks such as pre-construction schedule development, scope development, contract administration, constructability reviews, contractor coordination, and implementation of quality control and safety standards, damage assessments, generated daily activity reports, and monitored overall project flow. Upon completion developed multi-project skills as project manager for the Small projects division managing multiple school projects during the same period of time.

KSL Development, 9/2002–5/2003, Owners Representative—Responsible for advising the owner of all major construction issues, budget and schedule variances, and quality concerns during the construction of a ballroom and parking structure. Monitored the construction process as operations for the existing facility continued, including but not limited to requests for information, requests for change orders, contractor payment requests, testing, inspections, Coordinated work stoppages with Resort events schedule, permitting and occupancy status, commissioning, close-out and turn over to operations management.

Target General, Inc., 1999–7/2002, Project Manager—Projects include a big box combo site, public library and community center, community college and elementary school.

Qualifications:

Project Manager Training Seminar McCarthy

Advanced Project Manager McCarthy

OSHA 10 hour Safety Course

Red Cross CPR & First Aid Certified

Maricopa County Dust Control Compliance LEED Certified Project Completed

Certificate Of Crane Safety Trained

Certification as a journeyman Steam fitter

Combat Engineer, USMC SGT.

PV–100 NABCEP training

Completed PMP Training awaiting test

Work history—Projects:

10/2008–06/2009, Sr. Project Manager, Summit Builders, Inc., Desert Foothills YMCA, Community Center & College Cost—$10 Million

6/2003–10/2008, Project Manager, McCarthy Building Companies, Inc.: Holdeman and Thew Elementary Schools—60,000 SF each Cost—$9.5 million each; Scales Elementary School—65,000 SF Cost—$9.2 million; Pilgrim Rest Wellness Center—38,000 SF Cost—$4.5 million; ASU Foundation Fulton Center—147,000 SF Cost—$35.5 million.

9/2002–5/2003, Owners Representative, KSL Development at the Arizona Biltmore (constructed by Hunt Const.)

1999–7/2002, Project Manager, Target General, Inc.: Coconino Community College, Flagstaff Cost—$27 Million; Peoria 25, Zuni Hill K–6, 208,000 SF Cost—$9.2 Million; Fountain Hills Library and Community Center, 55,000 SF Cost—$4.5 Million; Wal-mart Superstore, 208,000 SF Retail store Cost—Combo w/Sam's $12 Million; Sam's Club, 135,000 SF Wholesale warehouse—Cost—(See Above); Offices at Raintree, 11 building office park Cost—$8 Million.

1995–1999, Project Manager, Huber, Hunt & Nichols, Inc.: Anasazi Office Park and Parking Garage, 110,000 SF office building and 100,000 SF parking garage. Cost—$7.5 million; VA Medic 1 Center, Phase I Ambulatory Care Addition, 180,000 SF Cost—$29 million.

TRACY L. PALMER

retaf03@yahoo.com, 604 Rowan Circle, Crestview, FL 32536, H: (850) 758–0558.

Objective:

Seeking a challenging position with your Professional Business Unit

Summary of Qualifications and Career Highlights:

Twenty-three years of progressively responsible supervisory and technical experience while on active duty with the United States Air Force

Secret security clearance NACLC as of October 15, 2007

Controlled Area Monitor, Security Monitor, Communication Security (COMSEC) custodian, Records Manager, Cost Estimate Coordinator, Office Manager, Database Manager, Training Instructor, Scheduler

Strong working background with Department of Defense Manuals, Regulations and Technical Orders

Knowledge of all Microsoft Office products

A.S. Degree, Information Systems Technologies, Community College of the Air Force

Currently enrolled in Northwest Florida State University pursuing a Computer Information Administrator Degree

Professional Experience & Career Highlights:

2008 to Present: Professional Control Force Controller, TYONEK Corporation, 505th Combat Training Squadron, 505th Command and Control Wing, Hurlburt Field, Florida—

Provides air operations data through the Theater Battle Management Core System (TBMCS) and Air War Simulator (AWSIM) to the Air Operations Center (AOC) Joint Forces Air Component Commander (JFACC) as a simulated Wing Operations Center (WOC) controller during joint training events and experiments

Provides written reports using the Theater Battle Management Core System (TBMCS) information operation communication tool to close air support/strike, intelligence surveillance, tanker/airlift and air defense controllers through all phases of joint exercise training

Provides command and control statistical data to the Commander Air Force Forces (COMAFFOR) during joint training events using the Logistics Simulation model (LOGSIM) and Time-Phased Force Deployment Data (TPFDD) while participating in strategic planning of joint exercise scenario development of assigned major command programs by implementing and monitoring exercise events using the Joint Master Scenario Event List (JMSEL)

Provides operational level of war subject matter expertise to the Air Operations Center (AOC) in the command and control arena while producing message traffic and telecommunications to simulate all levels of command and control while interacting with the training audience to provide joint training

Documents planning and programming decisions by providing after action comments to senior leaders for analysis of joint exercise training effectiveness

Provides administrative direction and collaborative coordination between cells within the control group via an embedded email function and message release system during joint exercise events

Responsible for scheduling exercises, tests, and experimentation support as directed by Higher Headquarters using the Enterprise Scheduling Tool (EST)

Manages the squadron's current computer scheduling capabilities and ensures all events are entered into the appropriate software and databases

Re-wrote the 505th Combat Training Squadron Controlled/Open Storage Operating Instruction

Briefs squadron commanders on current and future events, and scheduling conflicts

Creates, coordinates, and monitors presentations for the organization's missions, exercises, experimentation support, and associated conferences

Assists in the implementation of the organization's SharePoint system providing a single integrated location where employees can efficiently collaborate with team members and find organizational resources

Operates models, simulators and collaboration tools; prepares databases, controller interfaces and reports for various training activities

Reviews and submits travel authorization request through the proper channels for approval in support of numerous exercises and events

Coordinate travel estimates between contractor, customer and contracts personnel to be sure funds are added to the contract

Updates cost estimate databases and provides reports to management in the tracking of expenditures involving organization travel cost

2008: Center Manager/Training Instructor, JobsPlus, Ft. Walton Beach, FL—

Managed and controlled facilities, equipment, and supplies while supervising 20 employees

Conducted research and needs assessment relevant to course development and revisions, changes in policies and procedures, professional development plans and the delivery of course materials

Planned, prepared, and revised work schedules and duty assignments according to customer needs, problems, workloads and statistical forecasts

Oversaw employment projects managed by Center employees, including the ability to reach placement goals and leverage local resources

Conducted regular, timely, performance evaluations for all Center employees

Conducted monthly Center meetings to analyze internal processes and recommend and implement procedural or policy changes to improve operations

Participated in regular Center and employee performance review sessions

Ordered, acquired, distributed and stored supplies

Directed or coordinated the supportive services department within the organization

Hired and terminated administrative personnel

Prepared and reviewed operational reports and schedules to ensure accuracy and efficiency

2006 to 2008: Military Operations Analyst, Lockheed Martin Corporation, 505th Combat Training Squadron, 505th Command and Control Wing, Hurlburt Field, Florida

Provided subject matter expertise in the command and control arena

Received, processed, and controlled data for operational purposes

Developed command and control instructions and maintained training reference files, directives, office instructions, lesson plans, training aids and training records

Researched and developed planning and training documents supporting the customer's Air Operations Center (AOC) and Air Force Forces (AFFOR) staff training objectives

Operated models, simulators and collaboration tools; prepares databases, controller interfaces and reports for various training activities

Produces message traffic and telecommunications to simulate all levels of command and interacts with the training audience to provide a realistic environment

Participated in the planning and execution of ARDENT SENTRY-NORTHERN EDGE 07 which is a Joint Chiefs of Staff-directed, U.S. Northern Command (USNORTHCOM) sponsored homeland defense and Defense Support of Civil Authorities (DSCA) exercise

Developed a basic knowledge of applicable federal, state and local laws and regulations, guidelines issued by DHS, FEMA, EPA, OSHA and directives such as Homeland Security Presidential Directives (HSPDs) related to emergency preparedness, infrastructure protection and physical security

Primary security monitor responsible for classified safe and records management

2003–2006: Senior Juvenile Detention Officer, State of Florida, Crestview Facility—

Supervised over 400 juveniles in a 30 month period planning and coordinating schedules and daily operations

Ensured that offender services and programs were in compliance with Department of Juvenile Justice and court ordered regulations, detention services manual, facility operating procedures and quality assurance standards

Assisted operations of detention center providing safe, secure care and custody of all assigned detainees without fail

Developed and implemented corrective action plans

Maintained a safe environment and created an atmosphere that had zero tolerance for detainee escapes, abuse or sexual harassment

Ensured that all detainees were provided their constitutional rights with special concern for legal, medical and mental health issues

Developed and implemented a Home Detention Monitoring system that was used in two counties to track at risk youths

1980–2003: Command and Control Specialist, United States Air Force, Various Assignments—

Provided supervision of a 24/7 operating United States Air Force command center directing oversight of the command, control, communication and information support to all agencies

Developed and revised Quick Reaction Checklist (QRC) that were used in the dissemination of information to Numbered Air Forces (NAF), Major Commands (MAJCOM), National Military Command Center (NMCC), and the Air Force Operations Center (AFOC)

Developed and prepared management reports and briefings based on documented processes to provide decision makers real-time data to make informed decisions

Coordinated, directed, monitored, and reported mission movement during pre, in, and post flight phases with on and off base agencies to ensure successful mission accomplishment

Served as the responsible agency for command post operations and executed mission movement of the unit's peacetime, contingency, and wartime flying operations

Reviewed and coordinated the daily flying schedule with all involved agencies

Analyzed and evaluated unit response requirements and functioned as the executive agency for the wing command and staff as related to command and control activities

Assisted in development and implementation of proficiency training and certification programs for command post controllers

Provided certification instructions to controllers in areas of emergency action procedures, flight following, SORTS, C4 systems, operational reports, and command post security procedures

Assisted in managing wing level Status of Resource and Training Systems (SORTS) and other reporting programs

Used computer generated messages and reports software to submit reports for unit assigned aircraft, along with other operationally required reports

Collected, consolidated, and reported to higher headquarters combat readiness data from subordinate flying and non-flying units

Assisted with the management and control of facilities, equipment, and supplies

Assisted in the management and control of budgets for the command post

Assisted in establishing requirements for command and control activities

Managed accountability for equipment and supply accounts

Maintained a current publications library (to include JCS, DoD, USAF, GMAJCOM, AFRC, and local C2 directives)

Exercise Evaluation team member working with United States Air Force, local, and federal emergency response personnel to develop and implement exercises, drills, inspections, training, and assisted in the establishment of documentation and evaluation of emergency response exercises and Emergency Operations Center activation drills

Created course materials, developed exercise and tests which provided initial, refresher and recurring training on command emergency actions exercises

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REYES (at the request of Ms. PELOSI) for today and the balance of the week on account of illness in the family.

ADJOURNMENT

Mr. JACKSON of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 56 minutes p.m.), the House adjourned until tomorrow, Friday, March 11, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

802. A letter from the Director, Policy Issuances Division, Department of Agriculture, transmitting the Department's final rule — Nutrition Labeling of Single-Ingredient Products and Ground or Chopped Meat and Poultry Products [Docket No.: FSIS-2005-0018] (RIN: 0583-AC60) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

803. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Citrus Seed Imports; Citrus Greening and Citrus Variegated Chlorosis [Docket No.: APHIS-2008-0052] (RIN: 0579-AD07) received February 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

804. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding the submission of the report specifying for each Reserve component the additional items of equipment that would be procured; to the Committee on Armed Services.

805. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Government Support Contractor Access to Technical Data (DFARS Case 2009-D031) received March 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

806. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Limitations on Procurements with Non-Defense Agencies (DFARS Case 2009-D027) (RIN: 0750-AG67) received February 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

807. A letter from the Director, Department of the Treasury, transmitting the Department's final rule — Transfer and Reorganization of Bank Secrecy Act Regulations-Technical Amendment (RIN: 1506-AA92) received February 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

808. A letter from the Chairman, Federal Reserve System, transmitting the System's semiannual Monetary Policy Report, pursuant to Public Law 106-569; to the Committee on Financial Services.

809. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's eleventh report describing the progress made in licensing and constructing the Alaska natural gas pipeline and describing any issue impeding that progress; to the Committee on Energy and Commerce.

810. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Electronic Payment of Registration Fees; 60-Day Notice of the Proposed Statement of Registration Information Collection (RIN: 1400-AC74) received February 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

811. A letter from the Chairman, Commodity Futures Trading Commission, transmitting the Commission's Strategic Plan, FY 2011 to FY 2015; to the Committee on Oversight and Government Reform.

812. A letter from the Secretary, Department of Energy, transmitting the Department's Fiscal Year 2010 Agency Financial Report; to the Committee on Oversight and Government Reform.

813. A letter from the Assistant Secretary, Indian Affairs, Department of the Interior, transmitting the annual report on the Contract Support Costs of Self-Determination Awards, pursuant to Public Law 93-638, section 106(c); to the Committee on Natural Resources.

814. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Alabama Regulatory Program [SATS No.: AL-075-FOR; Docket No. OSM-2010-0001] received February 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

815. A letter from the Rules Administrator, Federal Bureau of Prisons, transmitting the Bureau's final rule — Use of Less-Than-Lethal Force: Delegation [BOP-1146-F] (RIN: 1120-AB46) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

816. A letter from the Rules Administrator, Federal Bureau of Prisons, transmitting the Bureau's final rule — Inmate Furloughs [BOP Docket No.: 1144-F] (RIN: 1120-AB44) received February 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

817. A letter from the President and Chief Executive Officer, Amtrak, National Railroad Passenger Corporation, transmitting the Corporation's FY 2012 General and Legislative Annual Report; to the Committee on Transportation and Infrastructure.

818. A letter from the United States Trade Representative, Executive Office of the President, transmitting the 2011 Trade Policy Agenda and the 2010 Annual Report on the Trade Agreements Program as prepared by the Administration, pursuant to 19 U.S.C. 2213, as amended; to the Committee on Ways and Means.

819. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Lactation Expenses as Medical Expenses Announcement 2011-14 received February 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

820. A letter from the Assistant Attorney General, Department of Justice, transmitting first quarterly report of FY 2011 on Uniformed Services Employment and Reemployment Rights Act of 1994; jointly to the Committees on the Judiciary and Veterans' Affairs.

821. A letter from the Director, Congressional Budget Office, transmitting the Congressional Budget Office's estimate on the direct spending and revenue effects of H.R. 2, the Repealing the Job-Killing Health Care Law; jointly to the Committees on Energy and Commerce, Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Appropriations, the Budget, and Rules.

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. MICA: Committee on Transportation and Infrastructure. H.R. 658. A bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; with an amendment (Rept. 112–29, Pt. 1). Ordered to be printed.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 658. A bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; with an amendment; referred to the Committee on the Judiciary for a period ending not later than March 23, 2011, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(1), rule X.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 658. A bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; with an amendment; referred to the Committee on Science, Space, and Technology for a period ending not later than March 23, 2011, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(p), rule X.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LEVIN (for himself, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 992. A bill to amend the Internal Revenue Code of 1986 to create jobs through increased investment in infrastructure, and for other purposes; to the Committee on Ways and Means.

By Mr. FLORES (for himself, Mr. BOUSTANY, Mr. BOREN, Mr. CASSIDY, Mr. LANDRY, Mr. GENE GREEN of Texas, Mr. OLSON, Mr. GOHMERT, Mr. BRADY of Texas, Mr. HALL, Mr. CANSECO, Mr. SCALISE, Mr. SMITH of Texas, Mr. HARPER, and Mr. PALAZZO):

H.R. 993. A bill to extend outer Continental Shelf leases to accommodate permitting delays and to provide operators time to meet new drilling and safety requirements; to the Committee on Natural Resources.

By Mr. REHBERG:

H.R. 994. A bill to require Congress to lead by example and freeze its own pay for a fiscal year unless the Federal government did not run a deficit in the previous fiscal year; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. CARNAHAN (for himself and Mr. ROGERS of Michigan):

H.R. 995. A bill to improve transportation safety, efficiency, and system performance through innovative technology deployment and operations; to the Committee on Transportation and Infrastructure.

By Mr. MCGOVERN (for himself, Mr. ISSA, and Mr. BOUSTANY):

H.R. 996. A bill to limit the use of cluster munitions; to the Committee on Armed Services.

By Mr. KING of Iowa (for himself, Mr. GOHMERT, Mr. JONES, Mr. TURNER, Mr. ROSS of Florida, Mr. WESTMORELAND, Mrs. BACHMANN, Mr. POSEY, Mr. BROUN of Georgia, Mr. LATOURETTE, Mr. WITTMAN, Mr. ROE of Tennessee, Mr. BURTON of Indiana, Mr. ROKITA, Mr. BARTON of Texas, Mrs. BLACKBURN, Mr. LONG, Mr. SCHOCK, Mr. COFFMAN of Colorado, Mr. BUCHANAN, Mr. MCCAUL, Mr. SAM JOHNSON of Texas, Mr. ROHRABACHER, Mr. LATTA, Mr. NEUGEBAUER, Mr. JORDAN, Mrs. EMERSON, Mr. GARY G. MILLER of California, Mr. HERGER, Mr. CAMPBELL, Mrs. ADAMS, Mr. WILSON of South Carolina, Mr. BARTLETT, Mr. DREIER, Mr. SULLIVAN, Mr. LAMBORN, Mr. DAVIS of Kentucky, Mr. BACHUS, Mr. ROGERS of Michigan, Mr. PAUL, Mr. DUNCAN of Tennessee, Mr. MCCOTTER, Mr. GINGREY of Georgia, Mrs. MCMORRIS RODGERS, Ms. FOXX, Mr. SIMPSON, Mr. MCCLINTOCK, Mr. MILLER of Florida, Mr. TIBERI, Mr. SCALISE, Mr. FRANKS of Arizona, Mr. SMITH of Nebraska, Mr. GOODLATTE, Mr. FLEMING, Mrs. MYRICK, Mr. RIGELL, Mr. HARRIS, Mr. JOHNSON of Ohio, Mr. WEST, Mr. WALBERG, and Mr. CHABOT):

H.R. 997. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself, Mr. ACKERMAN, Mr. FARR, Mr. BACA, Mr. FILNER, Ms. BALDWIN, Mr. FRANK of Massachusetts, Ms. BERKLEY, Mr. AL GREEN of Texas, Mr. BERMAN, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. GUTIERREZ, Mr. BRADY of Pennsylvania, Mr. HASTINGS of Florida, Mr. BRALEY of Iowa, Mr. HIMES, Mrs. CAPPS, Mr. HINCHEY, Mr. CAPUANO, Ms. HIRONO, Ms. CASTOR of Florida, Mr. HOLT, Ms. CHU, Mr. HONDA, Mr. CICILLINE, Mr. ISRAEL, Ms. CLARKE of New York, Mr. JACKSON of Illinois, Mr. COURTNEY, Ms. JACKSON LEE of Texas, Mr. CROWLEY, Mr. KILDEE, Mrs. DAVIS of California, Mr. KUCINICH, Mr. DEFAZIO, Mr. LANGEVIN, Ms. DEGETTE, Mr. LARSON of Connecticut, Mr. DEUTCH, Ms. LEE of California, Mr. DOYLE, Mr. LEVIN, Mr. ELLISON, Mr. LEWIS of Georgia, Mr. ENGEL, Ms. ZOE LOFGREN of California, Ms. ESHOO, Mr. LUJÁN, Mr. KEATING, Mrs. MALONEY, Mr. MARKEY, Ms. ROS-LEHTINEN, Ms. MATSUI, Mr. ROTHMAN of New Jersey, Mrs. MCCARTHY of New York, Ms. ROYBAL-ALLARD, Ms. MCCOLLUM, Ms. LINDA T. SÁNCHEZ of California, Mr. MCDERMOTT, Mr. SARBANES, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. MEEKS, Mr. SERRANO, Mr. MICHAUD, Mr. SHERMAN, Ms. MOORE, Ms. SPEIER, Mr. MORAN, Mr. STARK, Mr. MURPHY of Connecticut, Ms. SUTTON, Mr. NADLER, Mr. TONKO, Mrs. NAPOLITANO, Mr. TOWNS, Mr. NEAL, Ms. TSONGAS, Ms. NORTON, Mr. VAN HOLLEN, Mr. OLVER, Ms. WASSERMAN SCHULTZ, Mr. PALLONE, Mr. WAXMAN, Mr. PETERS, Mr. WEINER, Ms. PINGREE of Maine, Mr. WELCH, Mr. QUIGLEY, Ms. WOOLSEY, Ms. RICHARDSON, Mr. WU, Mr. YARMUTH, Mr. COHEN, Mr. CUMMINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PASCRELL, Mr. CARSON of Indiana, and Mr. JOHNSON of Georgia):

H.R. 998. A bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY (for herself, Ms. DEGETTE, Mr. FARR, Mr. FRANK of Massachusetts, Mr. HINCHEY, Ms. LEE of California, Mr. LIPINSKI, Mrs. MALONEY, Ms. MCCOLLUM, Ms. PINGREE of Maine, Ms. WOOLSEY, Mr. HONDA, Mr. PRICE of North Carolina, Mr. SERRANO, Mr. GRIJALVA, Mr. GEORGE MILLER of California, Mr. STARK, Mr. PAYNE, Mr. WAXMAN, Mrs. CAPPS, and Mr. WEINER):

H.R. 999. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PIERLUISI (for himself, Mr. YOUNG of Alaska, Mr. BURTON of Indiana, Mr. TOWNS, Mr. FALEOMAVAEGA, Mr. SERRANO, Ms. JACKSON LEE of Texas, Mrs. CHRISTENSEN, Mr. CROWLEY, Mr. BACA, Ms. BORDALLO, Mr. DIAZ-BALART, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, Mr. SABLAN, Mr. GRIMM, and Mr. RIVERA):

H.R. 1000. A bill to amend title 10, United States Code, to increase the number of persons appointed to the military service academies from Puerto Rico from nominations made by the Resident Commissioner from Puerto Rico; to the Committee on Armed Services.

By Mr. MCINTYRE:

H.R. 1001. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California (for herself, Mr. FRANKS of Arizona, Mr. SMITH of Texas, Mr. COHEN, Mr. COBLE, Ms. JACKSON LEE of Texas, Mr. SENSENBRENNER, Mr. HALL, Mr. ROGERS of Kentucky, Mr. ACKERMAN, Mr. BARTON of Texas, Mr. GALLEGLY, Mr. UPTON, Mr. PALLONE, Mr. STEARNS, Ms. ESHOO, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOLDEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KING of New York, Mrs. MALONEY, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. THOMPSON of Mississippi, Mr. LUCAS, Mr. DOGGETT, Mr. DOYLE, Mr. FRELINGHUYSEN, Mr. JONES, Mr. LATHAM, Mr. LOBIONDO, Mrs. MYRICK, Mr. WHITFIELD, Mr. BRADY of Texas, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. PASCRELL, Mr. PITTS, Mr. ROTHMAN of New Jersey, Ms. LORETTA SANCHEZ of California, Mr. SESSIONS, Mr. SHIMKUS, Mr. MEEKS, Mrs. BONO MACK, Mr. BRADY of Pennsylvania, Mr. INSLEE, Mr. CHABOT, Mrs. BIGGERT, Mr. GONZALEZ, Mr. HOLT, Mr. SIMPSON, Mr. WEINER, Mr. CRENSHAW, Mr. CULBERSON, Mr. GRAVES of Missouri, Mr. ISRAEL, Mr. MATHESON, Mr. PLATTS, Mr. REHBERG, Mr. ROGERS of Michigan, Mr. ROSS of Arkansas, Mr. TIBERI, Mr. FORBES, Mr. WILSON of South Carolina, Mr. SULLIVAN, Mr. ALEXANDER, Mr. BISHOP of New York, Mrs. BLACKBURN, Mr. BURGESS, Mr. CARDOZA, Mr. CARTER, Mr. COLE, Mr. GARRETT, Mr. GERLACH, Mr. GRIJALVA, Mr. KING of Iowa, Mr. KLINE, Mr. MURPHY of Pennsylvania, Mr. RYAN of Ohio, Mr. DAVID SCOTT of Georgia, Mr. BARROW, Mr. BOREN, Mr. BOUSTANY, Mr. CONAWAY, Mr. COSTA, Mr. DENT, Ms. FOXX, Mr. MCCAUL, Mrs. MCMORRIS RODGERS, Mr. MACK, Mr. MARCHANT, Mr. POE of Texas, Mr. REICHERT, Ms. SCHWARTZ, Mr. WESTMORELAND, Ms. MATSUI, Mr. SIRES, Mrs. BACHMANN, Mr. HELLER, Mr. JORDAN, Mr. MCNERNEY, Mr. SHULER, Mr. SMITH of Nebraska, Ms. RICHARDSON, Mr. LATTA, Mr. WITTMAN, Ms. SPEIER, Mr. SCALISE, Mr. CHAFFETZ, Mr. HARPER, Mr. HUNTER, Mr. LANCE, Mr. OLSON, Mr. PAULSEN, Mr. POSEY, Mr. ROONEY, Mr. THOMPSON of Pennsylvania, Mr. OWENS, Mr. CRITZ, Mr. REED, Mr. FITZPATRICK, Mrs. ADAMS, Mr. BARLETTA, Mrs. BLACK, Mr. GOSAR, Mr. GRIMM, Mr. HANNA, Mr. HUELSKAMP, Mr. HULTGREN, Mr. LONG, Mr. MCKINLEY, Mrs. NOEM, Mr. QUAYLE, Mr. RUNYAN, Mr. SMITH of New Jersey, Mr. BROUN of Georgia, Mr. CALVERT, Mr. DANIEL E. LUNGREN of California, Ms. GRANGER, Mr. BURTON of Indiana, Mr. GRIFFIN of Arkansas, Mr. TONKO, and Mr. HINOJOSA):

H.R. 1002. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 1003. A bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for reserve members, former members of a reserve component, and unremarried surviving spouses and dependents of such members and former members; to the Committee on Armed Services.

By Mr. BOUSTANY (for himself, Mr. LARSON of Connecticut, Mr. PAULSEN, Mr. JOHNSON of Illinois, Mr. BISHOP of Georgia, and Mr. BURTON of Indiana):

H.R. 1004. A bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements; to the Committee on Ways and Means.

By Mr. BOUSTANY (for himself and Mr. NEAL):

H.R. 1005. A bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on

Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURTON of Indiana (for himself, Mr. GARRETT, Mr. LAMBORN, Mr. WALSH of Illinois, Mr. TIBERI, Mr. SHULER, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. MCKINLEY, Mr. ROSS of Florida, Mr. CHABOT, Mr. POMPEO, and Mr. GRIMM):

H.R. 1006. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Ms. CLARKE of New York:

H.R. 1007. A bill to amend the Homeland Security Act of 2002 to establish an appeal and redress process for individuals who are screened against the terrorist watchlist and wrongly delayed or prohibited from boarding a flight, or denied a right, benefit, or privilege, and for other purposes; to the Committee on Homeland Security.

By Mr. DUNCAN of Tennessee:

H.R. 1008. A bill to authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mr. SHIMKUS, and Mr. DOYLE):

H.R. 1009. A bill to amend the Communications Act of 1934 to authorize 3 or more Commissioners of the Federal Communications Commission to hold nonpublic collaborative discussions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FORBES:

H.R. 1010. A bill to provide for expedited consideration by the Supreme Court of certain actions challenging the constitutionality of certain provisions of the Patient Protection and Affordable Care Act; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington (for himself, Mrs. MCMORRIS RODGERS, and Ms. HERRERA BEUTLER):

H.R. 1011. A bill to amend the Internal Revenue Code of 1986 to allow tax-exempt bond financing for fixed-wing emergency medical aircraft; to the Committee on Ways and Means.

By Ms. HERRERA BEUTLER:

H.R. 1012. A bill to provide for a 10 percent reduction in pay for Members of Congress, the President, and the Vice President; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, 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. KEATING:

H.R. 1013. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide the New England Fishery Management Council additional resources to address research and monitoring priorities established by the Council; to the Committee on Natural Resources.

By Mr. LATTA (for himself, Mrs. MCMORRIS RODGERS, Ms. KAPTUR, and Mr. ROSS of Florida):

H.R. 1014. A bill to amend title 10, United States Code, to recognize the dependent children of members of the Armed Forces who are serving on active duty or who have served on active duty through the presentation of an official lapel button; to the Committee on Armed Services.

By Ms. LEE of California (for herself, Mr. JOHNSON of Georgia, and Ms. SPEIER):

H.R. 1015. A bill to provide for the honorary promotion of Charles Young to the grade of brigadier general in the United States Army; to the Committee on Armed Services.

By Ms. LEE of California:

H.R. 1016. A bill to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MARKEY (for himself, Mr. OWENS, Mr. WELCH, Ms. DELAURO, and Mrs. CAPPS):

H.R. 1017. A bill to provide for the sale of light grade petroleum from the Strategic Petroleum Reserve and its replacement with refined petroleum product; to the Committee on Energy and Commerce.

By Mr. NUNES (for himself and Mr. CROWLEY):

H.R. 1018. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for mortgage insurance premiums; to the Committee on Ways and Means.

By Mr. ROONEY (for himself and Mr. HUNTER):

H.R. 1019. A bill to ensure that members of the Armed Forces and civilian employees of the Department of Defense who were killed or wounded in certain attacks in 2009 and 2011 directed at members or employees outside of a combat zone are treated in the same manner as members and employees who are killed or wounded in combat zones; to the Committee on Armed Services, and in addition to the Committee on Oversight and Government Reform, 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. SABLAN (for himself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, and Ms. BORDALLO):

H.R. 1020. A bill to amend the Energy Policy Act of 2005 to include American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the Virgin Islands in certain efforts to reduce diesel emissions; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself, Mr. COHEN, Mr. COBLE, and Mr. CONYERS):

H.R. 1021. A bill to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts; to the Committee on the Judiciary.

By Ms. SPEIER (for herself, Mr. AUSTRIA, Ms. BERKLEY, Ms. BORDALLO, Mr. BUTTERFIELD, Mr. CONYERS, Mr. FARR, Mr. AL GREEN of Texas, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Ms. MOORE, Mrs. NAPOLITANO, Mr. RANGEL, Mr. REYES, Mr. SHERMAN, Mr. THOMPSON of Mississippi, Ms. ESHOO, and Ms. CLARKE of New York):

H.R. 1022. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Natural Resources.

By Mr. THORNBERRY:

H.R. 1023. A bill to secure unrestricted reliable energy for American consumption and transmission; to the Committee on Natural Resources, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TSONGAS:

H.R. 1024. A bill to prohibit entities from using Federal funds to contribute to political campaigns or participate in lobbying activities; to the Committee on the Judiciary, and in addition to the Committee on House Administration, 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. WALZ of Minnesota (for himself, Mr. LATHAM, and Mr. RUNYAN):

H.R. 1025. A bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; to the Committee on Veterans' Affairs.

By Ms. WATERS (for herself, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. AL GREEN of Texas, Mr. COSTELLO, Ms. MATSUI, and Mr. CARDOZA):

H.R. 1026. A bill to extend the authorization for the national flood insurance program, to identify priorities essential to reform and ongoing stable functioning of the program, and for other purposes; to the Committee on Financial Services.

By Mr. WEINER (for himself, Mr. ACKERMAN, Mr. BISHOP of New York, Mr. CROWLEY, Mr. ENGEL, Mr. HIGGINS, Mr. HINCHEY, Mr. ISRAEL, Mr. KING of New York, Mrs. LOWEY, Mrs. MALONEY, Mrs. MCCARTHY of New York, Mr. MEEKS, Mr. NADLER, Mr. OWENS, Mr. RANGEL, Mr. SERRANO, Mr. TONKO, Ms. SLAUGHTER, Ms. BUERKLE, Ms. HAYWORTH, Mr. GIBSON, Mr. GRIMM, Mr. HANNA, Mr. TOWNS, Ms. VELÁZQUEZ, and Ms. CLARKE of New York):

H.R. 1027. A bill to provide for the award of a gold medal on behalf of Congress posthumously to Father Mychal Judge, O.F.M., beloved Chaplain of the Fire Department of New York who passed away as the first recorded victim of the September 11, 2001, attacks in recognition of his example to the Nation of selfless dedication to duty and compassion for one's fellow citizens; to the Committee on Financial Services.

By Mr. WEINER (for himself, Mr. FRANK of Massachusetts, Mr. POLIS, Ms. BALDWIN, Mr. CICILLINE, Ms. RICHARDSON, Mr. HONDA, Mr. GUTIERREZ, Ms. NORTON, Ms. BERKLEY, Mr. LANGEVIN, Mr. ROTHMAN of New Jersey, Ms. BROWN of Florida, Mr. DOYLE, Mr. CAPUANO, Mr. ACKERMAN, Mr. BERMAN, Ms. MOORE, Mr. TOWNS, Mr. GRIJALVA, Mr. ISRAEL, Mr. ELLISON, Mr. BRADY of Pennsylvania, Mr. MCGOVERN, Mr. NADLER, Mr. MORAN, Mr. SERRANO, Mrs. MALONEY, Mr. GEORGE MILLER of California, Mr. HINCHEY, Ms. CHU, Mr. ENGEL, Ms. WOOLSEY, Ms. ZOE LOFGREN of California, Mr. PALLONE, Mr. MICHAUD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. PINGREE of Maine, Mr. FILNER, Mrs. CAPPS, Mr. STARK, Mr. HOLT, Mr. HIGGINS, Mr. SHERMAN, and Ms. SPEIER):

H.R. 1028. A bill to provide for equal access to COBRA continuation coverage; to the Committee on Education and the Workforce,

and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD (for himself and Mr. POLIS):

H.R. 1029. A bill to provide for payment to the survivor or surviving family members of compensation otherwise payable to a contractor employee of the Department of Energy who dies after application for compensation under the Energy Employees Occupational Illness Compensation Program Act of 2000, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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. WHITFIELD (for himself and Mr. POLIS):

H.R. 1030. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to establish the Advisory Board on Toxic Substances and Worker Health for the contractor employee compensation program under subtitle E of such Act; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE of Texas (for herself, Mr. CLEAVER, Mr. MEEKS, Mr. BUTTERFIELD, Ms. BROWN of Florida, Mr. GONZALEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Ms. FUDGE, Mr. JACKSON of Illinois, Ms. CLARKE of New York, Mr. CARSON of Indiana, Ms. SPEIER, Mr. ELLISON, Ms. CHU, Mr. RICHMOND, Ms. WATERS, Ms. MOORE, Ms. RICHARDSON, and Mr. AL GREEN of Texas):

H. Res. 160. A resolution honoring the 50th anniversary of the Houston Forward Times; to the Committee on Oversight and Government Reform.

By Mr. CROWLEY (for himself and Mr. KING of New York):

H. Res. 161. A resolution honoring the 250th anniversary of New York's St. Patrick's Day parade; to the Committee on Oversight and Government Reform.

By Mr. LATTA:

H. Res. 162. A resolution expressing the sense of the House of Representatives that any comprehensive plan to reform our national energy policy must promote the expanded use of renewable and alternative energy sources; increase our domestic refining capacity; promote conservation and increased energy efficiency; expand research and development, including domestic exploration; and enhance consumer education; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H. Res. 163. A resolution supporting the rights of all workers and calling for an end to the recent attacks on workers; to the Committee on Education and the Workforce.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. ACKERMAN, Mr. CAPUANO, Mr. DUNCAN of South Carolina, Ms. JACKSON LEE of Texas, Mr. DANIEL E. LUNGREN of California, Ms. SPEIER, Mr. JONES, Mrs. SCHMIDT, Mr. ROHRABACHER, and Mr. SIRES):

H. Res. 164. A resolution expressing the condolences of the House of Representatives to the people of the Islamic Republic of Pakistan upon the assassination of Shahbaz Bhatti, Minister for Minorities, who courageously advocated for religious freedom and tolerance in Pakistan and calling on the United States to renew its efforts with international partners in the Human Rights Council and the United Nations General Assembly to promote religious freedom and tolerance in accordance with international human rights standards; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LEVIN:

H.R. 992.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Sections 7 and 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. FLORES:

H.R. 993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. REHBERG:

H.R. 994.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article I of the Constitution which states ''The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.'' and Clause 1 of Section 1 of Article I which states: ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Mr. CARNAHAN:

H.R. 995.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. McGOVERN:

H.R. 996.

Congress has the power to enact this legislation pursuant to the following:

The Constitution's instruction '' to provide for the common defense''; and under Article I, Section 8, the clause stating, ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. KING of Iowa:

H.R. 997.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under Article I, Section 8, of the United States Constitution.

By Mr. POLIS:

H.R. 998.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution.

By Ms. SCHAKOWSKY:

H.R. 999.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8 of the United States Constitution (Clause 3), which grants Congress the power to regulate commerce among the several states.

By Mr. PIERLUISI:

H.R. 1000.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to raise and support Armies, as enumerated in Article I, Section 8, Clause 12 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18 of the Constitution.

By Mr. McINTYRE:

H.R. 1001.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Ms. ZOE LOFGREN of California:

H.R. 1002.

Congress has the power to enact this legislation pursuant to the following:

Section 5 of the 14th Amendment to the Constitution and Congress' plenary power under Article I, Section 8, Clause 3 of the Constitution (commonly known as the ''commerce clause''), in order to ensure that States and political subdivisions thereof do not discriminate against providers and consumers of mobile services by imposing new selective and excessive taxes and other burdens on such providers and consumers.

By Mr. YOUNG of Alaska:

H.R. 1003.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. BOUSTANY:

H.R. 1004.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Sixteenth Amendment: The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. BOUSTANY:

H.R. 1005.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution.

Clause 1 of Section 8 of Article 1 of the Constitution.

Clause 18 of Section 8 of Article 1 of the Constitution.

By Mr. BURTON of Indiana:
H.R. 1006.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 14 and 18.

By Ms. CLARKE of New York:
H.R. 1007.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.

By Mr. DUNCAN of Tennessee:
H.R. 1008.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. ESHOO:
H.R. 1009.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8; Article IV, Section 3.

By Mr. FORBES:
H.R. 1010.
Congress has the power to enact this legislation pursuant to the following:
Article III, Section 2, Clause 2.

By Mr. HASTINGS of Washington:
H.R. 1011.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. HERRERA BEUTLER:
H.R. 1012.
Congress has the power to enact this legislation pursuant to the following:
Congress is required by Article I, Section 6, of the Constitution to determine its own pay. This legislation is also consistent with the Twenty-Seventh Amendment of the Constitution.

By Mr. KEATING:
H.R. 1013.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

By Mr. LATTA:
H.R. 1014.
Congress has the power to enact this legislation pursuant to the following:
This resolution is enacted pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. LEE of California:
H.R. 1015.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:
H.R. 1016.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, of the United States Constitution, as clarified and interpreted by the Supreme Court of the United States.

By Mr. MARKEY:
H.R. 1017.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 and Article 1, Section 8, Clause 18.

By Mr. NUNES:
H.R. 1018.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the Constitution of the United States.

By Mr. ROONEY:
H.R. 1019.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 (Clauses 12, 13, 14, 16, 18) which grants Congress power to raise and support an army; provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; to provide for the organizing, arming and disciplining the militia; and to make all laws necessary and proper to carrying out the foregoing powers.

By Mr. SABLAN:
H.R. 1020.
Congress has the power to enact this legislation pursuant to the following:
Under Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2 of the Constitution.

By Mr. SMITH of Texas:
H.R. 1021.
Congress has the power to enact this legislation pursuant to the following:
The power of Congress to create inferior federal courts pursuant to Article III, Section 1. The power of Congress to enact uniform bankruptcy laws pursuant to Article I, Section 8.

By Ms. SPEIER:
H.R. 1022.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. THORNBERRY:
H.R. 1023.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 and Article IV, Section 3 of the United States Constitution.

By Ms. TSONGAS:
H.R. 1024.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article 1 of the United States Constitution.

By Mr. WALZ of Minnesota:
H.R. 1025.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section I: All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. WATERS:
H.R. 1026.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause III.

By Mr. WEINER:
H.R. 1027.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 5 of the United States Constitution.

By Mr. WEINER:
H.R. 1028.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WHITFIELD:
H.R. 1029.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. WHITFIELD:
H.R. 1030.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 of the United States Constitution.

ADDITIONAL SPONSORS

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

H.R. 3: Mr. ROONEY and Mr. REHBERG.
H.R. 27: Mr. PASTOR of Arizona.
H.R. 35: Mr. HUNTER.
H.R. 68: Mr. HENSARLING.
H.R. 104: Mr. CLARKE of Michigan.
H.R. 122: Mr. HUELSKAMP and Mr. HERGER.
H.R. 174: Ms. CLARKE of New York, Mrs. CHRISTENSEN, Ms. RICHARDSON, Mr. RICHMOND, Mr. DAVIS of Illinois, and Mr. KEATING.
H.R. 198: Mr. SESSIONS and Ms. HIRONO.
H.R. 217: Mr. REHBERG.
H.R. 218: Mr. SABLAN.
H.R. 219: Mr. POSEY.
H.R. 263: Ms. TSONGAS.
H.R. 276: Mr. CARTER.
H.R. 280: Mr. GARY G. MILLER of California.
H.R. 308: Mr. MCNERNEY, Ms. CLARKE of New York, and Ms. HANABUSA.
H.R. 365: Mr. NUNES.
H.R. 399: Mr. STARK.
H.R. 412: Ms. HERRERA BEUTLER.
H.R. 432: Mr. FARR.
H.R. 440: Mr. PAYNE, Mr. HASTINGS of Florida, and Ms. NORTON.
H.R. 452: Mr. MARCHANT, Mr. WILSON of South Carolina, Mr. GOSAR, Ms. BERKLEY, Mr. SCHOCK, Mr. FLAKE, and Mr. LATTA.
H.R. 455: Mr. LAMBORN and Mr. SAM JOHNSON of Texas.
H.R. 459: Mr. RIBBLE, Mr. STUTZMAN, Mr. SAM JOHNSON of Texas, and Mr. SCHRADER.
H.R. 469: Mr. WELCH, Mr. MCINTYRE, and Mrs. MILLER of Michigan.
H.R. 470: Mr. ROYCE.
H.R. 471: Mr. ROSS of Florida and Mr. NEUGEBAUER.
H.R. 513: Mr. DUNCAN of South Carolina and Mr. WILSON of South Carolina.
H.R. 515: Mr. COHEN, Mr. HASTINGS of Florida, Mr. DOGGETT, and Mr. MCINTYRE.
H.R. 539: Ms. BROWN of Florida.
H.R. 547: Ms. HAYWORTH.
H.R. 548: Mr. STUTZMAN and Mr. SAM JOHNSON of Texas.
H.R. 584: Ms. ESHOO.
H.R. 606: Mr. GARDNER and Mr. PITTS.
H.R. 610: Mr. MICHAUD.
H.R. 623: Mr. MORAN.
H.R. 625: Mr. KISSELL.
H.R. 639: Mr. GRIFFITH of Virginia, Mr. RAHALL, Mr. ROSS of Arkansas, and Mr. SCHRADER.
H.R. 651: Mr. FRANK of Massachusetts, Mr. GARAMENDI, Ms. HIRONO, Ms. JACKSON LEE of Texas, Ms. PINGREE of Maine, Mr. NADLER, and Ms. KAPTUR.
H.R. 665: Mr. PITTS, Mr. SCHOCK, Mr. ROKITA, and Mrs. HARTZLER.
H.R. 674: Ms. JENKINS, Ms. HAYWORTH, Ms. BALDWIN, and Mr. CHAFFETZ.
H.R. 692: Mr. BACHUS and Ms. FOXX.
H.R. 704: Mr. SHULER, Mr. LAMBORN, Mr. CARTER, and Mr. ROONEY.
H.R. 734: Mr. GARY G. MILLER of California.
H.R. 740: Mr. ROSS of Florida and Mr. POLIS.
H.R. 745: Mr. POMPEO, Mr. BISHOP of Utah, Mr. HENSARLING, Mrs. ADAMS, and Mr. LATTA.
H.R. 747: Mr. LUJÁN.
H.R. 749: Mr. KIND.

H.R. 750: Mrs. BACHMANN and Mr. WESTMORELAND.

H.R. 751: Ms. BASS of California, Mr. BERMAN, Mr. PAYNE, and Mr. LEVIN.

H.R. 760: Mr. COSTA.

H.R. 763: Mr. CARTER, Mr. COHEN, Mr. Walz of Minnesota, and Mr. JORDAN.

H.R. 764: Mr. ROSS of Arkansas, Mr. WESTMORELAND, Ms. JENKINS, Mrs. EMERSON, and Mr. LOEBSACK.

H.R. 780: Mr. WATT.

H.R. 787: Mr. ALEXANDER, Mr. PLATTS, Mrs. CAPITO, Mr. KLINE, Mr. DAVIS of Kentucky, Mr. DUNCAN of South Carolina, and Mr. WILSON of South Carolina.

H.R. 798: Mr. RAHALL.

H.R. 822: Mr. GENE GREEN of Texas, Mr. WITTMAN, and Mr. HARRIS.

H.R. 826: Mr. OLSON, Mr. GENE GREEN of Texas, and Mr. KISSELL.

H.R. 843: Mr. LOEBSACK, Mr. SHULER, Mr. COSTELLO, and Mr. PETERSON.

H.R. 849: Mr. GOHMERT, Mr. KING of Iowa, and Mr. BURTON of Indiana.

H.R. 850: Mr. CRAVAACK.

H.R. 863: Mr. SIRES and Mr. FALEOMAVAEGA.

H.R. 865: Mr. BOSWELL, Mr. BRALEY of Iowa, Mr. COURTNEY, Mr. FILNER, Mr. LAMBORN, Mr. MCGOVERN, Mr. MICHAUD, Mr. BILBRAY, Mr. BROUN of Georgia, Mr. CONNOLLY of Virginia, Mr. GONZALEZ, Mr. KING of Iowa, Mr. LOEBSACK, Mr. RUNYAN, Ms. BROWN of Florida, Mr. HOLDEN, Mr. ROSS of Arkansas, Mrs. CHRISTENSEN, Ms. ROYBAL-ALLARD, Mr. FALEOMAVAEGA, Mr. RAHALL, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Ms. SUTTON, Mrs. DAVIS of California, Mr. PRICE of North Carolina, and Mr. MCNERNEY.

H.R. 875: Mr. SAM JOHNSON of Texas.

H.R. 883: Mrs. MALONEY, Ms. KAPTUR, and Mr. ENGEL.

H.R. 885: Mr. UPTON and Mr. CARSON of Indiana.

H.R. 895: Mr. CHABOT and Mr. RANGEL.

H.R. 903: Mr. COLE.

H.R. 909: Mr. GUINTA, Mr. MANZULLO, and Mr. GUTHRIE.

H.R. 910: Mr. GARDNER, Mr. SENSENBRENNER, Mr. SAM JOHNSON of Texas, Mrs. SCHMIDT, Mr. WALBERG, and Mr. CAMP.

H.R. 912: Mr. MORAN and Mr. FITZPATRICK.

H.R. 923: Ms. SCHAKOWSKY, Ms. BORDALLO, Mr. SCHIFF, and Mr. POSEY.

H.R. 943: Mr. GRIJALVA, Mr. RANGEL, Mr. MARKEY, and Mr. HASTINGS of Florida.

H.R. 952: Mr. HONDA and Mr. HOLT.

H.R. 973: Mr. LATTA and Mr. MCKINLEY.

H.R. 984: Mr. HALL, Mr. POSEY, Mr. DUNCAN of Tennessee, Mr. MCHENRY, and Mr. UPTON.

H.J. Res. 1: Mrs. ADAMS and Mr. CRAVAACK.

H.J. Res. 2: Mrs. NOEM.

H.J. Res. 47: Mr. HASTINGS of Florida.

H. Res. 47: Ms. BORDALLO, Mr. GRIJALVA, Mr. FILNER, Mr. ACKERMAN, Mr. SHERMAN, Mr. CARNAHAN, and Mr. HOLT.

H. Res. 60: Mr. CLAY, Mr. OLSON, and Ms. LINDA T. SÁNCHEZ of California.

H. Res. 83: Mr. SHERMAN.

H. Res. 85: Mr. SMITH of New Jersey.

H. Res. 98: Mr. HURT, Mr. ROE of Tennessee, Mr. JONES, Mrs. BLACK, Mr. FLORES, and Mrs. ADAMS.

H. Res. 134: Mr. MANZULLO and Mr. MCINTYRE.

H. Res. 137: Mrs. DAVIS of California, Mrs. MCCARTHY of New York, Mrs. MALONEY, Mr. DEUTCH, Mr. BISHOP of New York, and Ms. BERKLEY.

H. Res. 139: Mr. ROHRABACHER, Mr. MCCAUL, Mr. BURTON of Indiana, Ms. BORDALLO, Mr. CONYERS, Mr. GRIMM, Mr. MCDERMOTT, Mr. RIVERA, Mr. WU, Ms. CLARKE of New York, Mr. KELLY, Mrs. NAPOLITANO, Mr. GALLEGLY, Mr. MACK, Mr. ROYCE, Mr. CHABOT, Mr. BILIRAKIS, Mr. CICILLINE, Mr. LEWIS of California, Ms. HIRONO, Mr. MCGOVERN, Mr. TOWNS, and Mr. HONDA.

H. Res. 140: Mr. ROKITA.

H. Res. 148: Mr. MCNERNEY, Mr. MCINTYRE, and Mr. LEVIN.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, THURSDAY, MARCH 10, 2011 *No. 36*

Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by the Reverend Joe Bates, Sr., from the Northwest Conference of the United Methodist Church of Alabama.

The guest Chaplain offered the following prayer:

Let us pray.

Eternal God, Father of all humankind, we come before You with humble hearts to ask for Your blessings and guidance.

Pour out Your wisdom and discernment upon these elected representatives of Your people, and fill their hearts with peace and good will. Enable them, we pray, to practice just and merciful leadership that will bless and enhance the lives of all of our citizens.

We thank You, O God, for all the ways You have led us in the past. Bless us this day by helping us to walk in Your path of righteousness so that justice and peace may prevail in our Nation and in our world.

To You, dear God, we give our honor and our praise, even as we seek Your mercy, and we pray to You in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 10, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, there will be a period of morning business until 2:15 p.m. today, with Senators permitted to speak for up to 10 minutes. At 10:30, Senator MORAN will be recognized to speak for up to 15 minutes to deliver his maiden speech to the Senate. At 2:15 p.m., the Senate will proceed to executive session to consider the nomination of Max Oliver Cogburn, Jr., of North Carolina, to be U.S. District Judge for the Western District of North Carolina.

UNANIMOUS CONSENT AGREEMENT

Mr. President, I ask unanimous consent that there be a total of 45 minutes for debate on the nomination, with the provisions of the previous order remaining in effect, and that the vote on confirmation of the nomination occur at 3 p.m. today rather than at 2:30.

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

Mr. REID. As a result of the agreement just entered, there will be a vote on confirmation of the Cogburn nomination at 3 p.m. today.

Further, the Senate Small Business Committee reported S. 493, the SBIR and STTR Reauthorization Act of 2011. They did that yesterday, and we hope to begin consideration of that bill early next week.

ACTING TO STRENGTHEN THE ECONOMY

Mr. REID. Mr. President, it is time once again for us to get down to business. Yesterday's budget votes didn't bring us any closer to a conclusion, but it did bring to our minds a lesson, and it does that very clearly. That lesson is that one party alone will not reach a resolution without the other's cooperation and consent.

We voted on the Republican budget proposal and on the Democratic budget proposal. Neither plan came close to the 60 votes needed to pass or even the 51 votes which would represent a majority of the Senate. But the exercise wasn't in vain. We have demonstrated publicly and on the record that we know the answer lies somewhere in the middle. Now it is time to find that answer in a budget that will reflect our values, keep the country running, and create jobs.

I can speak only for my caucus when I say we accept the lessons of yesterday's vote. We know we will have to make sacrifices to reach consensus, and we are willing to do that. Republicans have to be willing to move their position also. Perhaps they are willing to finally acknowledge that, given our deep debt, we can't afford government giveaways to millionaires and oil companies making record profits. Both acknowledgments would help close the deficit gap. Both would be big pieces to the puzzle.

Perhaps Republicans are willing to offer more reasonable cuts that the Democratic caucus can support. By reasonable cuts, I mean cuts that don't

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

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arbitrarily kick Head Start students out of class or rob college students of their Pell grants—both cuts resoundingly rejected yesterday—and I mean cuts that don't pull the plug on renewable energy jobs or cuts that fire thousands of workers at community health centers across the country. Republicans should be willing to look at our country's substantial budget and find cuts more worthy than those that would weaken law enforcement and border security to keep us safe. I hope they will.

I hope they will join Democrats in saving money by attacking waste, fraud, and abuse. I hope they will join us in making tough choices and avoiding the temptation to make counterproductive cuts. Let's come together to cut in a way that strengthens our economy and doesn't weaken our economy. Let's cut in a way that makes our neighborhoods, our schools, and our borders stronger, not weaker.

As the negotiation process begins anew, I remind my Republican friends that time is short. I also remind them that the deadline we face—a week from tomorrow—is the deadline they set. We didn't set it. Democrats warned from the start that the process would take a month. Republicans would agree only to a period half as long as that—2 weeks. Those 2 weeks are up, as I said, next Friday.

So my message is this to my Republican colleagues: You set the deadline, and the responsibility of meeting it is as much yours as it is ours. Both parties also share a responsibility to be reasonable. So let's get to work. We cannot negotiate this in the media. We cannot negotiate this if we are unwilling to give any ground. We cannot be stubborn and expect a solution. It is time to negotiate in good faith, it is time for all political posturing to end, and it is time for pragmatism, which is long overdue.

I would also say to my friends in the House that the Senate has produced two very strong jobs bills. One is the FAA reauthorization, which is long overdue. That was a bipartisan bill. It passed overwhelmingly here in the Senate and would save or create 280,000 jobs—a pretty good step in the right direction. Just in the last 24 hours, we passed the patent reform bill. That will create 300,000 jobs. These two jobs bills need to be completed by the House of Representatives so we can send them to the President. These two jobs bills are important. The House should focus on jobs, not these arbitrary cuts they have been making. So I hope the House would right away work on the jobs bills that have already passed the Senate—patents and, of course, the FAA bill.

RECOGNITION OF THE MINORITY LEADER

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

DOMESTIC ENERGY

Mr. MCCONNELL. Mr. President, throughout the week I have pointed out that our Nation faces a day of reckoning on entitlements such as Social Security and Medicare, and I have expressed my disappointment about the White House's failure to lead on reforms that would save these programs at an opportune moment like our own.

The best time to solve the kind of fiscal crisis we face is when the two parties share power in Washington. Everyone knows we either address these problems together or they won't be addressed at all. Everyone knows the President has to take the lead. That is why Presidents from both parties have done just that during periods of divided government in the past. That is why many of us are calling on this President to do the same for the good of the country now.

But when it comes to job creation, the President isn't just failing to lead; in many cases, he is actually blocking the way. Nowhere is this more evident than in the area of energy exploration.

Americans looking at the price of gas at the pump these days are justifiably upset. What they may not realize is that some in the administration are actively working to prevent us from increasing our own oil production here at home. So this morning, with gas prices on the rise, I would like to step back for a minute and quickly review what the administration is doing to inhibit energy production right here at home. Taken together, it would be a pretty long list, including delays and suspensions and revocations and outright cancellations of lease permits, which translates into higher prices and fewer American jobs. So I will just list a few of the highlights.

The administration started by canceling oil and gas leases for domestic exploration. Immediately after taking office, the Secretary of the Interior, Ken Salazar, canceled 77 oil and gas leases in the State of Utah. One year later, the administration suspended 61 more leases, this time in Montana. Shortly after canceling the Utah leases, Secretary Salazar extended the public comment period to renew offshore drilling by another 6 months, dragging out an already lengthy process even further.

Then, immediately after the gulf oil-spill began last April, the administration imposed a 6-month moratorium on offshore drilling in the gulf even as it canceled energy exploration that was set to take place thousands of miles away from the spill in the gulf up in the Arctic. Two Federal courts on three separate occasions have declared the moratorium in the gulf unjust. The administration has ignored them. It has kept the ban in place despite these rulings, forcing the drillers who have been affected by it to relocate their rigs—and the thousands of good-paying jobs they supported—to other parts of the world.

So if one is wondering where the jobs are, a good place to start is the administration's efforts to block American energy exploration. Senator MURKOWSKI points out that U.S. oil reserves at just three sources in Alaska—just three sources in Alaska—could replace crude oil imports from the Persian Gulf for nearly 65 years. Three sources in Alaska, currently shut down, could replace crude oil imports from the Persian Gulf for 65 years. Yet all three are off limits due to decisions made by or continued by this administration.

Behind all these actions is a complete disconnect. At a time when gas prices are climbing higher and higher, pinching pocketbooks and threatening an economic recovery, Democrats in Washington would rather ignore the fact that Americans will remain dependent on fossil fuel for decades to come. But we shouldn't be surprised by it. Two months before the President was elected, the man he ended up choosing as his Energy Secretary told a reporter how he would go about reducing America's dependence on oil. He said: ''Somehow, we have to figure out how to boost the price of gasoline to the levels in Europe.'' And if that was the strategy, Secretary Chu seems to be getting his wish. And the administration is doing just about everything it can to keep them there.

Now is the time to be asking what we can do to increase domestic energy production, not proposing ways to squeeze American families even more. That is why all of these actions by the administration, along with the tax hike on energy production some have proposed that will only be passed on to consumers in the form of even higher gas prices, are the very last thing Americans need right now. We should be looking for ways to lighten the burden on American families, not saddling them with a minivan tax.

There is a better approach. Rather than squeezing the public and killing jobs with artificially higher prices, we should be looking for ways to increase domestic production even as we promote alternative sources of energy for the future. An all-of-the-above approach to energy production—and the jobs that come with it—of the kind Republicans have been advocating for years would capitalize on the abundant resources we already have right here at home while at the same time looking for alternative sources of energy and new technologies that will free us from dependence on fossil fuels down the road.

This is a responsible approach. It protects existing jobs and creates new jobs at a time when Americans need them. It would reduce our dependence on foreign sources of oil. It honors the concerns Americans have right now about the rising price of gas, and it respects the reality that most of the cars in this country will run on gas for many years to come. But higher prices at the pump and fewer American jobs is the wrong answer.

TRIBUTE TO DAVID BRODER

Mr. MCCONNELL. Mr. President, sadly, we lost David Broder yesterday. A lot has been said in the last 24 hours about that distinguished journalist. I wish to add just a brief word of my own.

I will not pretend to have known him well, although we did talk from time to time over the years. I admired him greatly. One could not help but admire him, and a few things truly stand out. First of all, in a city that is full of people in a rush to make an impression, David was the guy who took the time to get it right, day in and day out, without bombast or pretense.

He wasn't looking to make an impression as much as he was trying to do his job and to do it well. The notoriety, of course, took care of itself. He was a workhorse first and foremost—a reporter who seemed to enjoy the work more than any attention he got for it.

Everyone who ever worked with him seems to have a story about watching him knocking on doors while he was in his late seventies or earnestly listening to a Midwest voter out in the cold. It all points to a sort of sturdiness of purpose and to the old virtues of patience, fairness and hard work and a sense that other people's opinions were at least as valuable as his own.

Add to that a deep curiosity and thoughtfulness and a childlike appreciation for the mechanics of democracy, and we have a pretty good model for what political reporting is all about.

I hesitate to say he was conservative in temperament, if not in his politics, but that is what came through.

It became commonplace to say David Broder was the dean of American political reporters. But I think it is worth understanding what people meant by that. It doesn't mean he was the most exciting guy in the room—he wasn't. It doesn't mean he had the most scoops—I am not sure he did. I think what it means, aside from the sheer length of his career, was that more than most people, his life came to take the shape of the profession he chose in life. It became sort of an extension of himself.

That is what seemed to give him so much joy and satisfaction in his work, along with the respect and admiration and maybe even a little bit of envy of so many others.

Republican or Democrat, liberal or conservative, young or old, we could use a few more David Broders.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 2:15 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Oklahoma is recognized.

ENERGY

Mr. INHOFE. Mr. President, I was hoping to have a little bit more time, so I will cover this a little faster than I normally would. It is so critical.

I just got back from the Middle East, and I know the problems that are over there. A lot of people are saying the gas prices that are going up are a result, partially, of what is happening over there, but the real problem is a political problem.

First of all, let me talk about the commitment this administration has to cap and trade. Some people who have been around for a while can remember that way back at the Kyoto treaty I kind of led the opposition to ratifying that treaty. Later on—for the next 10 years—they tried to pass cap-and-trade legislation. Since I chaired the committee of jurisdiction at that time, we thought this was not going to work, even by the admission of the EPA. If we were to pass something such as this in the United States, it wouldn't have any effect on reducing greenhouse gases.

I still say this. Something is happening this morning in the House. They are looking at this issue, and we have introduced legislation that has said the EPA doesn't have the jurisdiction to regulate greenhouse gases. I will get to that in a minute.

My message is simply that higher gas prices are simply a product of this administration's goal. The minority leader, a minute ago, said something. He quoted Steven Chu, the Secretary of Energy. He said: ''Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.''

In the United Kingdom, gas is $7.87 per gallon; in Italy, it is $7.54; in France, it is $7.50; in Germany, it is $7.41.

That is what this administration wants to do with gas prices. They have a motive for doing that. I cannot stop talking about the cap-and-trade agenda until we realize how it does affect things. You might remember that back during the campaign, President Obama stated in 2008—when he was running for office—and he has stated it several times: ''Under cap and trade, electricity prices would necessarily skyrocket.''

He had it right. The whole point of that is, it would skyrocket if we were to pass it. That also has an effect on all forms of energy. The House Energy and Power Subcommittee is voting this morning on the Energy Tax Prevention Act, which I introduced in the Senate, and it was introduced by Congressman UPTON in the House. The bottom line of the Energy Prevention Act is to make it so EPA doesn't have the jurisdiction to do what they could not do legislatively. Starting with the Kyoto treaty and all the way up to the following 10 years, they tried to pass—in 2003 and 2005 and 2008 and 2009—a similar type of cap and trade.

What is the cost of cap and trade? The cost would be—and this goes back to the Kyoto treaty and when we had the estimates from the Wharton School and MIT—between $300 billion and $400 billion a year. In Oklahoma, that translates to $3,000 a year for each family who files a tax return. What do we get for it? By the admission of the Obama EPA and Lisa Jackson, in response to a question I asked live on TV—I asked: What effect would this have on worldwide emissions of CO_2? The answer was it would not because that only affects the United States. In reality, it could actually increase it, as our jobs go overseas, to places such as China and Mexico and other places where there are fewer emission controls. So it could have the opposite effect.

Nonetheless, I say this because there are people wandering around out there who say we should do something about emissions. Yet I wish to make sure they are listening. Even if we did this, it would not have any effect. They hope, if we restrict enough supply, the price will increase and we can simply shift to what they call green energy.

I think it is important people understand that the Republican position on this is, yes, we want green energy, renewables, but we also want coal and natural gas and nuclear and oil. These are the products that can run America today. This is what we are doing. Back in Oklahoma, there are logical people. They ask: What would it be if they don't want oil, gas or coal? How do we run this machine called America? The answer is, we can't.

Let me state this—I don't have the time. It is not just the administration or Secretary Chu but others in the administration, such as Alan Krueger, Assistant Secretary for Economic Policy, who said: ''The administration believes that it is no longer sufficient to address our Nation's energy needs by finding more fossil fuels.''

They are antifossil fuels. They admit the tax subsidies are currently provided in the oil and gas industry, and they lead to inefficiency by encouraging overinvestment in domestic resources in this industry.

This is critical. This is an administration official, Alan Krueger: ''The small change in domestic producer costs [which I call a tax increase] could cause some production to shift from domestic to foreign suppliers.''

There it is, folks. That means we would have to depend on the Middle East—import more of our energy from the Middle East. By the way, I think it is important to note the Congressional Research Service—and I think we all respect their work—came out with a report, and they stated—and nobody has been able to refute this yet—that the United States of America now has

the largest supply of recoverable reserves in gas, oil, and coal. We keep hearing people say it is only 3 percent of the amount—we are using 25 percent of the energy and are producing just 3 percent.

That is flatly not true. I think people understand that because they use that as proven reserves. You can't prove reserves until you drill. We have the political problem that the Democrats don't want us to drill. In that case, we have to fall back on the other way of looking at it; that is, recoverable reserves. I say this: We are in a position right now to have the recoverable reserves. This chart shows these are the recoverable reserves we have right now. This is America's true oil potential. This is what we could produce. These are the proven reserves they talk about. The bottom line is, we have—and this is incontrovertible—the world's largest supply of oil, gas, and coal.

This chart shows the amount of oil, gas, and coal we have is greater than that of China, Iran, and Canada—all three put together. This is what we have here. So people say: Wait a minute. That is a problem. Then why are we importing from foreign countries? It is because we have a political problem. We have a majority in this Senate and they had a majority in the House and the President trying to continue this policy of not allowing us to develop our own resources.

We are the only country in the world that doesn't develop our own resources. I do know there are a lot of problems out there. Certainly, we have problems in the Middle East. But when I talk to my wife at home, the problem is what she is paying for gas. It is not going to get any better. How many people went to school and didn't learn about supply and demand? We have all the supply we need in America—when we add what we get from Mexico and Canada—to be independent from the Middle East. They don't let us develop it. Eighty-three percent of our Federal lands right now are off limits. It is a political problem.

I can remember when we had the oil-spill down in the gulf, some of the far left environmentalists were rejoicing that it happened. They could parlay that into not allowing us to drill for our own natural resources.

Finally, last week, the EPA issued its first permit for deepwater drilling in the gulf, due to a lot of political pressure being put on and the realization that the American people are not dumb. We can develop our own resources and resolve this problem we have. If we look at what we have right now in reserves, in terms of recoverable reserves in oil and in gas, we have enough oil right now to run this country—this is in recoverable reserves—for 90 years. Again, we have enough gas in recoverable reserves to run this country for 90 years. That is not including shale. We all know about the great shale deposits in the Western part of the United States. That is gigantic compared to what we have available to us. We also hear about methane hydrates. The reason I don't include shale and methane hydrates is because they are not recoverable today. It is not something we use today. If we lifted all restrictions, that would not give us, tomorrow, the shale reserves that are out there, nor the methane hydrates. What we would be able to do is start further developing those.

Even without them, we can run this country called America for 90 years on our own oil and gas. Then we go to coal and the significance of the oil reserves. Right now, we have 28 percent of the world's coal and, in fact, the CRS states America's recoverable coal reserves to be 262 billion short tons. For perspective, the United States only uses $1.2 billion of short tons of coal each year. So what we have is oil, gas, and coal.

The only problem is, we have an administration that, by its own admission, wants to kill oil, gas, coal, and fossil fuels. We can't do this without a change in the administration or a change in policy. I think, as you can see, when the gas prices go up—and all of America should listen—all they have to do is remember what this administration's position is, and that, as Steven Chu said—as the Secretary of Energy told the Wall Street Journal in 2008: ''Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.''

This is President Obama's position. If we take this position, we are going to have gas prices going up. You can talk around it all you want, but supply and demand is very simple. We have the potential supply to run this country for the next almost 100 years on just what we have developed.

I know the Senator from Kansas is anxious to make his statement. I yield the floor.

Mr. ROBERTS. Mr. President, I 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. MORAN. 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.

Under the previous order, the Senator from Kansas is recognized for 15 minutes.

Mr. MORAN. Mr. President, I ask unanimous consent to speak to the Senate for up to 25 minutes.

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

AMERICA'S FISCAL HEALTH

Mr. MORAN. Mr. President, I am humbled today to deliver my initial, my very first speech on the floor of the Senate and to discuss a topic of vital importance to our country's future—our Nation's fiscal health.

It is a privilege to join the distinguished Members of this Chamber and to work alongside my friend of nearly 40 years now, Senator PAT ROBERTS. We met some time ago when I came to Washington, DC, as a summer intern in the summer of 1974 and Watergate for a Congressman named Sebelius. My colleague PAT ROBERTS was his Chief of Staff and has been my friend since.

I am also humbled to follow in the footsteps of Gov. Sam Brownback and the many who came before him and whose names are etched in this desk where I now stand. I am mindful of their service and particularly that of Senator Bob Dole who served Kansans for nearly three decades in this seat.

During nearly 36 years on Capitol Hill, Senator Dole became known as the leader who worked relentlessly to forge alliances in order to pass significant legislation. Today he serves as a role model for those who have dedicated their lives to public service. I thank Senator Dole for his call yesterday wishing me well today, but I thank him more for his distinguished service to our country and to Kansans. I know that love and respect the people of his hometown of Russell have for him. I will work to honor his legacy.

I grew up just down the road from Bob Dole's hometown in a smaller town, Plainville, a place where folks know their neighbors and look after them. Much of what I know about people I learned early in my life by working at the local hardware store, the swimming pool, the drugstore, and on my paper route. I learned there is good in every person and that satisfaction in life comes from what you do for others rather than what you do for yourself. I learned that each family's joys and sorrows are increased and diminished when they are shared with their neighbors and friends. And I learned what it means to put others first, as my mom and dad always have. I was fortunate to grow up with loving parents who taught me the value of hard work, the importance of education, and the necessity of integrity. In fact, they once made me return the 3 cents I had found when I turned in a pop bottle from my neighbor's back porch.

My dad, a World War II veteran, worked in the oilfields of western Kansas, and my mom, who grew up in the Depression, was the lady you paid your light bill to. They were my Sunday School teachers and my Boy Scout leaders, and they always encouraged me to do my best. My parents worked hard, avoided debt, paid their bills, and wanted to make sure my sister and I would have the chance to pursue our dreams.

I was also fortunate to have many teachers who instilled in me a love for learning and a desire to explore the world beyond our city limits. As a kid, I enjoyed reading about politics and history and government. People such as my fourth grade teacher Mrs. Pruter

helped me to develop an interest in our country and public service. Because of my teachers' interest in me, I am part of the first generation in our family to attend and graduate from college.

Nothing in my background would suggest I would have the opportunity to serve as a Member of the Senate. That says something about our country and the opportunity we as Americans have to dream big and to pursue those dreams. It also says something about my home State and the special way of life we lead.

The pioneering spirit of those who settled our State 150 years ago and tamed the West lives on in Kansas today. We work hard, we come together to find commonsense solutions, and try to make a difference in our communities, our State, and our Nation. We also strive to provide a better future for our kids and grandkids so they can pursue their dreams and reach their goals. This is the reason I got involved in public service, and it is the reason I remain involved today.

Since coming to Congress in 1997, I made a priority to stay connected to the Kansans I represent, so I return home on the weekends. Whether I am at the grocery store, attending church, or filling the tank with gas, the conversations I have with Kansans matter to me and impact the work I do here in Washington. When I served in the House of Representatives, I held annual townhall meetings in each of the 69 counties in my district, following the lead of my predecessor, then-Congressman PAT ROBERTS. I have continued this tradition as a Senator. I have continued this tradition as a Senator and begun traveling throughout all 105 counties in our State to hear directly from Kansans, and I am committed to making sure their voices are heard in our Nation's Capital.

Last spring in Kansas, I watched our oldest daughter walk across her college graduation stage and it was another defining moment for me. Our country is facing enormous fiscal challenges and if we fail to act, our children's future is at risk. I believe all Members of Congress, and in fact every American, has the responsibility to be a good steward of what has been passed on to us. So at that moment, that graduation event, I renewed my commitment to do my part to turn this country around.

I am one of many voices to express this concern. In 1985, President Reagan took the podium during his second inaugural address and spoke about one of his greatest concerns: our Nation's deficit spending. He told the American people that 50 years of deficit spending had finally brought our Nation to the time of reckoning. He said:

> We've come to a turning point, a moment for hard decisions. We must act now to protect future generations from government's desire to spend its citizens' money and tax them into servitude when the bills come due.

I am here today, 26 years later, to issue, unfortunately, the same warning. We are again facing a turning point in our country's history and we no longer can delay difficult decisions. When President Reagan stood and spoke those words, our national debt was $1.8 trillion. Today, that number has soared to $14 trillion—slowing our economic growth and threatening the prosperity of future generations who will have to pay for our irresponsibility.

Our government borrows 40 cents of every dollar it spends and half our national debt is held by foreigners, many who do not share our interests. The simple truth is our Nation's debt is the responsibility of several Congresses and Presidents who have allowed us to live well beyond our means for way too long. Members of both political parties have ignored this growing fiscal crisis and left it up to others in the future to deal with.

In my travels in Kansas I am often asked: How can Washington continue to spend and borrow so much? What will our country be like for our kids and grandkids? I join Kansans in voicing these concerns. In the last 2 years, government spending has grown nearly 25 percent and we have had record trillion-dollar budget deficits. This year, the Federal Government will spend $3.7 trillion and collect $2.2 trillion. That is a shortfall of $1.5 trillion. Common sense—Kansas common sense—tells us that pattern cannot continue.

Some will say we need to raise taxes to get us out of this mess. But the reality is we don't have a revenue problem, we have a spending problem. Experience shows us that money raised by Washington, DC, results in more spending in Washington, DC.

The debate about government spending is often seen as a philosophical, academic, or partisan issue, but the truth is out-of-control borrowing and spending has very real consequences on the daily lives of Americans. When we continue to fail to balance the budget, it means increasing inflation, higher interest rates, and uncertainty in the economy, which results in less business investment and fewer jobs.

This is not an academic discussion. It is not a partisan discussion. It is about the future of our Nation. We were not elected to ignore these problems but rather to confront them. Congress can and should do what Kansans do: Make decisions based on solid values and be held accountable for those decisions.

A few weeks ago, the International Monetary Fund issued a report outlining how serious our financial situation has become. America wasn't the only country that came under scrutiny by the IMF. Japan has also fallen behind in its deficit goals. To make matters worse, Standard & Poor's downgraded Japan's credit rating out of concern for the country's ability to tackle their debt. If we do not face realities and take serious steps now to confront this challenge, we will find ourselves in a similar position. The impact will be disastrous, as it has been in Greece and Portugal and Ireland.

Unfortunately, this reality has not yet sunk in in enough places here in Washington, DC. President Obama asked Congress to increase the debt ceiling—allowing our country to take on even more debt. But it would be irresponsible to allow more spending without a serious plan in place to reduce the deficit. Americans are looking for leadership in Washington to help create jobs and get our economy back on its feet. But lately, all they have heard is a lot of partisan rhetoric, and all they have seen is more government spending.

It is time for our government to change direction and to change dramatically. We must work together to restrain spending and to put in place progrowth measures that create jobs by saying both no to more spending and yes to projobs measures. By saying both no to more spending and yes to projobs measures, we will reduce the uncertainty in the marketplace, encourage business investment, become more competitive in the global economy, and—most importantly—create employment.

The best way to get our spending under control is to get a budget and stick to it. One of the basic responsibilities of Congress is to produce an annual budget, yet we are once again operating under a temporary spending measure called a continuing resolution because the Democratic leadership failed to pass a budget plan last year. Congress has taken virtually no step to address this deficit spending. We have to come together and see that we do so, and we must pass a commonsense budget that reduces our deficit this year, next year, and well into the future.

Last month, President Obama sent his 2012 budget message to Congress. Instead of moving toward fiscal responsibility, the proposal contains more of the same borrow-and-spend mentality. It proposes $8.7 trillion in new spending, $1.6 trillion in new taxes, and doubles the national debt by the end of his 4-year term. At no point during the President's 10-year budget projection would our government spend less than it is taking in.

Rather than spend more, we must close the gap between what the government takes in and what it spends. Last month, I introduced the RESET Act to rescind $45 billion in unspent stimulus funds and direct those dollars toward paying down the deficit.

Another commonsense measure I have long supported is a constitutional amendment to require a balanced budget. Unfortunately, when Members of Congress are not required to prioritize their spending, they simply borrow more over a long period of time. This proposal—this constitutional amendment—would limit Federal spending to 20 percent of gross domestic product and require a two-thirds majority of Congress to raise the taxes. By forcing Congress to be disciplined, to live within a budget, we will turn away from record deficits and back to fiscal responsibility.

In addition to living by a responsible budget, we must also address our long-term unfunded liabilities, including Social Security, Medicare, and Medicaid. Last year, mandatory spending made up 56 percent of our entire budget. This percentage will only increase in the years ahead as more Americans retire and fewer workers are there to replace them. Already, Social Security pays out more than it collects and its total debt will increase over $½ trillion in the next 10 years. Medicaid spending consumes nearly a quarter of State budgets and will further burden States that are now required to pay for the vast Medicaid expansion found in the recent health care reform law. Furthermore, Medicare's unfunded liabilities are $37 trillion. This staggering sum is nearly three times the amount of our current national debt.

This challenge cannot be ignored any longer. We must pursue change and reform, but it will take the leadership of President Obama and the willingness of both political parties. We are ready to have that conversation with the President and we expect his leadership.

Finally, history shows economic growth starts with the private sector, so Congress must create an environment where entrepreneurship and business can flourish. Small businesses are the backbone of the American economy and have generated 65 percent of the new jobs over the last two decades. They also employ half our private-sector workers. Clearly, small business is the engine of job creation and critical to our country's economic success.

As I tour plants in Kansas, business owners say: What next? What next harmful thing is Washington, DC, going to do that puts me out of business? For too long, Washington has increased the regulatory and tax burden on businesses at the expense of jobs. Mountains of government regulations and higher taxes are undercutting any efforts to create jobs and erodes our global competitiveness, especially in the manufacturing, agricultural, and energy sectors. Rather than hiring new workers, businesses are spending their resources on complying with ever-changing regulations and increased taxes or, worse, those businesses are leaving our country.

We need to be doing all we can to put people back to work and grow the economy, and that includes replacing our convoluted Tax Code and eliminating bureaucratic intrusion into our free market economy.

Maintaining a strong business environment at home must be coupled with opening new foreign markets for American goods and agricultural commodities around the world. In today's global economy, we cannot afford to sit on the sidelines while other countries move forward. Each day that passes, we risk losing more of our markets and our market share to competing nations.

Across our country, thousands of Americans depend upon exports for jobs, including more than one-fourth of all manufacturing workers in Kansas. By increasing our Nation's exports, we will create jobs and opportunities for all Americans, without raising taxes or increasing the Federal budget. While our Nation's unemployment rate hovers between 9 and 10 percent, it is simply inexcusable to not do what we know we can do that will create jobs in America.

One commonsense way to open more markets is to pass trade agreements with Colombia, Panama, and South Korea, which have been stalled in Congress. While Congress dithers, Colombia has moved forward on trade deals with Canada, Chile, the EU, Brazil, and Argentina—to name a few of our competitors. Comparably, tariffs have caused American farmers to lose nearly 20 percent of total agricultural markets in Colombia over the last 5 years. It is past time to pass these trade agreements and create more markets and, therefore, more jobs for Americans.

For the United States to remain competitive in a global market, Congress must also develop a comprehensive energy policy that allows for an ample energy supply which is both affordable and reliable. Rising gas prices and recent events in the Middle East have demonstrated once again the importance of having access to a reliable energy supply. No simple form of energy can provide the answer. To meet our country's energy needs we must develop traditional sources of oil, natural gas, and coal, encourage the development of renewable energy sources such as biofuels, wind, solar, geothermal, and hydropower, expand the use of nuclear energy, and encourage conservation.

Lastly, we need to repeal the flawed health care law and replace it with commonsense changes that reduce increasing costs and promote choice in our health care system, such as increasing competition in the insurance market, giving States the flexibility to address the health needs of their unique populations, enacting medical liability reform, and enabling small businesses to pool together to offer coverage at lower prices. These ideas have bipartisan support and are backed by the American people because we know they will work.

Congress should be an ally of the people, not an adversary. Congress has a responsibility to create an environment where the free market can succeed, so business can move forward with confidence and start creating jobs again.

In Washington, DC, it is often easy to forget what is most important in the midst of all the talk of partisan politics, the next election or the latest poll. When I need a reminder, I will talk a walk—and I will walk from this magnificent Capitol to the Lincoln Memorial. Between those two points, I pass the World War II Memorial, the Vietnam Wall, and on the way back I will walk by the Korean War Memorial. These memorials to our citizen soldiers help put everything in its proper perspective. Our freedoms are so important that our Nation's sons and daughters were willing to risk their lives to defend and protect them. These brave men and women didn't sacrifice for Republicans or Democrats; they gave their lives for the greater good of our country and to ensure their children and grandchildren would also experience American freedom and liberty.

We have before us an opportunity—an opportunity to set aside the game of politics and to work together to confront the enormous challenges before us. Whether we have the courage to tackle our fiscal crisis now will determine the course of our country's future for the next generation.

I stand ready to work with my colleagues in this chamber to do what it takes to get our economy back on track. Americans are known for their enterprising spirit and strong resolve, and our country will recover when we begin to live within our means and create a pro-growth business and jobs environment.

Last month, we recognized the 100th anniversary of President Ronald Reagan's birth. It was a fitting time for all Americans to honor the memory of a man whose leadership guided our country through many challenges. Our 40th President believed in the greatness of America. He believed in the principles of individual liberty, self-government and free enterprise. And he believed there ''are no limits to growth and human progress when men and women are free to follow their dreams.''

It is with that same optimism and hope for the future that I stand before you today. I didn't come to Washington for personal glory. I came to Washington because I believe we have the responsibility to be good stewards of what we have been given and to pass on to the next generation the life we love and lead. We know what American can and should look like.

When I took the oath of office, I pledged to support and defend the United States Constitution and to faithfully fulfill the duties of this office—so help me God. I will continue to seek His help and His guidance in the days ahead, knowing that in Him all things are possible.

As I humbly begin my new responsibilities, I remain committed to leading with Kansas common sense, and to making the tough choices necessary today, so that tomorrow—and every day thereafter—our children and grandchildren can live in an America that provides them the opportunity to dream big and pursue those dreams.

If I am successful, I will have fulfilled my responsibilities. If I am successful, I will have fulfilled my responsibilities as a parent, just like my mom and dad, and as an American who believes our country's better and brighter days lie ahead.

I yield the remainder of my time.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I congratulate our new Senator from Kansas for his inspiring first speech to his colleagues and suggest that it seems we have a new Senator from Kansas in the tradition of Bob Dole and Sam Brownback and PAT ROBERTS, and I congratulate our new colleague on a fine and inspirational first speech.

Mr. MORAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL CRISIS

Mr. SESSIONS. Mr. President, we had two important votes yesterday on what we are going to do about the surging debt this Nation is incurring and the dangers that debt poses to the future health of our economy, the prosperity of our people, and the employment of our people.

We had a debt crisis, a financial crisis in 2007, that we still have not recovered from. It damaged us. It damaged American individuals. There are people unemployed in large numbers because of that. We have not yet recovered from it. We have some growth, but we have not yet come out of it. We have to deal with it in a serious way.

So the proposal was, as passed by the House, to reduce the spending for the rest of the 7 months in this fiscal year ending September 30 by $61 billion. Our colleagues in the Senate basically proposed to do nothing, a $4.6 billion reduction in spending over the rest of this fiscal year. That is an unacceptable number. Perhaps we can disagree over where cuts ought to occur, but it is critically important at this time in history, as I will discuss, that we take real action that sends a message and actually saves money, not Washington speak about saving money, but real savings in money.

We can do that. Every city, county, and State is doing that all over the country, and far bigger reductions in spending than we are discussing here. So the House proposal was to reduce discretionary spending $61 billion, which is about a 6-percent reduction in the planned spending level. That is not going to destroy our country. It is still well above the levels we were spending in 2008. But that $61 billion, when calculated over 10 years because it reduces the baseline of our government spending, would calculate a net savings of $862 billion, counting interest, because it is that $61 billion every year plus the interest. We pay interest on the debt we are running up.

We started out projecting a $1.3 trillion deficit this year, the largest in the history of the Republic. But now the scores have gone up, and we are looking at over 1.6. We spend $3.8 trillion, but we are bringing in only $2.2 trillion. This is why 40 percent of what we are spending this year is borrowed.

We have an opportunity now; this CR is it. We need to reduce spending now. People say, well, we can wait. We do not want to reduce spending for some of our favorite programs. This is damaging. We hear the old speeches that sound like they were given 20 years ago about any proposal to cut any spending level is seen as some total disaster, suggesting that the Republic will cease to exist. Of course, Americans know that is not so. They are not buying that. What world are we in?

The President submitted a budget that basically does nothing but continue the increases in spending. We just had the State Department in the Budget Committee. I am ranking Republican on the Budget Committee. They are asking for a 10.5-percent increase in the State Department's spending. The Department of Education was in last week. They want 11 percent. The Department of the Interior was in. The President proposes a 9.5-percent increase in their spending.

Increases in 2012, that is their proposal. What world are they in? What about Transportation? Do you know how much they proposed increasing Transportation? Sixty-two percent. What world are we operating in? People say: You are just exaggerating. It is business as usual. We do not have to make any changes. We need to make investments, SESSIONS. This country needs to have more investments. The State Department had a 33-percent increase in 2 years. The Education Department had a 30-percent increase. I mean, when does it stop?

If we reduce some of the increases that have been obtained, is that a real cut or is it just moving back to a more sane level? That is what it does. But when we do not have money, we have to make tough decisions.

So, again, the question is, Are we just raising this politically? Are we just trying to make a political point or is there really something that is happening in America that is dangerous and requires us to take this step whether or not we want to take it? Are we required to? Is it real? Do we have a crisis that is dangerous for us?

Mr. Erskine Bowles and Mr. Alan Simpson, Senator Simpson—Mr. Bowles was President Clinton's Chief of Staff—were appointed by President Obama to cochair the debt commission that did their report. This is what they said the day before yesterday, both of them. This was their signed joint statement to the Budget Committee the day before yesterday:

> We believe that if we do not take decisive action, our Nation faces the most predictable economic crisis in its history.

Are these extremists? They spent months studying the crisis the Nation is in and what it takes to get us out of it. They proposed some substantial changes in what we are doing. Just yesterday they said: We are facing a crisis, the most predictable the Nation has ever faced in its history.

In other words, we can see it coming. People say: Oh, it will not happen to us. Well, they should probably pick up the book, ''This Time Is Different,'' by Professor Rogoff at Harvard and Reinhart at Maryland, one of our other great universities. And their book proposes and shows how governments, sovereigns, get into financial trouble and how quickly bad things can happen. The title of it should tell you something. The title is, ''This Time Is Different.''

The title suggests that all of these great financiers in these countries that ran up too much debt never thought it was going to happen to them, and when people raised questions, they said: Do not worry, this time is different.

Well, is this an extreme book? Is this a dangerous book? They say when your debt, based on history and worldwide studies, reaches 90 percent of your total economy, your total debt equals 90 percent of your GDP, your economy, on average, loses 1 percent growth and is at risk of a catastrophic adjustment, some sort of crisis.

Well, what percent of GDP are we now? We have gone over 95 percent. The experts tell us by September 30, when this fiscal year ends, we will be at 100 percent of GDP. So is this some sort of fearmongering talk or are we just dealing with reality? Are we really facing a crisis we can see plainly in front of us? I suggest it is.

Mr. Geithner, President Obama's Secretary of the Treasury—unlike his Budget Director who also testified before the Budget Committee, Mr. Geithner was more frank when asked: Do you agree with the Rogoff study? Is that a sound study? ''Yes, I believe it is.''

Then he said this, frankly: ''I think it understates the risks.'' Understates the risk. And when asked about that, he said, basically, there can be systemic, immediate shocks that occur that are unpredictable just like in 2007 when all of a sudden we went from a boom to a bust, and as things happened in Greece, Ireland, and Iceland these things can happen in this modern world with electronic financial transfers very quickly.

I believe we can prevent this. I believe we can prevent it. But we have to take action or we are heading in the wrong direction. Did you notice the news yesterday? Bill Gross, who runs the world's biggest bond fund at Pacific Investment Management, announced they had totally eliminated U.S. Government-related debt from their flagship fund, as the United States Government projected record deficits.

So that is a big development, frankly. I mean, he manages more money than anybody in the world—I guess in the history of the world. He has eliminated government debt from the Total

Return Fund, and that was just announced.

So is that something we should be concerned about? I think it is. Because who is going to buy our debt? Who will buy our Treasury bonds, now 10-year bonds, at 3.5 percent or so interest? People who get worried about their debt sell their bonds. Who is going to then buy them? Where are we going to get people to buy our bonds without paying higher and higher interest rates?

Well, is our crisis coming upon us? Let me share with you the testimony that Mr. Simpson and Mr. Bowles gave to the Budget Committee just 2 days ago.

This is what Mr. Bowles said, Cochairman appointed by President Obama. He is very worried.

This problem is going to happen. It is a problem we're going to have to face up to in maybe 2 years, maybe a little less, maybe a little more.

He is talking about a crisis. He said it is the most predictable crisis the Nation has ever faced. He is pleading with us to get off the unsustainable path we are on.

What about Alan Simpson, the distinguished Senator from Wyoming who is so frank and articulate. He is also a delight to hear. He said:

I think it will come before 2 years . . . I'm just saying at some point, I think within a year, at the end of the year, if they [the people who hold our debt] just thought you're playing with fluff—5, 6, 7 percent of this hole—they're going to say, ''I want some money for my paper.'' And if there is anything money guys love, it's money. And money guys, when they start losing money, panic. And let me tell you, they will. It won't matter what the government does, they'll say, ''I want my money, I've got a better place for it . . . '' Just saying for me, it won't be a year.

Mr. President, we have a time agreement?

The PRESIDING OFFICER. The Senator's time expired some time ago. The time is limited to 10 minutes.

Mr. SESSIONS. I thank the Chair. I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. This is from the Washington Post, late January:

In an analysis of the U.S. debt last week, S&P analysts said the unthinkable could occur unless U.S. officials take action.

They go on to say:

U.S. officials must act quickly to control government deficits or face slower growth and even more difficult choices in the future, the International Monetary Fund said Thursday in a report criticizing the tepid U.S. response to its rising debt.

Admiral Mullen, Chairman of Joint Chiefs:

I believe that our debt is the greatest threat to our national security.

Secretary Hillary Clinton, Secretary of State:

Secretary of State Hillary Clinton waded into the nation's fiscal debate Wednesday, calling the expected $1.3 trillion U.S. deficit ''a message of weakness internationally.''

Clinton says the deficit is a national security threat. It was $1.3 trillion when she said that in September. The projected deficit now is $1.6 trillion-plus. Secretary Geithner said the same.

We have had a debate. We had 10 Democrats defect from the Democratic bill that did nothing, saying we needed to go further. We had two Republicans defect. One Independent defected, probably thought it was cutting too much. But the majority of Members seemed to be saying we need to reduce more.

I suggest that our leaders get together. If there is a disagreement about where the reductions ought to occur, so be it. Let's work that out. But we need to reduce spending significantly. The House number is a minimal amount. I believe it will send a message to the Bill Grosses of the world who move billions of dollars around that this country is willing to take action, even tough action, to get off this unsustainable path.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

(The remarks of Mr. SANDERS pertaining to the introduction of S. 552 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SANDERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY

Ms. MURKOWSKI. Madam President, last week I spoke on five of the steps we need to take to increase domestic oil production. Today I wish to take a few moments to speak more broadly about our Nation's energy policy as a whole, what the proper goals for such a policy should be, and the false choice between increased domestic production and reduced oil consumption.

Energy policy has repeatedly been brought up as an area where this Congress and this President can find common ground. Knowing something actually needs to be done, however, is no guarantee it will be done. The truth is most of us know we can improve in the area of energy. With oil prices at above $100 a barrel and the price at the pump heading toward $4 a gallon, we need to develop a coherent national energy policy to find that common ground, and that need has taken on even greater urgency.

So what makes for good energy policy and how can we ensure that agreement is finally reached on meaningful energy legislation? I think we should have essentially five goals, and those five goals are: an energy that is abundant, affordable, clean, diverse, and domestic. I realize these words, especially in combination with one another, don't lend themselves to a clever acronym or a catchy slogan, so maybe we need to rearrange them and figure out what word we can make. But if we follow these as our guiding principles and make sure our legislative efforts reflect each and every one, I believe genuine progress can be within our reach. So let's start with the concept of affordable energy, because that is certainly the most relevant topic right now.

Times such as these serve as a wakeup call as to how important energy—and particularly affordable domestic energy—is to our Nation. Energy provides the base of everything we do; not just heat and power and light and transportation, but the food we eat, the clothes we wear—everything. Whether for a server farm or for a soybean farm, abundant and affordable energy is the foundation for a robust economy. But, unfortunately, there seem to be those who feel the key to clean energy is to make energy scarce and expensive. We don't need an experiment or an act of Congress to know an economic recession reduces emissions, and a depression, of course, would even do that more so. The current price of oil is a stark reminder that while making energy scarce and expensive may, in fact, reduce our emissions, it is an even more effective way to crush an economic recovery. That is not good for us.

The President has proposed we should raise the taxes on oil companies, but in the middle of tough economic times, the American people are not open to those policies that will increase their energy costs. There is a better path that would do more to bolster our energy security, more to create jobs, more to generate government revenues and, equally, more to reduce our deficit. Instead of punishing one industry to promote another, let's use our tremendous reserves of conventional resources which account for more than 80 percent of our energy supply. Let's use these to fund the next generation of clean technologies. Let's prove up and produce our resources and then put these revenues toward—whether it is tax incentives, whether it is additional research, whether it is studies at our universities, you name it, but let's use these wisely.

Speaking specifically to the regulatory burdens on energy, I think we all recognize the Clean Air Act has made our air cleaner and certainly improved our health. Carbon monoxide, SO_X, NO_X, and a host of other pollutants have largely been removed from smokestack and tailpipe emissions. I think we recognize there is more we can do in terms of the regulation of HFCs and other greenhouse gases which, while they emit much lesser quantities, they certainly have potent greenhouse effects. But the Clean Air

Act is not the proper legal framework for regulation of carbon dioxide, which is emitted in huge quantities by almost every human activity and whose effect cannot be confined to a nonattainment area, and which, in itself, is not harmful to health. All of us want a cleaner energy supply, but the approach taken over the last several years seems to have been one of all or nothing instead of the all-of-the-above approach, and I think it has been counterproductive. We need to seek out and accept policies that will lead to steady progress.

We don't yet know the best way to provide energy that is clean and abundant and affordable, but what we do know is there is a whole myriad of opportunities. We have oil and natural gas; we have wind; we have solar; we have hydro; we have geothermal. We have coal, biofuels, fission, fusion. Just naming the types of energy and the subcategories within energy is a whole floor speech in and of itself. Whether it turns out to be fireflies we collect in a bottle or something we simply haven't even imagined yet, we don't know what source or what combination of sources will actually turn out to be best for America. That should be cause for those of us here in Congress to be extraordinarily careful in trying to predetermine what sources should either win or lose. We are always talking around here about we need to steer clear of picking winners and losers, and yet it seems that is what we do all the time. A diversity of energy sources provides the best proving ground and insurance against overreliance on any one source, and a healthy economy provides the best demand for the cleanest sources available.

Winston Churchill once said:

> On no one quality, on no one process, on no one country, on no one route, and on no one field must we be dependent. Safety and certainty in oil lie in variety and variety alone.

Winston Churchill was talking about oil, but his words are just as applicable to our need for diversity in all of our types of energy.

Finally, the need to make our energy domestic to the greatest degree possible is something we have all known—we all know we need to do this—but we have failed to do anything about it for decades. It shouldn't take an upheaval in North Africa to convince us that sending billions of dollars a day out of our economy to countries that are not our friends is a bad idea.

We know it is a bad idea. Yet we continue year after year after year. We need to focus on two parallel tracks: increased domestic production and decreased consumption. We absolutely should reduce our dependence on oil. In our early days of the automobile, we saw a wide range of experiments as inventors and entrepreneurs strove to find the best approach. Again, I think we are on the verge of a renaissance in vehicle technologies where we explore electric vehicles, biofuels, fuel cells, efficient diesels, natural gas, propane, and other approaches. But for right now, today, we use 20 million barrels of oil a day, and for the vast majority of its uses there is no imminent substitute.

I said last week in my comments that for the sake of our national economy, for the sake of our Nation's security, and for the sake of the world's environment, we should produce at home the highest possible percentage of the oil we do consume.

Domestic production is currently being stifled by those who engage in what I guess you would call magical thinking—that if only we stop producing oil in the United States, then the world's need for oil is going to go away and Skittles are going to fall from the sky and unicorns will prance in the streets. It is just not real.

The harsh reality is our foreign oil dependence contributes to conflicts where young men and women die or come home without limbs, and we wreck our economy. There always will be future conflicts in the world, whether in the Middle East or elsewhere. As a nation, we will have to decide on our proper role in each. We can and should do everything possible, however, to eliminate foreign oil dependence as a strategic consideration.

Madam President, none of this is due to America running out of oil. In Alaska, my home State, we have estimated reserves in excess of 65 years' worth of Persian Gulf imports. So, again, in Alaska alone—one State—we have reserves in excess of 65 years of what we take from the Persian Gulf. There are also, of course, tremendous reserves in other States and, of course, offshore.

For decades, opponents of domestic production have argued that we should not produce more because we are not going to see this come online for years to come. If, 20 years ago, or even 10 years ago we had ignored those who had said ANWR was unacceptable because it would take a decade to develop, we would now, at this point in time, be enjoying another 1 million barrels of domestic production per day. But we said, 10 years ago, 20 years ago, it is going to take too long to bring that ANWR oil online, so we just ought not do it. Look where it puts us today.

Opponents also like to say that a policy of increased domestic production will have no immediate effect on oil prices. We don't even want to waste time arguing the folly of trying to dismiss good national energy policy because it is long term. I also note that using the Strategic Oil Reserve to mitigate high oil prices—to maybe push them back below $100 a barrel for a short term, a couple weeks—should be unacceptable to us. We need a viable long-term answer, not a short-term and shortsighted political alibi.

There is nothing that OPEC fears more than America committing to the twin tracks of increased domestic production and reduced consumption. Were we to do so, we would see OPEC doing everything in their power to drive down world oil prices to make us abandon our policies and, once again, hamstring ourselves and make us reliant upon them for our oil.

I want to offer an important perspective. Even if we cannot accept that America increasing production and decreasing consumption would affect global oil prices, remember, price is not the only reason to advance such a policy. Right now, the high price of oil works against America, and it works for every nation that deliberately produces its reserves. Production provides them with jobs, it provides them with revenue for their government, and it provides better trade balances and national security, but all at our country's expense.

We are the only country that has identified a huge resource base and then absolutely refused to produce it. So often we hear on this floor discussion about China eating our lunch in clean energy, about Japan and Germany outpacing us in wind and solar technology. But does anybody think if those countries had a Gulf of Mexico or an ANWR, they would not be drilling in those areas as we speak? Does anyone think those nations demagog nuclear power or refuse to permit coal plants? Their energy policies are on a better track than ours. They are not just looking at what is happening today; they are looking at tomorrow, at today—they have an energy policy that carries them out.

There is an article in the Wall Street Journal of yesterday by Nansen Saleri. He concludes his article with this statement:

> The U.S. does not have an energy problem. It has an energy strategy problem.

Think about that. It is not lacking the resources; it is the strategy for how we develop our energy resources.

During his campaign, President Obama liked to quote Dr. Martin Luther King and talk about ''the fierce urgency of now.'' There are few issues more important or more fundamental to our Nation's long-term success than a viable energy policy. People are very correct when they say that parts of this will take time, and parts will take a longer period of time. But now is never more fiercely urgent than when we have such an important and long journey ahead of us. If we are ever going to take control of our energy future, now is the time to come together and support policies that promote abundant, affordable, clean, diverse, and domestic energy. It is critically important to us.

I look forward to these conversations that we will continue on the Senate floor as we talk about ways we not only work to reduce our budget, ways we not only work to create jobs in this country, but ways that we truly build a strategic energy policy for the long-term for this country.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

GASOLINE PRICES

Mr. ENSIGN. Madam President, I wish to talk about gasoline prices and energy. Just a few years ago, this Nation was in the middle of an energy crisis not unlike the one we are in today. Back then Nevadans were confronted with record prices at the gas pump, and this body did nothing to relieve their burden.

When I joined my colleagues to demand that we explore our own domestic energy possibilities, the call fell on deaf ears. In May of 2007, I said that ''moving America toward energy independence needs to be more than a bumper sticker and a campaign slogan.'' Unfortunately, it remained just that.

Campaign promises to protect our Nation's security interests remain on the campaign trail, and cheers at political rallies to increase America's energy independence are left behind with deflated balloons and forgotten confetti. Well, here we are. My colleagues on this side warned against what an unstable Middle East could mean for our gasoline needs. Yet, today, what are we witnessing? Turmoil in that region and escalating gasoline prices at home once again.

Unfortunately, this time around, our economy is also in trouble. My State of Nevada has continued to suffer the most during this recession, and economists are not predicting a quick turnaround anytime soon.

The problem with this new energy crisis is that a record number of people in Nevada and around the country are now without jobs and without homes. So how are they supposed to afford $4-a-gallon gasoline or maybe even $5-a-gallon gasoline at the pump? I will tell you simply, they cannot afford this.

Recent unrest in Egypt, Libya, and other countries has forced gas prices to rise nearly 40 cents a gallon in the recent weeks. For those struggling in my State, that is verging on unfavorable. For those who are worse off, it already is. The price of gas is at a 2-year high. The average price of a gallon of gasoline in America is now $3.52. When President Obama first took office, the average price for a gallon of gasoline was $1.84. That is a 91-percent increase. What are we doing? Nothing. In Nevada, gas prices are rising and are now above $3.60 a gallon. The biggest concern with the rising cost of gasoline is that it translates into higher prices at the grocery store, utility bills, and virtually everything we do.

I have spoken at length over the past few years about people in my State who are being forced to decide between paying the rent or putting food on the table to feed their families. But what are they going to do if they can afford to do either? This is a sad thought for me but a reality for many others.

Throughout this economic downturn, Members from both sides of the aisle have come to the floor to talk about people in their home States who are suffering. Philosophical differences aside, both parties have put forth legislation that they believe will help the economic plight of many Americans. What have we done about energy prices that threaten to derail recovering families? Nothing.

Rising gas prices affect nearly every sector of our economy. Everywhere we look in America today, our economy continues to be directly affected by the skyrocketing price of fuel. At a time when unemployment is over 14 percent in my home State and Americans are already struggling financially, we can no longer allow this problem to be ignored or to be set aside. We need real solutions that develop our domestic energy and oil production, and we need those solutions to decrease our dependence on dangerous foreign oil.

We send over $500 billion a year out of this country to buy foreign oil. A lot of that money ends up financing the very people who would do us harm. What America needs is everything but foreign oil from dangerous countries. That needs to be our energy policy so that we can ensure that the price of gas does not further cripple our crumbling economy.

In 2008, I spoke on the Senate floor and said these following words:

> The American people are looking to us for solutions. We have a responsibility to make decisions here in order to provide them much needed relief at home. For many months, Republicans have been working to provide that relief. We have been focused on a three-pronged approach: boosting renewable energy and alternative energy, encouraging energy efficiency, and growing our American energy supply. This line of attack balances the need for us to be responsible stewards of our environment with the need for reliable, affordable energy to fuel our lives and our economy.

Again, that is what I said in 2008 when Republicans wanted to address the need for American energy independence. But the Democratic majority had other priorities.

We simply cannot continue to pass the buck on to another Congress and kick the can down the road. We need to take action, and we need to do it now.

Like the spending cuts, everything needs to be on the table when discussing American energy independence. By working to eradicate our dangerous dependence on foreign oil from the Middle East and Venezuela, we can protect Americans from choosing between paying the rent, providing food for their families, or paying for gas to drive to work.

What does an ''everything but dangerous foreign oil'' approach look like? It means 10 billion barrels of oil from ANWR in Alaska. It means 28 billion barrels from deep-sea exploration; about 1.8 trillion barrels possibly from oil shale in Colorado, Utah, and Wyoming; trillions of cubic feet in American natural gas. It also means a 230-year supply of coal and great potential for nuclear energy. These are American sources of energy. If we combine those with conservation and aggressive investment in renewable and green energy—solar, wind, geothermal, hydropower, fuel cells, and electric vehicles—they are all key to our American energy independence.

I recently visited a couple of different places in my home State of Nevada that are producing electric cars. Those are great, but you still have to produce the energy to produce the electricity to run those electric cars. That is why we need this ''all of the above'' approach for American energy independence.

My home State of Nevada is actually a shining example of many innovations being made on these fronts. Nevada Solar One in Boulder City is one of the largest capacity solar powerplants built in the world and generates enough electricity to power at least 14,000 households a year. Nellis Air Force Base in Las Vegas has the Nation's biggest photovoltaic solar power system, which supplies 30 percent of the energy used at the base. Henderson has Nevada's first solar community, where each home has a rooftop solar electric system. Late in 2007, Ausra, Inc., selected Las Vegas as the site for the first U.S. manufacturing plant for solar thermal power systems. The world's third largest geothermal power producer is headquartered in Reno, NV. And Nevada is home to the only associate degree program in the Nation in energy efficiency. It is absurd to think that people in Nevada are going to be crippled by increasing prices at the gas pump at the same time that our State is leading the way in renewable energy innovation simply because Congress will not act to address this crisis.

Throughout this last year, bills were passed filled with unintended consequences because every dip in the economy was deemed by some to be a crisis that required an immediate solution. Yet we knowingly continue to ignore the energy crisis that will continue to plague our country every time the Middle East cannot get along.

According to the Department of Energy, oil is the source of more than 40 percent of our total energy demands and more than 99 percent of the fuel we use in our cars and trucks.

The Senator from Alaska, Ms. MURKOWSKI, was just on the floor talking about how we all want to transition to a more green economy. But the fact is, that is going to be years and even decades away, so we have to have American sources of energy here now.

The United States consumed about 19 billion barrels of petroleum products a day in 2009. We receive over half of this oil—51 percent—from foreign sources, predominantly from the Middle East, Africa, and Central America. We cannot continue to ignore this issue. Inaction is no longer an option.

The Obama administration's approach to developing domestic energy production has been to impose regulations, withdraw permits, and shut off access to lands that contain valuable oil and natural gas deposits. In addition, the EPA is currently regulating domestic energy resources for greenhouse gas emissions under the Clean Air Act. We can no longer afford organizations, such as the EPA, claiming authority to cut off our access to resources because of arbitrary rules based on unsound science. These backdoor climate regulations could increase the cost of gasoline and electricity by 50 percent. These policies work to promote our dependence on foreign oil, and they do nothing to reduce the cost for ordinary Americans.

Ten billion barrels in ANWR in Alaska means that not drilling is not an option. ANWR is roughly the size of South Carolina, but drilling in ANWR will only be about the size of McCarran Airport in the city of Las Vegas. That is about 2,000 acres out of the size of South Carolina. If I had a map here, it literally would be a dot on a huge map. That is how tiny an area we have to disturb to get this 10 billion barrels of oil out of ANWR.

We can even access ANWR during the winter months. We can drive out on ice roads that are 6 feet thick, and then in the spring, when everything starts to melt and the animals need to come out for their breeding in the springtime, we can cap the wells, take all of the equipment out, and let nature take its course in the summer months.

Additionally, at least 40 billion barrels of recoverable oil in the National Petroleum Reserve-Alaska and the Chukchi and Beaufort Seas means that Alaska alone can replace crude imports from the Persian Gulf for nearly 65 years. Let me repeat that. New oil in Alaska can replace what we import from the Persian Gulf for the next 65 years. If that is not in the interest of America—our national security interests and our national economic interests—I don't know what is. I bet that is a statistic the Obama administration would rather keep hidden. As a matter of fact, they are keeping it hidden because the EPA is blocking the ability of Americans to go in and get those oil and natural gas reserves.

Also, in Louisiana, drilling for natural gas in the Haynesville Shale resulted in an estimated $5.7 billion in new household earnings for Louisiana residents in 2009, and it created over 50,000 jobs. I mention this because going after American energy produces American jobs. I think everybody in this Chamber agrees we need American jobs today.

Now we are finding that there are more reserves located in central Louisiana and southern Mississippi, and they may contain 7 billion more barrels of natural gas. But we have also found many natural gas reserves in the rest of the country. Shale reserves in Pennsylvania, Ohio, New York, Oklahoma, and West Virginia could provide us with literally billions more barrels of natural gas.

Yet, in the midst of this abundance, the administration has strapped down these reserves with regulations and too-long-to-comply-with permits. The solution to this situation is simple: We need to streamline the process to allow America to access its own resources without the hindrance of bureaucratic redtape. If we are allowed to fully tap into the potential of these reserves, we will be one step closer to developing affordable and environmentally safe compressed natural gas vehicles. This will not only curb our reliance on dangerous foreign oil but also create even more jobs and put us at the forefront of alternative-fuel technology. By using our own natural gas reserves, we can build more powerplants, improve our transportation needs through buses and trucks that run on natural gas, power our fleets, and improve our country's ability to manufacture steel, fabric, glass, and plastic that we need instead of outsourcing these jobs overseas, which is what has been happening.

Madam President, 28 billion barrels of deep-sea oil means that the Obama administration cannot continue to hold these reserves hostage by banning deep-sea drilling. The Gulf of Mexico and the Atlantic coast areas alone hold commercial oil reserves of 28 billion barrels of oil and up to 140 trillion cubic feet of natural gas. These are huge reserves.

Despite the administration lifting its moratorium on permits late last year, only one deepwater well permit has been issued in the last 11 months—only one. We can and we must do better than this.

Yesterday, it was reported that the Obama administration will issue another handful of deepwater drilling permits in the near future. Of course, this comes at a time when the administration is appealing a ruling from a Federal court that has ordered the administration to act on the permits that have been pending and that have been virtually ignored.

Secretary Salazar, in a Senate subcommittee hearing just yesterday, said oil production in the gulf will not drop significantly as a result of the administration's delay. He said we ''may see a blip.'' Well, this country cannot afford to see a downward blip. As a matter of fact, we need to see an upward tick. We need to see more production coming out of the Gulf of Mexico.

Recently, Senator VITTER drafted his No Cost Stimulus Plan, as he calls it—or his 3 Ds. Those 3 Ds are domestic energy, domestic jobs, and reducing the deficit. This bill aims to increase our ability to access domestic energy sources to increase our energy independence. It would use these domestic energy sources to create thousands of real, private-sector, long-term jobs in areas such as my State, where we have the potential to lead the Nation in renewable energy.

In 2009, the Obama administration canceled 77 oil and gas leases in Utah, and in 2010 it canceled another 61 oil and gas leases in Montana. This is astounding to me because now, instead of acting on American energy independence, we are trying to stifle the progress we are making. Senator VITTER's legislation would direct the Obama administration to reinstate oil and gas leases that were canceled and to open ANWR to oil production.

Senator VITTER's legislation would also establish an ANWR alternative energy trust fund so we can pay for renewable energy development with our own money instead of borrowing money from China and Saudi Arabia and others to do it. The bill also restricts the EPA from imposing regulations that cut off our access to oil and gas resources instead of utilizing them.

We have been talking about the debt on this floor and overspending. We need legislation to go after American energy. By the way, this legislation would not cost us any money. As a matter of fact, it brings in money to the U.S. Treasury because we get royalties off of American energy. That is the direction in which the Senate, the House, and the President needs to take our country—less dependence on foreign oil, more American security from an energy independence standpoint, more economic security, and more military security as well.

Republicans have solutions and we are eager to start this debate, but we need the majority to bring these bills to the floor of the Senate. The issues are too critical for us to delay. We can't afford to let gasoline continue to go up and up and up, to $4, $5, who knows where it is going to stop.

Unfortunately, President Clinton vetoed the bill that would have opened ANWR back in the mid-1990s. I think we were one vote short in passing the ability to open ANWR when President Bush was President. This body failed by one vote. That is unfortunate, because if we had opened ANWR, we wouldn't be in nearly as bad shape as we are in today. But it isn't just ANWR, it is many other places where we can have American energy and we need to act and we need to act now.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

DEBT AND NATIONAL SECURITY

Mr. THUNE. Madam President, I rise to talk about our Nation's security and what the Chairman of the Joint Chiefs of Staff, ADM Mike Mullen, recently said is the greatest threat to America's future. He mentioned not too long ago that the greatest threat to America's national security is our national debt, not al-Qaida or the Iranian nuclear threat or instability in the Middle East or Russian spies but our national debt.

That is a stunning statement, but I think it is backed up by the numbers. We are more than $14 trillion in debt.

It took 220 years of American history, up to the beginning of 2009 and with 43 American Presidents, to pile up $6.3 trillion in publicly held debt. Under the Obama administration's latest budget, we will double that in another 2 years and triple it in 10. That budget calls for a sizable annual deficit every single year for the next 10 years. The smallest budget deficit we would face would be $607 billion in the year 2015, and then our deficits would start rising again.

That is what the White House calls a balanced budget. I would call it a joke, but it is no laughing matter. We just learned China holds even more of our debt than the Treasury had previously thought—26 percent of total U.S. debt held by foreigners. The President's budget inevitably would add to that.

That crushing debt burden we are imposing on future generations will seriously limit their ability to live the American dream. For generations in this country, parents have sacrificed so their children could have a better life, but today we are standing that tradition on its head. Excessive spending and debt threaten to make the next generation the first in our history to have a lower standard of living than the one that came before. That was not what my parents did. My father fought in World War II. He worked hard as a teacher, a coach, he drove the schoolbus, ran a motel in my hometown, and basically did any job he could and made whatever sacrifices he needed to make in order to keep our family fed, clothed, and sheltered. His father before him, my grandfather, traveled to this country from Norway and worked doing hard labor laying the railroad across the Plains. He started his own hardware store and ran it through the Depression and war until he couldn't work anymore. He knew what it meant to sacrifice to take care of his family.

But today, Washington seems to be saying the generations to follow us will have to sacrifice so we will not have to make the tough choices. We don't want to do the hard work of living within our means, so our children and our grandchildren will just have to get by on less. Every one of us in this Congress should be ashamed of that prospect.

But more than shame for what we are doing to future generations, we should be alarmed about what we are doing to our economy today. That skyrocketing debt means a burden of uncertainty on our businesses, small and large alike. When businesses and people are uncertain if there will be a fiscal crisis, they limit their investment. Added to the stifling amount of overregulation coming out of Congress and the administration these past 2 years, it means businesses have one more reason to worry about whether they can afford to add another person to the payroll. That means fewer jobs.

One influential study, endorsed by none other than Treasury Secretary Geithner, found that countries with very high debt burdens suffer from lower economic growth rates. Median growth rates for countries with public debt above roughly the 90 percent of GDP threshold are about 1 percent lower than otherwise. The reasons for this are simple: Government borrowing crowds out private investment. The less productive public sector takes resources that could and would be better used by the more productive private sector.

We have already crossed the dangerous 90 percent threshold—gross debt was 93 percent of GDP at the end of last fiscal year and will top the 100 percent barrier by the end of this fiscal year. Under the President's budget, the debt will continue to grow rapidly, eventually reaching 107 percent of GDP—and that is even with the gimmicks and questionable assumptions the White House budget proposal contains, including what I believe are very unrealistic economic growth assumptions.

President Obama's own economic advisers have estimated that a 1-percent increase in GDP translates into 1 million more jobs. Many more people would have jobs today if it weren't for this crushing debt burden.

We did finally have some good news last Friday about private sector job creation. Nobody was happier than I to see that. But the fact remains that the labor force participation rate in the latest unemployment figures was unchanged at 64.2 percent, the lowest level it has been since the early 1980s. A lot of workers have been so discouraged with the lack of jobs they have simply stopped looking.

Let us not forget our recovery so far has lagged far behind past recessions. At this point after the 1981–1982 recession, the economy had already expanded to 10 percent. But the current recovery has only expanded the economy by .14 percent. That is not good enough. We all know if we don't act soon to get control of Federal spending and our soaring debt, any good news will be short-lived.

For 2 years, the Pied Pipers of big government told us they could spend their way out of financial troubles; that the money was free and it would lead to jobs, jobs, jobs. Well, they were wrong, and 2 years of their policies have left us dramatically worse off. It is simple: Too much government spending means too much government debt. That means a weaker economy and fewer jobs.

I think we are finally at the point where most people, even here in Washington, are willing to concede we need to get a handle on our spending. Even the Obama administration—the biggest spending White House in history—has finally come around to the realization that just maybe we should let the credit card cool off a bit.

There is no better time in America's history to change course regarding Federal spending. We are at a moment when we are about to get hit by a succession of three budgetary waves. First, the end of the 2-week continuing resolution on March 18. Then we will have to address the debt limit sometime this spring. After we have dealt with those two matters, we need to take up the budget for fiscal year 2012 because the new fiscal year is only 6 months away.

None of those is a mystery. None of them snuck up on us. We have seen them all coming. We have had plenty of warning. We have no excuse for being unprepared. I am confident we can come together and solve all three of those issues. We showed we can do it with the 2-week CR, finding $4 billion of spending that we could agree was not our most important national priority right now and could be cut. Thanks to the great work of our friend and colleague, Dr. COBURN, the GAO has confirmed there are hundreds of billions of dollars in waste and duplication we can begin to scrub out of our Federal budget.

That is our short-term situation—those three challenges. But there has also been talk of a balanced budget amendment, and I am a cosponsor of two balanced budget amendments. That is not a short-term fix. That is a long-term issue. So that is the short term and the long term.

In the midterm, we need to come up with additional solutions to get us off what I call Federal fiscal irresponsibility, budgetary brinksmanship, and deficits as far as the eye can see. We need to get back on the path of prosperity, and that path cannot be built on borrowed money and reckless spending. Getting back on the right path will require us to fix our broken budget process.

To that end, I am proud to reintroduce a bill I introduced last year that would establish commonsense reforms to improve transparency and efficiency in our budgeting process. I am proud Senators CHAMBLISS, CRAPO, INHOFE, JOHANNS, KIRK, PORTMAN, and WICKER have joined me in cosponsoring S. 439, the Deficit Reduction and Budget Reform Act of 2011.

If we don't do something to fix this broken system and soon, we are going to keep getting hit by these budget waves, and sooner or later they are going to sink us.

My proposal has three main parts. The first is budget reforms. I propose we start by reforming pay-go rules to prevent the double-counting gimmicks that too often are used around here, particularly with regard to our trust funds. We saw that double counting occur during the health care debate last year, when hundreds of billions of dollars were doubled counted—essentially spent twice—during the health care debate.

My proposal would make the Federal budget a binding joint resolution signed into law by the President. Today, it is a nonbinding resolution and routinely gets waived.

My proposal calls for a biannual budget timeline. There is more time

for oversight and to see what is working doing a budget every other year—during the odd-numbered years—and then during the even-numbered years doing oversight. So instead of looking for ways to spend taxpayer dollars, we look for ways to save taxpayer dollars.

My proposal also calls for a legislative line-item veto. Governors have it; the President should too.

My proposal would prevent the abuse of emergency spending designations, which, again, have become all too routine and all too frequent around here, to get around spending caps.

My proposal calls for the creation of a new CLASS Act trigger, if that new entitlement program is not solvent over a 75-year timeframe.

I would also modify the Medicare cost containment trigger to have honest accounting with respect to revenues and savings in the new health care bill.

My proposal also would update the Credit Reform Act to score the purchases of debt, stock, equity, and capital using a discount rate that incorporates market risk rather than the procedure that has been used in the past which, in my view, completely understates the cost of many of these programs.

I call for a new standing joint committee of Congress for budget deficit reduction. If you can believe this, there are 26 committees or subcommittees that spend tax dollars and not one that saves tax dollars. That joint committee would be responsible for producing a bill to cut the deficit by at least 10 percent every budget cycle without raising taxes. This bill would get expedited consideration in both Chambers of Congress and use only spending reductions, not tax increases. Tax increases would be off the table. A standing committee—not just issuing one report and closing up shop—its recommendations would get an up-or-down vote in Congress.

There is a precedent for doing this. I see the Senator from West Virginia on the floor. Back in the 1940s, there was a Senator from West Virginia named Harry Byrd. As they were debating whether to raise taxes to fund World War II, he came up with an idea and said: Before we do that, we ought to look at savings we can find in our Federal budget. So he proposed a joint committee called the Joint Committee on the Reduction of Nonessential Federal Expenditures. They went about the process of scrubbing the Federal budget to see if there might be savings that could be achieved that would prevent having to raise taxes to fund the war effort. In the process of doing that, that committee achieved a great many things. It was in existence for about 30 years.

What this would do is draw on that precedent and create a joint standing committee in the Congress that would be bicameral—10 House Members, 10 Senate Members—bipartisan—10 Republicans and 10 Democrats—and would have a statutory requirement each budget cycle for coming up with a specified amount of savings in deficit reductions through spending reductions.

What would we do in the short term? This proposal would freeze and cap spending. It would propose a 10-year spending freeze at 2008 levels adjusted for inflation. After all, nondefense discretionary spending has increased at an alarming rate since 2008—a 22-percent increase, when inflation has been roughly 2 percent. In other words, nondefense discretionary spending has grown in the last 2 years at 10 times the rate of inflation.

As I said, this is not a quick fix. No plan is going to solve our problems overnight, and I hope we do not take seriously anyone who claims to have a plan that will. But just the same, I do not think we should take seriously any plan that claims that an annual deficit of $607 billion is the same as a balanced budget. It is not the same, and it is not good enough. The only thing that is good enough for our children and for the future prosperity of this great country is for us to get our fiscal house in order and to embrace responsible budgeting. We cannot continue to spend money we do not have. We have to learn. Like the American people have learned to live within their means, we have to learn how to tighten our belts.

I wish to close with a couple of statements.

I mentioned earlier the statement by the Chairman of the Joint Chiefs of Staff, ADM Mike Mullen, with regard to the greatest threat to our national security being our national debt, but I also want to quote what Secretary of State Hillary Clinton called the unexpected $1.3 trillion U.S. deficit. She referred to it as a ''message of weakness internationally,'' and she went on to say:

> It poses a national security threat in two ways: it undermines our capacity to act in our own interest, and it does constrain us where constraint may be undesirable.

That is Secretary of State Hillary Clinton with regard to these year-over-year massive deficits we continue to run.

Just today, we heard that PIMCO, one of the largest mutual funds in the country, has decided to dump government debt—its government debt. In that story that came out today that was discussing that particular move on their part, there was a quote from a gentleman, Jim Rogers, who is the cofounder of the Quantum Fund. He said:

> U.S. Government bonds are not a safe haven. I cannot conceive of lending money to the U.S. Government for 30 years.

Think about that—the United States of America is being viewed increasingly as an unsafe investment because of this massive debt we are running and what it could mean to the future with regard to inflation and interest rates and the health of our economy and its attractiveness to people not only here at home but around the world as a place for investment.

We have a major problem. These are serious times. These are serious problems. These are serious challenges. They require serious solutions and serious leadership. I hope here in the Senate we are up to that.

As I said before, it starts on several levels. In the near term, we need to get the spending under control. We are trying to do that with the discretionary spending bill that is in front of us. We need to deal with the longer term issue. I hope we can pass a balanced budget amendment. We have had votes on that in the past here in Congress, unsuccessfully, narrowly. But we need to put in place what so many States have that require them on an annual basis to balance their budgets. Then we need to put in place budget process reforms that, in my view, will put more of a straitjacket on the Congress and force us to make more of these hard decisions.

I think, frankly, because we do this every year, this budget every year, we get very occupied with 12 appropriations bills in the budget—although last year we did not even pass a budget, nor did we pass a single appropriations bill, which is a major failure of this Congress when you are running a $3.7 trillion enterprise called the Federal Government. But in our annual schedule, we need to provide time to do oversight, time to look at what we can be doing not to spend more money but to save money.

If we had a biennial budget process where we are spending money in odd-numbered years and doing the appropriations bills in those years, and then in the even-numbered years, when people go home to run for election, instead of looking for ways to spend money, we are actually looking for ways to save money, I think these reforms are long overdue.

I hope my colleagues will take seriously this issue of budget process reform. I know it is not glamorous subject. In fact, most people's eyes glaze over when we talk about budget process reform. But, in my view, there is not anything we could do that would more fundamentally change the way Washington works than reforming this budget process because it drives everything else. If we do not start there, we are never going to get this issue of spending and debt under control in the long term.

I thank my colleagues who have cosponsored this bill. I hope there will be more colleagues who will join on this bill—if not this one, something like it—that will once and for all change the way Washington works by undertaking reforms in our budget process that will lead us to greater fiscal responsibility and greater prosperity for future generations.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from West Virginia.

INTEROPERABLE WIRELESS BROADBAND NETWORK

Mr. ROCKEFELLER. Mr. President, tomorrow is March 11. For most of us, this date carries no particular significance. It does, however, reflect exactly 6 months before September 11. That date we do remember and will not forget. It is 6 months from the anniversary of the worst terrorist attack ever and a day that we as a nation can never forget. It is 6 months from the date we will honor the memory of those whose lives came to an end and the way we came together, at least for a short period of time, as a nation.

With that historic date approaching, I think it important that we honor the tremendous bravery of all public safety officials. I believe this is one of the most important issues facing the country, and it is one we can do something about very quickly and reduce the budget deficit by doing so.

Our police, our firefighters, our emergency medical technicians, and the countless others who fought that day to keep us safe and who work every day to protect us from harm—we have essentially forgotten about them.

The 9/11 Commission specifically said that you have to have a system that connected all law enforcement across this Nation in an interoperable wireless system. Obviously, therefore, that is a way of saying that the best and simplest way to honor them is to give them the tools they need to be successful, to be safe, and to do their job in a way that does not expose them to needless dangers. Right now, we are not doing that.

Much as in the first gulf war, when the Army and the Navy and the Marines and the Air Force could not communicate with each other because they were all on different systems of communications—and we all kind of laughed at that as being kind of pathetic. They have solved that, sort of, but we have not solved this one at all, involving every single American and every single firefighter, policeman, and law enforcement officer, deputies, sheriffs, all across America. When it comes to public safety communications, these everyday heroes do not have the networks that they could so easily have and that they so desperately need because we have not acted. It is the 10-year anniversary coming up 6 months from now—we have not acted.

Too often, first responders lack that interoperable network that is essential to providing an effective response in emergencies, all kinds of emergencies—a lot of them very desperate, not all of them catastrophic, but there is always that potential. They don't have the ability to communicate with one another. They don't have the ability to communicate with other agencies. They don't have the ability to communicate with other cities and States across State lines. They cannot do that. It is kind of pathetic in the age of the Internet. We have chosen to do nothing. Instructed by the 9/11 Commission to do something a long time ago, we have done nothing. This hampers our ability to respond to a crisis, this lack of equipment. Whether that crisis is a terrorist attack or a natural disaster, it puts lives in unnecessary peril.

I believe it is time to do something about it. In the Commerce Committee, we happen to take that approach. That is why I introduced S. 28, the Public Safety Spectrum and Wireless Innovation Act. This legislation does two things. First, it sets aside the 10 megahertz of spectrum known as the D-block. I don't know why it is called the D-Block, but it is the D-Block. Its 10 megahertz adds on to the 10 megahertz they already had, making 20, which means they could do the whole thing, completely connect with each other, every sheriff, police person, law enforcement, Federal, State, county, municipal. They would all be on one system and talk to each other from a common communications base and a common database. It is an interoperable wireless broadband network that we have to have, and it is that which we do not have. We do not have it because we have not made the effort.

Secondly, it gives the Federal Communications Commission the authority to do something very interesting: to hold incentive auctions based on the voluntary return of spectrum which is not necessarily being used by a whole variety of people who just want to hold on to it. It is better to hold on to something than to give it, but we give them an incentive on a voluntary basis—crucial word in this legislation—on a voluntary basis to return that spectrum. In turn, these auctions will provide the funding to support the construction and maintenance of the public safety network which they need and which I have been speaking about, and they free up additional spectrum for innovative commercial uses.

In short, this bill marries resources for the first responders with good commercial spectrum policy. It can keep us safe and help our economy grow. That is why the legislation has the support of absolutely every major public safety organization across this country, obviously including those of my State. That is why this bill also has strong support from all Governors and all mayors across this country. They have to deal with this. We do not; they do. That is why we now have the support of the administration.

I urge my colleagues to support the Public Safety Spectrum and Wireless Innovation Act. To those who say we cannot afford to do this now, obviously I would say we cannot afford not to. The role of intelligence reveals all kinds of things going on not only outside the country but inside the country, implying there is a target, or many of them, within this country.

But if this is not compelling enough, I think it is important for people to know this. This legislation pays for itself, plus does not cost a dime. According to the White House and even the industry itself, the telecommunications industry, incentive auctions will bring in revenue so much above what funding public safety requires, it will leave billions over that amount for, for example, deficit reduction. I am talking a whole lot of deficit reduction. Billions and billions. So it is a win-win-win.

I close. Let me say we have a once-in-a-generation opportunity to provide our public safety officials with the spectrum they need to communicate when tragedy strikes. We have chosen not to do that. Now there is this sort of malicious pressure of the 9/11 Commission's directive to us to do our duty as a country to the people who keep us safe.

More than that, we do need to keep this country safe, and it is not always going to be safe. We do not know when the next attack will come. So we have the incentive auctions, which are voluntary, but they will work. They can be sold for lots of money, and we will have, therefore, lots of money over and above what it costs to build this interoperable wireless broadband system across the entire country, connecting every law enforcement official to every other one.

To my colleagues I say, let's seize this moment. This is not Republican, this is not Democrat, it is simply the right thing to do. I ask people to think back to those images of 9/11, of that day, not just the 9/11 Commission report that emanated from that, why we could not stop that, but to think of the images of that day, of what those people absorbed in their lungs, the natural instinct for firefighters to come from all over the country, policemen to come from all over the country, ambulance people to come from all over the country, to New York City, a city which they do not start out loving generally out there in the hinterlands. But they knew this was a crisis, they reacted, they saved lives, they imperiled their own, and many of them lost their lives.

Let's do something historic, and let's do it together, and let's do it here in this Congress. And, certainly, let us get this all done before the 10th anniversary of September 11.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

FISCAL RESPONSIBILITY

Mr. KIRK. Mr. President, We are borrowing over $5 billion per day.

That's $35 billion borrowed per week to run our government, totaling over $1.5 trillion in borrowed money just to run for a year.

Harvard's great economic historian, Niall Ferguson, noted that the decline of a country can be marked when it pays its moneylenders more than its army. His classic case comes from the French monarchy of the 1780s who failed to make interest payments on

their debt, causing the financial collapse that triggered the Revolution. Recently, Carmen Reinhard and Kenneth Rogoff wrote a brilliant book called ''This Time is Different, Eight Centuries of Financial Folly.'' Their vast study revealed that most government officials believe they are always unique and different, causing them to make the same mistakes that crippled past nations and empires.

Using Ferguson's tipping point, where are we today?

This year, the total cost of maintaining our army will equal $137 billion. This same year, we will pay $225 billion in interest to our money lenders for the use of $14 trillion borrowed from China, Japan and elsewhere. The startling conclusion is that we have already passed Ferguson's tipping point by paying America's money lenders more than our own Army.

It gets worse.

In just 6 years, the administration says that we will have to pay over $661 billion to our money lenders for interest on our rapidly expanding debt. With the expected cost of our Army at $195 billion, our Air Force at $201 billion and our Navy/Marines at $217 billion, the total cost of $613 billion to provide for our common defense will be smaller than the $661 billion due to the money lenders. In simple economic terms, we will be forced to pay our lenders their interest money first, before caring for our own safety, or risk seeing the value of the dollars in our own wallets disappear.

Remember, these numbers are optimistic. They assume no severe spike in interest costs and no other war.

Recently, the Senate agonized over a short-term, 2-week spending bill that made a $4 billion cut to spending. We should see that bill's cuts as modest knowing that we already pay $616 million daily in interest and over $4 billion per week. In sum, the cuts of the 2-week bill saved just 1 week of interest payments.

As dire as this situation is, there is a bright side. Our country has seen this movie before. Washington, Lincoln and Roosevelt all accumulated economy-crushing debts as the fate of the United States hung in the balance. Our best example of what to do next comes from our own grandparents, rightly called the ''Greatest Generation.''

Tom Brokaw coined the title for Americans of the 1930s and 1940s who defeated the Depression, Japanese and Nazis simultaneously. I would add a fourth, largely unnoticed victory that Brokaw missed. After three great victories for freedom, our grandparents spent the next 20 years paying the debts incurred to win the contests of the Depression, Pacific and Europe. Their accumulated debts of 1946 totaled over 120 percent of our national income. Economists report that between economic growth and some inflation, the Greatest Generation reduced the crippling World War II debts that secured our victory during the late 1940s and 1950s. The return to more fiscally responsible government sparked an economic boom that built the super power called the United States of America.

The lesson of history is clear. Each generation of Americans faces conflict, war and debt. Each generation is tested. The looming debt crisis facing this government is our generation's test. While some government officials and bankers may still counsel ineffective action saying ''we owe this money to ourselves'' or ''because the dollar is the reserve currency, we can owe this amount,'' we know that the crisis we face is not that different from the ones that crippled other nations. With spending cuts and discipline we can master this danger, as our grandparents did. The need to do the hard things, like entitlement reform, is similar to the dramatic moves our grandparents made to secure our future.

But there is one difference between us and other nations. From the dawn of our revolution, the United States became the greatest force for human liberty and individual dignity ever known. The U.S. ended slavery, gave women the right to vote and spread freedom across Europe, Latin America and Asia. We are now challenged by 21st century world views in the Middle East and China that do not hold the western value of the individual as high as we do. It is therefore doubly important to do the work needed to reduce spending and balance the books so that we restore the vitality of a free people and their cause of expanding liberty and individual dignity.

Next time you talk to a member of the Greatest Generation, do not just say thank you. Ask them for advice on how to trim budgets and restore growth in the face of extraordinary debts, just as they did.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I too take the floor of the Senate to urge all of us, Democrats and Republicans alike, to focus on the single biggest domestic threat to our country, our single greatest challenge in the eyes of every Louisianan and every American I know, and that is to stop this runaway spending and debt.

Americans all around the country, certainly Louisianans all around my State, understand this is a grave threat to our economic future. It is not some vague threat to generations two and three away from us. This is an immediate threat because the path of spending and debt we are on is completely unsustainable.

For example, we must come together in a bipartisan way. We must act. We must solve this real and pressing problem before it is an immediate crisis. We should clearly do that well before any need for an increase in the debt limit arises, well before this Congress reaches a crisis atmosphere over the need for an increase in the debt limit.

For all of these reasons, I have joined with many of my colleagues. I sent the majority leader a letter today. First, let me thank my colleagues who joined me on the letter: Senators SESSIONS, RUBIO, DEMINT, PAUL, LEE, TOOMEY, and ENSIGN. The letter is very simple and straightforward. It says this is the greatest challenge we face. It says because of that, we need to face it. We need to debate and talk about it and act. We need to start doing that now, well before any significant deadline like when the debt limit may have to be increased.

The letter says: Mr. Leader, we are going to oppose moving to any other bill that doesn't directly address this crisis when we need to act on this grave threat.

Let me read relevant portions that go right to the point:

Dear Leader Reid:

Yesterday, the Senate voted on two proposals to fund the government for the rest of the fiscal year. This debate gave only a limited (three hours) opportunity to debate what many Americans believe is the issue of our time—cutting government spending and dramatically reducing our national debt. Additionally, no member of the Senate was permitted to offer amendments under the structured process, which in our opinion prevents a full, open, and robust debate.

With our national debt poised to reach its $14.3 trillion limit in the very near future, taxpayers expect Congress to work together to reduce wasteful and unnecessary spending and be more vigilant about how we spend public funds. The American people want Congress to deal with the tough issues of cutting spending, and almost every member of the Senate has agreed that we must address our fiscal situation immediately.

While there are certainly many issues that warrant the Senate's consideration, we feel that the Senate must not debate and consider bills at this time that do not affirmatively cut spending, directly address structural budget reforms, reduce government's role in the economy so businesses can create jobs, or directly address this current financial crisis.

The American people resoundingly rejected the way the Senate waited until Christmas Eve as a mechanism to force hurried debate on President Obama's massive health care legislation. Voting to proceed to another legislative measure effectively runs away from the central issues of spending and debt and repeats that flawed process.

We, therefore, are notifying you of our intention to object to the consideration of any legislation that fails to directly address this crisis in a meaningful way. Our objections would be withheld if the Senate agrees to dedicate significant floor time to debate this issue well in advance of the federal government reaching our statutorily mandated debt limit.

It is signed ''Sincerely'' from both myself and Senators SESSIONS, RUBIO, DEMINT, PAUL, LEE, TOOMEY, and ENSIGN, to the majority leader.

The statement is clear. This is a crisis. We need to act before we reach the statutory debt limit. So what are we waiting for? Let's act now. Let's not move to other cats and dogs bills that may be positive legislation but can certainly wait. Let's move to the people's business. Let's move to the absolute top challenge we face domestically. Let's come together and debate, vote on, and hopefully begin to solve this problem of unsustainable spending and debt.

To do that we also need leadership, ideas, suggestions. I believe we have provided that on this side of the aisle, and we would welcome ideas, suggestions, and concrete proposals from all Members.

Let me list the more than two dozen pieces of legislation that go directly to this issue:

S. 14, by Senator ENSIGN, establishes a commission on congressional budgetary accountability and review of Federal agencies.

S. 81 is an Isakson bill to direct unused appropriations for Senate official personnel and office expenses to be deposited in the Treasury and actually used to reduce the Federal debt.

S. 102 is a McCain bill which requires OMB to transmit to Congress a message with specified information requesting any recession the President proposes under the procedures instituted under that act.

S. 162 is a Paul bill to cut $500 billion in Federal spending from fiscal year 2011.

S. 163, by Senator TOOMEY, is the Full Faith and Credit Act to prioritize principle and interest payments when and if the debt limit is reached.

S. 178, by Senator DEMINT, reduces Federal spending by $2.5 trillion through fiscal year 2021.

S. 245 is a Corker bill, the CAP Act, to create a discretionary spending cap for Congress.

S. 259 is my bill to prioritize Social Security payments if and when the debt limit is reached.

S. 360, by Senator INHOFE, creates a point of order to exceed nonsecurity discretionary limits and to create spending limits for fiscal years 2017 to 2021.

S. 389, by Senator KIRK—and Senator HATCH has a similar bill—establishes a commission to review cost control.

S. 391, by Senator MORAN, rescinds all unobligated balances of President Obama's stimulus bill.

S.J. Res. 3, by Senator HATCH, is a balanced budget amendment.

S.J. Res. 4, by Senator SHELBY, is on the same topic.

And S.J. Res. 5, by Senator LEE, is on the same topic.

This is a long list, but it is certainly not exhaustive. I have read a partial list to make the point. We are coming up with ideas, proposals, and solutions. We encourage every Senator of both parties to come up with ideas, proposals, and solutions. Let's actually talk about the greatest threat we face. Let's talk about it now. Let's debate it now. Let's exchange ideas in a positive atmosphere now, well before we reach any crisis atmosphere over the debt limit.

I respectfully urge the distinguished majority leader, Senator REID, to heed our call to arms, to read our letter and react by creating an identified time on the Senate floor, well before we reach the statutory debt limit, to debate and pass solutions on this crucial topic.

I don't believe there is debate that this isn't the greatest challenge we face, that this isn't the greatest economic threat we face. Quite simply, what are we waiting for? We need time to bring forth these ideas and exchange them and debate them and act. We need time to do this well before the statutory debt limit is reached. We need to do the people's business in a reasonable way, in a sober atmosphere, not in an atmosphere of hysteria or threats when the debt limit would be reached in a matter of days.

I urge all colleagues to join us in this effort, to come to the floor with their ideas, their proposals. Let's do the people's business.

I ask unanimous consent that a partial list of Republican solutions and proposals be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 14—an Ensign bill to establish the Commission on Congressional Budgetary Accountability and Review of Federal Agencies. Directs the President to designate two Commission co-chairpersons.

S. 81—an Isakson bill to direct unused appropriations for Senate Official Personnel and Office Expense Accounts to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt.

S. 102—a McCain bill which requires OMB to transmit to Congress a message with specified information requesting any recission the President proposes under the procedures established in this Act.

S. 162—a Paul bill to cut $500 billion in federal spending from FY 2011.

S. 163—Toomey's Full Faith and Credit Act to prioritize principle and interest payments when the debt limit is reached.

S. 178—DeMint bill to reduce federal spending by $2.5 trillion through 2021.

S. 245—Corker's CAP act to create a discretionary spending cap on Congress.

S. 259—Vitter bill to prioritize Social Security payments when the debt limit is reached.

S. 360—Inhofe bill to create a point of order to exceed non-security discretionary limits; also creates spending limits for FY 2017–2021.

S. 389—Kirk and Hatch bill to establish a commission which will conduct a review of cost control in the federal government every two years with respect to improving management and reducing costs. Directs the Commission to conduct in-depth studies to evaluate potential improvements in the operations of executive agencies and to develop recommendations regarding: (1) opportunities for increased efficiency and reduced costs that can be realized by executive action or legislation, (2) areas where managerial accountability can be enhanced and administrative control can be improved, (3) opportunities for managerial improvements over the short and long terms, (4) specific areas where further study can be justified by potential savings, and (5) ways to reduce governmental expenditures and indebtedness and improve personnel management.

S. 391—Moran bill which rescinds all unobligated balances of the Obama stimulus bill.

S.J. Res. 3—Hatch's balanced budget amendment.

S.J. Res. 4—Shelby balanced budget amendment.

S.J. Res. 5—Lee balanced budget amendment.

Mr. VITTER. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

ENERGY

Mrs. HUTCHISON. Mr. President, I rise to talk in morning business about the energy issue facing the country. Anyone who has filled up the car or truck in the last month knows we have an energy crisis that is building and needs to be addressed. Last week I filled up my pickup truck. It cost about $50. Across the Nation, parents are driving in carpools. Farmers, small business owners, and commuters are experiencing sticker shock at the rising cost to put gas in their vehicles. Today oil is over $104 a barrel. That means on average Americans are paying $3.52 a gallon. It is going in the upward direction from there. We are clearly in an economic downturn. We have high unemployment. Now is not the time to sit back and do nothing as the price of gasoline goes up at the pump.

In response, the White House is beginning to talk about tapping the Strategic Petroleum Reserve. We know that will not work. The Strategic Petroleum Reserve is available for natural disasters and global disasters. But experience has shown that any gain from releasing oil from the Strategic Petroleum Reserve is small and temporary, and prices quickly go right back up to their high and rising levels. If we diminish our resources, our reserves in the Strategic Petroleum Reserve, we are even more vulnerable to those who would do mischief to the country because they would know we have a diminished supply, or to the natural disasters for which we are supposed to be prepared.

Our problem is, we are the only Nation on Earth that has vast natural resources which we will not use. American energy is out there. It is under our land. It is under our waters. It is ready to be tapped, and it can be tapped environmentally safely. We could bring the prices down on our own accord. We know there is upheaval in the Middle East right now that could affect further the gasoline prices because of potential shortages. We are too dependent on foreign sources for our energy needs. It is a little more than 50 percent. That is not strategically sound, and it is most certainly not in our national security interest to leave us at that level.

The Gulf of Mexico is one of the biggest resources we have. The Gulf of Mexico accounts for nearly 30 percent

of total U.S. oil production and 13 percent of natural gas production. By failing to take full advantage of that resource, we are putting our energy security on the line.

Mr. President, 400,000 jobs across the gulf coast are tied to the offshore energy industry. Nearly a year after issuing its moratorium and months since the moratorium was lifted, the Department of the Interior last week approved its first, its one and only, deepwater permit—one in a year. It's one and one only. There are thousands of idled leases, people sitting in the Gulf of Mexico idle that should be able to be at least exploring to determine if it is worth drilling. Yet the gulf is facing a permitorium.

My constituents know the pain of this ''permitorium.'' One unfortunate case is the Houston-based Seahawk Drilling Company. Seahawk Drilling used to be the second largest shallow water drilling contractor in the United States. It provided high-paying jobs to men and women in Texas and across the Gulf of Mexico. I say ''used to'' because in February bureaucratic delays in shallow water permitting forced Seahawk Drilling to declare bankruptcy. They could not continue to have the costs associated with their employment levels, and with their company being there without the opportunity to drill and produce and keep their employee base. They declared bankruptcy. It destroyed 1,000 high-paying Texas jobs.

I received a letter describing the pain and distress the company felt when it had to inform the dedicated Seahawk employees they no longer had a job. According to the letter, on the day Seahawk was forced to sell its assets and lay off workers, the chief operating officer had to ''fight back the emotions of the day. He took a deep breath and he left the conference room for a room full of Seahawk employees to tell them that their company was bankrupt.''

These are real people with real families who lost real jobs—American jobs—and it could have been prevented.

Since the moratorium was enacted, at least 13 rigs—deepwater and shallow water—have departed the Gulf of Mexico, taking with them good American jobs, and, furthermore, putting us in the position of having to import now from the foreign countries where these rigs have gone, not only taking away American jobs but forcing us to be even more dependent on foreign imports for our energy needs.

Offshore energy production is expected to decrease by 13 percent in 2011, due to the slow pace of permitting. This is unacceptable, and we must do something that is productive.

Yesterday, Senator LANDRIEU and I introduced the LEASE Act, the Lease Extension and Secure Energy Act of 2011. All our bill does is extend the offshore leases that are impacted by the moratorium and the lack of permitting for 1 year.

The LEASE Act returns to lessees the lease time taken from them during the moratorium. This will increase domestic energy production and protect some American jobs—those that have not already left. Despite being unable to explore for energy resources, the leaseholders are continuing to pay the expenses, as time ticks away on their lease.

The LEASE Act will prevent leases from running out, and it gives the lessees the certainty they deserve that they will have the full amount of the lease for which they have paid bonus payments to secure.

In 2009, the industry accounted for $70 billion in economic value and provided $20 billion in revenue to Federal, State, and local governments through royalties, bonuses, and tax collections.

I hope our bill will be noncontroversial. It would seem to me that anyone would agree that if you paid for a 10-year lease, and you have the expenses of exploring to see if that lease has potential, before you drill to see if the lease has potential, you would have the full 10 years, and not 9 years because you have not been able to use the year we have had the moratorium and the lack of permitting.

There has been another suggestion by the administration that perhaps we should be proposing energy taxes—up to $90 billion over the next 10 years. The President suggested that in his State of the Union message. Much of the taxes that would go on the oil and gas industry for expenses—that any industry, any business can write off, but would single out the oil and gas industry not to be able to expense their exploration and drilling costs—what would happen? If the prices go up, of course, who is going to pay those high prices? The families and businesses that are having to fill their cars with gasoline.

In fact, the administration, through the EPA, is trying to bring more expenses to the refining industry by purporting to regulate greenhouse gas emissions. The administration is also adding to the refiners by saying they should not get the manufacturing tax credit.

We have been trying to encourage manufacturing in America because we want manufacturing jobs in America, and so many of those have gone overseas. But the administration proposes to tax refiners who are manufacturing the gasoline from the oil and add more expense to the product, which is gasoline, and, oh, by the way, take away the capability for these refiners to have the same treatment as any other manufacturer in our country.

Raising taxes on our domestic oil and energy industry is wrong, particularly at this time. We need to assure that we are not going to drive our energy jobs overseas. Yet what the administration is doing is counterintuitive if we all agree we want to keep the jobs in America.

So here we are with gas at $3.52 a gallon, and the summer driving season is upon us. We are looking now at estimates from the experts that gasoline could be $4 a gallon. What is that going to do to the family who wants to take a vacation at a reasonable price? What is that going to do to the workers who have to get to work and who are already strapped, and, for Heaven's sake, the poor people who are unemployed who are trying to go and interview for jobs with gas at $4 a gallon?

We cannot sit here and let this happen. It is time we get together with the President of the United States and have proactive energy ideas, programs, and solutions that are going to keep jobs in America, that will allow us to use our natural resources to begin to set the stage if we have upheaval in the Middle East that causes the supply to go down at a great rate. We need to have our supply go up to meet the test we should have of lowering energy prices for our people with our own natural resources. It is not to put the SPR out and put us in an even more vulnerable position. No. It is to use our resources, with Americans to take the jobs, and increase our supply so the price of gasoline at the pump goes down for the American people, and so we can have the jobs we should have in America stay in America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

HARRIET TUBMAN

Mr. CARDIN. Mr. President, 12 years ago this very day, the Senate passed a joint resolution that honored Harriet Tubman, with Harriet Tubman Day, on March 10. That resolution was sponsored by Senator CARPER and then-Senator BIDEN. In the House of Representatives, I served and I cosponsored a similar resolution.

Harriet Tubman was a remarkable woman. She was born in Dorchester County, MD, in 1822. She was a slave for greater than 25 years of her life. At age 25, she married John Tubman. She escaped slavery in 1849. She returned to the eastern shore of Maryland, not once but 19 times that we know of within a 10-year period, in order to rescue slaves and to set them free.

She rescued slaves in Dorchester County and Caroline County in Maryland and throughout the entire Northeast. She was known as the modern day ''Moses'' for the Underground Railroad.

In the Civil War, she joined Union forces as a spy, as a scout, and as a nurse, operating in Virginia, Florida, and South Carolina.

After the Civil War was over, she settled in Auburn, NY, and was very actively involved in the women's suffrage movement, and she established one of the first African-American homes for the aged.

She died in 1913.

Harriet Tubman embodies the American spirit. She was a strong-willed person who fought for the rights and freedom of those who were oppressed in the barbaric institution of slavery.

Her personal freedom was not enough for her because she recognized there was injustice in this country, and she wanted to be involved. As the joint resolution that passed the Senate 12 years ago said:

. . . Harriet Tubman—whose courageous and dedicated pursuit of the promise of American ideals and common principles of humanity continues to serve and inspire all people who cherish freedom. . . .

A major part of learning and understanding the significance of history is being able to experience the places where that history occurred.

From Fort McHenry in Baltimore, MD, to the Lincoln Memorial here in the Nation's capital, we have preserved our history for future generations. Millions of visitors and schoolchildren visit these iconic places in American history.

The Harriet Tubman National Historical Park and the Harriet Tubman Underground Railroad National Historical Park is legislation I have filed so we can preserve the history of Harriet Tubman with these historic places for future generations.

I am joined in this effort by Senator MIKULSKI, Senator SCHUMER, and Senator GILLIBRAND. The natural landscape on the eastern shore that existed during Harriet Tubman's day exists today. Her homestead, where her father was born, Ben Ross, exists today. Stewart's Canal, where her father worked, exists today. The Brodess Farm, where Harriet Tubman worked as a slave, exists today. Right adjacent to it, and including part of that property, is the Blackwater National Wildlife Refuge. So we have the landscape in which the Underground Railroad was operating to free slaves in the 19th century. It exists today on the eastern shore of Maryland.

In Auburn, NY, the home in which Harriet Tubman lived still exists, the home for the aged that she started still remains. The Thompson Memorial AME Zion Episcopal Church is still there, and the Fort Hill Cemetery, where she is buried. They are all intact, and all are available for preservation.

The legislation we have filed will preserve these places in American history under our National Park System for future generations. I urge my colleagues to support this legislation, to honor a great American, and to preserve our heritage for future generations.

ASTHMA AND THE IMPACT OF HEALTH DISPARITIES

Mr. CARDIN. Mr. President, I rise to speak about asthma and the impact of health disparities. I have pointed out on the floor before that race and ethnic health disparities exist in America. I have talked on the floor before about sickle cell disease. Well, the same thing is true with the chronic inflammatory diseases of the body's airways that impede breathing, such as asthma.

As I pointed out before, the Affordable Care Act includes a provision I helped write that establishes the Institute for Minority Health and Health Disparities at NIH. The purpose for including this information about asthma in the RECORD is to point out that we still have challenges that need to be met. I look forward to working with my colleagues on that issue.

Asthma is a chronic inflammatory disease of the body's airways that impairs breathing and affects more than 20 million Americans. People with this condition have overly reactive airways that constrict in response to allergens, temperature changes, physical exercise, and stress. During asthma attacks, the airways spasm and prevent oxygen from getting to the lungs. This leads to chest tightness, shortage of breath, wheezing and mucus production. Severe attacks can require intubation and even result in death. Of the 20 million Americans affected by asthma, about 7 million are children. In fact, about 10 percent of all American children have asthma.

Genetics play a significant role in the development of asthma in children and adults, but asthma is also influenced by environmental factors and racial, ethnic, and socioeconomic factors. Asthma is consistently found to be more prevalent among certain minority groups, particularly among Blacks, Native Americans, and Puerto Ricans. To be more precise, research indicates that asthma is 30 percent more prevalent in Blacks than in Whites; American Indians and Alaska Natives are 20 percent more likely to have asthma than Whites; Asian/Pacific Islander children are three times more likely to have asthma than White children; and Puerto Rican Americans have twice the asthma rate as the Latino American population overall.

In addition to occurring more often, asthma is also more severe in minority populations, and this leads to higher mortality rates for Black Americans. Asthma accounts for more than 4,000 deaths in the United States each year. Blacks are 2.5 times more likely to die from asthma-related causes than Whites. Among children, this ratio is even more staggering—Black children are 7 times more likely to die from asthma-related causes than White children. Interestingly, although Latino Americans and American Indian/Alaskan Natives are more likely than Whites to have asthma, they have a 50 percent lower mortality rate.

As I noted earlier, the gap in asthma outcomes is also influenced by several socioeconomic factors. Health disparities can be attributed to differences in education level, independent of race or ethnicity. Research shows that children whose mothers have not completed high school are twice as likely to develop asthma as children whose mothers have a high school diploma, and this difference remains significant even when controlling for race and ethnicity.

Economic status also influences the incidence of asthma. Studies have shown that unemployment is correlated with increased incidence, and that people with incomes below the Federal poverty level are 30 percent more likely to develop asthma as those who are above the Federal poverty level.

One reason is that income level is correlated with quality of housing, and substandard housing is strongly associated with poor asthma outcomes. Substandard housing exposes residents to environmental triggers for asthma such as dust mites, roaches, mold, and rodents.

A study in the journal Pediatrics showed that eliminating these indoor pollutants could prevent 39 percent of asthma cases in children. Other studies have shown that substandard housing accounts for up to a 50-percent increase in asthma cases.

In addition to indoor triggers, outdoor pollutants are also contributing factors. Researchers have shown that among people living within 50 yards of major car traffic, people living near a road traveled by 30,000 vehicles per day are three times more likely to develop asthma that those who live near a road traveled by 10,000 vehicles per day. To put these figures into perspective, the average segment of I–495, our Capital Beltway, carries about 200,000 cars per day.

The built environment comprising roads, factories, and other human-made surroundings is a substantial risk factor for asthma. Many people are stuck in unhealthy living conditions because they can't afford to move elsewhere, particularly in the case of public housing projects, which are often situated in the most polluted locations. Initiatives such as the Healthy Homes Program run by the U.S. Department of Housing and Urban Development are encouraging, but greater effort must be devoted to raising the quality of the home environment for people living in poverty.

Whether due to one or more of these factors, the impact of disparities in asthma is profound because asthma is such a crippling condition. Untreated or inappropriately treated, asthma makes it difficult to concentrate at school and work, limits physical activity, and often results in absenteeism. It also reaches beyond the patient to family members, as parents are often required to miss work to care for sick children. The Nation's 20 million asthma patients account for more than 100 million days each year in lost productivity due to absence from school and work, according to the American Academy of Allergy, Asthma, and Immunology. Yearly, asthma patients account for more than 11 million office visits and 500,000 hospitalizations. That is an annual cost of more than $6 billion in direct and indirect medical expenditures. Much of this expense could be avoided with proper asthma management.

Patients who are diagnosed at an early age and whose conditions are well

managed by a primary care physician and an asthma specialist can avoid many of the complications associated with the condition. The ability to secure medications, such as an albuterol inhaler to alleviate attacks and steroids to suppress inflammation, can allow patients to play sports and live normal lives.

But patients who lack access to specialists or can't afford needed medicines will frequently miss school, must forgo physical activity, and are often hospitalized. So the effect of access to affordable, comprehensive care is apparent.

Even so, coverage is not enough. Asthma disparities have multiple interrelated causes, as I have outlined. We often view health disparities through the narrow lenses of genetic differences and differences in medical care. But upstream determinants such as social inequalities and neighborhood conditions can have a significant impact on health outcomes as well.

Even though we know this, national policies have not effectively addressed the problem of health disparities pertaining to asthma. National asthma guidelines that are supported by the National Institutes of Health recommend preventive services and asthma care by a specialist. These guidelines have been found to save money and improve quality of life. But data still show that patients covered by Medicaid are offered less preventive care and fewer referrals to asthma specialists compared to patients in the private insurance market. This matters when it comes to outcomes because specialists are more likely to prescribe controller medications than primary care providers, regardless of the patient's racial or ethnic background. Decreased access to specialists has been associated with higher rates of hospitalization, emergency room use, and mortality. The bottom line is that Medicaid patients have been receiving lower quality treatment for asthma, despite the guidelines put forth by NIH and the American College of Allergy, Asthma, and Immunology.

I am encouraged that there are significant efforts taking place to close the gaps at the local level. In Maryland, the University of Maryland Medical Center has developed an innovative approach to bringing specialized care to children who otherwise would not have access to it. Their BreathMobile program, led by Dr. Mary Beth Bollinger, is an asthma clinic on wheels. It is staffed by a pediatric allergist, a pediatric nurse practitioner, a registered nurse, and a driver who regularly travels to over two dozen schools in Baltimore City. The BreathMobile has provided ongoing care to more than 800 students.

At Johns Hopkins University, the Harriet Lane Clinic provides a comprehensive medical home for asthma patients. Over 90 percent of Harriet Lane's caseload are Medicaid patients, and they are provided with pulmonary specialists, social workers, and case managers who help them secure healthy housing, and seek help from other programs for which they may be eligible.

With the passage of the Affordable Care Act, we have additional tools to address the problem of health disparities at a national level. I helped write into that law the new Institute for Minority Health and Health Disparities at NIH as well as the Offices of Minority Health at CMS and the Agency for Healthcare Research and Quality.

These offices are charged with evaluating, coordinating, and advocating for efforts to eliminate disparities, and they can do much to close the gaps with respect to asthma.

The new Institute will be instrumental in overseeing the coordination of asthma research at the National Heart, Lung, and Blood Institute and ensuring that the focus of biomedical research sufficiently addresses health disparities. We must encourage participation in clinical trials, particularly for underrepresented populations, so that we can speed the discovery of the most effective treatments. Provisions to encourage physicians to practice in underserved areas can improve access to care. The Office at AHRQ can help translate these findings into practice, and the Office at CMS can be instrumental in ensuring that eligible CHIP and Medicaid beneficiaries are enrolled in these programs and that they can receive the best possible care. With the Affordable Care Act, we have the momentum and the tools needed to make a difference in asthma health disparities.

I look forward to returning to the floor soon to explore the issue of health disparities further by focusing on another condition that disproportionately affects minorities.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

TOXIC TEA

Mr. LAUTENBERG. Mr. President, everyone is aware of how deeply concerned the American people are about staying in their homes, about having adequate health care, and about providing education and a better path for the lives of their children. But everyone also knows there is a group calling themselves the tea party, and they are busy trying to eliminate those opportunities.

In Wisconsin, a tea party Governor is trying to take away workers' collective bargaining rights to be represented. It is like going into a courtroom without a lawyer.

In Florida, another tea party Governor has killed the critical high-speed rail project by rejecting Federal grants of $2.4 billion to move it along. He threw it away, threw it back—$2.4 billion. Here in Congress, tea party activists have seized control of the Republican side of the aisle. But it is far from a tea party for lots of jobless people and those qualified to study in college but unable to pay the freight. Now that they are in power, we see them brewing a toxic tea—a dangerous concoction that will create pain for our children and ultimately bring shame to our country.

We know cutting critical programs now brings sky-high prices later—in more illnesses and a less educated society. So we look at the future, we say we have to invest in our children, our environment, and medical research. But every time they hear something we need, they say no. They insist on saying no to 200,000 little kids who now go to Head Start Programs that help them in the earliest stages of life, when learning is fun and curiosity abounds. Look here. We see a young child's face through the window. They are holding back 218,000 Head Start kids from learning to learn. They ought to visit these schoolrooms and be upfront with these children and their parents and say, Sorry, America can't help you.

That is not all. Look at what they want to do to higher education. We say we must invest in Pell grants which make the dream of college a reality for millions of disadvantaged Americans. They say, Sorry, your country can't help you. They say no to future employers. Too bad we don't have enough qualified workers, so maybe the employers then can appropriately say, Oh, well, ship the jobs overseas. That is the alternative. Is that what we want America to do? They say no, even though the unemployment rate is twice as large for those who lack a bachelor's degree as for college graduates.

They are unable to look at a simple chart such as this one: There we can see the way the arrow is pointed, with the year 2000 over here and the year 2009 over here, and we see rising tuitions. That is what is happening. Therefore, it tells us how difficult it is for those who don't have the money, the family support financially, and won't able to take advantage of the Pell grants, because they want to slash them. They want to get them off the record as much as they can.

The chart shows between a $10,000 and $15,000 tuition rate in 2001. In 2008 and 2009, we are somewhere close to $20,000 a year. Do we want to force middle-class citizens to take on more debt in order to attend college or slam shut the campus doors on them altogether?

I know the value of government investment in college education firsthand. I came from a poor working-class family. I was a teenager when I enlisted in the Army. My father was on his deathbed. He died and left a 37-year-old widow, myself, and my 12-

year-old sister. Thanks to the GI bill, I attended college at Columbia and later cofounded a company with two other fellows—a company that was started with nothing. We had zero in funding. We put together a few hundred bucks. Now that company employs 45,000 employees in 23 countries, based in New Jersey. Jobs in this country. We built the ''greatest generation'' out of those educational opportunities we had in the military, and we were moving America to the top of the economic ladder.

Government investment in my education made all the difference in my life, and now the 45,000 people who work for ADP. Now Republicans want to take away opportunities such as that from young people. These are people who go into a business, have an education, learn something about how to operate a business, but also learn how we ought to be creating job opportunities and economic development for all in our country.

That is not all the House Republicans have in store for our country. We have to protect women's health, but they won't listen. They want to wipe out funding for title X. Title X offers women access to critical health services, including cervical cancer tests, breast cancer screenings, encouragement to think about family planning and how they are going to get by. But these people on the other side don't want to hear it. They don't care. They don't care that title X offers women access to take care of their health at all times.

Millions of poor women benefit from title X. So killing it will take care away from those who need it most. Title X funding for women's health: House GOP, tea partiers, lots of them, eliminate $1 billion for women's care. They cancel funding for 2 million breast cancer screenings. How cruel is that in this country of ours? If you have money, you can take care of yourself. If you don't, too bad. Well, that is not the way we want to do it. That is not the way we want to do it on this side of the aisle. They are cutting off resources for 2.2 million cervical cancer screenings. What a horror that is. What did these women do to deserve higher health risks during their lifetimes?

But it gets worse. The Republicans are also going after medical research. We say we must invest in finding cures and treatment for millions of children suffering from asthma, diabetes, autism, and pediatric cancer, to name a few of those health-damaging afflictions. To these children they say, You know what. If you don't feel good, maybe you should go to an emergency room with your parents. Stand in line. Too bad. We would like to help, but we can't do that.

The National Institutes of Health is making strides in fighting childhood diseases, but the Republicans want to reduce NIH's ability to do their research by taking $1 billion out of the their budget. If you want to see bravery, look into the eyes of a child struggling with leukemia, and look in the parents' eyes, and you will see tears, often no hope.

Look at what the Republicans want to do to our environment. We say we must invest in the Clean Air Act, a law that spares millions of children from suffering from asthma, and the Republicans say, No can do. They say you can't restrict polluters with regulations. It is too cumbersome. And if you don't like regulations, for instance, take a look at this bothersome thing we have in America called red lights. They are cumbersome. They stop traffic. These people don't want regulations, so we ought to get rid of the red lights and let the traffic move, but watch yourself when you get to the intersection.

Maybe they want to get rid of the air traffic control system. Pilots have to wait for some government bureaucrat to tell them where and when they can fly? What a nerve that is to interfere with these regulations and rules.

The Republicans also want to let mercury back into our air. Mercury is brain poisoning for children. They also want to stop us from restricting soot pollution. Look at the picture. Soot is ugly when it is pouring from a smokestack, but it is even uglier inside a child's lungs. This is a picture we see in many places in our country.

Several years ago I wrote a law called the Right to Know. It says to people who live in areas where there are chemicals present—either manufacturing, chemicals being stored or transported—so people could know if they hear a particular alarm, they have to respond to it and report it to the fire department. We had an incident in Elizabeth, NJ, some years ago when a group of firemen responded to a chemical fire and, in some instances, their protective uniforms melted. That is the kind of situation we want to avoid. We want people to know what is being stored, what is being released into the air in case of a fire.

Finally, when we say we have to clean the water our children drink, the Republican answer is, Oh, we can't handle that. It costs too much. So they cut the funding that helps States protect our drinking water from E. coli, arsenic, and other dangerous substances. The water is not safe for dishwashing, much less consumption.

The House GOP keeps on brewing their toxic tea for America. Ask any parent if they want their kids to drink from that teapot. They don't, and we shouldn't make them do it. We need to gather together for things such as birthday parties and school graduations and lots of smiles instead of their toxic tea parties.

Let's reject the House Republican tea party approach to funding our government. When they say, hey, join us for a cup of toxic tea, we must say, no, we have had this long enough, and we are not going to stand for it anymore.

Mr. President, you know very well that what we are looking at is very constricted budgets. One doesn't have to be an economist or a business executive to know that when there is a financial statement, it comes in two parts. One part is the expenses you need with which to operate. The other is the revenues that permit the companies and the organizations to function. What we are looking at is revenues. I know the Chair shares that position with me. We have discussed it.

Why should people who have the means, who have the good fortune to make lots and lots of money—we saw something this afternoon on a chart that had janitors in New York City at some locations paying a higher tax rate on their earnings than those who earn a million dollars or more. That is not fair. So if we want to do the right thing, we have to introduce revenues into the budget. We have to restore the cuts they want to make on the other side. We want to restore children's health. We want to make sure the NIH is producing as much as it can, and we want to turn America back to a lot more smiles than we have seen.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Kansas is recognized.

Mr. ROBERTS. It is my understanding that at 2:15 morning business expires. I ask unanimous consent to proceed as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ASSAULT ON THE NATION'S ECONOMY

Mr. ROBERTS. Mr. President, I rise today to once again speak out against what I consider to be and many others consider to be a regulatory assault on our Nation's economy. I have previously discussed my concerns with regulations having a negative impact on our agriculture community. That was last week. Earlier this week, I spoke about what I consider to be the egregious regulations that are being promulgated by the EPA, or what Senator GRASSLEY calls the ''end of production agriculture agency.''

Today, I rise to talk about health care regulations that patients and providers have brought to my attention. I have listed a number of these regulations in a letter I sent earlier today to President Obama. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, March 10, 2011.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: I write you today to express my sincere appreciation for the Executive Order that you issued on January

18, committing all federal agencies to review regulations and remove any that place unreasonable burdens on our nation's business community and/or impact the ability of our economy to grow. I agree that in light of our current economic crisis, establishing a regulatory environment that promotes growth and job creation should be the number one priority for this Congress and Administration. To that end, I would like to offer some suggested areas related to health care that patients and providers have communicated are of the most concern to them, and would urge you and your Administration to consider these and their impact when implementing your Executive Order.

While the majority of this communication will focus on regulations already on the books, I would also like to take this opportunity to share with you what seems to be an even greater concern within the patient, provider and stakeholder community. When discussing regulations in general and your Executive Order more specifically with my constituents and those representing the patient and provider community, the number one concern that I hear is related to a fear of the impact of future regulations. While there is still a large concern with the burden of regulations that have already been issued, I have heard time and time again that there is an even greater concern with the uncertainty of future regulations, especially those regulations for implementing the ''Patient Protection and Affordable Care Act'' (PPACA) and their potential to have a further and greater impact on jobs and the economy. While I regularly hear concerns about the compounding costs related to implementing any and all of these regulations, the specific areas that are mentioned the most include, but are not limited to:

Individual Mandate and related penalties
Employer Mandate and related penalties
Defining Essential Health Benefits and related coverage mandates
Accountable Care Organizations
New taxes and fees including the ''Cadillac Tax'' and new excise taxes on industries
1099 reporting

Additionally, I hear often that patients and providers feel that they do nut have a voice in the regulatory process and, more specifically, that a number of regulations are being issued through a shortened process. This shortened process allows limited or no input from those most affected by the regulations, prior to their implementation, and may result in greater costs and economic impact if changes are necessary based on comments that the Administration receives. It is my understanding that the PPACA rules that have been issued as interim final rules, and therefore with limited input are:

National Provider Identifier
Web Portal Requirements
Early Retiree Reinsurance Program
Coverage of Children to Age 26
Underserved Rural Communities
Grandfathered Health Plans
Pre-Existing Condition Exclusions
Preventive Services
Internal Claims/Appeals and External Review Processes
Pre-Existing Condition Insurance Plan Program
Amendment to Grandfathered Health Plans Rule
Medical Loss Ratio Requirements

While there may have been instances in which a shortened process was necessary or appropriate I would strongly encourage your Administration to limit the use of this regulatory process and take every available opportunity to get feedback from those who would be most affected by these regulations and allow for ample time to review and consider that feedback prior to implementing future regulatory priorities. I would also strongly encourage you to review any comments you have received on these regulations for any concerns that indicate a potential to further our economic crisis.

Without fail in my conversations with patients, providers, advocates, and stakeholders, which include my Kansas constituents, I hear about their concerns with the burden of government ''red tape'' and the impact of regulations on their ability to maintain and grow their businesses. While this is not an exhaustive list, I will share the health care regulations that I have been hearing about the most and would ask you to review them for their potential economic impact and modify or remove them to ensure the least burden on our struggling businesses, individuals, and economy.

It should come as no surprise the regulations that I am hearing the most about are related to the impact of PPACA. Although the full impact of recently passed health care legislation is still uncertain, it is clear that additional employer costs will be substantial, as will the burden of what promises to be extreme complexity in compliance. Already patients, providers and advocates have cited a number of regulations related to PPACA that would have profound impact on jobs and our economy. Specifically:

The ''Preexisting Condition Insurance Plan'' and the concern that it is not being utilized efficiently to provide an option for those unable to afford coverage;

The ''Patients Bill of Rights'' and the concern that it has resulted in the loss of child-only insurance markets in over 20 states;

''Grandfathered'' health plan regulation and a concern that the regulation is drafted too narrowly to allow businesses to keep their current coverage and maintain current costs of coverage and are too cumbersome and don't allow plans to comply with ''the early requirements over a period of time'';

''Medical Loss Ratio'' and the concern that the calculation of the standard will increase cost of care for patients and the concern that it will directly result in lost employment and more specifically the omission of health care fraud work as part of ongoing quality improvement activities;

''Rate Review'' and the concern that this requirement will do nothing to control costs and that there are a number of areas within the rule that could cause significant and negative disruption to States and consumers;

''Annual and Lifetime limits'' and the concern over the impact on businesses and individuals the more than 1,000 waivers already issued will have.

Additionally, I have heard that the combination of the regulations being issued to implement the PPACA statute have resulted in an increase in premiums for individuals and businesses, which as you know results in increased costs and tough choices. Related to this, I am deeply concerned by signals from your Administration that regulations being issued to implement the PPACA statute will not be held under the scrutiny of your Executive Order. I would strongly encourage your Administration to review all of the regulations that have been issued, past, present and future, while considering their impact on our economy and jobs.

Finally, patients and providers have expressed a number of concerns related to the regulatory burdens that they face. Generally, they have asked that while the Administration may measure indirect benefits for regulatory proposals, that there is a lack of willingness to analyze and make publicly available the indirect costs to consumers, such as higher energy costs, jobs lost, and higher prices and would request that a reasonable estimate of indirect impact and the methodology used in determining those impacts be made available. They would prefer that agencies be accountable for providing a balanced statement of costs and benefits in public regulatory proposals. Also, I have heard that a number of patients and providers are being buried by the paperwork burden of complying with all of the regulations. Specifically, I have heard about the compliance burden of having to adjust to the sheer volumes of changes that the Administration issues every year and the impact on providers to do their jobs and provide care for patients.

The regulations that I have been hearing about their negative economic impacts and would suggest you review are:

The 2011 Medicare Physician Fee Schedule Final Rule, which requires that laboratory requisition forms are signed by the ordering physician. This rule could have potentially serious implications on patient care and business practice. Under this new policy, laboratories will face a difficult decision when they receive a patient specimen with an unsigned requisition. Laboratories will have to decide not to provide their needed services and therefore be unable to provide a physician the information necessary to make health care decisions—or—provide the services without a guarantee of payment and then work to obtain signatures in order to submit claims to Medicare. As you can imagine, in the former situation, care may be significantly delayed; in the latter scenario the laboratories who serve a high percentage of Medicare beneficiaries could spend a large amount of time contacting providers to gather the required signatures and could see their payments delayed or face the possibility of being unable to receive payment.

On November, 17, 2010, CMS issued a final rule, as directed by PPACA (P.L. 111–148). The rule conditions payment for home health and hospice services based upon a face-to-face encounter between patients and their physicians or certain non-physician practitioners prior to certification for home health or hospice services. This is resulting in burdensome requirements for our rural home health and hospice patients.

Physicians Assistants are an important part of care for rural communities especially hospice and palliative care; however, they are often not considered when drafting regulations related to providers allowed to provide services.

Anti-Switching Rule in Medicare's Competitive Bidding Program (CBP) for Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS). Specifically, the proposal to enforce the rule in subsequent rounds of the CBP, but not Round 1, may compromise beneficiary access to appropriate diabetes testing supplies and leave beneficiaries vulnerable to pressure from suppliers to switch testing systems.

DMEPOS Competitive Bidding implementation continues to be a concern. We originally had over 400 DME providers in KS; however, now that Round 1 has been implemented I am concerned that patients, especially in rural areas, are facing issues related to access.

Two sets of regulations and guidance—one for hospices and one for rural health clinics—that may have resulted in an oversight in the Medicare billing regulations is creating obstacles for individuals in rural, underserved communities to receive hospice care. In these communities, the primary care physicians are often (and sometimes exclusively) members of Medicare-certified ''rural health clinics.'' However, when a hospice patient's attending physician also happens to be a rural health clinic physician, Medicare

is not reimbursing either the physician or the clinic for the physician's services.

Health IT rules related to implementing the Health Information Technology for Economic and Clinical Health (HITECH) Act which I am hearing are creating uncertainty and confusion, jeopardizing the goal of the rapid adoption of electronic health records. Without policy changes, innovation will be marginalized and job creation threatened.

Privacy and security regulations adopted by HHS under the Health Insurance Portability and Accountability Act (HIP AA) and the HITECH Act expand the accounting of disclosures requirement to include all disclosures, even daily, routine disclosures. While patient safety and privacy should be a high priority, businesses are concerned that maintaining detailed records would require an overwhelming amount of information to be stored.

The short amount of time to comply with new ICD10 and 5010 coding requirements impose an incredible administrative burden that I am hearing will increase administrative costs significantly.

CMS regulations that restrict the ability of non-physician practitioners to meeting the CMS requirement for supervision for cardiac and pulmonary rehab. These rules are limiting access to cardiac and pulmonary rehab, particularly in rural and Critical Access Hospitals.

Clearly this is not a comprehensive list, but it represents a number of areas that patients, providers and constituents have expressed concerns on.

Again, thank you for the opportunity to share my recommendations on what rules and regulations pose serious negative consequences to the growth of our nation. As the 112th Congress gets under way, I will continue to identify to your Adminitration regulations that handicap American businesses and halt American job creation. It is my hope that we can create a regulatory environment that provides American businesses with the necessary tools to hire and thrive in this global market.

Sincerely,

PAT ROBERTS,
U.S. Senator.

Mr. ROBERTS. As I have already discussed on the Senate floor, an Executive order was issued by the President on January 18. It was a good order. I applauded that order. It committed all Federal agencies to review regulations and then to try to remove any that placed unreasonable burdens on our Nation's businesses and/or impact the ability of our economy to grow, to recover.

I agree that, in light of our current economic crisis, establishing a regulatory environment that promotes growth and job creation should be the No. 1 priority for this Congress and the administration. I applaud what the President said when he issued the Executive order—that there are some regulations that are duplicative, costly, and unnecessary and, as he said, downright dumb. There was loud applause in farm country, manufacturing, health care, education—you name it. However, after reviewing the Executive order, I remind my colleagues that I was left—and I hope if you read it you are left—with some larger concerns. Specifically, the order left open a number of very large loopholes. It was an Executive order without teeth.

When I was in Kansas over this last work period, I talked to virtually all of our Kansas patients, providers, and advocates about the President's Executive order and my legislation, which is called the Regulatory Reform for Our Economy Act. I held a stakeholder roundtable in Topeka. I held a roundtable in our State capitol, in order to get feedback from patients and provider groups on their thoughts related to health care reform. I was not surprised to hear that every representative at that meeting had a concern with regulations, but the sheer volume of regulatory concerns as seen by my staff and myself was truly extraordinary.

I was already aware of regulations, such as those put forth by the Department of Health and Human Services, along with the Department of Labor and Treasury, that have resulted in the child-only insurance market effectively disappearing in 20 States. Which I believe is the result of overregulation or overrequirements.

I have already sent letters to the administration detailing my concerns with regulations, such as—stick with me now—first, the 2011 Medicare physician fee schedule final rule, which requires that laboratory requisition forms are signed by the ordering physician. This rule could have potentially serious implications on patient care and business practice.

Second, on November 17, 2010, CMS, the Center for Medicare and Medicaid Services, issued a final rule which, as required by the new health care law—the acronym for that is PPACA—conditions payment for home health and hospice services based upon a face-to-face encounter between patients and their physicians or certain nonphysician practitioners prior to certification for home health or hospice services. On top of about a $11 billion cut to hospice, which is rather incredible, this is resulting in burdensome requirements for our rural home health and hospice patients. For those who need this help the most, this is truly hard to understand.

Third, the antiswitching rule in Medicare's competitive bidding program—the acronym is CBP; there is an acronym for everything—for durable medical equipment, prosthetics, orthotics, and supplies. Specifically, that proposal to enforce the rule in subsequent rounds of the competitive bidding program, but not round one, may compromise beneficiary access to appropriate diabetes testing supplies and leave beneficiaries vulnerable to pressure from suppliers to switch testing systems.

I am going to try to get rid of the gobbledygook and say that during the initial round of competitive bidding for medical equipment, some of the suppliers didn't even know there was an initial round of competitive bidding. In Kansas City, there were 424 suppliers, and 20 submitted bids this time around. We delayed it to this year because it was so onerous. Then this year came around and CMS selected 20. What happened to the other 404? What happened to the people who depended on pharmacists and home health care providers for that walker, that crutch, or whatever they need—or oxygen tank, for that matter? We are left with huge holes in the home health care industry and a need for providing DME equipment.

I was surprised to hear that every representative at this stakeholder meeting—and all representative groups were invited, including hospital administrators, doctors, nurses, pharmacists, and hospice folks. I believe it was the first time they met at the same time. I was surprised to hear that every representative at this stakeholder meeting to discuss the impacts of health care reform had concerns with regulations, some of which are buried in the volumes of regulations being put out every day, and many that defy comprehension.

When discussing the President's Executive order and regulations with my constituents and those representing the patient and provider community, the No. 1 concern I heard was a fear not just of the current regulations, which they are trying to keep up with, but of future regulations.

While there is considerable concern with the burden of regulations that have already been issued, I heard time and again that there is an even greater concern with the uncertainty of future regulations, especially those implementing the Patient Protection and Affordable Care Act, or PPACA, and their potential to have further and greater impact on jobs and the economy and health care—even greater than the impacts we discussed during the health care reform debate. At the stakeholder meeting we had meaningful dialog about that. This is akin to a second health care reform earthquake. If you are a health care provider, hang on.

Additionally, I have heard that the combination of the regulations being issued to implement the PPACA statute has resulted in an increase in premiums—to repeat that, an increase in premiums, not cost savings—for individuals and businesses, which, as you know, results in increased costs and very tough choices.

Related to this, I am concerned by reports that I am hearing that staff within the administration have signaled that regulations being issued to implement the PPACA statute already comply with the President's Executive order and would not need to be included in a review. Does that mean all the health care regulations pouring out of CMS are not going to be subject to the President's Executive order? What is that? This is one of the biggest worries we have throughout the country regarding health care, and the President issues an Executive order and says let's take a look. Do the costs outweigh the benefits? Are they duplicative, unnecessary, or just plain dumb?

Those are his words. CMS is exempted? Health care is exempted? That is unreal.

I believe otherwise, and this belief is being verified by personal stories from Kansans. In my letter to the President today, I strongly encouraged him to review all of the regulations that have been issued, past, present, and future, while considering their impact on the economy and jobs. Sure, it would be a tough job. It is time, with the ''Katrina'' of regulations pouring out of the various agencies in Washington.

Understanding this, last month, I, along with Senators BARRASSO and COATS, and with the support of 38 Senate colleagues—have introduced the Regulatory Responsibility for Our Economy Act, S. 358. I urge my colleagues on the other side, who I am going to engage in the next week. We will go face to face and I will try to convince you.

My bill moves to codify and strengthen President Obama's January 18 Executive order that directs agencies within the administration to review, modify, streamline, expand, or repeal those significant regulatory actions that are, in the President's words, duplicative, unnecessary, overly burdensome, or would have significant economic impacts on Americans. I have given President Obama credit for saying that, but I don't give him credit for including the loopholes.

While I agree in principle with the President that we need to take a serious look at both current and proposed Federal regulations, I don't think his Executive order actually does what it purports to do. I have some loopholes listed. In Dodge City, where I come from, coming close to the truth is coming pretty close, but it still ain't the truth. I think this is where this fits.

The Executive order states—and I want everybody in the Senate, if you are listening, or if your staff is listening, provide this to your member. Figure this out:

In applying these principles, each agency is directed to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.

That is a good thing.

Where appropriate and permitted by law, each agency may consider (and discuss qualitatively)—

and this is the part where I had the most concern, and I hope somebody can explain it.

values that are difficult or impossible to quantify, including equity, human dignity, fairness, and distributive impacts.

What is that? ''But,'' as the Wall Street Journal captured so eloquently in their response to President Obama's editorial, ''these amorphous concepts are not measurable at all.'' They are not.

On the surface, I feel this language has the potential to be a very large loophole—probably is already. I believe this is the loophole being used to exempt the PPACA regulations from this review. That is unfortunate. In fact, upon reading and rereading it, it could be better described as gobbledygook.

As a matter of fact, it got my gobbledygook award of the month this past month. My legislation would close the loopholes in President Obama's Executive order and would close other existing loopholes, including those the administration has been using—or the Secretaries for the various agencies have been using—to bypass valuable stakeholder input on regulations. In fact, I hear often that patients and providers believe they do not have a voice in the regulatory process.

More specifically, I hear that a number of regulations are currently being issued through a shortened process which allows limited or no input from those most affected by the regulations prior to their implementation—that is wrong—and they may result in an even greater confusion and burden which then results in greater costs and economic impact, especially if changes are necessary based on later comments that the administration does receive.

It is my understanding the PPACA rules that have been issued as interim final rules and, therefore, with limited input—and they will probably become final—are the national provider identifier, Web portal requirements, Early Retiree Reinsurance Program, coverage of children to age 26. Underserved rural communities, grandfathered health plans, preexisting condition exclusions, preventive services, internal claims/appeals and external review processes, Pre-existing Condition Insurance Plan Program, amendment to grandfathered health plans rule, and medical lost ratio requirements. That is a bunch of them—all regulations through a shortened process.

While there may have been instances in which a shortened process was necessary or appropriate, this lengthy list is why passage of my legislation is so critically important.

I ask the Presiding Officer if I have exceeded my time. If I have, I would like 2 additional minutes to close.

The PRESIDING OFFICER. The Senator has 30 seconds remaining.

Mr. ROBERTS. May I have 2 additional minutes, and I will close.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. In my letter to the President today, I have encouraged the administration to limit the use of this shortened regulatory process and take every available opportunity to get feedback from those who would be most affected by these regulations—that just makes sense—and allow for ample time to review and consider that feedback prior to implementing the future regulatory priorities. We are going to have better regulations if, in fact, you ask folks: Is this going to work? Maybe tweak it, maybe repeal it. Who knows. The President himself said that.

In addition, I have encouraged the administration to review any comments received on these regulations that have already been issued for any concerns that indicate a potential to further our economic problems and crises.

In closing, I invite my friends on both sides of the aisle to sign on as a cosponsor of my legislation, realizing the immense opportunities it creates for meaningful review and possible revocation of regulations counter to our Nation's growth.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion of the absence of a quorum?

Mr. ROBERTS. I will be delighted to.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF MAX OLIVER COGBURN, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Max Oliver Cogburn, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I wish to talk about Max Oliver Cogburn, Jr., judicial nominee for the U.S. district court in the Western District of North Carolina.

Judge Cogburn was nominated for the second time by President Obama on January 25, 2011, and was favorably reported out of the Judiciary Committee by voice vote on February 3, 2011.

It is extremely important to me that North Carolina has highly capable representation on our Federal courts. Judge Cogburn is exactly the type of legal mind we need as a judge on North Carolina's Western District Court.

Since coming to the Senate, I have worked to increase the number of North Carolinians on the Federal judiciary. Unfortunately, it has turned out to be a rather slow and arduous process. After months of making the case that North Carolina deserves more representation on the Fourth Circuit last year, Judges Jim Wynn and Al Diaz were confirmed unanimously by the Senate.

North Carolina is better off because Judges Jim Wynn and Al Diaz—highly qualified, experienced, and fairminded judges—are now serving on the Fourth Circuit. It is my hope that very soon North Carolina will have another Federal judge with the confirmation of

Judge Cogburn. All of these judges have received bipartisan support, and I am pleased that Senator BURR has joined with me in recommending these judges.

I recommended Judge Cogburn because of his distinguished record as a jurist and attorney in both the public and private sectors. After earning degrees from Samford University Cumberland School of Law and UNC Chapel Hill, he entered private practice.

Judge Cogburn has worked in private practice off and on since 1976, handling criminal felonies and misdemeanors, civil torts, domestic cases, and corporate work. Judge Cogburn also served as an assistant U.S. attorney from 1980 to 1992 where he prosecuted murder cases, drug trafficking, voter fraud, and a wide variety of Federal crimes.

During his time with the U.S. Attorney's Office, Judge Cogburn served as the lead attorney of the Organized Crime and Drug Task Force, as well as the chief assistant U.S. attorney.

From 1995 to 2004, Judge Cogburn served as a magistrate judge on the U.S. District Court for the Western District of North Carolina. As a magistrate judge, he ruled on cases involving sexual harassment, racial discrimination in employment, fraud, age discrimination, products liability, and medical malpractice.

Judge Cogburn has received the American Bar Association's highest rating of ''well-qualified.'' He has the skills and legal experience this position requires.

I am pleased to speak about Judge Cogburn's outstanding qualifications to serve on the U.S. District Court for the Western District of North Carolina. I am confident that Judge Cogburn will serve on the bench with clarity and distinction. I have worked steadily to see that he is confirmed quickly. I look forward to casting that vote shortly. I ask my Senate colleagues to join me and Senator BURR in support of Judge Cogburn's nomination and vote in favor of his confirmation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I also wish to talk about this historic day. It is historic because we are actually going to confirm Max Cogburn faster than it took for the nomination to come through. Today, in this austere body, that is an accomplishment. But in large measure it says a lot about the President's nominee.

Max Cogburn has been nominated to the Federal bench in North Carolina's Western District. He is an excellent choice and I believe will be a needed but great addition to the court.

The Cogburn family roots are in western North Carolina's mountains, and they run deep. It is an impressive family history, but Max has made a name for himself in his legal career and his public service: Assistant U.S. attorney, chief assistant U.S. attorney, magistrate judge, and in private practice.

In addition to his legal career, which certainly qualifies him for the bench in his own right, the Cogburn's other business cannot help but be a benefit. You see, he and his family run a dude ranch outside of Asheville, NC.

I thank the Members of the Senate Judiciary Committee, as I said, for acting so quickly on this nomination. Nominees to the Federal bench are bestowed with a high honor but also a high amount of uncertainty and stress as they and their families go through a sometimes never-ending process. I am grateful this process has been relatively short and sweet for Max.

He was nominated in May of 2010, had his hearing during the lameduck session, and was reported out in December, still during the lameduck session. I am sorry this body missed the opportunity at that time to finalize his confirmation. He did not get a vote in the last Congress, but that, of course, is not unusual for a nominee of either party who is reported by the committee late in the process.

He was reported out again in February and is actually getting a vote in less time, as I said, than it took the White House to nominate him, especially following the departure and retirement of Judge Thornburg.

I appreciate the Judiciary Committee's commitment to move quickly. I join my colleague, Senator HAGAN, in encouraging all of our colleagues to unanimously support this appointment to the Federal bench.

I might say, in conclusion, the underlying reason Max Cogburn should get the overwhelming support of all the Members of the Senate and should be the newest member of our court in the Western District is because Max Cogburn is a good man. He comes from good stock, but on his own he is a good man and a great American. Today he deserves this House to unanimously support this nomination.

Mr. LEAHY. Mr. President, I congratulate Senator HAGAN on the Senate's consideration of the nomination of Max O. Cogburn.

Max O. Cogburn is nominated to sit on the U.S. District Court for the Western District of North Carolina, the very district where he has served for 9 years as a magistrate judge and for 12 years as an assistant U.S. attorney. Mr. Cogburn is currently a partner in the Asheville, NC, law firm of Cogburn and Brazil, and also serves as an appointed member of the North Carolina Education Lottery Commission.

This nomination could—and in my view should—have been considered and confirmed last year. Instead, it was unnecessarily returned to the President without final Senate action, despite the nominee's qualifications and the needs of the American people to have judges available to hear cases in the Federal courts. The President has had to renominate him, the Senate Judiciary Committee has had to reconsider him and now, finally, the Senate is being allowed to consider him.

I suspect the Senate will now confirm him unanimously or nearly so. He has the support of both his home state Senators, one a Democrat and the other a Republican. The nomination of Max Cogburn to fill a vacancy in the Western District of North Carolina is one that was reported without opposition by the Judiciary Committee both last year and, again, earlier this year.

Besides this nomination, there are two nominees ready to fill vacancies in the District of Columbia. Recently, Seth Stern reported in Congressional Quarterly criticism from Chief Judge Lamberth of the U.S. District Court for the District of Columbia, who warned that the breakdown in the judicial confirmation process is ''injuring the country.'' The two judicial nominees to fill longstanding vacancies for his court are still waiting for final consideration by the Senate. They, too, were reported unanimously by the Judiciary Committee last year and again this year. They, too, are being needlessly delayed. The Senate should consider and confirm them without further delay. I will ask that a copy of the article be printed in the RECORD.

Also reported from the Judiciary Committee and before the Senate are nominees to fill a judicial emergency vacancy in New York, a judicial emergency vacancy on the Second Circuit and a judicial vacancy in Oregon. They should be debated and confirmed without delay, as well. Earlier today, the Judiciary Committee moved forward to vote on two additional Federal circuit nominees and four additional district court nominees. They are now available to the Senate for its consideration, as well.

After the confirmation of Mr. Cogburn, there will be 11 judicial nominees left waiting for Senate consideration having been reviewed by the Judiciary Committee. We are holding hearings every two weeks and hope finally to begin to bend the curve and start to lower judicial vacancies across the country. We can do that if the Senate continues to consider judicial nominations in regular order as they are reported by the Judiciary Committee.

Federal judicial vacancies around the country still number too many and they have persisted for too long. That is why Chief Justice Roberts, Attorney General Holder, White House Counsel Bob Bauer and many others—including the President of the United States—have spoken out and urged the Senate to act.

Nearly one out of every eight Federal judgeships remains vacant. This puts at serious risk the ability of all Americans to have a fair hearing in court. The real price being paid for these unnecessary delays is that the judges that remain are overburdened and the American people who depend on them are being denied hearings and justice in a timely fashion.

Regrettably, the progress we made during the first 2 years of the Bush administration has not been duplicated, and the progress we made over the 8 years from 2001 to 2009 to reduce judicial vacancies from 110 to a low of 34 was reversed. The vacancy rate we reduced from 10 percent at the end of President Clinton's term to less than 4 percent in 2008 has now risen back to over 10 percent. In contrast to the sharp reduction in vacancies we made during President Bush's first 2 years when the Democratically controlled Senate confirmed 100 of his judicial nominations, only 60 of President Obama's judicial nominations were allowed to be considered and confirmed during his first 2 years. We have not kept up with the rate of attrition, let alone brought the vacancies down. By now they should have been cut in half. Instead, they continue to hover around 100.

The Senate must do better. The Nation cannot afford further delays by the Senate in taking action on the nominations pending before it. Judicial vacancies on courts throughout the country hinder the Federal judiciary's ability to fulfill its constitutional role. They create a backlog of cases that prevents people from having their day in court. This is unacceptable.

We can consider and confirm this President's nominations to the Federal bench in a timely manner. President Obama has worked with Democratic and Republican home state Senators to identify superbly qualified, consensus nominations. None of the nominations on the Executive Calendar are controversial. They all have the support of their home State Senators, Republicans and Democrats. All have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution.

During President Bush's first term, his first 4 tumultuous years in office, we proceeded to confirm 205 of his judicial nominations. We confirmed 100 of those during the 17 months I was Chairman during President Bush's first 2 years in office. So far in President Obama's third year in office, the Senate has only been allowed to consider 71 of his Federal circuit and district court nominees. We remain well short of the benchmark we set during the Bush administration. When we approach it we can reduce vacancies from the historically high levels at which they have remained throughout these first three years of the Obama administration to the historically low level we reached toward the end of the Bush administration.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From CQ Today Online News—Legal Affairs, Feb. 28, 2011]

JUDGES: 'TOTALLY BROKEN' CONFIRMATION PROCESS CAUSING 'DIRE' CASE BACKLOGS

(By Seth Stern)

Two federal judges criticized the slow pace of judicial confirmations Monday, saying cases are backlogged and judges overwhelmed at the trial court level.

Speaking at a Brookings Institution event on judicial nominations, Royce Lamberth, the chief judge of the U.S. District Court for the District of Columbia, said the confirmation process is ''totally broken'' and that the pattern of ''paybacks and the bickering have been thoroughly bipartisan.''

Lamberth, who was appointed by President Ronald Reagan in 1987, raised similar concerns in a speech in March 2009, just after the start of the Obama administration. But he said he was increasingly concerned by the delays in the confirmation of federal trial judges, which has only worsened in the two years since.

''I say to both Democrats and Republicans, you are injuring the country,'' Lamberth said.

Lamberth was joined on the panel by William Furgeson Jr., a Texas district court judge who said judges' growing caseloads resulting from the vacancies in his district in western Texas are a ''desperate problem'' that results in ''assembly-line justice.''

Furgeson called the situation on the border ''dire,'' adding it was a ''giant mystery'' why senators now fight over trial court judges.

Chief Justice John G. Roberts Jr. had also emphasized the ''persistent problem'' of vacancies on the federal bench in his annual report on the state of the judiciary released in December.

''Each political party has found it easy to turn on a dime from decrying to defending the blocking of judicial nominations, depending on their changing political fortunes,'' Roberts wrote in the report.

Only 67 percent of Obama's district court nominees were confirmed during his first two years in office, compared to 92 percent for George W. Bush and 87 percent for Bill Clinton, according to statistics compiled by Russell Wheeler, a visiting fellow at the liberal-leaning Brookings Institution, and 83 of 677 district court seats were vacant as of Feb. 25.

The Senate has confirmed six district court judges so far this year, including two more Monday: Amy Totenberg and Steve C. Jones to the Northern District of Georgia.

On Wednesday, the Senate Judiciary Committee will hold a second confirmation hearing for President Obama's most controversial judicial nominee: Goodwin Liu, who was first nominated for a seat on the U.S. Court of Appeals for the 9th Circuit in 2009.

The University of California law professor has faced intense criticism from Republicans for his liberal views and for repeatedly amending the materials he has provided to the Judiciary Committee.

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent to speak as in morning business, with the understanding that I will yield the floor if anyone comes to the floor to speak on the Cogburn nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

BELARUS RESOLUTION

Mr. LIEBERMAN. Mr. President, I rise to speak in support of a bipartisan resolution that has been submitted by our colleague, Senator DURBIN, and of which I am proud to be a cosponsor, which concerns the situation in the country of Belarus.

As the winds of democratic change have been sweeping now across North Africa and the Middle East ousting autocratic rulers who have been long entrenched there, it is important for us to remember there is still one remaining dictatorship in Europe, and that is in the country of Belarus.

In the 20 years since the fall of the Soviet Union, Belarus's neighbors to the north and west have become successful, prosperous democracies. But, tragically, while Poland, Lithuania, and Latvia have broken the chains of tyranny and joined the flagship institutions of the Euro-Atlantic world, NATO, and the European Union, Belarus and its people have been left behind—held back by its despot ruler Alexander Lukashenko, who has ruled his country through repression and rigged elections for nearly two decades.

Some in the United States and Europe had hoped in recent years that Lukashenko might be prepared to open up Belarus and change his ways. These hopes, however, came to an abrupt end on December 19 of last year when Belarus held Presidential elections. As it quickly became clear that the votes in those elections were neither free nor fair, thousands of Belarusian people took to the streets of Minsk in protest, and the Lukashenko regime responded with violence and brutality.

This resolution would put the Senate on record in response to the crackdown launched in Belarus on December 19—a crackdown, I add, that continues in significant ways to this day.

More than 600 people were swept up by Belarusian security forces on election day and its immediate aftermath—among them journalists, civil society representatives, political activists, and several opposition Presidential candidates. It is hard to believe this kind of behavior still exists in this world today. The detained continue to be denied access to family, lawyers, medical treatment, and open legal proceedings, while their relatives and attorneys endure harassment by Lukashenko's security forces.

This resolution will do several significant things. First, it will send a strong and clear message to Lukashenko that his actions are unacceptable and will carry significant costs. It tells him we do not consider the December 19 election to be legitimate and that he is, therefore, not the legitimately elected leader of Belarus, and that there should be new elections that are free, fair, and meet international standards. I would add that the European Parliament passed a resolution not long ago that says precisely the same thing that I have just said here in the Senate.

Perhaps even more important, this resolution will send a message to the people of Belarus who were struggling to secure their fundamental freedoms.

It tells the dissidents there that we have not and will not forget them or their cause; that we remember their names, in fact, and we will stand in solidarity with them until they achieve their goal, which is a free and democratic Belarus.

Last month, Senator MCCAIN and I and others traveled to Vilnius, Lithuania, where we met with Belarusian students and opposition military leaders. This was an extremely powerful experience for all of us. We heard directly from them about the repression taking place in their home country. The substance of the resolution Senator DURBIN has written and submitted, with cosponsorship by several of us, reflects what the Belarusians we met with in Vilnius told us, as well as what we heard here in Washington from other dissidents from that country.

The resolution specifically calls for the immediate and unconditional release of all political prisoners in Belarus. It also urges a tightening of the sanctions against Lukashenko, and we are urging the Obama administration to offer the strongest possible material and technical support for Belarusian civil society, and that includes, of course, the political opposition.

This resolution is broadly bipartisan in its sponsorship and reflects what I think is a wide consensus in the Senate about the situation in Belarus today. I know there are some who may look at the resolution and say it is merely symbolic, who say there is nothing we can do to help the people who are living such repressed and unfree lives in Belarus, and that we should simply accept the reality of Lukashenko's dictatorship after all these years. But if the historic events in Tunisia and Egypt have taught us anything about our foreign policies, it is that the United States does best when we stand with our values and with the people who share them—and that what appear to be even the most impregnable regimes can fall with remarkable speed.

Obviously, I cannot say exactly when Belarus will be free, but I have no doubt that someday it will be free. I am confident the future of Belarus belongs not to Lukashenko and his cronies but to the people of that great country—to the dissidents who are in jail, to the students we met in Vilnius last month, to the civil society activists who are being harassed by the KGB as we speak. It belongs to the people in Belarus who want a future of democracy and economic opportunity, not Soviet-style repression.

This resolution—put together, again I say with thanks, by Senator DURBIN—puts the Senate on the side of the people of Belarus and against the Lukashenko regime that is oppressing them. I hope we can come together and swiftly pass this bipartisan measure.

I thank the Chair, and I yield the floor to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, soon we will be voting on another nominee for district court. We continue our rapid pace in which the Senate has been confirming President Obama's judicial nominees. This vote will mark the 11th judicial nominee to be confirmed this Congress. That is more than double the number confirmed in the 108th Congress, which only saw five confirmations at this point. Obviously, actions speak louder than words. So far, our actions have had concrete results.

The Judiciary Committee met this morning and reported six more judicial nominees. That puts the total at 22 nominees reported favorably so far. We continue to hold hearings every 2 weeks and have heard from 31 nominees currently pending before the Senate. As I have said in the past, we will continue to move consensus nominees through the confirmation process. However, we will continue to do our due diligence in evaluating the nominees. What we will not do is put quantity confirmed over quality confirmed. These lifetime appointments are too important to the Federal Judiciary and the American people to allow rubberstamping.

Just this past Monday, the Senate confirmed three district court judges. In his statement for the record, the chairman of the committee, Senator LEAHY, stated:

> Nearly one out of every eight Federal judgeships is vacant. This puts at serious risk the ability of all Americans to have a fair hearing in court.

However, what the chairman neglected to mention is the fact that President Obama has not put forth a nominee for every vacancy the court currently faces. In fact, of the 95 judicial vacancies, the Senate only has 45 nominees. That is 53 percent of vacancies without a nominee from the White House.

Today, we vote on a nominee to sit on the Western District of North Carolina court. While this is an important vacancy, and a vacancy we need to fill, it is not a judicial emergency. However, there is a judicial emergency in the Eastern District of North Carolina. That seat, which has been vacant since 2005, does not have a nominee currently pending. President Bush nominated Thomas Alvin Farr to that seat twice, but he was never afforded a hearing, let alone an up-or-down vote. I am happy this side of the aisle is not repeating the same regrettable treatment Mr. Farr received.

With regard to Mr. Cogburn, the nominee we will be voting on, the American Bar Association has rated him ''majority well qualified, minority qualified.'' He received his B.A. from the University of North Carolina at Chapel Hill and his juris doctorate from Cumberland School of Law. Mr. Cogburn has practiced law in many capacities. Through his work in private practice, he has worked on a wide range of issues, including criminal litigation, personal injury, civil litigation, and a significant amount of mediation.

As an assistant U.S. attorney for over a decade, Mr. Cogburn gained substantial appellate experience. While there, he also served as drug task force attorney and chief assistant U.S. attorney. Mr. Cogburn also holds judicial experience. He was appointed to serve an 8-year term as a U.S. magistrate judge by the U.S. District Court for the Western District of North Carolina.

After careful evaluation, the Judiciary Committee reported this fine nominee by voice vote on February 3, 2011. I congratulate Mr. Cogburn and his family on this important lifetime appointment and his willingness to continue in public service.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. ENSIGN. Madam President, I ask unanimous consent that all time be yielded back in order to start the voting.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Max Oliver Cogburn, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina?

The clerk will call the roll.

The assistant editor of the Daily Digest called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON) and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 38 Ex.]

YEAS—96

Akaka	Cantwell	DeMint
Alexander	Cardin	Durbin
Ayotte	Carper	Ensign
Barrasso	Casey	Enzi
Baucus	Chambliss	Feinstein
Begich	Coats	Franken
Bennet	Coburn	Gillibrand
Bingaman	Cochran	Graham
Blumenthal	Collins	Grassley
Blunt	Conrad	Hagan
Boozman	Coons	Harkin
Brown (MA)	Corker	Hatch
Brown (OH)	Cornyn	Hoeven
Burr	Crapo	Inouye

Isakson	McCaskill	Rubio
Johanns	McConnell	Sanders
Johnson (SD)	Menendez	Schumer
Johnson (WI)	Merkley	Sessions
Kerry	Mikulski	Shaheen
Kirk	Moran	Shelby
Klobuchar	Murkowski	Snowe
Kohl	Murray	Stabenow
Kyl	Nelson (NE)	Tester
Landrieu	Nelson (FL)	Thune
Lautenberg	Paul	Toomey
Leahy	Portman	Udall (CO)
Lee	Pryor	Vitter
Levin	Reed	Warner
Lieberman	Reid	Webb
Lugar	Risch	Whitehouse
Manchin	Roberts	Wicker
McCain	Rockefeller	Wyden

NOT VOTING—4

Boxer	Inhofe
Hutchison	Udall (NM)

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate shall resume legislative session.

The majority leader.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. REID. There will be no further rollcall votes this week. We will have some votes Monday night. Everyone should be aware of that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

IN MEMORY OF KATE PUZEY

Mr. ISAKSON. Madam President, I rise to acknowledge the second anniversary of a tragic event that happened on March 11, 2009, in the nation of Benin in Africa. On that tragic day, a young lady by the name of Kate Puzey was tragically murdered in her sleep in her house at night.

Kate Puzey was a Peace Corps volunteer from Georgia, who went to Benin with all the dreams, hopes and aspirations of the program John F. Kennedy created over a half century ago. She had served there for months. She was teaching young African children. She was sharing wisdom. She was sharing knowledge. She was sharing her love of mankind. She was representing the United States in the way the Peace Corps intended it.

Unfortunately, her life was lost. I did not know Kate Puzey before her death. I only know her after her death. But I know her through her parents, through her schoolmates, and through her fellow Peace Corps volunteers in Africa who told me the story of Kate Puzey, and also, tragically, stories of other Peace Corps volunteers who have lost their lives or have sacrificed in the service of our country.

Tomorrow night, at 6:30, on the steps of the Capitol, there will be a candlelight vigil, acknowledging the second year anniversary of the death of Kate Puzey. Kate's mother will be here, as well as Peace Corps volunteers, as well as people from the Peace Corps organization. It will be a solemn moment, but it will also be a very sacred moment.

As the ranking member of the Africa Subcommittee, I have traveled to Africa on a number of occasions, and I have been in a number of African countries. On each visit, I arrange either a breakfast or a lunch, where I host the Peace Corps volunteers from the United States in that country.

Without exception, and in every case, these are the finest of Americans.

Just 2 years ago, when I was in Tanzania, I met a couple—73 and 72 years old—who in their retirement decided they wanted to give back and help their country and serve their mankind. They volunteered to go to Tanzania and build a library where there was not even a library, a book or a school, and they built it.

In Kenya, I visited with young people who went to Kenya to help carry the message of democracy, to help share, in the terrible slum of Kibera, the promise and hope of education, of good nutrition, of knowledge, of hard work, and of democracy.

We as a country are blessed to have men and women who serve us in many capacities—those who may serve in the House or the Senate, those who serve in the branches of the military overseas in harm's way—but equal to their service is the service of our Peace Corps volunteers. Kate Puzey is an example of what those Peace Corps volunteers do—at its height.

When I attended her funeral, I sat and listened, for over 2 hours, to her fellow volunteers, her former classmates tell about the Kate Puzey they knew: the academic genius, the committed volunteer, the person who loved life and loved people and wanted to share that love wherever she could.

The volunteers in Benin told of her countless sacrifices to help young people and children in their troubled land, in their difficult country, to understand better their life's future and to not look to poverty as a lifetime of shackles but to look to opportunity as a lifetime of hope.

Tomorrow night, when the vigil takes place on the steps of the Capitol, I will not be here, unfortunately, but I will be saying a special prayer for the life of Kate Puzey, for her family, and for what she and all volunteers who have sacrificed in the Peace Corps have done for the United States of America, and, better than that, for mankind.

We have many great people to be thankful for in this world, but tomorrow, at 6:30 p.m., on the steps of the Capitol, there will be a pause to recognize the life, the legacy, and the sacrifice of Kate Puzey and I will be there in spirit and I will be with her in prayer.

I yield back and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

RESTORING DISCIPLINE TO THE BUDGET PROCESS

Mr. INOUYE. Madam President, today our Nation faces a very difficult political landscape when it comes to addressing the major challenges to our country, such as unemployment and the deficit. The American public is demanding that the House and Senate work with the President to address these concerns.

I believe the American people's understandable and growing concern over the national debt is shared by every Member of this body. But in order for the Congress to address our fiscal crisis, we must fix our broken budget process.

Today, with fiscal year 2011 nearly halfway over, as a result of the Congress's inability to finish its work, the Federal Government is still operating on stopgap funding designed to avert a government shutdown.

This is no way to govern. Continuing resolutions make it difficult for Federal agencies to perform their duties. As the Secretary of Defense, Mr. Gates, has stated very clearly, operating under a CR places a great burden on the Department of Defense. The same can be said for every Federal agency. Our failure to act responsibly makes the everyday functioning of government more difficult and less responsive to the needs of the American people.

Moreover, continuing resolutions make a mockery of our constitutional responsibility to allocate taxpayer funding wisely. Putting the country on budgetary autopilot is simply unacceptable. It is well past the time to cast aside the blistering campaign rhetoric of the fall and find the means to compromise.

Many new Members of this body were elected on the promise of a return to fiscal responsibility. I would suggest that returning to regular order in our budget process is a necessary component to achieve this goal.

The Appropriations Committee produces 12 individual bipartisan spending

bills, but when the Congress fails to act on them through regular order, we wind up with a $1 trillion omnibus bill or a $1 trillion continuing resolution that cedes the power of the purse to the executive branch.

Neither the most liberal nor the most conservative Member of this body should prefer an omnibus or a CR over the regular order in our budget process.

Several weeks ago, I had the opportunity to sit down with the new chairman of the House Appropriations Committee, Congressman Hal Rogers of Kentucky, to congratulate him on his new position.

During our discussion, we both agreed that the Congress needs to reestablish regular order in the appropriations process. Both Chambers need to pass its bills and allow us to work out our differences in conference.

I believe if we adopt this approach, we can do our part to help this Nation regain its economic health.

The first step in the process is the adoption of a budget to provide the framework for appropriations bills. The House must step up to the plate with a budget that is workable. It cannot hide behind vague rhetoric and arbitrary spending caps, and it should not insist upon irrational, problematic cuts that would devastate the lives of the American people. Likewise, it is imperative that the Senate do its part in moving a budget through a responsible and regular order process, including the timely adoption of a budget resolution. If a budget resolution is not adopted by early May, the appropriations process will be delayed. Every week of delay further diminishes our ability to finish our work prior to the end of the fiscal year.

In recent years, all too often appropriations bills have been held hostage, as Members offered message amendments, knowing they would not pass, while the time needed to complete 12 freestanding bills slipped away. By September, we had abandoned any hope of finishing all 12 bills as the calendar simply did not give us enough time.

We Democrats must recognize that regular order cannot exist without bipartisan cooperation. Last year, despite the lack of a budget resolution, the committee completed almost all of its work, preparing 11 of the 12 appropriations bills for full consideration in a timely manner. However, gridlock on the Senate floor eliminated any further progress.

If a more open amendment process for relevant amendments will enable these bills to move forward, we should be open to such an approach even if that means taking some uncomfortable votes. This Chamber is split 53 to 47. Both sides need to give a little bit, and in so doing, it is my hope that we can get the bipartisan appropriations process back on track.

Certainly, no Member of this body wants to explain to his or her constituents why we have failed yet again to responsibly fund the government or ceded our constitutional authority to the administration or even why we are unable to work together responsibly to avoid a disastrous government shutdown. We must find a way to accomplish the tasks the Constitution has assigned to us. To do this, we need a budget resolution, we need the House to send over appropriations bills in a timely fashion, we need floor time, and we need a willingness to vote on amendments. Without these four things, there is no doubt in my mind that I will be standing in this Chamber in late September, yet again, seeking passage of a continuing resolution in order to avoid shutting down the government.

The House and the Senate need to find a way to work together to pass our bills under the regular order and send them to the President. This is the only way we can restore discipline to the budget process. It is the only way we can maintain our constitutional responsibility to determine how taxpayers dollars are spent. It is truly the only way we can avoid repeating the catchall spending bills none of us wants.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

REDUCING THE DEFICIT

Mr. LEVIN. Madam President, yesterday the Senate rejected two bills to provide funding for the rest of this fiscal year. I voted against both bills, and I want to explain why and to explain what I believe is the only course open to us if we are to be serious about reducing the budget deficit.

It was a victory for the American people when the Senate voted overwhelmingly to reject the spending bill sent to us by the House. House Republicans who tell us they want to reduce the deficit have proposed a cure that does little to cure our budget disease and does great damage to the patient in the meantime.

The House bill proposed cuts in nondefense discretionary spending, and in that area alone. Simple math suggests that we cannot meaningfully reduce the deficit in this manner. These programs represent less than 15 percent of the total budget. Not surprisingly, then, the Republican proposal would reduce our projected budget deficit this year by only a token amount. As a matter of fact, it would reduce our budget deficit this year by less than 1 percent.

The Republican plan fails the test of seriousness about the deficit, but it would have done significant damage to programs that Americans depend on. It would have cut more than $1 billion from Head Start. It would have eliminated early childhood education programs for more than 200,000 American children. It would have cut or eliminated Pell grants for hundreds of thousands of college students. It would have cut $61 million from the budget request for food inspections, despite the fact that thousands of Americans every year suffer from foodborne illnesses. It would have cut $1 billion from the Women, Infants and Children Program, weakening a program that helps poor families put food on the table. It would cut $180 million from the Securities and Exchange Commission budget and more than $100 million from the Commodity Futures Trading Commission budget. And those are the regulators. Those are the cops we need on the beat to make sure we oversee the financial markets that recently devastated our economy.

It would have cut nearly $290 million from the Veterans' Administration efforts to provide better service to our veterans.

The House budget would have cut $1 billion of funding for community health centers, eliminating primary care for millions of Americans.

The proposal of the House of Representatives, which we soundly defeated here yesterday, would have cut $550 million from National Science Foundation research, another $1 billion plus from Department of Energy research, and almost $900 billion from our support for renewable energy sources and energy conservation. All of that would make us even more dependent than we now are on foreign oil.

The Republican proposal from the House would have cut $2 billion from clean water programs, putting public health at risk, and it would have cut $250 million from the Great Lakes restoration efforts.

The House proposal would have cut more than $120 million from the President's request and more than $350 million from the fiscal 2010 level from border security efforts. That is the very issue—border security—which the Republicans, including the Speaker of the House, have called their No. 1 priority. Yet their budget would have cut more than $350 million from the 2010 level for border security.

We need to make spending cuts, and I think all of us know that. We have to reduce and remove redundancy and inefficiency in the government, and it exists. The President has proposed cuts. We need to seek more cuts and we need to act. But the cuts the Republicans proposed aren't about increasing efficiency. Their proposal, as Senator MANCHIN pointed out yesterday, blindly hacks at the budget with no sense of our priorities or of our values as a country. So we wisely rejected that path.

We also rejected a second proposal, and I voted against that one as well. I rejected it because while it avoided the

blind hacking at the budget in which the House Republicans engaged, it focused solely on cuts in nondefense discretionary spending. We had two choices yesterday, Draconian cuts or more targeted cuts. But those are not the only two choices available to us. We can choose to seriously address our budget deficit by acknowledging that it cannot be significantly reduced until we understand that increased revenue as well as spending cuts is part of the solution.

How can we raise additional revenue without slowing the economy? We can end the excessive tax cuts for the upper income taxpayers President Bush put in place. We can close tax loopholes that not only drain the Treasury but send American jobs abroad to boot.

The cost of the government to continue that upper bracket income tax cut President Bush was able to obtain is about $30 billion a year. Ending that $30 billion tax cut, which goes to roughly 2 percent of Americans at the very top—those earning more than $200,000—could allow us to avoid the drastic cuts in important programs I have mentioned, and much more besides.

Increasing revenue makes sense not only from a deficit reduction perspective, it is also fair. Those at the top, incomewise, have done very well as a group in recent decades, while incomes for most Americans have stagnated. To be specific, the top 1 percent of all income earners has more than doubled their share of total U.S. income in the last few decades—from 8.2 percent in 1980 to 17.7 percent in 2008. Meanwhile, median household income—the income of the typical American family—is now 5 percent lower than it was in the late 1990s. To eliminate programs that are critically important to working families while maintaining tax cuts for those whose incomes have soared would be a grave injustice.

There are also other revenues we could look to if we are truly serious about deficit reduction. There are a number of tax loopholes we can close. For example, we should not continue to give corporations a tax deduction when they send American jobs overseas. We should not allow corporations and wealthy individuals to avoid U.S. taxes by hiding assets and income in offshore tax havens. We should not allow hedge fund managers to earn enormous incomes and yet pay a lower tax rate than their secretaries pay.

The American people are looking to us. They are concerned about the size of the deficit and the effect it might have on future generations. But they also reject the notion that Draconian cuts—cuts that fall hardest on working families—are the answer. They see the wisdom and the fairness in making sure all Americans share in the sacrifices that will be required as we seek to reduce our deficit.

We have an opportunity now to show the American people that we understand too. We can craft a plan now that preserves vital programs, that makes prioritized and necessary cuts in spending, but also a plan that recognizes the need for comprehensive approaches that address revenue as well as spending. In the coming days, we need to adopt such a comprehensive approach.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota is recognized.

Mr. FRANKEN. I thank the Chair.

(The remarks of Mr. FRANKEN pertaining to the introduction of S. 555 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. FRANKEN. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

SBIR/STTR REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 17, S. 493.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 17, (S. 493), a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk. I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 17, S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

Harry Reid, Mary L. Landrieu, Benjamin L. Cardin, Charles E. Schumer, Daniel K. Inouye, Joseph I. Lieberman, Bernard Sanders, Debbie Stabenow, Patrick J. Leahy, Tom Harkin, Kay R. Hagan, Michael F. Bennet, Al Franken, Herb Kohl, Sheldon Whitehouse, Thomas R. Carper, Richard J. Durbin.

Mr. REID. I now ask unanimous consent that the cloture vote occur immediately following the Senate's action in executive session on Monday, March 14; further, that the mandatory quorum call under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I now withdraw my motion.

The PRESIDING OFFICER. The Senator has that right.

Mr. REID. Mr. President, I am disappointed that I had to file cloture on a bill as important as this one. We were going to have a new day in the Senate. I think it is really too bad. This is the small business innovation bill, and everyone knows we have had an open amendment process. People can offer amendments on anything they want. I think this is suggestive of maybe something I do not understand.

Why wouldn't my Republican colleagues want us to move to a small business bill to help create jobs? We are told that 85 percent of all jobs in America are small business jobs. Should we not be trying to help them? That is what we have been working on. We have not been doing all of these things, these ''messages,'' cutting out programs for little boys and girls who want to learn to read, cutting Pell grants for young men and women who are in college, cutting the ability of renewable energy projects to go forward, and all of these other messages they are sending the American people. We are trying to create jobs.

We have spent this Congress, over here in the Senate, on bipartisan issues creating jobs: FAA, 280,000 jobs. We just finished, within the last few hours, the bill that will change the patent system in this country. That has needed changing for 60 years, and we have done that.

Now they are blocking our going to a small business bill, another bipartisan bill. Senator SNOWE, the ranking member of that committee, has worked with Senator LANDRIEU to move this bill forward. Who is holding up our going to this very important jobs bill? I hope the Republicans in the House are understanding what we are doing over here, creating jobs.

With those two bills I have just mentioned, the patent bill and the bill dealing with the Federal Aviation Administration, that is 580,000 jobs. So I am very disappointed I had to file cloture on proceeding to a small business jobs bill.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ETHANOL SUBSIDIES AND TARIFFS

Mrs. FEINSTEIN. Mr. President, I have introduced legislation, with my

colleague Senator WEBB, to repeal corn ethanol subsidies and reduce ethanol tariffs.

This legislation has two major provisions.

First, it repeals the 45 cent per gallon corn ethanol blender subsidies—26 U.S.C. 6426(b) and 26 U.S.C. 40(h)—as of July 1, 2011, eliminating the corn ethanol subsidy six months early and saving approximately $3 billion for American taxpayers.

The bill would not affect the credit for noncorn, second generation ''advanced biofuels'' through 2011.

Second, the bill would lower the tariff on imported ethanol to the per gallon level of ethanol subsidies, to reestablish parity between the subsidy and the offsetting tariffs.

This removes the real trade barrier on imported ethanol, but also prevents foreign producers from benefitting from U.S. subsidies.

This legislation is necessary because the 54 cent-per-gallon tariff on ethanol imports and the 45 cent-per-gallon corn ethanol subsidy are fiscally irresponsible and environmentally unwise.

And their recent, 1-year extension in December 2010 made our country more dependent on foreign oil.

Subsidizing blending ethanol into gasoline is fiscally indefensible.

If the current subsidy were to exist through 2014 as the industry has proposed, the Federal Treasury would pay oil companies at least $31 billion to use 69 billion gallons of corn ethanol that the Federal Renewable Fuels Standard already requires them to use under the Clean Air Act.

We cannot afford to pay industry for following the law.

According to this month's Government Accountability Office report on ''Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue'':

> The ethanol tax credit and the renewable fuel standard can be duplicative in stimulating domestic production and use of ethanol, and can result in substantial loss of revenue to the Treasury.

GAO found that the ethanol tax credit, which will cost about $5.7 billion in 2011, is largely unneeded to ensure demand for domestic ethanol production.

The agency recommends that Congress reconsider the necessity of the tax credit, given the effectiveness of the renewable fuel standard, which is administered by EPA.

This legislation would simply implement the GAO's recommendation by repealing this wasteful subsidy 6 months early.

In addition, this legislation would address the tariffs on ethanol that make our country more dependent on foreign oil.

The combined tariffs on ethanol are 11 to 15 cents per gallon higher than the ethanol subsidy it supposedly offsets, and this lack of parity puts imported ethanol at a competitive disadvantage against imported oil.

This discourages imports of low carbon biofuel from Brazil, India, Australia, and other sugar producing countries, and it leads to more oil and gasoline imports from OPEC countries that enter the United States tariff-free.

Reducing the ethanol tariff will diversify our fuel supply, replace oil imports from OPEC countries with low carbon biofuel from our allies, and expand our trade relationships with democratic states.

The data overwhelmingly demonstrate that the costs of the current corn ethanol subsidy and tariff far outweigh the benefits.

The Center for Agricultural and Rural Development at Iowa State University recently estimated that a 1-year extension of the ethanol subsidy and tariff would lead to only 427 additional direct domestic jobs at a cost of almost $6 billion, or roughly $14 million of taxpayer money per job.

According to a July 2010 study by the Congressional Budget Office, ethanol tax credits cost taxpayers $1.78 for each gallon of gasoline consumption reduced, and $750 for each metric ton of carbon dioxide equivalent emissions reduced.

The ethanol subsidy and the ethanol tariffs also threaten our environment.

They support and protect significantly more corn production in the Mississippi River watershed, which experts believe is a primary cause of a ''dead zone'' in the Gulf of Mexico.

The current ethanol subsidy lacks any requirement that the subsidized fuel lead to a reduction in greenhouse gas pollution.

And the tariff on ethanol imports also prevents greater use of imported ethanol made from sugarcane.

Both the U.S. Environmental Protection Agency and the California Air Resources Board agree that putting sugarcane ethanol in our current cars and trucks results in the least greenhouse gas pollution, of all widely available options.

In contrast, the legislation I am introducing would—for the first time—limit subsidies only to ''advanced biofuels'' that reduce pollution at least 50 percent and are produced from noncorn biomass, such as cellulose, switchgrass, or algae.

And it would level the playing field for low carbon biofuel imports, which must compete against dirty oil from OPEC.

Historically our government has helped a product compete in one of three ways: subsidize it, protect it from competition, or require its use.

To my knowledge, corn ethanol is the only product receiving all three forms of support from the U.S. government at this time.

By eliminating ethanol subsidies and trade barriers, this legislation would produce a smaller budget deficit; a healthier Gulf of Mexico ecosystem; less global warming pollution; and reduced dependence on imported oil.

I look forward to working with my colleagues to advance responsible energy tax policies that reduce pollution, create jobs, and improve our international relationships.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 530

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

SECTION 1. ETHANOL ELIGIBLE FOR BLENDER INCOME TAX AND FUEL EXCISE TAX CREDITS.

(a) INCOME TAX CREDIT.—Section 40(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) ETHANOL ELIGIBLE FOR CREDIT.—In the case of any sale or use for any period after June 30, 2011, this subsection shall apply only to ethanol which qualifies as an advanced biofuel (as defined in section 211(o)(1)(B) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B))).''.

(b) EXCISE TAX CREDIT.—Section 6426(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) ETHANOL ELIGIBLE FOR CREDIT.—In the case of any sale, use, or removal for any period after June 30, 2011, no credit shall be determined under this subsection with respect to an alcohol fuel mixture in which any of the alcohol consists of ethanol unless the ethanol qualifies as an advanced biofuel (as defined in section 211(o)(1)(B) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B))).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after June 30, 2011.

SEC. 2. ETHANOL TARIFF-TAX PARITY.

Not later than 30 days after the date of the enactment of this Act, and semiannually thereafter, the President shall reduce the temporary duty imposed on ethanol under subheading 9901.00.50 of the Harmonized Tariff Schedule of the United States by an amount equal to the reduction in any Federal income or excise tax credit under section 40(h), 6426(b), or 6427(e)(1) of the Internal Revenue Code of 1986 and take any other action necessary to ensure that the combined temporary duty imposed on ethanol under such subheading 9901.00.50 and any other duty imposed under the Harmonized Tariff Schedule of the United States is equal to, or lower than, any Federal income or excise tax credit applicable to ethanol under the Internal Revenue Code of 1986.

CONTINUING APPROPRIATIONS

Ms. KLOBUCHAR. Mr. President, I rise today to speak about the Senate votes on H.R. 1 and Inouye amendment No. 149 regarding spending levels for the remainder of this fiscal year.

I opposed H.R. 1 because it called for severe cuts with little or no thought to the economic consequences. By cutting programs that support our seniors and veterans, as well as programs that contribute to our economic activity, H.R. 1 would have jeopardized our economic recovery at a critical time.

I voted for the necessary spending cuts included in the Inouye amendment because I saw it as a start, not an end. I believe additional cuts are needed to address our fiscal challenges. I am very

supportive of the bipartisan negotiations that are taking place for a longer term comprehensive deficit reduction plan and I would like us to move forward with the more difficult task of addressing our long-term fiscal challenges.

AMERICA INVENTS ACT

Mrs. MCCASKILL. I would like to discuss my amendment, No. 139, to S. 23, the America Invents Act, on pending claims in false marking cases. I want to raise the issue so we can consider it in the future as this legislation progresses.

The Patent Act provides a cause of action against those who ''falsely claim that their products are patented. A successful false-marking claimant must prove two elements: first, that an unpatented article has been marked as patented; and second that the marking was done with intent to deceive the public. These actions can hurt small businesses, start-ups and inventors who will be deterred from competing with such products.

The underlying bill alters the false marking provision by stipulating that the statute may only be privately enforced by a person who has suffered a competitive injury. In addition, damages would be limited to those that are adequate to compensate for the injury.

However, the legislation would also apply the newer rules to pending claims. These include claims that are now in the court system and under negotiation. By changing the rules in pending claims, the legislation allows potential wrongdoers to use the new law to protect themselves from past conduct.

This sets a bad precedent for our legal system and could absolve potential wrongdoers. My amendment would simply require that the changes to false marking provisions to apply only to prospective cases going forward. Small businesses and inventors that have expended considerable resources to protect themselves should not be penalized by a provision that retroactively eliminates pending claims.

My amendment is not an attempt to gut or strike the false markings provision. It is simply a modification to address the concerns of current litigants, consumers and small businesses. I urge my colleagues to strongly consider this issue going forward.

EYE DONOR MONTH

Mr. BROWN of Ohio. Mr. President, March is National Eye Donor Month—a month—to honor those who have restored sight to blind or vision-impaired Americans across the country.

For the last 28 years, since National Eye Donor Month was first established in 1983, the eye donor community has raised public awareness about the need for eye donation.

Every March for each of the past 28 years, our Nation has honored dedicated individuals who work tirelessly at hospitals, medical centers, doctors' offices, and eye banks across the country to educate the public on the need for cornea donations and work with the transplant teams.

We continue to give thanks to eye donors—and their families—who offered one last remarkable gift because they had the foresight to become organ donors.

Eye donation provides a precious second chance at clear vision for those with ocular diseases. Approximately 11.4 million Americans experience severe visual problems that are not correctable by glasses. A parent or grandparent cannot see their children or grandchildren play a little league game or walk across the stage at graduation. And many children experience momentous life events—and everyday happenings—without the eyesight that many of us take for granted.

Thankfully and miraculously, through eye donation and corneal transplants, vision that has been lost to disease or injury or infection can be restored. Since 1961, more than 700,000 corneal transplants have been performed to restore sight to children as young as 1 day old and adults as old as 103. And corneal transplants are highly successful; 90 percent of all corneal transplant operations effectively restore sight to the patient. Each year, eye banks across the country provide 52,000 corneal grafts for transplantation.

Ohio's Central Ohio Lions Eye Bank, COLEB, in Columbus performed corneal transplants for 340 patients in 2010. COLEB gave these 340 patients an opportunity to regain their sight and, with that, the ability to see their loved ones again—or for the first time. In southern Ohio, the Cincinnati Eye Bank for Sight Restoration, Inc., partnered with physicians at the University of Cincinnati to establish programs for public and professional education as well as conduct ocular medical research. The Cincinnati Eye Bank is able to serve 30 hospitals in southwestern Ohio, northern Kentucky, and eastern Indiana. In northern Ohio, the Cleveland Eye Bank, which serves nearly 5 million people and more than 60 hospitals in northern Ohio, created the Lasting Legacy program to honor the families of eye donors by publicly recognizing the donors' amazing gift of sight.

Simply put, corneal transplants—made possible through eye donors—change people's lives.

But more must be done. Some 1,600 Ohioans each year could have their sight restored through corneal transplants but are unable to because there are not enough organ donors.

I encourage all Americans to consider becoming eye donors. Even those without 20/20 vision or who have cataracts can donate. In Ohio, you can become an eye organ donor when you renew your driver's license. It is that easy.

I also urge my colleagues to work with local eye banks and the Eye Bank Association of America to promote the precious gift of eye donation. While 700,000 people have had their sight restored since 1961, tens of thousands more are waiting.

During this year's Eye Donor Month, I thank all those who continue to promote and advocate for eye donation and the gift of sight it gives.

ADDITIONAL STATEMENTS

TRIBUTE TO JD WAGGONER

● Mr. ROCKEFELLER. Mr. President, today I pay tribute to a dedicated professional who has worked at the West Virginia Library Commission for 40 years, including 9 years as its executive director, Mr. JD Waggoner.

JD Waggoner is a true leader and effective advocate for libraries. I have been extraordinarily proud to work closely with him over many years, and I understand and appreciate the special role that libraries play in communities across our State. In addition to his leadership at the commission, JD also has been a volunteer fireman which is another sign of his community service.

Thanks to the leadership of JD and others, our libraries are connected to the Internet and provide quality services to West Virginians. We worked together on the program I helped to create in the 1996 Telecommunications Act known as the E-Rate. This discount program provides $2.25 billion in discounts for telecommunications, Internet access and internal connections to libraries and schools nationwide. In West Virginia, it provides over $10 million each year to libraries and schools. JD Waggoner and his team have done an amazing job in managing this program and helping the smaller, rural libraries deal with the paperwork and challenges. Thanks to this access, our libraries now provide access to thousands of current publications for patrons to enjoy and learn.

The Library Commission also has a special initiative known as Learning Express. This program provides access to practice tests on a wide range of programs from the GED, ACT and SAT, and other professional licenses. This means that individuals can visit their libraries and, for free, take practice online exams to prepare for the real tests rather than pay expensive fees. This is a truly wonderful opportunity to help West Virginians advance their education. The director and the Library Commission are the support network for our libraries and the services range from Internet access to story hours and literacy efforts to hosting community groups and special events include movies or presentations. Libraries are hubs of activity and recent studies indicate people looking for work are more comfortable looking for work online at the library rather than an employment office.

Our West Virginia libraries are true treasures because of the dedication and leadership of JD Waggoner, his team and local librarians across our states. While JD Waggoner will be deeply missed, he most certainly deserves that chance to relax and enjoy his retirement. I wish him the very best and wanted to share his history with my Senate colleagues.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United State were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Joint Economic Committee: Mr. HINCHEY of New York, Mrs. MALONEY of New York, Ms. LORETTA SANCHEZ of California, and Mr. CUMMINGS of Maryland.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–856. A communication from the Attorney-Advisor, Office of the Secretary, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Procedures Relating to Awards Under the Equal Access to Justice Act'' (RIN0503–AA42) received in the Office of the President of the Senate on March 9, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–857. A communication from the Assistant Secretary of Defense (Homeland Defense and Americas' Security Affairs), transmitting, pursuant to law, a report relative to the Mitigation of Power Outage Risks for Department of Defense Facilities and Activities; to the Committee on Armed Services.

EC–858. A communication from the Executive Director and Designated Federal Officer of the Military Leadership Diversity Commission, transmitting, pursuant to law, a report entitled ''From Representation to Inclusion: Diversity Leadership for the 21st Century Military'' and the accompanying executive summary; to the Committee on Armed Services.

EC–859. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64)(Docket No. FEMA–2011–0002)) received in the Office of the President of the Senate on March 9, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–860. A communication from the Deputy to the Chairman, Legal Office, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Assessments, Large Bank Pricing'' (RIN3064–AD66) received in the Office of the President of the Senate on March 9, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–861. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Standards Governing the Release of a Suspicious Activity Report'' (RIN1550–AC28) received in the Office of the President of the Senate on March 9, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–862. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Confidentiality of Suspicious Activity Reports'' (RIN1550–AC26) received in the Office of the President of the Senate on March 9, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–863. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Implementation of the National Correct Coding Initiative in the Medicaid Program''; to the Committee on Finance.

EC–864. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles that are controlled under Category I of the United States Munitions List sold commercially under contract in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC–865. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, to include technical data, and defense services for the support of an Airborne Intelligence and Surveillance System (AISS) for the Finland Ministry of Defense (MOD) in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–866. A communication from the Director, Office of SAFETY Act Implementation, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulations Implementing the Support Anti-terrorism by Fostering the Effective Technologies Act of 2002 (the SAFETY Act)'' (RIN1601–AA15) received in the Office of the President of the Senate on March 9, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–867. A communication from the Acting Protected Critical Infrastructure Information (PCII) Program Manager, National Protection and Programs Directorate, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Handling Critical Infrastructure Information'' (RIN1601–AA14) received in the Office of the President of the Senate on March 9, 2011; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Jimmie V. Reyna, of Maryland, to be United States Circuit Judge for the Federal Circuit.

Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

Arenda L. Wright Allen, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Vincent L. Briccetti, of New York, to be United States District Judge for the Southern District of New York.

John A. Kronstadt, of California, to be United States District Judge for the Central District of California.

Michael Francis Urbanski, of Virginia, to be United States District Judge for the Western District of Virginia.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. CARDIN:

S. 538. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE:

S. 539. A bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. DURBIN, Mr. MERKLEY, Mr. SANDERS, Mr. WYDEN, Mr. MENENDEZ, Mr. AKAKA, Mrs. GILLIBRAND, and Mrs. MURRAY):

S. 540. A bill to prevent harassment at institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself, Mr. ALEXANDER, Mr. FRANKEN, and Mr. BURR):

S. 541. A bill to amend the Elementary and Secondary Education Act of 1965 to allow State educational agencies, local educational agencies, and schools to increase implementation of schoolwide positive behavioral interventions and supports and early intervening services in order to improve student academic achievement, reduce disciplinary problems in schools, and to improve coordination with similar activities and services provided under the Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH:

S. 542. A bill to amend title 10, United States Code, to authorize space—available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents; to the Committee on Armed Services.

By Mr. WYDEN (for himself, Ms. SNOWE, Mrs. GILLIBRAND, Mr.

McCAIN, Mr. MENENDEZ, Mr. ENSIGN, Mr. NELSON of Florida, and Mr. BURR):

S. 543. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 544. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of Colorado:

S. 545. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to strengthen the quality control measures in place for part B lung disease claims and part E processes with independent reviews; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. BAUCUS):

S. 546. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mrs. MURRAY:

S. 547. A bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre—kindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CHAMBLISS (for himself, Mr. GRAHAM, Ms. AYOTTE, Mr. McCAIN, and Mr. BURR):

S. 548. A bill to provide for the effective interrogation of unprivileged enemy belligerents and for other purposes; to the Select Committee on Intelligence.

By Mr. ENSIGN (for himself, Mr. BARRASSO, Mr. McCAIN, Mr. VITTER, Mr. ENZI, Mr. CRAPO, and Mr. MORAN):

S. 549. A bill to require the Attorney General of the United States to compile, and make publically available, certain data relating to the Equal Access to Justice Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts):

S. 550. A bill to improve the provision of assistance to fire departments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. McCAIN (for himself, Mr. GRAHAM, Mr. LIEBERMAN, Mr. CHAMBLISS, Ms. AYOTTE, and Mr. BROWN of Massachusetts):

S. 551. A bill to improve procedures for the detention and review of status of detainees of the United States in connection with the continuing armed conflict with al Qaeda, the Taliban, and affiliated groups; to the Committee on Armed Services.

By Mr. SANDERS (for himself and Ms. MIKULSKI):

S. 552. A bill to reduce the Federal budget deficit by creating a surtax on high income individuals and eliminating big oil and gas company tax loopholes; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. CHAMBLISS, Mr. McCAIN, Ms. AYOTTE, and Mr. BURR):

S. 553. A bill to provide for the review of challenges to the detention of unprivileged enemy belligerents and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. McCAIN, Mr. CHAMBLISS, Ms. AYOTTE, Mr. GRASSLEY, Mr. RUBIO, Mr. BURR, Mr. ENSIGN, Mr. ALEXANDER, Mr. JOHANNS, Mr. LIEBERMAN, and Mr. BROWN of Massachusetts):

S. 554. A bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself, Mr. HARKIN, Mr. KERRY, Mrs. MURRAY, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. DURBIN, Mr. LAUTENBERG, Mr. BENNET, Mr. BLUMENTHAL, Mr. UDALL of Colorado, Ms. MIKULSKI, Mr. LEAHY, Mr. SANDERS, Mr. BINGAMAN, Mr. WHITEHOUSE, Mr. CARDIN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. MENENDEZ, Mr. AKAKA, Mr. SCHUMER, Mr. WYDEN, Mr. BEGICH, Mr. CASEY, Ms. CANTWELL, Mr. BROWN of Ohio, Mrs. SHAHEEN, Mr. REED, and Mr. COONS):

S. 555. A bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HUTCHISON (for herself and Mr. PRYOR):

S. 556. A bill to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Ms. SNOWE, Mr. BURR, Mr. KERRY, Mr. BROWN of Ohio, Mr. LEVIN, Mr. JOHNSON of South Dakota, Mr. PRYOR, Mr. LEAHY, and Mrs. GILLIBRAND):

S. 557. A bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN of Ohio, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 558. A bill to limit the use of cluster munitions; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR:

S. 559. A bill to promote the production and use of renewable energy, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. BROWN of Ohio, and Mr. AKAKA):

S. 560. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

By Mr. ENZI (for himself and Mr. BARRASSO):

S. 561. A bill for the relief of Ashley Ross Fuller; to the Committee on the Judiciary.

By Ms. MIKULSKI (for herself, Mr. CARDIN, Mrs. MURRAY, Mr. WARNER, and Mr. WEBB):

S. 562. A bill to authorize the Secretary of Transportation to establish national safety standards for transit agencies operating heavy rail on fixed guideway; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER:

S. 563. A bill to provide for equal access to COBRA continuation coverage; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 564. A bill to designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KOHL (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. HARKIN, Mrs. GILLIBRAND, and Mr. BROWN of Ohio):

S. Res. 98. A resolution to express the sense of the Senate regarding the school breakfast program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DeMINT (for himself, Mr. BARRASSO, Mr. BURR, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. ENSIGN, Mr. ENZI, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. KYL, Mr. LEE, Mr. McCAIN, Mr. MORAN, Mr. PAUL, Mr. RISCH, Mr. RUBIO, Mr. SESSIONS, Mr. VITTER, and Mr. WICKER):

S. Res. 99. A resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent; to the Committee on Foreign Relations.

By Mr. BENNET (for himself, Mrs. MURRAY, and Mr. MERKLEY):

S. Res. 100. A resolution designating March 11, 2011, as ''World Plumbing Day''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 101

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 101, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 164

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Maine (Ms. COLLINS) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 185

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 185, a bill to provide United

States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 253

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 253, a bill to establish a commission to ensure a suitable observance of the centennial of World War I, and to designate memorials to the service of men and women of the United States in World War I.

S. 325

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 325, a bill to amend title 10, United States Code, to require the provision of behavioral health services to members of the reserve components of the Armed Forces necessary to meet pre-deployment and post-deployment readiness and fitness standards, and for other purposes.

S. 344

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 398

At the request of Mr. BINGAMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 398, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes.

S. 409

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 409, a bill to ban the sale of certain synthetic drugs.

S. 414

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 424

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 425

At the request of Mr. UDALL of Colorado, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 425, a bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 436

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 436, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 486

At the request of Mr. WHITEHOUSE, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 488

At the request of Mr. CARDIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 488, a bill to require the FHA to equitably treat homebuyers who have repaid in full their FHA-insured mortgages, and for other purposes.

S. 494

At the request of Mr. LIEBERMAN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 494, a bill to amend the Public Health Service Act to establish a national screening program at the Centers for Disease Control and Prevention and to amend title XIX of the Social Security Act to provide States the option to increase screening in the United States population for the prevention, early detection, and timely treatment of colorectal cancer.

S. 496

At the request of Mr. MCCAIN, the names of the Senator from Massachusetts (Mr. BROWN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 496, a bill to amend the Food, Conservation, and Energy Act to repeal a duplicative program relating to inspection and grading of catfish.

S. 506

At the request of Mr. CASEY, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 511

At the request of Mr. BLUNT, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 511, a bill to amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes.

S. 512

At the request of Mr. BINGAMAN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 512, a bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out programs to develop and demonstrate 2 small modular nuclear reactor designs, and for other purposes.

S. 516

At the request of Mrs. HUTCHISON, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 516, a bill to extend outer Continental Shelf leases to accommodate permitting delays and to provide operators time to meet new drilling and safety requirements.

At the request of Ms. LANDRIEU, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 516, supra.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. RES. 65

At the request of Mr. WICKER, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. Res. 65, a resolution expressing the sense of the Senate that the conviction by the Government of Russia of businessman Mikhail Khodorkovsky and Platon Lebedev constitutes a politically motivated case of selective arrest and prosecution that flagrantly undermines the rule of law and independence of the judicial system of Russia.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN:

S. 538. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the

Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I am introducing the Neotropical Migratory Bird Conservation Act. This bill promotes long-term conservation, education, research, monitoring, and habitat protection for more than 350 species of neotropical migratory birds that breed in North America in the summer and spend our winters in tropical climates south of our border. Through its successful competitive, matching grant program, the U.S. Fish and Wildlife Service supports public-private partnerships to countries mostly in Latin America and the Caribbean. Up to one quarter of the funds may be awarded for domestic projects.

This legislation aims to sustain healthy populations of migratory birds that are not only beautiful to look at but help our farmers by consuming billions of harmful insect pests each year. These vulnerable bird populations face many environmental factors such as pesticide pollution, deforestation, sprawl, and invasive species that threaten their habitat and, ultimately, their survival. As good indicators of a healthy ecosystem, it is troubling that, according to the National Audubon Society, at least 29 species of migratory birds are experiencing significant population declines. For example, populations of the Cerulean Warbler and Olive-Sided Flycatcher have declined as much as 70 percent since surveys began in the 1960s.

The Baltimore Oriole, the State bird of my home state of Maryland, has been experiencing a decline in population despite being protected by Federal law under the Migratory Bird Treaty Act of 1918 and the State of Maryland's Nongame and Endangered Species Conservation Act. Destruction of their domestic breeding habitat and tropical winter habitat, coupled with the toxic pesticides ingested by insects which are then eaten by the Oriole, has significantly contributed to this decline. It is essential that we invest in conservation efforts in our country as well as others along the migratory route of the wide range of migratory birds. This legislation accomplishes this goal.

The Neotropical Migratory Bird Conservation Act has a proven track record of reversing habitat loss and advancing conservation strategies for the broad range of neotropical birds that populate the United States and the rest of the Western hemisphere. According to the U.S. Fish and Wildlife Service, between 2002 and 2010, this program has successfully supported 333 projects, coordinated by groups in 48 U.S. State/territories and 36 countries. Additionally, it is a great value for taxpayers as it leverages over $4.00 for each Federal dollar spent. Since 2002, the U.S. has invested more than $25 million in 262 projects and leveraged an additional $112 million in partner funds to support these projects. It also helps to generate $2.7 billion annually for the U.S. economy through wildlife watching activities.

This legislation is cost-effective, budget-friendly, and has been a highly successful Federal program. This simple reauthorization bill will make sure that this good work continues.

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. 538

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

SECTION 1. REAUTHORIZATION OF NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT.

Section 10 of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6109) is amended to read as follows:

''SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act such sums as are necessary for each of fiscal years 2012 through 2017.

''(b) USE OF FUNDS.—Of the amounts made available under subsection (a) for each fiscal year, not less than 75 percent shall be expended for projects carried out at a location outside of the United States.''.

By Mr. BEGICH:

S. 542. A bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents; to the Committee on Armed Services.

Mr. BEGICH. Mr. President, today I am pleased to introduce the Space Available Equity Act.

Members and retirees of the National Guard and Reserve, their families, and surviving military spouses make great sacrifices for our nation. However, too often these individuals do not receive the benefits they have earned for their service.

In Alaska, the National Guard conducts more search and rescue missions in the most challenging terrain than any other state. They save lives every day in their state role and frequently deploy just like their active duty counter-parts. The demands on our reserve component have been higher than ever before. Yet members of the reserve components and ''gray area'' retirees, National Guardsman or Reservist eligible for retirement but under the age of 60, have limited travel privileges on Department of Defense aircraft under current regulation. Their space-available travel benefits are restricted to the continental United States and are not extended to their dependents, unlike active duty members and retirees.

Surviving spouses of a military member eligible for retired pay retain no space-available travel privileges at all after the death of their spouse, despite having made a lifetime commitment to the military or in many cases, lost their loved one in war. In Alaska, we understand how important surviving spouses are. The Tragedy Assistance Program, or as it's more commonly known—TAPS, was founded in my State.

To correct these inequities, I am reintroducing the National Guard, Reserve, ''Gray Area'' Retiree, and Surviving Spouse Space-available Travel Equity Act. This bill will give these deserving individuals comprehensive and equitable space-available travel privileges on Department of Defense aircraft. The bill is endorsed by the National Guard Association of the United States.

I urge my colleagues to join me in giving parity to our reserve component members and surviving military spouses.

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. 542

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Guard, Reserve, ''Gray Area'' Retiree, and Surviving Spouses Space-available Travel Equity Act of 2011''.

SEC. 2. ELIGIBILITY OF RESERVE MEMBERS, GRAY-AREA RETIREES, WIDOWS AND WIDOWERS OF RETIRED MEMBERS, AND DEPENDENTS FOR SPACE-AVAILABLE TRAVEL ON MILITARY AIRCRAFT.

(a) ELIGIBILITY.—Chapter 157 of title 10, United States Code, is amended by inserting after section 2641b the following new section:

''§ 2641c. Space-available travel on Department of Defense aircraft: reserve members, reserve members eligible for retired pay but for age; widows and widowers of retired members and dependents

''(a) RESERVE MEMBERS.—A member of a reserve component holding a valid Uniformed Services Identification and Privilege Card shall be provided transportation on Department of Defense aircraft, on a space-available basis, on the same basis as active duty members of the uniformed services under any other provision of law or Department of Defense regulation.

''(b) RESERVE RETIREES UNDER APPLICABLE ELIGIBILITY AGE.—A member or former member of a reserve component who, but for being under the eligibility age applicable to the member under section 12731 of this title, otherwise would be eligible for retired pay under chapter 1223 of this title shall be provided transportation on Department of Defense aircraft, on a space-available basis, on the same basis as members of the armed forces entitled to retired pay under any other provision of law or Department of Defense regulation.

''(c) WIDOWS AND WIDOWERS OF RETIRED MEMBERS.—

''(1) IN GENERAL.—An unremarried widow or widower of a member of the armed forces described in paragraph (2) shall be provided transportation on Department of Defense aircraft, on a space-available basis, on the same basis as members of the armed forces entitled to retired pay under any other provision of law or Department of Defense regulation.

''(2) MEMBERS COVERED.—A member of the armed forces referred to in paragraph (1) is a member who—

''(A) is entitled to retired pay;

''(B) dies in line of duty while on active duty and is not eligible for retired pay; or

''(C) in the case of a member of a reserve component, dies as a result of a line of duty condition and is not eligible for retired pay.

''(d) DEPENDENTS.—A dependent of a member or former member described in either subsections (a) or (b) or of a deceased member entitled to retired pay holding a valid Uniformed Services Identification and Privilege Card and a surviving unremarried spouse and the surviving dependent of a deceased member or former member described in subsection (b) holding a valid Uniformed Services Identification and Privilege Card shall be provided transportation on Department of Defense aircraft, on a space-available basis, if the dependent is accompanying the member or, in the case of a deceased member, is the surviving unremarried spouse of the deceased member or is a dependent accompanying the surviving unremarried spouse of the deceased member.

''(e) DEFINITION OF DEPENDENT.—In this section, the term 'dependent' has the meaning given that term in section 1072 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2641b the following new item:

''2641c. Space-available travel on Department of Defense aircraft: reserve members, reserve members eligible for retired pay but for age; widows and widowers of retired members and dependents.''.

By Mr. WYDEN (for himself, Ms. SNOWE, Mrs. GILLIBRAND, Mr. MCCAIN, Mr. MENENDEZ, Mr. ENSIGN, Mr. NELSON of Florida, and Mr. BURR):

S. 543. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I rise to introduce the Wireless Tax Fairness Act and I am delighted and honored to be joined in this effort by Senators SNOWE, GILLIBRAND, ENSIGN, MENENDEZ, MCCAIN, BURR, and Senator NELSON from Florida.

I want to start with an interesting fact that I read a few months ago, which is that over 20 percent of Americans have gotten rid of their land line telephone service in favor of wireless mobile technology. Unfortunately, as more and more people make this shift, they are being forced to pay higher and higher state and local taxes for their wireless service. Since 2007 the average wireless tax rate consumers have to pay rose by 1.1 percentage points, from 15.2 percent to 16.3 percent. At a time when the Federal Government is trying to improve consumer access to developing technologies and broadband Internet in particular, does it make sense to have local, state, and Federal Governments forcing higher taxes on them? The answer is no, especially as 3G and 4G emerge as dominant wireless technologies. These taxes only act to hurt consumers, stifle innovation in the wireless industry, and restrict access to the Internet.

In order to make sure that wireless technology can continue to flourish I am introducing the Wireless Tax Fairness Act. This legislation will keep American companies competitive by putting the brakes on unfair wireless tax increases—allowing American companies to remain leaders in innovation, making it easier for Americans to afford these services and providing an affordable way for consumers to access the Internet. The technology that is developed and deployed in America paves the way for the same American technology to be deployed overseas, creating and sustaining good American jobs.

In an era when a new cellphone, smartphone, or tablet is introduced nearly every month it is essential that the market for these products is determined by consumers and not by disproportionately high taxes. 17 percent of American families earning less than $30,000 rely on a wireless device to access the Internet. The deployment and availability of such services needs to be encouraged by keeping prices affordable for both individuals and businesses through a fair and reasonable tax regime.

In order to make sure that our walk is consistent with our talk on promoting American innovation, it is time to place a moratorium on discriminatory wireless taxes and fees. I hope our colleagues will join us in supporting this bill.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 544. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Energy and Natural Resoruces.

Mrs. FEINSTEIN. Mr. President, I rise today on behalf of myself and Senator BOXER to introduce the Buffalo Soldiers in the National Parks Study Act. This legislation is an important step in preserving the legacy of the Army's first all-black infantry and cavalry units and their unique role in the creation of our National Park system.

The Buffalo Soldiers served bravely in campaigns both at home and abroad before being stationed at the military Presidio in San Francisco and being given charge of patrolling the National Park system. Although first tasked with taming the frontier, these troops also took on the responsibility of preserving that wilderness for future generations. Each summer, Buffalo Soldier regiments traveled roughly 320 miles from San Francisco to either Sequoia or Yosemite National Park, where they patrolled the parks for poachers and loggers, built trails, and escorted visitors. They were, in essence if not in name, the nation's first park rangers.

In a time of segregation and adversity, these soldiers served their country bravely and the National Parks they worked to establish are part of the legacy they leave behind. Unfortunately, this unique aspect of their history is neither widely recognized nor remembered. This legislation would address that by authorizing a study to determine the most appropriate way to memorialize the Buffalo Soldiers. Money procured under the act would be used to determine the feasibility of establishing a national historic trail along the route traveled by the Buffalo Soldiers, scout for properties to add to the National Register of Historic Places, and develop educational initiatives and a public awareness campaign about the contribution of African-American soldiers after the Civil War.

Although the experiences of the Buffalo Soldiers are an important piece of our national history, we are in danger of losing their legacy to the passage of time unless we take conscious steps to preserve the memory. This legislation works to ensure that the contributions of the Buffalo Soldiers will be remembered and shared by all. I urge my colleagues to join me in their support for this measure.

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. 544

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 ''Buffalo Soldiers in the National Parks Study Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) In the late 19th century and early 20th century, African-American troops who came to be known as the Buffalo Soldiers served in many critical roles in the western United States, including protecting some of the first National Parks.

(2) Based at the Presidio in San Francisco, Buffalo Soldiers were assigned to Sequoia and Yosemite National Parks where they patrolled the backcountry, built trails, stopped poaching, and otherwise served in the roles later assumed by National Park rangers.

(3) The public would benefit from having opportunities to learn more about the Buffalo Soldiers in the National Parks and their contributions to the management of National Parks and the legacy of African-Americans in the post-Civil War era.

(4) As the centennial of the National Park Service in 2016 approaches, it is an especially appropriate time to conduct research and increase public awareness of the stewardship role the Buffalo Soldiers played in the early years of the National Parks.

(b) PURPOSE.—The purpose of this Act is to authorize a study to determine the most effective ways to increase understanding and public awareness of the critical role that the Buffalo Soldiers played in the early years of the National Parks.

SEC. 3. STUDY.

(a) IN GENERAL.—The Secretary of the Interior shall conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks.

(b) CONTENTS OF STUDY.—The study shall include—

(1) a historical assessment, based on extensive research, of the Buffalo Soldiers who served in National Parks in the years prior to the establishment of the National Park Service;

(2) an evaluation of the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks and to any other National Parks where they may have served;

(3) the identification of properties that could meet criteria for listing in the National Register of Historic Places or criteria for designation as National Historic Landmarks;

(4) an evaluation of appropriate ways to enhance historical research, education, interpretation, and public awareness of the story of the Buffalo Soldiers' stewardship role in the National Parks, including ways to link the story to the development of National Parks and the story of African-American military service following the Civil War; and

(5) any other matters that the Secretary of the Interior deems appropriate for this study.

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

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts).

S. 550. A bill to improve the provision of assistance to fire departments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. LIEBERMAN. Mr. President, today Senators COLLINS, CARPER, BROWN, and I are pleased to introduce the Fire Grants Reauthorization Act of 2011 to ensure that firefighters and emergency medical service personnel serving communities across the nation are repaid for the sacrifices they make every day with the best possible training and equipment—particularly given the budget cuts many communities have been forced to make in these economically uncertain times.

The bill we present to the Senate reauthorizes the Assistance to Firefighters, AFG, program and the Staffing for Adequate Fire and Emergency Response program, SAFER, two highly successful programs I worked to establish in 2000 and 2003. This is bipartisan legislation that has won overwhelming Senate support in previous years. As we all know, our first responders make great sacrifices for us. Firefighters in communities of all shapes and sizes have assumed a greater role in overall national emergency preparedness since September 11 and the Hurricane Katrina catastrophe. They now serve as the frontline of defense in many communities for disasters of all types. More than ever, firefighters need the training and equipment to deal not only with fires but also with hazardous materials; nuclear, radioactive, and explosive devices; and other potential threats.

The responsibilities placed on firefighters have only grown more demanding. Firefighters respond more and more to medical emergencies—15.8 million in 2008, a 213 percent increase from 1980. Right here in Washington, D.C., at Fire Engine Company 10—known as the ''House of Pain'' for its grueling schedule—80 percent of the calls are for medical emergencies. Our nation's firefighters—like other first responders—are the first to arrive and the last to leave whenever trouble hits. They deserve all the support we can give them.

Unfortunately, they do not always get it. Firefighters often lack the equipment and vehicles they need to do their jobs safely and effectively. In 2006 the U.S. Fire Administration reported that 60 percent of fire departments did not have enough breathing apparatuses to equip all firefighters on a shift, 65 percent did not have enough portable radios, and 49 percent of all fire engines were at least 15 years old.

We can and must do more for these brave men and women. We must make sure they have what they need to protect their communities and themselves as they perform a very dangerous job. Our bill takes much-needed steps to ensure that they do.

To start with, because career, volunteer, and combination fire departments all suffer from shortages in equipment, vehicles, and training, our bill requires that each type receives at least 25 percent of the available AFG grant funding. The remaining funds will be allocated based on factors such as risk and the needs of individual communities and the country as a whole. This creates an appropriate balance, ensuring that funds are directed at departments facing the most significant risks while guaranteeing that no department is left out.

We have also taken a number of steps in our bill to help fire departments in communities struggling with economic difficulties. In many cases, local governments have reduced spending on vital services, including fire departments. Among other things, these cuts have prevented many departments from replacing old equipment and forced them to lay off needed firefighters. To help departments rebuild, we have lowered the matching requirements for AFG and SAFER. Departments are still required to match some of their grant awards with funds of their own—ensuring they have some skin in the game—but the reduced amount will make it easier for them to accept awards.

We have similarly created an economic hardship waiver for both grant programs that will allow FEMA to waive certain requirements, such as requiring that grantees provide matching funds, for departments in communities that have been especially hard hit by tough economic times.

Our bill contains a number of other important provisions. It raises the maximum grant amounts available under AFG. As commonsense would suggest, large communities often require a substantial amount of equipment, and they will now be able to apply for funding in amounts more in line with what they need.

Our bill would provide funding for national fire safety organizations and institutions of higher education that wish to create joint programs establishing fire safety research centers. There is a great need for research devoted to fire safety and prevention and improved technology. The work these centers do will help us reduce fire casualties among firefighters and civilians and make communities safer.

But as important as it is to help our firefighters, we must also demand accountability when we spend taxpayer dollars. For this reason, we require that FEMA create performance management systems for these programs, complete with quantifiable metrics that will allow us to see how well they perform. Going forward, this will allow us to see what works in these programs and what does not so that we can make needed improvements when required.

We have also included provisions to prevent earmarks from being attached to these programs. AFG and SAFER have never been earmarked—an impressive accomplishment—and we want to keep it that way. The funding for these programs needs to go to firefighters, not pet projects.

Finally, this legislation authorizes $950 million each for these vital programs. This is actually less than what was authorized in the past. We believe that supporting our Nation's firefighters and emergency medical service responders ought to be a priority, but we recognize that these tough fiscal times require some belt-tightening. Authorizing funding for AFG and SAFER at these amounts sends the message that Congress can direct funding where it is needed while also showing discipline.

This legislation ensures that fire departments get the support they need to protect their communities while also protecting taxpayer dollars. It addresses a vital national need while increasing accountability to the public. I urge my colleagues to join me in supporting the reauthorization of these important programs.

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. 550

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 ''Fire Grants Reauthorization Act of 2011''.

SEC. 2. AMENDMENTS TO DEFINITIONS.

(a) IN GENERAL.—Section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203) is amended—

(1) in paragraph (3), by inserting '', except as otherwise provided,'' after ''means'';

(2) in paragraph (4), by striking '' 'Director' means'' and all that follows through ''Agency;'' and inserting '' 'Administrator of FEMA' means the Administrator of the Federal Emergency Management Agency;'';

(3) in paragraph (5)—

(A) by inserting ''Indian tribe,'' after ''county,''; and

(B) by striking ''and 'firecontrol' '' and inserting ''and 'fire control' '';

(4) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively;

(5) by inserting after paragraph (5), the following:

''(6) 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) and 'tribal' means of or pertaining to an Indian tribe;'';

(6) by redesignating paragraphs (9) and (10), as redesignated by paragraph (4), as paragraphs (10) and (11);

(7) by inserting after paragraph (8), as redesignated by paragraph (4), the following:

''(9) 'Secretary' means, except as otherwise provided, the Secretary of Homeland Security;'';

(8) by amending paragraph (10), as redesignated by paragraph (6), to read as follows:

''(10) 'State' has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).''.

(b) CONFORMING AMENDMENTS.—

(1) ADMINISTRATOR OF FEMA.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by striking ''Director'' each place it appears and inserting ''Administrator of FEMA''.

(2) ADMINISTRATOR OF FEMA'S AWARD.—Section 15 of such Act (15 U.S.C. 2214) is amended by striking ''Director's Award'' each place it appears and inserting ''Administrator's Award''.

SEC. 3. ASSISTANCE TO FIREFIGHTER GRANTS.

Section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended to read as follows:

''SEC. 33. FIREFIGHTER ASSISTANCE.

''(a) DEFINITIONS.—In this section:

''(1) AVAILABLE GRANT FUNDS.—The term 'available grant funds', with respect to a fiscal year, means those funds appropriated pursuant to the authorization of appropriations in subsection (p)(1) for such fiscal year less any funds used for administrative costs pursuant to subsection (p)(2) in such fiscal year.

''(2) CAREER FIRE DEPARTMENT.—The term 'career fire department' means a fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters.

''(3) COMBINATION FIRE DEPARTMENT.—The term 'combination fire department' means a fire department that has—

''(A) paid firefighting personnel; and

''(B) volunteer firefighting personnel.

''(4) FIREFIGHTING PERSONNEL.—The term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

''(5) NONAFFILIATED EMS ORGANIZATION.—The term 'nonaffiliated EMS organization' means a public or private nonprofit emergency medical services organization that is not affiliated with a hospital and does not serve a geographic area in which the Administrator of FEMA finds that emergency medical services are adequately provided by a fire department.

''(6) PAID-ON-CALL.—The term 'paid-on-call' with respect to firefighting personnel means firefighting personnel who are paid a stipend for each event to which they respond.

''(7) VOLUNTEER FIRE DEPARTMENT.—The term 'volunteer fire department' means a fire department that has an all-volunteer force of firefighting personnel.

''(b) ASSISTANCE PROGRAM.—

''(1) AUTHORITY.—In accordance with this section, the Administrator of FEMA may, in consultation with the Administrator of the United States Fire Administration, award—

''(A) assistance to firefighters grants under subsection (c); and

''(B) fire prevention and safety grants and other assistance under subsection (d).

''(2) ADMINISTRATIVE ASSISTANCE.—The Administrator of FEMA shall—

''(A) establish specific criteria for the selection of grant recipients under this section; and

''(B) provide assistance with application preparation to applicants for such grants.

''(c) ASSISTANCE TO FIREFIGHTERS GRANTS.—

''(1) IN GENERAL.—The Administrator of FEMA may, in consultation with the chief executives of the States in which the recipients are located, award grants on a competitive basis directly to—

''(A) fire departments, for the purpose of protecting the health and safety of the public and firefighting personnel throughout the United States against fire, fire-related, and other hazards;

''(B) nonaffiliated EMS organizations to support the provision of emergency medical services; and

''(C) State fire training academies for the purposes described in subparagraphs (G), (H), and (I) of paragraph (3).

''(2) MAXIMUM GRANT AMOUNTS.—

''(A) POPULATION.—The Administrator of FEMA may not award a grant under this subsection in excess of amounts as follows:

''(i) In the case of a recipient that serves a jurisdiction with 100,000 people or fewer, the amount of the grant awarded to such recipient shall not exceed $1,000,000 in any fiscal year.

''(ii) In the case of a recipient that serves a jurisdiction with more than 100,000 people but not more than 500,000 people, the amount of the grant awarded to such recipient shall not exceed $2,000,000 in any fiscal year.

''(iii) In the case of a recipient that serves a jurisdiction with more than 500,000 but not more than 1,000,000 people, the amount of the grant awarded to such recipient shall not exceed $3,000,000 in any fiscal year.

''(iv) In the case of a recipient that serves a jurisdiction with more than 1,000,000 people but not more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed $6,000,000 for any fiscal year.

''(v) In the case of a recipient that serves a jurisdiction with more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed $9,000,000 in any fiscal year.

''(B) STATE FIRE TRAINING ACADEMIES.—The Administrator of FEMA may not award a grant under this subsection to a State fire training academy in an amount that exceeds $1,000,000 in any fiscal year.

''(C) AGGREGATE.—

''(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B) and except as provided under clause (ii), the Administrator of FEMA may not award a grant under this subsection in a fiscal year in an amount that exceeds the amount that is one percent of the available grant funds in such fiscal year.

''(ii) EXCEPTION.—The Administrator of FEMA may waive the limitation in clause (i) with respect to a grant recipient if the Administrator of FEMA determines that such recipient has an extraordinary need for a grant in an amount that exceeds the limit under clause (i).

''(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

''(A) To train firefighting personnel in—

''(i) firefighting;

''(ii) emergency medical services and other emergency response (including response to natural disasters, acts of terrorism, and other man-made disasters);

''(iii) arson prevention and detection;

''(iv) maritime firefighting; or

''(v) the handling of hazardous materials.

''(B) To train firefighting personnel to provide any of the training described under subparagraph (A).

''(C) To fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies.

''(D) To certify—

''(i) fire inspectors; and

''(ii) building inspectors—

''(I) whose responsibilities include fire safety inspections; and

''(II) who are employed by or serving as volunteers with a fire department.

''(E) To establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel are able to carry out their duties as firefighters.

''(F) To fund emergency medical services provided by fire departments and nonaffiliated EMS organizations.

''(G) To acquire additional firefighting vehicles, including fire trucks and other apparatus.

''(H) To acquire additional firefighting equipment, including equipment for—

''(i) fighting fires with foam in remote areas without access to water; and

''(ii) communications, monitoring, and response to a natural disaster, act of terrorism, or other man-made disaster, including the use of a weapon of mass destruction.

''(I) To acquire personal protective equipment, including personal protective equipment—

''(i) prescribed for firefighting personnel by the Occupational Safety and Health Administration of the Department of Labor; or

''(ii) for responding to a natural disaster or act of terrorism or other man-made disaster, including the use of a weapon of mass destruction.

''(J) To modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel.

''(K) To educate the public about arson prevention and detection.

''(L) To provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

''(M) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

''(d) FIRE PREVENTION AND SAFETY GRANTS.—

''(1) IN GENERAL.—For the purpose of assisting fire prevention programs and supporting firefighter health and safety research and development, the Administrator of FEMA may, on a competitive basis—

''(A) award grants to fire departments;

''(B) award grants to, or enter into contracts or cooperative agreements with, national, State, local, tribal, or nonprofit organizations that are not fire departments and that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities and firefighter research and development programs, for the purpose of carrying out—

''(i) fire prevention programs; and

''(ii) research to improve firefighter health and life safety; and

''(C) award grants to, or enter into contracts with, regionally accredited institutions of higher education and national fire service organizations or national fire safety organizations to support joint programs focused on reducing firefighter fatalities and non-fatal injuries, including programs for establishing fire safety research centers as the Administrator of FEMA determines appropriate.

''(2) MAXIMUM GRANT AMOUNT.—A grant awarded under this subsection may not exceed $1,500,000 for a fiscal year.

''(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

''(A) To enforce fire codes and promote compliance with fire safety standards.

''(B) To fund fire prevention programs.

''(C) To fund wildland fire prevention programs, including education, awareness, and mitigation programs that protect lives, property, and natural resources from fire in the wildland-urban interface.

''(D) In the case of a grant awarded under paragraph (1)(C), to fund the establishment or operation of—

''(i) a fire safety research center; or

''(ii) a program at such a center.

''(E) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

''(e) APPLICATIONS FOR GRANTS.—

''(1) IN GENERAL.—An entity seeking a grant under this section shall submit to the Administrator of FEMA an application therefor in such form and in such manner as the Administrator of FEMA determines appropriate.

''(2) ELEMENTS.—Each application submitted under paragraph (1) shall include the following:

''(A) A description of the financial need of the applicant for the grant.

''(B) An analysis of the costs and benefits, with respect to public safety, of the use for which a grant is requested.

''(C) An agreement to provide information to the national fire incident reporting system for the period covered by the grant.

''(D) A list of other sources of funding received by the applicant—

''(i) for the same purpose for which the application for a grant under this section was submitted; or

''(ii) from the Federal Government for other fire-related purposes.

''(E) Such other information as the Administrator of FEMA determines appropriate.

''(3) JOINT OR REGIONAL APPLICATIONS.—

''(A) IN GENERAL.—Two or more entities may submit an application under paragraph (1) for a grant under this section to fund a joint program or initiative, including acquisition of shared equipment or vehicles.

''(B) NONEXCLUSIVITY.—Applications under this paragraph may be submitted instead of or in addition to any other application submitted under paragraph (1).

''(C) GUIDANCE.—The Administrator of FEMA shall—

''(i) publish guidance on applying for and administering grants awarded for joint programs and initiatives described in subparagraph (A); and

''(ii) encourage applicants to apply for grants for joint programs and initiatives described in subparagraph (A) as the Administrator of FEMA determines appropriate to achieve greater cost effectiveness and regional efficiency.

''(f) PEER REVIEW OF GRANT APPLICATIONS.—

''(1) IN GENERAL.—The Administrator of FEMA shall, after consultation with national fire service and emergency medical services organizations, appoint fire service personnel and personnel from nonaffiliated EMS organizations to conduct peer reviews of applications received under subsection (e)(1).

''(2) ASSIGNMENT OF REVIEWS.—In administering the peer review process under paragraph (1), the Administrator of FEMA shall ensure that—

''(A) applications submitted by career fire departments are reviewed primarily by personnel from career fire departments;

''(B) applications submitted by volunteer fire departments are reviewed primarily by personnel from volunteer fire departments;

''(C) applications submitted by combination fire departments and fire departments using paid-on-call firefighting personnel are reviewed primarily by personnel from such fire departments; and

''(D) applications for grants to fund emergency medical services pursuant to subsection (c)(3)(F) are reviewed primarily by emergency medical services personnel, including—

''(i) emergency medical service personnel affiliated with fire departments; and

''(ii) personnel from nonaffiliated EMS organizations.

''(3) REVIEW OF APPLICATIONS FOR FIRE PREVENTION AND SAFETY GRANTS SUBMITTED BY NONPROFIT ORGANIZATIONS THAT ARE NOT FIRE DEPARTMENTS.—In conducting a review of an application submitted under subsection (e)(1) by a nonprofit organization described in subsection (d)(1)(B), a peer reviewer may not recommend the applicant for a grant under subsection (d) unless such applicant is recognized for its experience and expertise with respect to—

''(A) fire prevention or safety programs and activities; or

''(B) firefighter research and development programs.

''(4) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out pursuant to this subsection.

''(g) PRIORITIZATION AND ALLOCATION OF GRANT AWARDS.—In awarding grants under this section, the Administrator of FEMA shall—

''(1) consider the findings and recommendations of the peer reviews carried out under subsection (f);

''(2) consider the degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire-related and other hazards;

''(3) consider the extent of the need of an applicant for a grant under this section and the need to protect the United States as a whole;

''(4) consider the number of calls requesting or requiring a fire fighting or emergency medical response received by an applicant; and

''(5) ensure that of the available grant funds—

''(A) not less than 25 percent are awarded to career fire departments;

''(B) not less than 25 percent are awarded to volunteer fire departments; and

''(C) not less than 25 percent are awarded to combination fire departments and fire departments using paid-on-call firefighting personnel.

''(h) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

''(1) FUNDING FOR EMERGENCY MEDICAL SERVICES.—Not less than 3.5 percent of the available grant funds for a fiscal year shall be awarded under this section for purposes described in subsection (c)(3)(F).

''(2) GRANT AWARDS TO NONAFFILIATED EMS ORGANIZATIONS.—Not more than 2 percent of the available grant funds for a fiscal year shall be awarded under this section to nonaffiliated EMS organizations.

''(3) FUNDING FOR FIRE PREVENTION AND SAFETY GRANTS.—For each fiscal year, not less than 10 percent of the aggregate of grant amounts under this section in that fiscal year shall be awarded under subsection (d).

''(4) STATE FIRE TRAINING ACADEMIES.—Not more than 3 percent of the available grant funds for a fiscal year shall be awarded under subsection (c)(1)(C).

''(5) AMOUNTS FOR PURCHASING FIREFIGHTING VEHICLES.—Not more than 25 percent of the available grant funds for a fiscal year may be used to assist grant recipients to purchase vehicles pursuant to subsection (c)(3)(G).

''(i) FURTHER CONSIDERATIONS.—

''(1) ASSISTANCE TO FIREFIGHTERS GRANTS TO FIRE DEPARTMENTS.—In considering applications for grants under subsection (c)(1)(A), the Administrator of FEMA shall consider the extent to which the grant would enhance the daily operations of the applicant and the impact of such a grant on the protection of lives and property.

''(2) APPLICATIONS FROM NONAFFILIATED EMS ORGANIZATIONS.—In the case of an application submitted under subsection (e)(1) by a nonaffiliated EMS organization, the Administrator of FEMA shall consider the extent to which other sources of Federal funding are available to the applicant to provide the assistance requested in such application.

''(3) AWARDING FIRE PREVENTION AND SAFETY GRANTS TO CERTAIN ORGANIZATIONS THAT ARE NOT FIRE DEPARTMENTS.—In the case of applicants for grants under this section who are described in subsection (d)(1)(B), the Administrator of FEMA shall give priority to applicants who focus on—

''(A) prevention of injuries to high risk groups from fire; and

''(B) research programs that demonstrate a potential to improve firefighter safety.

''(4) AVOIDING DUPLICATION.—The Administrator of FEMA shall review lists submitted by applicants pursuant to subsection (e)(2)(D) and take such actions as the Administrator of FEMA considers necessary to prevent unnecessary duplication of grant awards.

''(j) MATCHING AND MAINTENANCE OF EXPENDITURE REQUIREMENTS.—

''(1) MATCHING REQUIREMENT FOR ASSISTANCE TO FIREFIGHTERS GRANTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an applicant seeking a grant to carry out an activity under subsection (c) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 15 percent of the grant awarded to such applicant under such subsection.

''(B) EXCEPTION FOR ENTITIES SERVING SMALL COMMUNITIES.—In the case that an applicant seeking a grant to carry out an activity under subsection (c) serves a jurisdiction of—

''(i) more than 20,000 residents but not more than 50,000 residents, the applicant shall agree to make available non-Federal funds in an amount equal to not less than 10 percent of the grant award to such applicant under such subsection; or

''(ii) 20,000 residents or fewer, the applicant shall agree to make available non-Federal funds in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

''(2) MATCHING REQUIREMENT FOR FIRE PREVENTION AND SAFETY GRANTS.—

''(A) IN GENERAL.—An applicant seeking a grant to carry out an activity under subsection (d) shall agree to make available

non-Federal funds to carry out such activity in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

''(B) MEANS OF MATCHING.—An applicant for a grant under subsection (d) may meet the matching requirement under subparagraph (A) through direct funding, funding of complementary activities, or the provision of staff, facilities, services, material, or equipment.

''(3) MAINTENANCE OF EXPENDITURES.—An applicant seeking a grant under subsection (c) or (d) shall agree to maintain during the term of the grant the applicant's aggregate expenditures relating to the uses described in subsections (c)(3) and (d)(3) at not less than 80 percent of the average amount of such expenditures in the 2 fiscal years preceding the fiscal year in which the grant amounts are received.

''(4) WAIVER.—

''(A) IN GENERAL.—Except as provided in subparagraph (C)(ii), the Administrator of FEMA may waive or reduce the requirements of paragraphs (1), (2), and (3) in cases of demonstrated economic hardship.

''(B) GUIDELINES.—

''(i) IN GENERAL.—The Administrator of FEMA shall establish and publish guidelines for determining what constitutes economic hardship for purposes of this paragraph.

''(ii) CONSIDERATIONS.—In developing guidelines under clause (i), the Administrator of FEMA shall consider, with respect to relevant communities, the following:

''(I) Changes in rates of unemployment from previous years.

''(II) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

''(III) Changes in percentages of individuals eligible to receive food stamps from previous years.

''(IV) Such other factors as the Administrator of FEMA considers appropriate.

''(C) CERTAIN APPLICANTS FOR FIRE PREVENTION AND SAFETY GRANTS.—The authority under subparagraph (A) shall not apply with respect to a nonprofit organization that—

''(i) is described in subsection (d)(1)(B); and

''(ii) is not a fire department or emergency medical services organization.

''(k) GRANT GUIDELINES.—

''(1) GUIDELINES.—For each fiscal year, prior to awarding any grants under this section, the Administrator of FEMA shall publish in the Federal Register—

''(A) guidelines that describe—

''(i) the process for applying for grants under this section; and

''(ii) the criteria that will be used for selecting grant recipients; and

''(B) an explanation of any differences between such guidelines and the recommendations obtained under paragraph (2).

''(2) ANNUAL MEETING TO OBTAIN RECOMMENDATIONS.—

''(A) IN GENERAL.—For each fiscal year, the Administrator of FEMA shall convene a meeting of qualified members of national fire service organizations and qualified members of emergency medical service organizations to obtain recommendations regarding the following:

''(i) Criteria for the awarding of grants under this section.

''(ii) Administrative changes to the assistance program established under subsection (b).

''(B) QUALIFIED MEMBERS.—For purposes of this paragraph, a qualified member of an organization is a member who—

''(i) is recognized for expertise in firefighting or emergency medical services;

''(ii) is not an employee of the Federal Government; and

''(iii) in the case of a member of an emergency medical service organization, is a member of an organization that represents—

''(I) providers of emergency medical services that are affiliated with fire departments; or

''(II) nonaffiliated EMS providers.

''(3) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out pursuant to this subsection.

''(l) ACCOUNTING DETERMINATION.—Notwithstanding any other provision of law, for purposes of this section, equipment costs shall include all costs attributable to any design, purchase of components, assembly, manufacture, and transportation of equipment not otherwise commercially available.

''(m) ELIGIBLE GRANTEE ON BEHALF OF ALASKA NATIVE VILLAGES.—The Alaska Village Initiatives, a non-profit organization incorporated in the State of Alaska, shall be eligible to apply for and receive a grant or other assistance under this section on behalf of Alaska Native villages.

''(n) TRAINING STANDARDS.—If an applicant for a grant under this section is applying for such grant to purchase training that does not meet or exceed any applicable national voluntary consensus standards developed under section 647 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 747), the applicant shall submit to the Administrator of FEMA an explanation of the reasons that the training proposed to be purchased will serve the needs of the applicant better than training that meets or exceeds such standards.

''(o) ENSURING EFFECTIVE USE OF GRANTS.—

''(1) AUDITS.—The Administrator of FEMA may audit a recipient of a grant awarded under this section to ensure that—

''(A) the grant amounts are expended for the intended purposes; and

''(B) the grant recipient complies with the requirements of subsection (j).

''(2) PERFORMANCE ASSESSMENT.—

''(A) IN GENERAL.—The Administrator of FEMA shall develop and implement a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section, including protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards.

''(B) CONSULTATION.—The Administrator of FEMA shall consult with fire service representatives and with the Comptroller General of the United States in developing the assessment system required by subparagraph (A).

''(3) ANNUAL REPORTS TO ADMINISTRATOR OF FEMA.—The recipient of a grant awarded under this section shall submit to the Administrator of FEMA an annual report describing how the recipient used the grant amounts.

''(4) ANNUAL REPORTS TO CONGRESS.—

''(A) IN GENERAL.—Not later than September 30, 2012, and each year thereafter through 2016, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report that provides—

''(i) information on the performance assessment system developed under paragraph (2); and

''(ii) using the performance metrics developed under such paragraph, an evaluation of the effectiveness of the grants awarded under this section.

''(B) ADDITIONAL INFORMATION.—The report due under subparagraph (A) on September 30, 2015, shall also include recommendations for legislative changes to improve grants under this section, including recommendations as to whether the provisions described in section 5(a) of the Fire Grants Reauthorization Act of 2011 should be extended to apply on and after the date described in such section.

''(p) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section—

''(A) $950,000,000 for fiscal year 2012; and

''(B) for each of fiscal years 2013 through 2016, an amount equal to the amount authorized for the previous fiscal year increased by the percentage by which—

''(i) the Consumer Price Index (all items, United States city average) for the previous fiscal year, exceeds

''(ii) the Consumer Price Index for the fiscal year preceding the fiscal year described in clause (i).

''(2) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for a fiscal year, the Administrator of FEMA may use not more than 5 percent of such amounts for salaries and expenses and other administrative costs incurred by the Administrator of FEMA in the course of awarding grants and providing assistance under this section.

''(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirements in subsections (c)(1) and (d)(1) that grants under those subsections be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for any congressionally directed spending item (as such term is defined in paragraph 5(a) of rule XLIV of the Standing Rules of the Senate).''.

SEC. 4. STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE.

(a) IMPROVEMENTS TO HIRING GRANTS.—

(1) TERM OF GRANTS.—Subsection (a)(1)(B) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) is amended by striking ''4 years'' and inserting ''3 years''.

(2) LIMITATION ON PORTION OF COSTS OF HIRING FIREFIGHTERS.—Subsection (a)(1)(E) of such section 34 is amended by striking ''not exceed—'' and all that follows through the period and inserting ''not exceed 75 percent in any fiscal year.''.

(b) CLARIFICATION REGARDING ELIGIBLE ENTITIES FOR RECRUITMENT AND RETENTION GRANTS.—The second sentence of subsection (a)(2) of such section 34 is amended by striking ''organizations on a local or statewide basis'' and inserting ''national, State, local, or tribal organizations''.

(c) MAXIMUM AMOUNT FOR HIRING FIREFIGHTER.—Paragraph (4) of subsection (c) of such section 34 is amended to read as follows:

''(4) The amount of funding provided under this section to a recipient fire department for hiring a firefighter in any fiscal year may not exceed 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.''.

(d) WAIVERS.—Such section 34 is further amended—

(1) by redesignating subsections (d) through (i) as subsection (e) through (j), respectively; and

(2) by inserting after subsection (c) the following:

''(d) WAIVERS.—

''(1) IN GENERAL.—In a case of demonstrated economic hardship, the Administrator of FEMA may—

''(A) waive the requirements of subsection (a)(1)(B)(ii) or subsection (c)(1); or

''(B) waive or reduce the requirements in subsection (a)(1)(E) or subsection (c)(2).

''(2) GUIDELINES.—

''(A) IN GENERAL.—The Administrator of FEMA shall establish and publish guidelines

for determining what constitutes economic hardship for purposes of paragraph (1).

''(B) CONSIDERATIONS.—In developing guidelines under subparagraph (A), the Administrator of FEMA shall consider, with respect to relevant communities, the following:

''(i) Changes in rates of unemployment from previous years.

''(ii) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

''(iii) Changes in percentages of individuals eligible to receive food stamps from previous years.

''(iv) Such other factors as the Administrator of FEMA considers appropriate.''.

(e) IMPROVEMENTS TO PERFORMANCE EVALUATION REQUIREMENTS.—Subsection (e) of such section 34, as redesignated by subsection (d)(1) of this section, is amended by inserting before the first sentence the following:

''(1) IN GENERAL.—The Administrator of FEMA shall establish a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section.

''(2) SUBMISSION OF INFORMATION.—''.

(f) REPORT.—

(1) IN GENERAL.—Subsection (f) of such section 34, as redesignated by subsection (d)(1) of this section, is amended by striking ''The authority'' and all that follows through ''Congress concerning'' and inserting the following: ''Not later than September 30, 2015, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on''.

(2) CONFORMING AMENDMENT.—The heading for such subsection (f) is amended by striking ''SUNSET AND REPORTS'' and inserting ''REPORT''.

(g) ADDITIONAL DEFINITIONS.—

(1) IN GENERAL.—Subsection (i) of such section 34, as redesignated by subsection (d)(1) of this section, is amended—

(A) in the matter before paragraph (1), by striking ''In this section, the term—'' and inserting ''In this section:'';

(B) in paragraph (1)—

(i) by inserting ''The term'' before '' 'firefighter' has''; and

(ii) by striking ''; and'' and inserting a period;

(C) by striking paragraph (2); and

(D) by inserting at the end the following:

''(2) The terms 'career fire department', 'combination fire department', and 'volunteer fire department' have the meaning given such terms in section 33(a).''.

(2) CONFORMING AMENDMENT.—Subsection (a)(1)(A) of such section 34 is amended by striking ''career, volunteer, and combination fire departments'' and inserting ''career fire departments, combination fire departments, and volunteer fire departments''.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subsection (j) of such section 34, as redesignated by subsection (d)(1) of this section, is amended—

(A) in paragraph (6), by striking ''and'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(8) $950,000,000 for fiscal year 2012; and

''(9) for each of fiscal years 2013 through 2016, an amount equal to the amount authorized for the previous fiscal year increased by the percentage by which—

''(A) the Consumer Price Index (all items, United States city average) for the previous fiscal year, exceeds

''(B) the Consumer Price Index for the fiscal year preceding the fiscal year described in subparagraph (A).''.

(2) ADMINISTRATIVE EXPENSES.—Such subsection (j) is further amended—

(A) in paragraph (9), as added by paragraph (1) of this subsection, by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving the left margin of such clauses, as so redesignated, 2 ems to the right;

(B) by redesignating paragraphs (1) through (9) as subparagraphs (A) through (I), respectively, and moving the left margin of such subparagraphs, as so redesignated, 2 ems to the right;

(C) by striking ''There are'' and inserting the following:

''(1) IN GENERAL.—There are''; and

(D) by adding at the end the following:

''(2) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for a fiscal year, the Administrator of FEMA may use not more than 5 percent of such amounts to cover salaries and expenses and other administrative costs incurred by the Administrator of FEMA to make grants and provide assistance under this section.''.

(3) CONGRESSIONALLY DIRECTED SPENDING.—Such subsection (j) is further amended by adding at the end the following:

''(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirement in subsection (a) that grants under this section be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for any congressionally direct spending item (as defined in paragraph 5(a) of Rule XLIV of the Standing Rules of the Senate).''.

(i) TECHNICAL AMENDMENT.—Such section 34 is amended—

(1) in subsection (a), in paragraphs (1)(A) and (2), by striking ''Administrator shall'' and inserting ''Administrator of FEMA shall, in consultation with the Administrator,''; and

(2) by striking ''Administrator'' each place it appears, other than in subsection (a)(1)(A) and (a)(2), and inserting ''Administrator of FEMA''.

(j) CLERICAL AMENDMENT.—Section 34 of such Act (15 U.S.C. 2229a) is amended by striking ''**EXPANSION OF PRE-SEPTEMBER 11, 2001, FIRE GRANT PROGRAM**'' and inserting the following: ''**STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE**''.

SEC. 5. SUNSET AND PRIOR PROVISIONS.

(a) SUNSET.—Section 3 and subsections (a), (c), (d), (e), (f), (g), and (h) of section 4, and the amendments made by such section and subsections shall not apply on or after October 1, 2016.

(b) APPLICATION OF PRIOR LAW.—On and after October 1, 2016, sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a) are amended to read as such sections read on the day before the date of the enactment of this Act, except that the amendments made by subsections (b), (i), and (j) of section 4 shall continue to apply to such section 34.

SEC. 6. REPORT.

Not later than September 30, 2015, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on the effect of the amendments made by this Act. Such report shall include the following:

(1) An assessment of the effect of the amendments made by sections 3 and 4 on the effectiveness, relative allocation, accountability, and administration of the grants awarded under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a) after the date of the enactment of this Act .

(2) An evaluation of the extent to which the amendments made by sections 3 and 4 have enabled recipients of grants awarded under such sections 33 and 34 after the date of the enactment of this Act to mitigate fire and fire-related and other hazards more effectively.

Ms. COLLINS. Mr. President, I am proud to once again cosponsor the Fire Grants Reauthorization Act. I am pleased to join with Senators LIEBERMAN, BROWN, and CARPER in this effort to reauthorize these vital programs. I have always been an ardent supporter of our Nation's fire services. In addition to serving as a cochair of the Congressional Fire Services Caucus, I was a cosponsor of the original FIRE Act, and an original cosponsor of the FIRE Act reauthorization bills in 2004 and in 2010. Unfortunately, last year's bill did not become law.

The FIRE Act grants program provides fire departments with the support they need to purchase equipment and vehicles, and to conduct the training and exercises necessary to perform their jobs well. Indeed, this is one of the most successful programs administered by the Department of Homeland Security.

The FIRE Act grants program is an efficient and effective model for delivering grant funding because it has a competitive process for evaluating applications, which are peer-reviewed. It is also successful because monies are provided directly to local fire departments. This bipartisan legislation would retain and build upon these aspects of the FIRE Act program that made it successful in the first place.

In visits across the State of Maine, I have seen first-hand how these grants build the critical response capabilities of local fire departments. Maine has received more than $50 million through the FIRE Act grants program—a testament to the needs of our often rural, volunteer fire departments and proof that the program is succeeding in delivering funds to communities that need it most.

Independent analyses have confirmed that the FIRE Act grants program has been effective. To quote a 2007 study by the National Academy of Public Administration, ''From the standpoint of administrative efficiency, there is broad agreement among stakeholders and observers that the program has been well run. It is a positive case study in the management of a grant program by a government agency.''

I believe this bill will increase the capabilities of our Nation's fire services, and protect the thousands of firefighters and EMTs who put their lives on the line every day.

By Mr. SANDERS (for himself and Ms. MIKULSKI):

S. 552. A bill to reduce the Federal budget deficit by creating a surtax on high income individuals and eliminating big oil and gas company tax

loopholes; to the Committee on Finance.

Mr. SANDERS. Mr. President, I will try to bring this budget debate down to Earth and talk a little bit about the reality of what is happening and go beyond the amount of numbers that are out there.

My good friend from Alabama who sits with me on the Budget Committee makes the point that this country has a severe budget crisis. He is right. The question is, How did we get to where we are today and how do we go forward in a way that is fair and responsible to address it? In that regard, the Senator from Alabama and I have very strong disagreements.

How did we get to where we are today when not so many years ago, the day George W. Bush became President, we had a significant surplus? We had a surplus when Clinton left office. Now we have a major deficit crisis. There are a number of reasons:

No. 1, against my vote, we are fighting a war in Iraq which, by the time we take care of our last veteran, is going to cost us some $3 trillion. I didn't hear any of my Republican friends saying we can't go to war unless we figure out a way to pay for it.

No. 2, my Republican friends for years have been pushing huge tax breaks for the very wealthiest people. I didn't hear them ask how that was going to be paid for.

No. 3, under President Bush, with strong Republican support and against my vote, Congress passed a $400 billion-plus Medicare Part D prescription drug program, written by the insurance companies and the drug companies. It drove up the deficit.

No. 4, against my vote, Congress voted for a massive bailout of Wall Street. I didn't hear too many people talking about how we would pay for that, $700 billion to bail out Wall Street. I didn't hear them arguing that it was too much money and it would drive up the deficit.

Yesterday, the Republicans brought forth and voted on H.R. 1. Almost all of them voted for it. Those who did not actually wanted to go further.

The main point I wish to make is, A, we do have to address the deficit crisis, but, B, we have to address it in a way that is fair and responsible and not solely on the backs of working families, the middle class, the elderly, the sick, and the poor. That is immoral. That is wrong. That is bad economics.

To my mind, it is absolutely absurd that when my Republican friends talk about deficit reduction, they forget to talk about the reality that the wealthiest people have never had it so good; that the effective, the real tax rate for the richest people is the lowest on record; and that the wealthiest people, the top 2 percent, have received many hundreds of billions of dollars in tax breaks.

I ask my Republican friends, why do they want to balance the budget on the backs of low-income children, low-income senior citizens, those who are sick, those who are vulnerable, without asking the wealthiest people who have never had it so good to put one penny into deficit reduction? I think that is wrong, and the American people think that is wrong. When we talk about deficit reduction, we have to talk about shared sacrifice, everybody playing a role, not just little kids, not just the elderly, not just the sick, but even—dare I say it—people who have a whole lot of money and who have never done so well.

I have not been impressed at how the media has been covering this issue. They have not made it clear to the American people how devastating the cuts are that Republicans want to impose on working families. Let me briefly tick off some of them.

The Republicans want to throw over 200,000 children off of the Head Start Program. Every working family in America knows how hard it is today to come up with affordable childcare, early childhood education. We have the highest rate of childhood poverty in the industrialized world. The Republican solution is to slash Head Start by 20 percent, cut 218,000 kids off of Head Start, and lay off 55,000 Head Start instructors.

The cost of college education today is so high that many young people are giving up their dream of going to college, while many others are graduating deeply in debt. Republican solution: Slash Pell grants by $5.7 billion and reduce or eliminate Pell grants for 9.4 million low-income college students. Middle-class families, working-class families, do they hear that? We are going to balance the budget by either eliminating or lowering Pell grants—the ability of young people to go to college—for over 9 million college students.

I know in my office we get calls every week from senior citizens, people with disabilities, widows who are having a hard time getting a timely response toward their Social Security claims. It takes too long to process the paperwork. What the Republicans want to do is slash the Social Security Administration, the people who administer Social Security for seniors and the disabled, widows and orphans, by $1.7 billion. That means half a million Americans who are legally entitled to Social Security benefits will have to wait significantly longer times in order to receive them.

We have 50 million Americans with no health insurance today, and 45,000 Americans die because they don't get to a doctor in time. Last year, as part of health care reform, I worked very hard with many Members to expand community health centers so that more and more low-and moderate-income people could walk into a doctor's office, get health care, dental care, low-cost prescription drugs, mental health counseling. In H.R. 1, the bill they voted for yesterday, Republicans want to deny primary health care to 11 million Americans at a time when State after State is cutting back on Medicaid. What are you supposed to do if you are 50 years old, you have a pain in your chest, and you don't have any health insurance? Where do you go? Republicans want to deny health care to another 11 million Americans.

For the poorest people, community services block grants provide the infrastructure, the ability to get out emergency food help, emergency help to pay the electric bill, LIHEAP. They are the infrastructure of this country that protects the poorest and most vulnerable. Republicans want to slash $405 million from the Community Services Block Grant Program. That is wrong. And the President's proposed cut to the community services block grant is also wrong.

In real terms, 16 percent of our population today is really unemployed, if we add together the official unemployment—those people who have given up looking for work, those people who work part time and want to work full time. Republicans want to slash $2 billion in Federal job-training programs.

Republicans want to slash $400 million in LIHEAP. That is the program that in my State and all over the country enables people to stay warm in the winter. We have a lot of senior citizens in Vermont getting by on $13,000 or $14,000 a year in income. They need help. It gets cold in Vermont. It gets 20 below zero. People don't have the income. LIHEAP is a very valuable tool. Republicans want to slash $100 million for LIHEAP.

They want to slash the EPA by 30 percent. These are the people who have successfully enforced the Clean Air Act, the Clean Water Act, so that the air we breathe does not give us asthma, doesn't provide us with the soup that makes us sick. The Clean Air Act has been an enormous success in cleaning up our air. Republicans want to slash that by 30 percent.

Republicans want to cut the WIC Program. This is the program that provides supplemental nutrition for women, infants, and children. They want to cut that by $750 million. Poverty in America is increasing. What we understand is that if pregnant women and little kids do not get good nutrition, the likelihood is that births might be low weight or the little babies might come down with illnesses if they don't have good nutrition. Poverty is increasing. Yet the Republicans want to cut the WIC Program by $750 million—10 percent.

Title I education funding. Everybody understands we have problems with education right now, with large dropout rates. Republicans want to cut $5 billion from the Department of Education.

On and on and on it goes.

What do I think? Do I think it is appropriate we balance the budget on low-income pregnant women and infants who need nutrition? Do I think you should throw 200,000 kids off the

Head Start Program? Do I think we cut the Social Security Administration severely? Do I think we cut Planned Parenthood, which has done such a good job in preventing unwanted pregnancies? Does that make sense? I do not think so. I do not think that is good for America.

But I do believe we have to move toward a balanced budget. So what is one way to go forward, other than savage cuts on programs for the most vulnerable people in this country? That is, I think we have to begin talking about revenue, not just cuts.

Today I am introducing legislation which does two things. No. 1, it creates a millionaire's surtax, which will be used strictly for deficit reduction. It will be a 5.4-percent surtax on income over $1 million. That says that all households that have income over $1 million will pay a 5.4-percent surtax on that income, which will go into an emergency deficit reduction fund. Just doing that—asking millionaires to pay a little bit more in taxes, after all the huge tax breaks they have received—will bring in approximately $50 billion a year.

I think that is a good idea, but it is not just me who thinks it is a good idea. Recently, last week, there was an NBC News/Wall Street Journal poll, and they asked the American people: What is the best way to go forward on deficit reduction? Mr. President, 81 percent of the American people believe it is totally acceptable or mostly acceptable to impose a surtax on millionaires to reduce the deficit.

The American people get it. They understand you cannot move toward deficit reduction just by cutting programs that working families, the middle class, and low-income people desperately need in order to survive in the midst of this terrible recession. They understand serious, responsible deficit reduction requires shared sacrifice. It is insane—and I use that word advisably—it is insane to be talking about deficit reduction, as my Republican friends do on one hand, and then say: Oh, yes, we have to give hundreds and hundreds of billions of dollars in tax breaks to the top 1 percent, the top 2 percent, when those guys are doing phenomenally well, are seeing an effective tax rate lower than it has been in decades and have received huge tax breaks already.

Why does anyone think it is moral or right to move toward deficit reduction on the backs of the weak and the vulnerable? I understand—and I know something about politics—I do understand the parents of kids who are in Head Start do not make large campaign contributions. I know the senior citizens of this country who need some help with Social Security do not make large campaign contributions. I understand that. I understand college students, desperately trying to go through college on a Pell grant, do not make large campaign contributions.

But there is a sense of morality we have to deal with. I think it makes no sense, I think it is immoral, I think it is bad economics to balance the budget on the backs of working families, while we give continued tax breaks to those people who do not need it.

So today we are introducing a piece of legislation which I hope will have strong support. I think it paves the way for us to go forward with serious deficit reduction in a way that is fair. Do we need to make cuts? Absolutely. But do we also need to ask the wealthiest people in this country to start contributing toward deficit reduction? I think we do.

Once again, the legislation I am introducing today creates a millionaire's surtax of 5.4 percent, which would bring in about $50 billion a year, to be used exclusively for an emergency deficit reduction fund.

We also end tax breaks for big oil and gas companies, which will bring in about $3.5 billion a year. Over the past decade, the five largest oil companies in the United States have earned nearly $1 trillion in profits. Meanwhile, in recent years, some of the very largest oil companies in America have paid absolutely nothing in Federal income taxes. In fact, some of them have actually gotten a refund, a rebate from the IRS.

So that is my plea. My plea is that, yes, the need for deficit reduction is real. It is urgent. Let's go forward, but let's go forward in a way that is fair and responsible and not simply on the backs of the most vulnerable people in this country.

By Mr. FRANKEN (for himself, Mr. HARKIN, Mr. KERRY, Mrs. MURRAY, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. DURBIN, Mr. LAUTENBERG, Mr. BENNET, Mr. BLUMENTHAL, Mr. UDALL of Colorado, Ms. MIKULSKI, Mr. LEAHY, Mr. SANDERS, Mr. BINGAMAN, Mr. WHITEHOUSE, Mr. CARDIN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. MENENDEZ, Mr. AKAKA, Mr. SCHUMER, Mr. WYDEN, Mr. BEGICH, Mr. CASEY, Ms. CANTWELL, Mr. BROWN of Ohio, Mrs. SHAHEEN, Mr. REED, and Mr. COONS):

S. 555. A bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRANKEN. Mr. President, I wish to tell you about a teenager whom I think you know about—Justin Aaberg—from our home State of Minnesota. Yesterday should have been Justin's 16th birthday. Justin was a kind young man, friendly and cheerful, a budding composer, but he was also the target for bullies at his high school, who targeted him because he was different—because he was gay.

I never had the opportunity to meet Justin. His family lost him to suicide last summer. The Presiding Officer knows that. But you and I have been privileged to meet his mother Tammy. I have been privileged to meet her a few times. She is incredible. She has been speaking out to protect other kids. Because, unfortunately, there are a lot of other kids out there struggling to get through school as they suffer from bullying and harassment and discrimination at their public schools. Nine out of ten LGBT students are harassed or bullied or taunted in school. This harassment deprives them of an equal education. They are more likely to skip school, they are less likely to perform well academically, and they are more likely to drop out before they graduate from high school.

In some tragic cases, such as Justin's, the harassment of LGBT students can even lead to suicide. We have seen this in all too many cases all over the country, because, sadly, this problem is so much broader than Justin. More than a third—more than a third—of lesbian, gay, and bisexual youth have made a suicide attempt. More than a third. That is horrifying beyond belief to me.

We are failing these kids. That is why I, along with 29 of my Senate colleagues, including the Presiding Officer, have reintroduced the Student Nondiscrimination Act today. While Federal civil rights laws prohibit discrimination on the basis of race, color, sex, religion, disability, and national origin, they do not expressly cover sexual origin or gender identity. As a result, parents of LGBT students have limited legal recourse when schools fail to protect their children from harassment and bullying.

You might be wondering why I am mentioning bullying and discrimination in the same breath. It is simple: When a school acts to protect kids with disabilities from bullying but looks the other way when LGBT kids are harassed by their peers, that is discrimination. When school staff members participate in or encourage bullying of LGBT youth, that is discrimination. When a principal excuses a bully who torments an LGBT kid with ''boys will be boys,'' this is discrimination and needs to stop. It needs to stop before more kids are hurt.

The Student Nondiscrimination Act would prohibit discrimination and harassment in public schools based on sexual orientation and gender identity. It would give LGBT students similar civil rights protections against bullying and harassment as those that currently apply to students based on characteristics such as race and gender.

This legislation would also provide meaningful remedies for discrimination in public schools based on sexual orientation or gender identity, modeled on Title IX's protection against discrimination and harassment based on gender. Fifty years of civil rights history shows that similar laws that contain such remedies are often most effective in preventing discrimination from occurring in the first place. Like other civil rights laws, the one we introduce today would prompt schools to

avoid liability by taking proactive steps to prevent the discrimination and bullying of students protected by the bill.

I guarantee you that when this bill is passed, nearly every school district in this country is going to go to its lawyer and ask, ''How do we come into compliance?'' I guarantee you that the U.S. Department of Education will issue regulations, as it has under Title IX, so that schools have guidance in how to protect these kids. The goal isn't for any school to be sued for failing to protect kids from bullying and harassment. The goal isn't for any school to come under Department of Education scrutiny. The goal is for schools to do all they can to ensure these incidents never happen in the first place.

Parents in Minnesota and across the country entrust their children to public schools with the understanding that these schools will do everything in their power to keep their children safe. When 9 in 10 LGBT kids are bullied at school, when they are three times more likely than straight kids to feel unsafe at school, when one third of LGBT kids say they have skipped a day of school in the last month because of feeling unsafe, then we know that our public education system is not fulfilling its most basic obligation to parents to keep children safe. We have an obligation to do something about it.

Yesterday, Justin Aaberg from Minnesota should have celebrated his 16th birthday with family and friends. But instead, I know that his family and friends were missing him terribly—are still missing him terribly.

No child should have to go through the pain that Justin went through at school. No mom or dad should have to go through the heartbreaking pain that Justin's family has gone through. It is time. It is time that we extend equal rights to LGBT students. We have the opportunity now, as we reform No Child Left Behind—the ESEA, the Elementary and Secondary Education Act—to include this legislation. Our children cannot afford for us to squander this opportunity. I urge my colleagues to join me today in supporting the Student Non-Discrimination Act and demanding protection for all of our children under the law.

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. 555

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 ''Student Non-Discrimination Act of 2011''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Public school students who are lesbian, gay, bisexual, or transgender (referred to in this Act as ''LGBT''), or are perceived to be LGBT, or who associate with LGBT people, have been and are subjected to pervasive discrimination, including harassment, bullying, intimidation, and violence, and have been deprived of equal educational opportunities, in schools in every part of the Nation.

(2) While discrimination, including harassment, bullying, intimidation, and violence, of any kind is harmful to students and to the education system, actions that target students based on sexual orientation or gender identity represent a distinct and especially severe problem.

(3) Numerous social science studies demonstrate that discrimination, including harassment, bullying, intimidation, and violence, at school has contributed to high rates of absenteeism, dropping out, adverse health consequences, and academic underachievement, among LGBT youth.

(4) When left unchecked, discrimination, including harassment, bullying, intimidation, and violence, in schools based on sexual orientation or gender identity can lead, and has led, to life-threatening violence and to suicide.

(5) Public school students enjoy a variety of constitutional rights, including rights to equal protection, privacy, and free expression, which are infringed when school officials engage in or are indifferent to discrimination, including harassment, bullying, intimidation, and violence, on the basis of sexual orientation or gender identity.

(6) While Federal statutory provisions expressly address discrimination on the basis of race, color, sex, religion, disability, and national origin, Federal civil rights statutes do not expressly address discrimination on the basis of sexual orientation or gender identity. As a result, students and parents have often had limited recourse to law for remedies for discrimination on the basis of sexual orientation or gender identity.

(b) PURPOSES.—The purposes of this Act are—

(1) to ensure that all students have access to public education in a safe environment free from discrimination, including harassment, bullying, intimidation, and violence, on the basis of sexual orientation or gender identity;

(2) to provide a comprehensive Federal prohibition of discrimination in public schools based on actual or perceived sexual orientation or gender identity;

(3) to provide meaningful and effective remedies for discrimination in public schools based on actual or perceived sexual orientation or gender identity;

(4) to invoke congressional powers, including the power to enforce the 14th Amendment to the Constitution and to provide for the general welfare pursuant to section 8 of article I of the Constitution and the power to make all laws necessary and proper for the execution of the foregoing powers pursuant to section 8 of article I of the Constitution, in order to prohibit discrimination in public schools on the basis of sexual orientation or gender identity; and

(5) to allow the Department of Education to effectively combat discrimination based on sexual orientation or gender identity in public schools, through regulation and enforcement, as the Department has issued regulations under and enforced title IX of the Education Amendments of 1972 and other nondiscrimination laws in a manner that effectively addresses discrimination.

SEC. 3. DEFINITIONS AND RULE.

(a) DEFINITIONS.—For purposes of this Act:

(1) EDUCATIONAL AGENCY.—The term ''educational agency'' means a local educational agency, an educational service agency, and a State educational agency, as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) GENDER IDENTITY.—The term ''gender identity'' means the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth.

(3) HARASSMENT.—The term ''harassment'' means conduct that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from a program or activity of a public school or educational agency, or to create a hostile or abusive educational environment at a program or activity of a public school or educational agency, including acts of verbal, nonverbal, or physical aggression, intimidation, or hostility, if such conduct is based on—

(A) a student's actual or perceived sexual orientation or gender identity; or

(B) the actual or perceived sexual orientation or gender identity of a person with whom a student associates or has associated.

(4) PROGRAM OR ACTIVITY.—The terms ''program or activity'' and ''program'' have the same meanings given such terms as applied under section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–4a) to the operations of public entities under paragraph (2)(B) of such section.

(5) PUBLIC SCHOOL.—The term ''public school'' means an elementary school (as the term is defined in section 9101 of the Elementary and Secondary Education Act of 1965) that is a public institution, and a secondary school (as so defined) that is a public institution.

(6) SEXUAL ORIENTATION.—The term ''sexual orientation'' means homosexuality, heterosexuality, or bisexuality.

(7) STUDENT.—The term ''student'' means an individual who is enrolled in a public school or who, regardless of official enrollment status, attends classes or participates in the programs or activities of a public school or educational agency.

(b) RULE.—Consistent with Federal law, in this Act the term ''includes'' means ''includes but is not limited to''.

SEC. 4. PROHIBITION AGAINST DISCRIMINATION.

(a) IN GENERAL.—No student shall, on the basis of actual or perceived sexual orientation or gender identity of such individual or of a person with whom the student associates or has associated, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

(b) HARASSMENT.—For purposes of this Act, discrimination includes harassment of a student on the basis of actual or perceived sexual orientation or gender identity of such student or of a person with whom the student associates or has associated.

(c) RETALIATION PROHIBITED.—

(1) PROHIBITION.—No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination, retaliation, or reprisal under any program or activity receiving Federal financial assistance based on the person's opposition to conduct made unlawful by this Act.

(2) DEFINITION.—For purposes of this subsection, ''opposition to conduct made unlawful by this Act'' includes—

(A) opposition to conduct reasonably believed to be made unlawful by this Act;

(B) any formal or informal report, whether oral or written, to any governmental entity, including public schools and educational agencies and employees of the public schools or educational agencies, regarding conduct made unlawful by this Act or reasonably believed to be made unlawful by this Act;

(C) participation in any investigation, proceeding, or hearing related to conduct made unlawful by this Act or reasonably believed to be made unlawful by this Act; and

(D) assistance or encouragement provided to any other person in the exercise or enjoyment of any right granted or protected by this Act,

if in the course of that expression, the person involved does not purposefully provide information known to be false to any public school or educational agency or other governmental entity regarding conduct made unlawful, or reasonably believed to be made unlawful, by this Act.

SEC. 5. FEDERAL ADMINISTRATIVE ENFORCEMENT; REPORT TO CONGRESSIONAL COMMITTEES.

(a) REQUIREMENTS.—Each Federal department and agency which is empowered to extend Federal financial assistance to any education program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 4 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President.

(b) ENFORCEMENT.—Compliance with any requirement adopted pursuant to this section may be effected—

(1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made, and shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found; or

(2) by any other means authorized by law, except that no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means.

(c) REPORTS.—In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House of Representatives and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until 30 days have elapsed after the filing of such report.

SEC. 6. CAUSE OF ACTION.

(a) CAUSE OF ACTION.—Subject to subsection (c), an aggrieved individual may bring an action in a court of competent jurisdiction, asserting a violation of this Act. Aggrieved individuals may be awarded all appropriate relief, including equitable relief, compensatory damages, and costs of the action.

(b) RULE OF CONSTRUCTION.—This section shall not be construed to preclude an aggrieved individual from obtaining remedies under any other provision of law or to require such individual to exhaust any administrative complaint process or notice of claim requirement before seeking redress under this section.

(c) STATUTE OF LIMITATIONS.—For actions brought pursuant to this section, the statute of limitations period shall be determined in accordance with section 1658(a) of title 28, United States Code. The tolling of any such limitations period shall be determined in accordance with the law governing actions under section 1979 of the Revised Statutes (42 U.S.C. 1983) in the State in which the action is brought.

SEC. 7. STATE IMMUNITY.

(a) STATE IMMUNITY.—A State shall not be immune under the 11th Amendment to the Constitution from suit in Federal court for a violation of this Act.

(b) WAIVER.—A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th Amendment or otherwise, to a suit brought by an aggrieved individual for a violation of section 4.

(c) REMEDIES.—In a suit against a State for a violation of this Act, remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in the suit against any public or private entity other than a State.

SEC. 8. ATTORNEY'S FEES.

Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by inserting ''the Student Non-Discrimination Act of 2011,'' after ''Religious Land Use and Institutionalized Persons Act of 2000,''.

SEC. 9. EFFECT ON OTHER LAWS.

(a) FEDERAL AND STATE NONDISCRIMINATION LAWS.—Nothing in this Act shall be construed to preempt, invalidate, or limit rights, remedies, procedures, or legal standards available to victims of discrimination or retaliation, under any other Federal law or law of a State or political subdivision of a State, including title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), or section 1979 of the Revised Statutes (42 U.S.C. 1983). The obligations imposed by this Act are in addition to those imposed by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 1979 of the Revised Statutes (42 U.S.C. 1983).

(b) FREE SPEECH AND EXPRESSION LAWS AND RELIGIOUS STUDENT GROUPS.—Nothing in this Act shall be construed to alter legal standards regarding, or affect the rights available to individuals or groups under, other Federal laws that establish protections for freedom of speech and expression, such as legal standards and rights available to religious and other student groups under the First Amendment and the Equal Access Act (20 U.S.C. 4071 et seq.).

SEC. 10. SEVERABILITY.

If any provision of this Act, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act, and the application of the provision to any other person or circumstance shall not be impacted.

SEC. 11. EFFECTIVE DATE.

This Act shall take effect 60 days after the date of enactment of this Act and shall not apply to conduct occurring before the effective date of this Act.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN of Ohio, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 558. A bill to limit the use of cluster munitions; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise today with my friend and colleague from Vermont, Senator LEAHY, and 20 co-sponsors to introduce the Cluster Munitions Civilian Protection Act of 2011.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions, or individual ''bomblets.''

They are intended for attacking enemy troop formations and armor covering over a half mile radius.

But, in reality, they pose a deadly threat to innocent civilians. Before I discuss our legislation, I would like to share a few stories that show what these weapons can do.

Several months after the end of the Iraq war, Ahmed, 12 years old from Kebala, Iraq, was walking with his 9-year-old brother and picked up what he thought was just a shiny object, but was, in fact, a cluster bomb.

It exploded and Ahmed lost his right hand and three fingers off his left hand.

He also lost an eye and suffered shrapnel wounds to his torso and head.

A young shepherd, Akim, 13 years old, from Al-Radwaniya, Iraq, was playing on his parents' farm when it was hit by a cluster bomb attack.

He suffered burns to his lower limbs and multiple fractures to his right leg.

His wounds became infected and he developed pressure ulcers.

In 2003, 30 years after the Vietnam war, Dan, 9 years old from Phalanexay, Laos, was injured when he picked up and played with a cluster bomb. It exploded.

He suffered massive abdominal trauma, multiple shrapnel wounds, and a broken arm and leg.

Waleed Thamer, 10 years old, is from Iraq. In 2003, he was wounded by a cluster bomb on his way to the local market.

He lost his right hand and suffered shrapnel wounds to his eyes, neck, torso, and thighs.

These stories are deeply distressing. But they show us why our legislation is necessary.

Our legislation places commonsense restrictions on the use of cluster bombs. It prevents any funds from being spent to use cluster munitions that have a failure rate of more than 1 percent; and unless the rules of engagement specify the cluster munitions will only be used against clearly defined military targets; and will not be used where civilians are known to be

present or in areas normally inhabited by civilians.

Finally, our legislation includes a national security waiver that allows the President to waive the prohibition on the use of cluster bombs with a failure rate of more than 1 percent, if he determines it is vital to protect the security of the United States to do so.

If the President issues the waiver, he must issue a report to Congress within 30 days on the failure rate of the cluster bombs used and the steps taken to protect innocent civilians.

If our bill is enacted, it will have an immediate impact.

Out of the 728.5 million cluster submunitions in the U.S. arsenal, only 30,900 have self-destruct devices that would ensure a less than 1 percent dud rate.

Those submunitions account for only 0.00004 percent of the U.S. total.

So, the technology exists for the U.S. to meet the 1 percent standard but our arsenal consists overwhelmingly of cluster bombs with high failure rates.

Simply put, our bill will help save lives.

As the above stories demonstrate, cluster bombs pose a real threat to the safety of civilians when used in populated areas because they leave hundreds of unexploded bombs over a very large area and they are often inaccurate.

Indeed, the human toll of these weapons has been terrible:

In Laos, approximately 11,000 people, 30 percent of them children, have been killed or injured by U.S. cluster munitions since the Vietnam war ended.

In Afghanistan, between October 2001 and November 2002, 127 civilians lost their lives due to cluster munitions, 70 percent of them under the age of 18.

An estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed by cluster munitions since 1991.

In the 2006 war in Lebanon, Israeli cluster munitions, many of them manufactured in the U.S., injured and killed 343 civilians.

During the 2003 invasion of Baghdad, the last time the U.S. used cluster munitions, these weapons killed more civilians than any other type of U.S. weapon.

The U.S. 3rd Infantry Division described cluster munitions as ''battlefield losers'' in Iraq, because they were often forced to advance through areas contaminated with unexploded duds.

During the 1991 Gulf War, U.S. cluster munitions caused more U.S. troop casualties than any single Iraqi weapon system, killing 22 U.S. servicemen.

Yet we have seen significant progress in the effort to protect innocent civilians from these deadly weapons since we first introduced this legislation in the 110th Congress.

In December 2008, 95 countries came together to sign the Oslo Convention on Cluster Munitions which would prohibit the production, use, and export of cluster bombs and requires signatories to eliminate their arsenals within 8 years.

This group includes key NATO allies such as Canada, the United Kingdom, France, and Germany, who are fighting alongside our troops in Afghanistan.

It includes 33 countries that have produced and used cluster munitions.

To date, 108 countries have signed the convention and 48 have ratified it.

It formally came into force on August 1, 2010.

In 2007, Congress passed and President Bush signed into law a provision from our legislation contained in the fiscal year 2008 Consolidated Appropriations Act prohibiting the sale and transfer of cluster bombs with a failure rate of more than 1 percent.

Congress extended this ban as a part of the Omnibus Appropriations Act for fiscal year 2009 and the Consolidated Appropriations Act of 2010.

These actions will help save lives. But much more work remains to be done and significant obstacles remain.

For one, the United States chose not to participate in the Oslo process or sign the treaty.

The Pentagon continues to believe that cluster munitions are ''legitimate weapons with clear military utility in combat.''

It would prefer that the United States work within the Geneva-based Convention on Certain Conventional Weapons, CCW, to negotiate limits on the use of cluster munitions.

Yet these efforts have been going on since 2001 and it was the inability of the CCW to come to any meaningful agreement which prompted other countries, led by Norway, to pursue an alternative treaty through the Oslo process.

A lack of U.S. leadership in this area has given cover to other major cluster munitions producing nations—China, Russia, India, Pakistan, Israel, and Egypt—who have refused to sign the Oslo Convention as well.

Recognizing the United States could not remain silent in the face of international efforts to restrict the use of cluster bombs, Secretary of Defense Robert Gates issued a new policy on cluster munitions in June 2008 stating that after 2018, the use, sale and transfer of cluster munitions with a failure rate of more than 1 percent would be prohibited.

The policy is a step in the right direction, but under the terms of this new policy, the Pentagon will still have the authority to use cluster bombs with high failure rates for the next 10 years.

That is unacceptable and runs counter to our values. The administration should take another look at this policy.

In fact, on September 29, 2009, Senator LEAHY and I were joined by 14 of our colleagues in sending a letter to President Obama urging him to conduct a thorough review of U.S. policy on cluster munitions.

On April 14, 2010, we received a response from then National Security Advisor Jim Jones stating that the administration will undertake this review following the policy review on U.S. landmines policy.

The administration should complete this review without delay.

Let us not forget that the United States maintains an arsenal of an estimated 5.5 million cluster munitions containing 728 million submunitions which have an estimated failure rate of between 5 and 15 percent.

What does that say about us, that we are still prepared to use, sell and transfer these weapons with well-known failure rates?

The fact is, cluster munition technologies already exist, that meet the 1 percent standard. Why do we need to wait 10 years?

This delay is especially troubling given that in 2001, former Secretary of Defense William Cohen issued his own policy on cluster munitions stating that, beginning in fiscal year 2005, all new cluster munitions must have a failure rate of less than 1 percent.

Unfortunately, the Pentagon was unable to meet this deadline and Secretary Gates' new policy essentially postpones any meaningful action for another 10 years.

That means if we do nothing, by 2018 close to 20 years will have passed since the Pentagon first recognized the threat these deadly weapons pose to innocent civilians.

We can do better.

Our legislation simply moves up the Gates policy by 7 years.

For those of my colleagues who are concerned that it may be too soon to enact a ban on the use of cluster bombs with failure rates of more than 1 percent, I point out again that our bill allows the President to waive this restriction if he determines it is vital to protect the security of the United States to do so.

I would also remind my colleagues that the United States has not used cluster bombs in Iraq since 2003 and has observed a moratorium on their use in Afghanistan since 2002.

We introduce this legislation to make this moratorium permanent for the entire U.S. arsenal of cluster munitions.

We introduce this legislation for children like Hassan Hammade.

A 13-year-old Lebanese boy, Hassan lost four fingers and sustained injuries to his stomach and shoulder after he picked up an unexploded cluster bomb in front of an orange tree.

He said:

I started playing with it and it blew up. I didn't know it was a cluster bomb—it just looked like a burned out piece of metal.

All the children are too scared to go out now, we just play on the main roads or in our homes.

I urge my colleagues to support this legislation. We should do whatever we can to protect more innocent children and other civilians from these dangerous weapons.

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. 558

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 ''Cluster Munitions Civilian Protection Act of 2011''.

SEC. 2. LIMITATION ON THE USE OF CLUSTER MUNITIONS.

No funds appropriated or otherwise available to any Federal department or agency may be obligated or expended to use any cluster munitions unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments; and

(2) the policy applicable to the use of such cluster munitions specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

SEC. 3. PRESIDENTIAL WAIVER.

The President may waive the requirement under section 2(1) if, prior to the use of cluster munitions, the President—

(1) certifies that it is vital to protect the security of the United States; and

(2) not later than 30 days after making such certification, submits to the appropriate congressional committees a report, in classified form if necessary, describing in detail—

(A) the steps that will be taken to protect civilians; and

(B) the failure rate of the cluster munitions that will be used and whether such munitions are fitted with self-destruct or self-deactivation devices.

SEC. 4. CLEANUP PLAN.

Not later than 90 days after any cluster munitions are used by a Federal department or agency, the President shall submit to the appropriate congressional committees a plan, prepared by such Federal department or agency, for cleaning up any such cluster munitions and submunitions which fail to explode and continue to pose a hazard to civilians.

SEC. 5. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

By Mr. DURBIN (for himself, Mr. BROWN of Ohio, and Mr. AKAKA):

S. 560. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

Mr. DURBIN. Mr. President, this Congress, members from both sides of the aisle recognize the need to reduce the national deficit. Today, I am introducing the Medicare Prescription Drugs Savings and Choice Act of 2011, a bill that would save taxpayer dollars by giving Medicare beneficiaries the choice to participate in a Medicare Part D prescription drug plan run by Medicare, not private insurance companies.

In 2003, Congress enacted the Medicare Modernization Act, which added a long overdue prescription drug benefit to Medicare. Senior citizens and people with disabilities were relieved to finally have coverage for this important aspect of their healthcare needs.

The way the Part D program was structured under the original law, it included a coverage gap known as the ''donut hole.'' Once an initial coverage limit was reached, beneficiaries had to absorb 100 percent of their drug costs until catastrophic coverage kicked in. That meant that approximately 3.4 million seniors nationwide with the heaviest reliance on prescription drugs faced the prospect of paying up to $4,000 out of pocket before they qualified for further assistance from Medicare.

When Congress passed the Affordable Care Act last year, we made significant improvements to the Medicare Part D program. Seniors who hit the ''donut hole'' in 2010 received a one-time $250 check. This helped 109,421 seniors in Illinois pay for their prescriptions during the coverage gap. In addition, this year Medicare beneficiaries will receive a 50 percent discount on brand name drugs in the donut hole, and the donut hole will be fully closed by 2020. This means that Illinois seniors will save $1.2 billion in out of pocket costs over the next decade.

The bill I am introducing today would make yet another improvement to the Medicare prescription drug benefit. The Part D program is not structured like the rest of Medicare. For all other Medicare benefits, seniors can choose whether to receive benefits directly through Medicare or through a private insurance plan. The overwhelming majority choose the Medicare-run option for their hospital and physician coverage.

No such choice is available for prescription drugs. Medicare beneficiaries must enroll in a private insurance plan to obtain drug coverage.

In many regions, dozens of plan choices are available and each plan has its own premium, cost-sharing requirements, list of covered drugs, and pharmacy network. After you have identified the right drug plan, you have to go through the whole process again at the end of the year because your plan may have changed the drugs it covers or added new restrictions on how to access covered drugs. Anyone who has visited a senior center or spoken with an elderly relative knows that the complexity of the drug benefit has created confusion.

Adding to the frustration with the program so far is accumulating evidence that private drug plans have not been effective negotiators, which means seniors and taxpayers end up paying more than they should.

We know that drug prices are higher in private Medicare drug plans than drug prices available through the Veterans Administration, Medicaid, and other countries like Canada.

The Veterans Administration has authority to directly negotiate with drug companies, and as a result it has cut drug prices by as much as 50 percent. A study published in 2008 found that if Medicare negotiated drug prices on behalf of seniors, $21.5 billion could be saved annually.

The Medicare Prescription Drug Savings and Choice Act of 2011 would provide a simple and stable way to obtain drug coverage, since the plan Medicare-operated prescription drug plan would be available nationwide every year, and would charge everyone the same premium.

It would also save money because the Secretary of Health and Human Services would have the tools to design a formulary and negotiate prices with drug companies. The best medical evidence would determine which drugs are covered in the formulary, and it would be used to promote safety, appropriate use of drugs, and value.

The bill would establish an appeals process that is efficient, imposes minimal administrative burdens, and ensures timely procurement of non-formulary drugs or non-preferred drugs when medically necessary.

The Secretary would also develop a system for paying pharmacies that would include the prompt payment of claims.

Seniors want the ability to choose a Medicare-administered drug plan. Let us give them this option—just as they have this choice with every other benefit covered by Medicare.

A Medicare administered drug plan would create a ''win-win'' situation that could save billions of taxpayer dollars and provide a high-quality affordable option to seniors.

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. 560

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 ''Medicare Prescription Drug Savings and Choice Act of 2011''.

SEC. 2. ESTABLISHMENT OF MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION.

(a) IN GENERAL.—Subpart 2 of part D of title XVIII of the Social Security Act is amended by inserting after section 1860D–11 (42 U.S.C. 1395w–111) the following new section:

''MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION

''SEC. 1860D–11A. (a) IN GENERAL.—Notwithstanding any other provision of this part, for each year (beginning with 2012), in addition to any plans offered under section 1860D–11, the Secretary shall offer one or more Medicare operated prescription drug plans (as defined in subsection (c)) with a service area that consists of the entire United States and shall enter into negotiations in accordance with subsection (b) with pharmaceutical manufacturers to reduce the

purchase cost of covered part D drugs for eligible part D individuals who enroll in such a plan.

''(b) NEGOTIATIONS.—Notwithstanding section 1860D–11(i), for purposes of offering a Medicare operated prescription drug plan under this section, the Secretary shall negotiate with pharmaceutical manufacturers with respect to the purchase price of covered part D drugs in a Medicare operated prescription drug plan and shall encourage the use of more affordable therapeutic equivalents to the extent such practices do not override medical necessity as determined by the prescribing physician. To the extent practicable and consistent with the previous sentence, the Secretary shall implement strategies similar to those used by other Federal purchasers of prescription drugs, and other strategies, including the use of a formulary and formulary incentives in subsection (e), to reduce the purchase cost of covered part D drugs.

''(c) MEDICARE OPERATED PRESCRIPTION DRUG PLAN DEFINED.—For purposes of this part, the term 'Medicare operated prescription drug plan' means a prescription drug plan that offers qualified prescription drug coverage and access to negotiated prices described in section 1860D–2(a)(1)(A). Such a plan may offer supplemental prescription drug coverage in the same manner as other qualified prescription drug coverage offered by other prescription drug plans.

''(d) MONTHLY BENEFICIARY PREMIUM.—

''(1) QUALIFIED PRESCRIPTION DRUG COVERAGE.—The monthly beneficiary premium for qualified prescription drug coverage and access to negotiated prices described in section 1860D–2(a)(1)(A) to be charged under a Medicare operated prescription drug plan shall be uniform nationally. Such premium for months in 2012 and each succeeding year shall be based on the average monthly per capita actuarial cost of offering the Medicare operated prescription drug plan for the year involved, including administrative expenses.

''(2) SUPPLEMENTAL PRESCRIPTION DRUG COVERAGE.—Insofar as a Medicare operated prescription drug plan offers supplemental prescription drug coverage, the Secretary may adjust the amount of the premium charged under paragraph (1).

''(e) USE OF A FORMULARY AND FORMULARY INCENTIVES.—

''(1) IN GENERAL.—With respect to the operation of a Medicare operated prescription drug plan, the Secretary shall establish and apply a formulary (and may include formulary incentives described in paragraph (2)(C)(ii)) in accordance with this subsection in order to—

''(A) increase patient safety;

''(B) increase appropriate use and reduce inappropriate use of drugs; and

''(C) reward value.

''(2) DEVELOPMENT OF INITIAL FORMULARY.—

''(A) IN GENERAL.—In selecting covered part D drugs for inclusion in a formulary, the Secretary shall consider clinical benefit and price.

''(B) ROLE OF AHRQ.—The Director of the Agency for Healthcare Research and Quality shall be responsible for assessing the clinical benefit of covered part D drugs and making recommendations to the Secretary regarding which drugs should be included in the formulary. In conducting such assessments and making such recommendations, the Director shall—

''(i) consider safety concerns including those identified by the Federal Food and Drug Administration;

''(ii) use available data and evaluations, with priority given to randomized controlled trials, to examine clinical effectiveness, comparative effectiveness, safety, and enhanced compliance with a drug regimen;

''(iii) use the same classes of drugs developed by the United States Pharmacopeia for this part;

''(iv) consider evaluations made by—

''(I) the Director under section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003;

''(II) other Federal entities, such as the Secretary of Veterans Affairs; and

''(III) other private and public entities, such as the Drug Effectiveness Review Project and Medicaid programs; and

''(v) recommend to the Secretary—

''(I) those drugs in a class that provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, than another drug in the same class that should be included in the formulary;

''(II) those drugs in a class that provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that should be excluded from the formulary; and

''(III) drugs in a class with same or similar clinical benefit for which it would be appropriate for the Secretary to competitively bid (or negotiate) for placement on the formulary.

''(C) CONSIDERATION OF AHRQ RECOMMENDATIONS.—

''(i) IN GENERAL.—The Secretary, after taking into consideration the recommendations under subparagraph (B)(v), shall establish a formulary, and formulary incentives, to encourage use of covered part D drugs that—

''(I) have a lower cost and provide a greater clinical benefit than other drugs;

''(II) have a lower cost than other drugs with same or similar clinical benefit; and

''(III) drugs that have the same cost but provide greater clinical benefit than other drugs.

''(ii) FORMULARY INCENTIVES.—The formulary incentives under clause (i) may be in the form of one or more of the following:

''(I) Tiered copayments.

''(II) Reference pricing.

''(III) Prior authorization.

''(IV) Step therapy.

''(V) Medication therapy management.

''(VI) Generic drug substitution.

''(iii) FLEXIBILITY.—In applying such formulary incentives the Secretary may decide not to impose any cost-sharing for a covered part D drug for which—

''(I) the elimination of cost sharing would be expected to increase compliance with a drug regimen; and

''(II) compliance would be expected to produce savings under part A or B or both.

''(3) LIMITATIONS ON FORMULARY.—In any formulary established under this subsection, the formulary may not be changed during a year, except—

''(A) to add a generic version of a covered part D drug that entered the market;

''(B) to remove such a drug for which a safety problem is found; and

''(C) to add a drug that the Secretary identifies as a drug which treats a condition for which there has not previously been a treatment option or for which a clear and significant benefit has been demonstrated over other covered part D drugs.

''(4) ADDING DRUGS TO THE INITIAL FORMULARY.—

''(A) USE OF ADVISORY COMMITTEE.—The Secretary shall establish and appoint an advisory committee (in this paragraph referred to as the 'advisory committee')—

''(i) to review petitions from drug manufacturers, health care provider organizations, patient groups, and other entities for inclusion of a drug in, or other changes to, such formulary; and

''(ii) to recommend any changes to the formulary established under this subsection.

''(B) COMPOSITION.—The advisory committee shall be composed of 9 members and shall include representatives of physicians, pharmacists, and consumers and others with expertise in evaluating prescription drugs. The Secretary shall select members based on their knowledge of pharmaceuticals and the Medicare population. Members shall be deemed to be special Government employees for purposes of applying the conflict of interest provisions under section 208 of title 18, United States Code, and no waiver of such provisions for such a member shall be permitted.

''(C) CONSULTATION.—The advisory committee shall consult, as necessary, with physicians who are specialists in treating the disease for which a drug is being considered.

''(D) REQUEST FOR STUDIES.—The advisory committee may request the Agency for Healthcare Research and Quality or an academic or research institution to study and make a report on a petition described in subparagraph (A)(ii) in order to assess—

''(i) clinical effectiveness;

''(ii) comparative effectiveness;

''(iii) safety; and

''(iv) enhanced compliance with a drug regimen.

''(E) RECOMMENDATIONS.—The advisory committee shall make recommendations to the Secretary regarding—

''(i) whether a covered part D drug is found to provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, than another drug in the same class that is currently included in the formulary and should be included in the formulary;

''(ii) whether a covered part D drug is found to provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that is currently included in the formulary and should not be included in the formulary; and

''(iii) whether a covered part D drug has the same or similar clinical benefit to a drug in the same class that is currently included in the formulary and whether the drug should be included in the formulary.

''(F) LIMITATIONS ON REVIEW OF MANUFACTURER PETITIONS.—The advisory committee shall not review a petition of a drug manufacturer under subparagraph (A)(ii) with respect to a covered part D drug unless the petition is accompanied by the following:

''(i) Raw data from clinical trials on the safety and effectiveness of the drug.

''(ii) Any data from clinical trials conducted using active controls on the drug or drugs that are the current standard of care.

''(iii) Any available data on comparative effectiveness of the drug.

''(iv) Any other information the Secretary requires for the advisory committee to complete its review.

''(G) RESPONSE TO RECOMMENDATIONS.—The Secretary shall review the recommendations of the advisory committee and if the Secretary accepts such recommendations the Secretary shall modify the formulary established under this subsection accordingly. Nothing in this section shall preclude the Secretary from adding to the formulary a drug for which the Director of the Agency for Healthcare Research and Quality or the advisory committee has not made a recommendation.

''(H) NOTICE OF CHANGES.—The Secretary shall provide timely notice to beneficiaries and health professionals about changes to the formulary or formulary incentives.

''(f) INFORMING BENEFICIARIES.—The Secretary shall take steps to inform beneficiaries about the availability of a Medicare operated drug plan or plans including providing information in the annual handbook

distributed to all beneficiaries and adding information to the official public Medicare website related to prescription drug coverage available through this part.

''(g) APPLICATION OF ALL OTHER REQUIREMENTS FOR PRESCRIPTION DRUG PLANS.—Except as specifically provided in this section, any Medicare operated drug plan shall meet the same requirements as apply to any other prescription drug plan, including the requirements of section 1860D–4(b)(1) relating to assuring pharmacy access.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1860D–3(a) of the Social Security Act (42 U.S.C. 1395w–103(a)) is amended by adding at the end the following new paragraph:

''(4) AVAILABILITY OF THE MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—A Medicare operated prescription drug plan (as defined in section 1860D–11A(c)) shall be offered nationally in accordance with section 1860D–11A.''.

(2)(A) Section 1860D–3 of the Social Security Act (42 U.S.C. 1395w–103) is amended by adding at the end the following new subsection:

''(c) PROVISIONS ONLY APPLICABLE IN 2006 THROUGH 2011.—The provisions of this section shall only apply with respect to 2006 through 2011.''.

(B) Section 1860D–11(g) of such Act (42 U.S.C. 1395w–111(g)) is amended by adding at the end the following new paragraph:

''(8) NO AUTHORITY FOR FALLBACK PLANS AFTER 2011.—A fallback prescription drug plan shall not be available after December 31, 2011.''.

(3) Section 1860D–13(c)(3) of the Social Security Act (42 U.S.C. 1395w–113(c)(3)) is amended—

(A) in the heading, by inserting ''AND MEDICARE OPERATED PRESCRIPTION DRUG PLANS'' after ''FALLBACK PLANS''; and

(B) by inserting ''or a Medicare operated prescription drug plan'' after ''a fallback prescription drug plan''.

(4) Section 1860D–16(b)(1) of the Social Security Act (42 U.S.C. 1395w–116(b)(1)) is amended—

(A) in subparagraph (C), by striking ''and'' after the semicolon at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(E) payments for expenses incurred with respect to the operation of Medicare operated prescription drug plans under section 1860D–11A.''.

(5) Section 1860D–41(a) of the Social Security Act (42 U.S.C. 1395w–151(a)) is amended by adding at the end the following new paragraph:

''(19) MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—The term 'Medicare operated prescription drug plan' has the meaning given such term in section 1860D–11A(c).''.

SEC. 3. IMPROVED APPEALS PROCESS UNDER THE MEDICARE OPERATED PRESCRIPTION DRUG PLAN.

Section 1860D–4(h) of the Social Security Act (42 U.S.C. 1305w–104(h)) is amended by adding at the end the following new paragraph:

''(4) APPEALS PROCESS FOR MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—

''(A) IN GENERAL.—The Secretary shall develop a well-defined process for appeals for denials of benefits under this part under the Medicare operated prescription drug plan. Such process shall be efficient, impose minimal administrative burdens, and ensure the timely procurement of non-formulary drugs or exemption from formulary incentives when medically necessary. Medical necessity shall be based on professional medical judgment, the medical condition of the beneficiary, and other medical evidence. Such appeals process shall include—

''(i) an initial review and determination made by the Secretary; and

''(ii) for appeals denied during the initial review and determination, the option of an external review and determination by an independent entity selected by the Secretary.

''(B) CONSULTATION IN DEVELOPMENT OF PROCESS.—In developing the appeals process under subparagraph (A), the Secretary shall consult with consumer and patient groups, as well as other key stakeholders to ensure the goals described in subparagraph (A) are achieved.''.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 564. A bill to designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise today to reintroduce legislation that would transfer administrative jurisdiction of the Valles Caldera National Preserve from the Valles Caldera Trust to the National Park Service. I am pleased that my colleague from New Mexico, TOM UDALL, is again a cosponsor of this bill.

For those not familiar with this area, the Valles Caldera in Northern New Mexico is one of only three supervolcanoes in the United States, the other two being Yellowstone, WY, and Long Valley, CA. Spanning more than 100,000 acres, the caldera contains lush and expansive grassland valleys, ponderosa pines in the foothills and mixed conifer forests in the higher elevations of the volcanic domes and peaks. Numerous cultural and archaeological sites are scattered throughout the landscape that provides quality habitat to elk, trout, golden and bald eagles, and myriad other species. In 1975, the Valles Caldera received formal recognition as an outstanding and nationally significant geologic resource when it was designated a National Natural Landmark.

More recently in 2000, the Valles Caldera Preservation Act authorized the Federal Government to acquire the property and established the Valles Caldera Trust—an independent government corporation led by a board of trustees appointed by the President whose mission is to provide for public access and protection of the Preserve's natural and cultural resources. The Trust is also directed to manage the Preserve in a manner that would achieve financial self-sustainability after fifteen years.

While the individual board members have done their best to fulfill the original legislative directives, time has shown in my opinion that this management framework is not the best suited for the long-term management of the Preserve. These issues have been laid out at length in two GAO reports, during the hearing we held on this legislation in the 111th Congress, and in previous statements I have made on the subject.

In weighing the various alternatives, the conclusion was reached that management by the National Park Service—an agency with a mission of protecting natural, historic, and cultural resources while also providing for public enjoyment of those resources—is more appropriate for the long-term future of the Valles Caldera. In my view, it would also best serve the public's desire for increased public access, balanced with the need to protect and interpret the Preserve's unique cultural and natural resources.

Senator UDALL and I first introduced this legislation during the 111th Congress, during which time the bill received a hearing in the Committee on Energy and Natural Resources and was reported out favorably by that Committee. The reported legislation, which is what we are introducing today, incorporated the many comments we received during the hearing process. This includes improvements to the provisions on hunting and fishing and cattle grazing as well as changes made based on recommendations by tribal governments. Other stakeholder comments, including those from the friends group, Los Amigos de Valles Caldera, led to modifications that will ensure the ecological restoration of the Preserve remains a priority under Park Service management. I also appreciated the valuable comments we received from the staff at the Valles Caldera Trust who remain steadfast in their commitment to the highest management standards at the Preserve.

Beyond these changes, however, the original framework and intent of the legislation remains the same. The existing character of the Preserve would be maintained and protections for tribal cultural and religious sites would be strengthened. The Park Service would manage the Preserve to protect and preserve its natural and cultural resources, while increasing public access and continuing to permit hunting and fishing and grazing. The National Park Service would also establish a science and education program similar to the highly successful program created by the Trust.

While the full Senate was unable to take action on this bill during the last Congress, I remain hopeful that we will find an opportunity during this one to bring it before the Senate for consideration. Public support in my State remains very high for the Park Service to manage this unique resource, and it is my hope that the enactment of this legislation will allow more Americans as well as future generations to enjoy this special place.

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. 564

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 ''Valles Caldera National Preserve Management Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ELIGIBLE EMPLOYEE.—The term ''eligible employee'' means a person who was a full-time or part-time employee of the Trust during the 180-day period immediately preceding the date of enactment of this Act.

(2) FUND.—The term ''Fund'' means the Valles Caldera Fund established by section 106(h)(2) of the Valles Caldera Preservation Act (16 U.S.C. 698v–4(h)(2)).

(3) PRESERVE.—The term ''Preserve'' means the Valles Caldera National Preserve in the State.

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

(5) STATE.—The term ''State'' means the State of New Mexico.

(6) TRUST.—The term ''Trust'' means the Valles Caldera Trust established by section 106(a) of the Valles Caldera Preservation Act (16 U.S.C. 698v–4(a)).

SEC. 3. VALLES CALDERA NATIONAL PRESERVE.

(a) DESIGNATION AS UNIT OF THE NATIONAL PARK SYSTEM.—To protect, preserve, and restore the fish, wildlife, watershed, natural, scientific, scenic, geologic, historic, cultural, archaeological, and recreational values of the area, the Valles Caldera National Preserve is designated as a unit of the National Park System.

(b) MANAGEMENT.—

(1) APPLICABLE LAW.—The Secretary shall administer the Preserve in accordance with—

(A) this Act; and

(B) the laws generally applicable to units of the National Park System, including—

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

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

(2) MANAGEMENT COORDINATION.—The Secretary may coordinate the management and operations of the Preserve with the Bandelier National Monument.

(3) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to implement this subsection, the Secretary shall prepare a management plan for the Preserve.

(B) APPLICABLE LAW.—The management plan shall be prepared in accordance with—

(i) section 12(b) of Public Law 91–383 (commonly known as the ''National Park Service General Authorities Act'') (16 U.S.C. 1a–7(b)); and

(ii) any other applicable laws.

(C) CONSULTATION.—The management plan shall be prepared in consultation with—

(i) the Secretary of Agriculture;

(ii) State and local governments;

(iii) Indian tribes and pueblos, including the Pueblos of Jemez, Santa Clara, and San Ildefonso; and

(iv) the public.

(c) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire land and interests in land within the boundaries of the Preserve by—

(A) purchase with donated or appropriated funds;

(B) donation; or

(C) transfer from another Federal agency.

(2) ADMINISTRATION OF ACQUIRED LAND.—On acquisition of any land or interests in land under paragraph (1), the acquired land or interests in land shall be administered as part of the Preserve.

(d) SCIENCE AND EDUCATION PROGRAM.—

(1) IN GENERAL.—The Secretary shall—

(A) until the date on which a management plan is completed in accordance with subsection (b)(3), carry out the science and education program for the Preserve established by the Trust; and

(B) beginning on the date on which a management plan is completed in accordance with subsection (b)(3), establish a science and education program for the Preserve that—

(i) allows for research and interpretation of the natural, historic, cultural, geologic and other scientific features of the Preserve;

(ii) provides for improved methods of ecological restoration and science-based adaptive management of the Preserve; and

(iii) promotes outdoor educational experiences in the Preserve.

(2) SCIENCE AND EDUCATION CENTER.—As part of the program established under paragraph (1)(B), the Secretary may establish a science and education center outside the boundaries of the Preserve.

(e) GRAZING.—The Secretary may allow the grazing of livestock within the Preserve to continue—

(1) consistent with this Act; and

(2) to the extent the use furthers scientific research or interpretation of the ranching history of the Preserve.

(f) FISH AND WILDLIFE.—Nothing in this Act affects the responsibilities of the State with respect to fish and wildlife in the State, except that the Secretary, in consultation with the New Mexico Department of Game and Fish—

(1) shall permit hunting and fishing on land and water within the Preserve in accordance with applicable Federal and State laws; and

(2) may designate zones in which, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administration, the protection of wildlife and wildlife habitats, or public use and enjoyment.

(g) ECOLOGICAL RESTORATION.—

(1) IN GENERAL.—The Secretary shall undertake activities to improve the health of forest, grassland, and riparian areas within the Preserve, including any activities carried out in accordance with title IV of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7301 et seq.).

(2) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with adjacent pueblos to coordinate activities carried out under paragraph (1) on the Preserve and adjacent pueblo land.

(h) WITHDRAWAL.—Subject to valid existing rights, all land and interests in land within the boundaries of the Preserve are withdrawn from—

(1) entry, disposal, or appropriation under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing laws, geothermal leasing laws, and mineral materials laws.

(i) VOLCANIC DOMES AND OTHER PEAKS.—

(1) IN GENERAL.—Except as provided in paragraph (3), for the purposes of preserving the natural, cultural, religious, archaeological, and historic resources of the volcanic domes and other peaks in the Preserve described in paragraph (2) within the area of the domes and peaks above 9,600 feet in elevation or 250 feet below the top of the dome, whichever is lower—

(A) no roads or buildings shall be constructed; and

(B) no motorized access shall be allowed.

(2) DESCRIPTION OF VOLCANIC DOMES.—The volcanic domes and other peaks referred to in paragraph (1) are—

(A) Redondo Peak;

(B) Redondito;

(C) South Mountain;

(D) San Antonio Mountain;

(E) Cerro Seco;

(F) Cerro San Luis;

(G) Cerros Santa Rosa;

(H) Cerros del Abrigo;

(I) Cerro del Medio;

(J) Rabbit Mountain;

(K) Cerro Grande;

(L) Cerro Toledo;

(M) Indian Point;

(N) Sierra de los Valles; and

(O) Cerros de los Posos.

(3) EXCEPTION.—Paragraph (1) shall not apply in cases in which construction or motorized access is necessary for administrative purposes (including ecological restoration activities or measures required in emergencies to protect the health and safety of persons in the area).

(j) TRADITIONAL CULTURAL AND RELIGIOUS SITES.—

(1) IN GENERAL.—The Secretary, in consultation with Indian tribes and pueblos, shall ensure the protection of traditional cultural and religious sites in the Preserve.

(2) ACCESS.—The Secretary, in accordance with Public Law 95–341 (commonly known as the ''American Indian Religious Freedom Act'') (42 U.S.C. 1996)—

(A) shall provide access to the sites described in paragraph (1) by members of Indian tribes or pueblos for traditional cultural and customary uses; and

(B) may, on request of an Indian tribe or pueblo, temporarily close to general public use 1 or more specific areas of the Preserve to protect traditional cultural and customary uses in the area by members of the Indian tribe or pueblo.

(3) PROHIBITION ON MOTORIZED ACCESS.—The Secretary shall maintain prohibitions on the use of motorized or mechanized travel on Preserve land located adjacent to the Santa Clara Indian Reservation, to the extent the prohibition was in effect on the date of enactment of this Act.

(k) CALDERA RIM TRAIL.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, affected Indian tribes and pueblos, and the public, shall study the feasibility of establishing a hiking trail along the rim of the Valles Caldera on—

(A) land within the Preserve; and

(B) National Forest System land that is adjacent to the Preserve.

(2) AGREEMENTS.—On the request of an affected Indian tribe or pueblo, the Secretary and the Secretary of Agriculture shall seek to enter into an agreement with the Indian tribe or pueblo with respect to the Caldera Rim Trail that provides for the protection of—

(A) cultural and religious sites in the vicinity of the trail; and

(B) the privacy of adjacent pueblo land.

(l) VALID EXISTING RIGHTS.—Nothing in this Act affects valid existing rights.

SEC. 4. TRANSFER OF ADMINISTRATIVE JURISDICTION.

(a) IN GENERAL.—Administrative jurisdiction over the Preserve is transferred from the Secretary of Agriculture and the Trust to the Secretary, to be administered as a unit of the National Park System, in accordance with section 3.

(b) EXCLUSION FROM SANTA FE NATIONAL FOREST.—The boundaries of the Santa Fe National Forest are modified to exclude the Preserve.

(c) INTERIM MANAGEMENT.—

(1) MEMORANDUM OF AGREEMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Trust shall enter into a memorandum of agreement to facilitate the orderly transfer to the Secretary of the administration of the Preserve.

(2) EXISTING MANAGEMENT PLANS.—Notwithstanding the repeal made by section 5(a), until the date on which the Secretary

completes a management plan for the Preserve in accordance with section 3(b)(3), the Secretary may administer the Preserve in accordance with any management activities or plans adopted by the Trust under the Valles Caldera Preservation Act (16 U.S.C. 698v et seq.), to the extent the activities or plans are consistent with section 3(b)(1).

(3) PUBLIC USE.—The Preserve shall remain open to public use during the interim management period, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) VALLES CALDERA TRUST.—

(1) TERMINATION.—The Trust shall terminate 180 days after the date of enactment of this Act unless the Secretary determines that the termination date should be extended to facilitate the transitional management of the Preserve.

(2) ASSETS AND LIABILITIES.—

(A) ASSETS.—On termination of the Trust—

(i) all assets of the Trust shall be transferred to the Secretary; and

(ii) any amounts appropriated for the Trust shall remain available to the Secretary for the administration of the Preserve.

(B) ASSUMPTION OF OBLIGATIONS.—

(i) IN GENERAL.—On termination of the Trust, the Secretary shall assume all contracts, obligations, and other liabilities of the Trust.

(ii) NEW LIABILITIES.—

(I) BUDGET.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Trust shall prepare a budget for the interim management of the Preserve.

(II) WRITTEN CONCURRENCE REQUIRED.—The Trust shall not incur any new liabilities not authorized in the budget prepared under subclause (I) without the written concurrence of the Secretary.

(3) PERSONNEL.—

(A) HIRING.—The Secretary and the Secretary of Agriculture may hire employees of the Trust on a noncompetitive basis for comparable positions at the Preserve or other areas or offices under the jurisdiction of the Secretary or the Secretary of Agriculture.

(B) SALARY.—Any employees hired from the Trust under subparagraph (A) shall be subject to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code, relating to classification and General Schedule pay rates.

(C) INTERIM RETENTION OF ELIGIBLE EMPLOYEES.—For a period of not less than 180 days beginning on the date of enactment of this Act, all eligible employees of the Trust shall be—

(i) retained in the employment of the Trust;

(ii) considered to be placed on detail to the Secretary; and

(iii) subject to the direction of the Secretary.

(D) TERMINATION FOR CAUSE.—Nothing in this paragraph precludes the termination of employment of an eligible employee for cause during the period described in subparagraph (C).

(4) RECORDS.—The Secretary shall have access to all records of the Trust pertaining to the management of the Preserve.

(5) VALLES CALDERA FUND.—

(A) IN GENERAL.—Effective on the date of enactment of this Act, the Secretary shall assume the powers of the Trust over the Fund.

(B) AVAILABILITY AND USE.—Any amounts in the Fund as of the date of enactment of this Act shall be available to the Secretary for use, without further appropriation, for the management of the Preserve.

SEC. 5. REPEAL OF VALLES CALDERA PRESERVATION ACT.

(a) REPEAL.—On the termination of the Trust, the Valles Caldera Preservation Act (16 U.S.C. 698v et seq.) is repealed.

(b) EFFECT OF REPEAL.—Notwithstanding the repeal made by subsection (a)—

(1) the authority of the Secretary of Agriculture to acquire mineral interests under section 104(e) of the Valles Caldera Preservation Act (16 U.S.C. 698v–2(e)) is transferred to the Secretary and any proceeding for the condemnation of, or payment of compensation for, an outstanding mineral interest pursuant to the transferred authority shall continue;

(2) the provisions in section 104(g) of the Valles Caldera Preservation Act (16 U.S.C. 698v–2(g)) relating to the Pueblo of Santa Clara shall remain in effect; and

(3) the Fund shall not be terminated until all amounts in the Fund have been expended by the Secretary.

(c) BOUNDARIES.—The repeal of the Valles Caldera Preservation Act (16 U.S.C. 698v et seq.) shall not affect the boundaries as of the date of enactment of this Act (including maps and legal descriptions) of—

(1) the Preserve;

(2) the Santa Fe National Forest (other than the modification made by section 4(b));

(3) Bandelier National Monument; and

(4) any land conveyed to the Pueblo of Santa Clara.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

Mr. UDALL of New Mexico. Mr. President, today I join Senator BINGAMAN in reintroducing a bill to designate the Valles Caldera National Preserve in New Mexico as a unit of the National Park System. The Valles Caldera is one of the largest volcanic calderas in the world. The vast grass-filled valleys, forested hillsides, and numerous volcanic peaks make the area a treasure to New Mexico, and a landscape of national significance millions of years in the making. It is appropriate that an area of such value be protected in perpetuity as a unit of the National Park Service.

Around 1.5 million years ago a series of explosive rhyolitic eruptions created the massive caldera and dropped hundreds of meters of volcanic ash for miles. This volcanic activity gave the Pajarito Plateau its distinctive cliffs of pink and white tuff overlaying the black basalts of the Rio Grande Rift.

In the millennia following the caldera's explosive creation, erosion and weathering carved vibrant canyons and left pinion-topped mesas stretching like fingers away from the massive crater. In time, magma and water drained from the great valley, and a diversity of plants and wildlife took their place. With such resources and natural beauty, it is no wonder that for millennia people have also been an integral part of the Valles Caldera.

For the Pueblo Tribes of northern New Mexico, the Valles Caldera has been a part of life from time immemorial. The continued cultural and religious significance of the area must and will be respected and protected as the preserve moves into the management of the National Park Service.

Private ownership of the Caldera began with Spanish settlers who introduced livestock to the grassy valleys that continue to fatten elk and cattle in the summer months. After a series of owners managed the caldera, the Federal Government finally purchased the area in 2000 through the Valles Caldera Preservation Act, which I was proud to help shepherd through Congress with Senator BINGAMAN and then-Senator Domenici. The subsequent creation of the Valles Caldera National Preserve included the establishment of a board of directors and the Valles Caldera Trust to manage the area, and mandates for stakeholder involvement and eventual financial self-sufficiency of the Trust.

I applaud the decade of work that both the Board of Trustees and the Valles Caldera Trust have dedicated to the preserve. The exceptional dedication of Caldera employees has led to the creation of a robust science and research program, to the development of incredible educational opportunities for visiting schools and universities, to a restoration of natural resources, and to an expansion of cutting-edge scientific research.

Since 1939, the National Park Service has deemed the area of significant national value because of its unique and unaltered geology, and its singular setting, which are conducive to public recreation, reflection, education, and research. By utilizing the resources and skills within the National Park Service, I believe the Valles Caldera National Preserve will continue to prosper as a natural wonder full of significant geology, ecology, history, and culture.

The bill that we introduce today reflects the comments and proposals that emerged through a successful committee process on a similar bill that Senator BINGAMAN and I introduced last year. In September 2010, the Committee on Energy and Natural Resources reported the bill out favorably, and it is my hope that the Committee will act quickly to move this reintroduced bill to the Senate floor for a vote. I look forward to working with Senator BINGAMAN and all of the stakeholders who care about the future of this preserve to complete our efforts to establish Park Service management of the preserve.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 98—TO EXPRESS THE SENSE OF THE SENATE REGARDING THE SCHOOL BREAKFAST PROGRAM

Mr. KOHL (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. HARKIN, Mrs. GILLIBRAND, and Mr. BROWN of Ohio) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 98

Whereas participants in the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) include public, private, elementary, middle, and high schools, as well as rural, suburban, and urban schools;

Whereas in each of the school years beginning July 1, 2008, and July 1, 2009, 86.3 percent of schools that participated in the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) also participated in the school breakfast program;

Whereas in each of the school years beginning July 1, 2008, and July 1, 2009, approximately 10,800,000 students in more than 86,000 schools participated in the school breakfast program on a typical day;

Whereas in fiscal year 2009, approximately 9,100,000 low-income children in the United States consumed free or reduced price school breakfasts on an average school day;

Whereas for every 100 children receiving free and reduced price lunches, approximately 47 children receive free and reduced price breakfasts;

Whereas in each of the school years beginning July 1, 2008, and July 1, 2009, less than half of eligible low-income children received breakfasts at school each day;

Whereas in fiscal year 2009, 62 percent of school lunches served, and 81 percent of school breakfasts served, were served to students who qualified for free or reduced priced meals;

Whereas the current economic situation (including the increase in families living below the poverty line) is causing more families to struggle to feed their children and to turn to schools for assistance;

Whereas implementing or improving classroom breakfast programs has been shown to increase the participation of eligible students in breakfast consumption dramatically, doubling, and in some cases tripling, numbers, as evidenced by research conducted in the States of Minnesota, New York, and Wisconsin;

Whereas making breakfast widely available through different venues or combinations, such as in the classroom, obtained as students exit a school bus, or outside the classroom, has been shown to lessen the stigma of receiving free or reduced price breakfasts, which often deters eligible students from obtaining traditional breakfasts in the cafeteria;

Whereas providing free universal breakfasts, especially in the classroom, has been shown to significantly increase school breakfast participation rates and decrease absences and tardiness;

Whereas studies have shown that access to nutritious meals under the school lunch program and the school breakfast program helps to create a strong learning environment for children and helps to improve the concentration of children in the classroom;

Whereas providing breakfast in the classroom has been shown in several instances to improve attentiveness and academic performance, while reducing tardiness and disciplinary referrals;

Whereas students who eat a complete breakfast have been shown to make fewer mistakes and work faster in math exercises than students who eat a partial breakfast;

Whereas studies suggest that eating breakfast closer to classroom and test-taking time improves student performance on standardized tests relative to students who skip breakfasts;

Whereas studies show that students who skip breakfasts are more likely to have difficulty distinguishing among similar images, show increased errors, and have slower memory recall;

Whereas children who live in families that experience hunger have been shown to be more likely to have lower math scores, face an increased likelihood of repeating a grade, and receive more special education services;

Whereas studies suggest that children who eat breakfasts have more adequate nutrition and intake of nutrients, such as calcium, fiber, protein, and vitamins A, E, D, and B-6;

Whereas studies show that children who participate in school breakfast programs eat more fruits, drink more milk, and consume less saturated fat than children who do not eat breakfast;

Whereas children who fail to eat breakfasts, whether in school or at home, are more likely to be overweight than children who eat a healthy breakfast on a daily basis; and

Whereas March 7 through March 11, 2011, is National School Breakfast Week: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) and the overall positive impact of the program on the lives of low-income children and families, as well as the effect of the program on helping to improve the overall classroom performance of a child;

(2) expresses support for States that have successfully implemented school breakfast programs in order to improve the test scores and grades of participating students;

(3) encourages States—

(A) to strengthen school breakfast programs by improving access for students;

(B) to promote improvements in the nutritional quality of breakfasts served; and

(C) to inform students and parents of healthy nutritional and lifestyle choices;

(4) recognizes that the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111–296) and amendments made by that Act provide low-income children with greater access to a nutritious breakfast nationwide;

(5) recognizes the impact of nonprofit and community organizations that work to increase awareness of, and access to, breakfast programs for low-income children; and

(6) recognizes that National School Breakfast Week celebrated from March 7 through March 11, 2011, helps draw attention to the need for, and success of, the school breakfast program.

SENATE RESOLUTION 99—EXPRESSING THE SENSE OF THE SENATE THAT THE PRIMARY SAFEGUARD FOR THE WELL-BEING AND PROTECTION OF CHILDREN IS THE FAMILY, AND THAT THE PRIMARY SAFEGUARDS FOR THE LEGAL RIGHTS OF CHILDREN IN THE UNITED STATES ARE THE CONSTITUTIONS OF THE UNITED STATES AND THE SEVERAL STATES, AND THAT, BECAUSE THE USE OF INTERNATIONAL TREATIES TO GOVERN POLICY IN THE UNITED STATES ON FAMILIES AND CHILDREN IS CONTRARY TO PRINCIPLES OF SELF-GOVERNMENT AND FEDERALISM, AND THAT, BECAUSE THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD UNDERMINES TRADITIONAL PRINCIPLES OF LAW IN THE UNITED STATES REGARDING PARENTS AND CHILDREN, THE PRESIDENT SHOULD NOT TRANSMIT THE CONVENTION TO THE SENATE FOR ITS ADVICE AND CONSENT

Mr. DEMINT (for himself, Mr. BARRASSO, Mr. BURR, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. ENSIGN, ENZI, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. KYL, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Mr. PAUL, Mr. RISCH, Mr. RUBIO, Mr. SESSIONS, Mr. VITTER, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 99

Whereas the Senate affirms the commitment of the people and the Government of the United States to the well-being, protection, and advancement of children, and the protection of the inalienable rights of all persons of all ages;

Whereas the Constitution and laws of the United States and those of the several States are the best guarantees against mistreatment of children in this Nation;

Whereas the Constitution, laws, and traditions of the United States affirm the rights of parents to raise their children and to impart their values and religious beliefs;

Whereas the United Nations Convention on the Rights of the Child, adopted at New York November 20, 1989, and entered into force September 2, 1990, if ratified, would become a part of the supreme law of the land, taking precedence over all State laws and constitutions;

Whereas the United States, and not the several States, would be held responsible for compliance with this Convention if ratified, and as a consequence, the United States would create an incredible expansion of subject matter jurisdiction over all matters concerning children, seriously undermining the constitutional balance between the Federal Government and the governments of the several States;

Whereas Professor Geraldine Van Bueren, the author of the principal textbook on the international rights of the child, and a participant in the drafting of the Convention, has described the ''best interest of the child

standard'' in the treaty as ''provid[ing] decision and policy makers with the authority to substitute their own decisions for either the child's or the parents'';

Whereas the Scottish Government has issued a pamphlet to children of that country explaining their rights under the Convention, which declares that children have the right to decide their own religion and that parents can only provide advice;

Whereas the United Nations Committee on the Rights of the Child has repeatedly interpreted the Convention to ban common disciplinary measures utilized by parents;

Whereas the Government of the United Kingdom was found to be in violation of the Convention by the United Nations Committee on the Rights of the Child for allowing parents to exercise a right to opt their children out of sex education courses in the public schools without a prior government review of the wishes of the child;

Whereas the United Nations Committee on the Rights of the Child has held that the Governments of Indonesia and Egypt were out of compliance with the Convention because military expenditures were given inappropriate priority over children's programs;

Whereas these and many other interpretations of the Convention by those charged with its implementation and by other authoritative supporters demonstrates that the provisions of the United Nations Convention on the Rights of the Child are utterly contrary to the principles of law in the United States and the inherent principles of freedom;

Whereas the decisions and interpretations of the United Nations Committee on the Rights of the Child would be considered by the Committee to be binding and authoritative upon the United States should the United States Government ratify the Convention, such that the Convention poses a threat to the sovereign rights of the United States and the several States to make final determinations regarding domestic law; and

Whereas the proposition that the United States should be governed by international legal standards in its domestic policy is tantamount to proclaiming that the Congress of the United States and the legislatures of the several States are incompetent to draft domestic laws that are necessary for the proper protection of children, an assertion that is not only an affront to self-government but an inappropriate attack on the capability of legislators in the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United Nations Convention on the Rights of the Child, adopted at New York November 20, 1989, and entered into force September 2, 1990, is incompatible with the Constitution, the laws, and the traditions of the United States;

(2) the Convention would undermine proper presumptions of freedom and independence for families in the United States, supplanting those principles with a presumption in favor of governmental intervention without the necessity for proving harm or wrongdoing;

(3) the Convention would interfere with the principles of sovereignty, independence, and self-government in the United States that preclude the necessity or propriety of adopting international law to govern domestic matters; and

(4) the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 100—DESIGNATING MARCH 11, 2011, AS ''WORLD PLUMBING DAY''

Mr. BENNET (for himself, Mrs. MURRAY, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 100

Whereas the industry of plumbing plays an important role in safeguarding the public health of the people of the United States and the world;

Whereas 884,000,000 people around the world do not have access to safe drinking water;

Whereas 2,600,000,000 people around the world live without adequate sanitation facilities;

Whereas the lack of sanitation is the largest cause of infection in the world;

Whereas in the developing world, 24,000 children under the age of 5 die every day from preventable causes, such as diarrhea contracted from unclean water;

Whereas safe and efficient plumbing helps save money and reduces future water supply costs and infrastructure costs;

Whereas the installation of modern plumbing systems must be accomplished in a specific, safe manner by trained professionals in order to prevent widespread disease, which can be crippling and deadly to the community;

Whereas the people of the United States rely on plumbing professionals to maintain, repair, and rebuild the aging water infrastructure of the United States; and

Whereas Congress and plumbing professionals across the United States and the world are committed to safeguarding public health: Now, therefore, be it

Resolved, That the Senate designates March 11, 2011, as ''World Plumbing Day''.

Mr. BENNETT. Mr. President, I am proud to rise today to submit a resolution designating March 11 as World Plumbing Day.

Water is our planet's most precious resource, and it is also a resource the developed world often takes for granted. When we stop at a drinking fountain, or when we prepare dinner for our families, we are confident that the water emerging from the tap is free of harmful and dangerous contaminants.

Yet a reliable supply of water needed to maintain life is not readily available to nearly one billion people around the world. In fact, the ravages of water insecurity and inadequate sanitation claim 6,000 lives every day. The majority of these casualties are children. Nearly one in five child deaths worldwide is due to waterborne illness.

Modern plumbing technologies can prevent deaths and combat sickness. By supporting access to safe drinking water and proper sanitation through sound plumbing infrastructure and minimum plumbing codes, we can significantly raise quality of life and help to eliminate a historic cause of human suffering.

Today I stand in gratitude to our skilled, licensed plumbers and pipe fitters who work hard every day to ensure that the plumbing systems and infrastructure in our homes, places of business, and communities continue to function properly and provide us with water safe for consumption.

I would like to thank the International Association of Plumbing and Mechanical Officials, IAPMO, for raising awareness of this important issue. These individuals work diligently to create and maintain the Uniform Plumbing Code, which serves as the foundation for all plumbing installation and inspection activities for over half the world's population.

IAPMO is the only model code developer in America utilizing an open consensus process accredited by the American National Standards Institute, ANSI, for plumbing and mechanical codes. Worldwide, IAPMO and its members are on the front lines of public health and safety in assisting cities, counties, states, and countries with developing plumbing codes and providing training that protects our communities and saves lives.

I submit this resolution in recognition of the importance of clean water and the important contribution to America being made every single day by those men and women who maintain our plumbing infrastructure.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 10, 2011, at 9:30 a.m. to conduct a hearing entitled ''The Fiscal Year 2012 Budget for the Sec.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 10, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 10, 2011, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to

meet during the session of the Senate on March 10, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled ''Innovations in Child Welfare Waivers: Starting on the Pathway to Reform.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Bridgepoint Education, Inc.: A Case study in For-Profit Education and Oversight'' on March 10, 2011, at 10 a.m., in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 10, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 10, 2011, at 3 p.m. to conduct a hearing entitled ''Information Sharing in the Era of WikiLeaks: Balancing Security and Collaboration.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 10, 2011, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SANDERS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 10, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 41; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, there be no intervening action or debate, and that no further motion be in order to the nomination; that any related statements be printed in the RECORD, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF JUSTICE

Timothy J. Feighery, of New York, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2012.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent on Monday, March 14, at 4:30 p.m., the Senate proceed to executive session to consider Calendar No. 10; that there be 1 hour of debate equally divided in the usual form; that upon the use or yielding back of the time, the Senate proceed to vote with no intervening action or debate on Calendar No. 10; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motion be in order, and any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MARCH 14, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., on Monday, March 14; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, there be a period of morning business until 4:30 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate proceed to executive session, as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, Senators should expect two rollcall votes beginning at 5:30 p.m. on Monday. The first vote will be on confirmation of Executive Calendar No. 10, the nomination of James Emanuel Boasberg, of the District of Columbia, to be U.S. District Judge for the District of Columbia, and the second vote will be on a motion to invoke cloture on the motion to proceed to Calendar No. 17, the Small Business Reauthorization Act.

ORDER FOR ADJOURNMENT

Mr. REID. 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 the assistant majority leader of the Senate, RICHARD DURBIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, are we still in morning business?

The PRESIDING OFFICER. Yes.

INTERCHANGE FEE REFORM

Mr. DURBIN. Mr. President, I rise to speak about the issue of interchange fee reform. Last year, Congress enacted landmark reform of the swipe fees that Visa and MasterCard impose on the debit card system. An amendment I offered to Wall Street reform passed the Senate with 64 votes—47 Democrats, 17 Republicans—and was later signed into law. It was the first amendment out of the first 26 on that bill that was held to a 60-vote standard. Every other amendment before was held to a simple majority. But I was lucky enough, when I offered the amendment, that there was an insistence that we had to reach 60 votes. We did it, 47 Democrats and 17 Republicans. It was a great victory, and one that came as a surprise to Wall Street, because Main Street—the retail merchants, the restaurants, the convenience stores, and many others—had worked hard for this amendment.

Never before had Visa and MasterCard, the duopoly of credit cards, and their big bank allies lost a vote such as this in Congress. Normally, the credit card companies and the big banks are used to getting their way in this town. Visa and MasterCard have such power that they control over 75 percent of all credit and debit card transactions in America. Last year, $1.39 trillion was transacted on Visa and MasterCard debit cards. According to the American Bankers Association, the U.S. banking industry is a $13 trillion industry. That is trillion with a ''t.''

Many Members in this body are being lobbied right now by banks and card companies to repeal this law, to undo the interchange reform Congress passed last year. It is one of the most active lobbying efforts I have ever seen.

I want to explain why interchange reform is so important, not just for the concepts of competition and transparency but also for the people and businesses affected, for small businesses and consumers and the American economy.

A little background on the debit card industry: Debit cards are simply a way for accountholders to access funds stored in an account. They are the electronic version of a check.

Debit cards are issued by banks, such as Bank of America, where the account is held. The cards are also part of a card network such as Visa or MasterCard, which set certain fees and rules about using their cards.

The banks that issue the debit cards can make money in several ways. They make loans based on deposits and earn interest. They charge fees to consumers for maintaining and accessing accounts such as ATM, monthly, overdraft, and transfer fees. They also receive interchange fees from merchants every time one of their debit cards is used.

If you look at any bank's Web site, you can find the loan interest rates and the account fees the bank charges customers. Banks compete with one another for this consumer business. That competition keeps their fees in check. It is called the free market. But ask any bank to show you on their Web site where you can find the interchange fees that the bank charges merchants, restaurants, universities, charities, convenience stores, ask them what they charge as an interchange fee for the use of their debit cards, the bank will say: Well, you will have to call Visa or MasterCard.

Card companies such as Visa fix the interchange fee rates received by issuing banks, the banks that have their name on the card next to the Visa symbol. In other words, thousands of banks that compete with one another in all other aspects of business do not compete with one another when it comes to how much in so-called swipe fees or interchange fees they get from merchants. The banks let Visa set the prices for all of them.

Visa has decided that every bank that issues Visa cards will get the same rate as every other bank, no matter how efficient a bank is, no matter how much fraud a bank allows. Rather than a competitive system, this is a system which subsidizes inefficiency. In fact, the only competition in the interchange system right now is the competition between card networks to raise interchange fees. They raise the rates in order to get banks to join the network and issue more of their cards.

It is easy to see why banks and card networks set up this system. It makes the banks happy because they get billions of dollars a year in high fees, and they don't have to worry about competition. It makes the networks happy because they get their own network fee each time a card is swiped, and high interchange means banks will issue more cards.

But it is unfair to those who are receiving the cards—for example, the restaurants, the merchants, the shops, the book stores, universities, charities, convenience stores—because they have no power to negotiate this fee. They can't hold off and say: Wait a minute, if you want us to take Visa at our store, we want to know how much you are going to charge us every time a customer uses a Visa card. There is no way to have any conversation on that. Visa establishes what the swipe fee will be.

It is also unfair to consumers, particularly low-income consumers and those without banking accounts, who pay billions per year in hidden interchange fees that are passed on to them in higher prices for gas and groceries. How about that. I had some people in my office today talking about the price of gasoline. They said: Understand, every time a customer uses a Visa or a MasterCard, they are taking a percentage of that cost on the gallon of gasoline. Their percentage keeps going up, and in order to have a profit, to keep the lights on, we have to keep raising the price of gasoline to keep up with the credit card companies, let alone the national oil companies.

The Federal Reserve estimated that in 2009, about $16.2 billion was charged in debit interchange fees, a massive amount of money that is being paid to the banks by merchants and their customers, about $1.3 billion a month. I will get back to that number in a moment. It didn't used to be that way in America. It isn't that way in many other countries that use Visa and MasterCard.

Back when the debit card system was started several decades ago, debit fees were minimal. It wasn't until Visa entered the market in the 1990s that we started seeing debit card interchange fees that looked like credit card interchange fees.

They are two different worlds. When I use a credit card, ultimately, the bank and credit card company have to collect from me. If I dodge them or don't pay, there is a loss. A debit card comes directly out of my account. There is no question whether the money is there. It is already there.

There is an excellent New York Times article by Andrew Martin from last year titled ''How Visa, Using Card Fees, Dominates a Market.''

I ask unanimous consent to have that article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 5, 2010]

THE CARD GAME—HOW VISA, USING CARD FEES, DOMINATES A MARKET

(By Andrew Martin)

Every day, millions of Americans stand at store checkout counters and make a seemingly random decision: after swiping their debit card, they choose whether to punch in a code, or to sign their name.

It is a pointless distinction to most consumers, since the price is the same either way. But behind the scenes, billions of dollars are at stake.

When you sign a debit card receipt at a large retailer, the store pays your bank an average of 75 cents for every $100 spent, more than twice as much as when you punch in a four-digit code.

The difference is so large that Costco will not allow you to sign for your debit purchase in its checkout lines. Wal-Mart and Home Depot steer customers to use a PIN, the debit card norm outside the United States.

Despite all this, signature debit cards dominate debit use in this country, accounting for 61 percent of all such transactions, even though PIN debit cards are less expensive and less vulnerable to fraud.

How this came to be is largely a result of a successful if controversial strategy hatched decades ago by Visa, the dominant payment network for credit and debit cards. It is an approach that has benefited Visa and the nation's banks at the expense of merchants and, some argue, consumers.

Competition, of course, usually forces prices lower. But for payment networks like Visa and MasterCard, competition in the card business is more about winning over banks that actually issue the cards than consumers who use them. Visa and MasterCard set the fees that merchants must pay the cardholder's bank. And higher fees mean higher profits for banks, even if it means that merchants shift the cost to consumers.

Seizing on this odd twist, Visa enticed banks to embrace signature debit—the higher-priced method of handling debit cards—and turned over the fees to banks as an incentive to issue more Visa cards. At least initially, MasterCard and other rivals promoted PIN debit instead.

As debit cards became the preferred plastic in American wallets, Visa has turned its attention to PIN debit too and increased its market share even more. And it has succeeded—not by lowering the fees that merchants pay, but often by pushing them up, making its bank customers happier.

In an effort to catch up, MasterCard and other rivals eventually raised fees on debit cards too, sometimes higher than Visa, to try to woo bank customers back.

''What we witnessed was truly a perverse form of competition,'' said Ronald Congemi, the former chief executive of Star Systems, one of the regional PIN-based networks that has struggled to compete with Visa. ''They competed on the basis of raising prices. What other industry do you know that gets away with that?''

Visa has managed to dominate the debit landscape despite more than a decade of litigation and antitrust investigations into high fees and anticompetitive behavior, including a settlement in 2003 in which Visa paid $2 billion that some predicted would inject more competition into the debit industry.

Yet today, Visa has a commanding lead in signature debit in the United States, with a 73 percent share. Its share of the domestic PIN debit market is smaller but growing, at 42 percent, making Visa the biggest PIN network, according to The Nilson Report, an industry newsletter.

THE RISK OF REFUSING

Critics complain that Visa does not fight fair, and that it used its market power to force merchants to accept higher costs for debit cards. Merchants say they cannot refuse Visa cards because it would result in lower sales.

''A dollar is no longer a dollar in this country,'' said Mallory Duncan, senior vice president of the National Retail Federation, a trade association. ''It's a Visa dollar. It's only worth 99 cents because they take a piece of every one.''

Visa officials say its critics are griping about debit products that have transformed the nation's payment system, adding convenience for consumers and higher sales for merchants, while cutting the hassle and expense of dealing with cash and checks. In recent years, New York cabbies and McDonald's restaurants are among those reporting higher sales as a result of accepting plastic.

''At times we have a perspective problem,'' said William M. Sheedy, Visa's president for the Americas. ''Debit has become so mainstream, some of the people who have benefited have lost sight of what their business model was, what their cost structure was.''

Visa officials said the costs of debit for merchants had not gone down because the cards now provided greater value than they did five or 10 years ago. The costs must not be too onerous, they say, because merchant acceptance has doubled in the last decade.

The fees are ''not a cost-based calculation, but a value-based calculation,'' said Elizabeth Buse, Visa's global head of product.

As for Visa's market share, company officials maintain that it is rather small when considered within the larger context of all payments, where, for now at least, cash remains king.

While Visa may be among the best-known brands in the world, how it operates is a mystery to many consumers.

Visa does not distribute credit or debit cards, nor does it provide credit so consumers can buy flat-screen televisions or a Starbucks latte. Those tasks are left to the banks, which owned Visa until it went public in 2008.

Instead, Visa provides an electronic network that acts like a tollbooth, processing the transaction between merchants and banks and collecting a fee that averages 5 or 6 cents every time. For the financial year ended in June, Visa handled 40 billion transactions. Banks that issue Visa cards also pay a separate licensing fee, based on payment volume. MasterCard, which is roughly half the size of Visa, uses a similar model.

''It's a penny here or there,'' said Moshe Katri, an analyst who tracks the payments industry for Cowen and Company. ''But when you have a billion transactions or more, it adds up.''

With debit transactions forecast to overtake cash purchases by 2012, the model has investors swooning: Visa's stock traded at $88.14 on Monday, near a 52–week high, while shares of MasterCard, at $256.84 each, have soared by more than 450 percent since the company went public in 2006.

While there is little controversy about the fees that Visa collects, some merchants are infuriated by a separate, larger fee, called interchange, that Visa makes them pay each time a debit or credit card is swiped. The fees, roughly 1 to 3 percent of each purchase, are forwarded to the cardholder's bank to cover costs and promote the issuance of more Visa cards.

The banks have used interchange fees as a growing profit center and to pay for cardholder perks like rewards programs. Interchange revenue has increased to $45 billion today, from $20 billion in 2002, driven in part by the surge in debit card use.

Some merchants say there should be no interchange fees on debit purchases, because the money comes directly out of a checking account and does not include the risks and losses associated with credit cards. Regardless, merchants say they inevitably pass on that cost to consumers; the National Retail Federation says the interchange fees cost households an average of $427 in 2008.

While the cost per transaction may seem small, at Best Buy, the biggest stand-alone electronics chain, ''these skyrocketing fees add up to hundreds of millions of dollars every year,'' said Dee O'Malley, director of financial services. ''Every additional dollar we are forced to pay credit card companies is another dollar we can't use to hire employees, or pass along to our customers in the form of savings.''

WEIGHING RULES ON MERCHANTS

The Justice Department is investigating if rules imposed by payment networks, including Visa, on merchants regarding ''various payment forms'' are anticompetitive, a spokeswoman said. Several bills have been introduced in Congress seeking to give merchants more ability to negotiate interchange, which is largely unregulated.

While interchange remains legal despite repeated challenges, a group of merchants is pursuing yet another class-action suit, this time in federal court in Brooklyn, against Visa and MasterCard that seeks to upend the system for setting fees.

''Visa and MasterCard have morphed into a giant cookie jar for banks at the expense of consumers,'' said Mitch Goldstone, a plaintiff in the case.

Fees were not an issue when debit cards first gained traction in the 1980s. The small networks that operated automated teller machines, like STAR, Pulse, MAC and NYCE, issued debit cards that required a PIN. MasterCard had its own PIN debit network, called Maestro.

Merchants were not charged a fee for accepting PIN debit cards, and sometimes they even got a small payment because it saved banks the cost of processing a paper check.

That changed after Visa entered the debit market. In the 1990s, Visa promoted a debit card that let consumers access their checking account on the same network that processed its credit cards, which required a signature.

To persuade the banks to issue more of its debit cards, Visa charged merchants for these transactions and passed the money to the issuing banks. By 1999, Visa was setting fees of $1.35 on a $100 purchase, while Maestro and other regional PIN networks charged less than a dime, Federal Reserve data shows. Visa says the fee was justified because signature debit was so much more useful than PIN debit; at the time, roughly 15 percent of merchants had keypads for entering a PIN.

Merchants said they had no choice but to continue taking the debit cards, despite the higher fees; because Visa's rules required them to honor its debit cards if they chose to accept Visa's credit cards.

A SEVEN-YEAR BATTLE

Wal-Mart, Circuit City, Sears and a number of major merchants eventually sued. After seven years of litigation, Visa and MasterCard agreed to end the ''honor all cards'' rule between credit and debit and to pay the retailers a settlement of around $3 billion, one of the largest in American corporate history. Visa paid $2 billion, and MasterCard the remainder.

Since then, only a handful of retailers have stopped accepting Visa debit cards, an indication that the crux of the lawsuit was ''much ado about nothing,'' Mr. Sheedy says.

And while some merchants said they thought the lawsuit would pave the way to a new era of competition, a curious thing happened instead: while Visa temporarily lowered its fees for signature debit, it raised the price on PIN debit transactions and passed the funds on to card-issuing banks, and its competitors soon followed.

The current class-action lawsuit joined by Mr. Goldstone contends that Visa's PIN debit network, called Interlink, is offering banks higher fees as an incentive to issue debit cards that are exclusively routed over this network. Interlink, which has raised its PIN debit fees for small merchants to 90 cents for each $100 transaction, from 20 cents in 2002, is often the most expensive, especially for small merchants, Fed data shows.

One large retailer, who requested anonymity to preserve its relationship with Visa, provided data that showed Interlink's share of PIN purchases rose to 47 percent in 2009, from 20 percent in 2002, even as its fees steadily increased ahead of most other networks—to 49 cents per $100 transaction in 2009, from 38 cents in 2006.

Visa officials say its PIN debit network is taking off despite rising costs because it offers merchants, banks and consumers a level of efficiency and security that regional networks cannot match. ''We are motivated as a company to try to drive value to each one of those participants so that they accept the card, issue more cards, use the card,'' Mr. Sheedy said.

At checkout counters, meanwhile, consumers are quietly tugged in one direction or the other.

Safewasy, 7-Eleven and CVS drugstores automatically prompt consumers to do a less costly PIN debit transaction. The banks, however, still steer consumers toward the more expensive form of signature debit. Wells Fargo and Chase are among those that offer bonus points only on debit purchases completed with a signature.

Visa says it does not care how consumers use their debit card, as long as it is a Visa. But for now at least, the company says the only way to ensure that a purchase is routed over the Visa network is to sign.

''When you use your Visa card, you have a chance to win a trip to the Olympic Winter Games,'' a new Visa commercial promises.

The commercial does not explain the rules, but the fine print on Visa's Web site does: nearly all Visa purchases are eligible—as long as the cardholder does not enter a PIN.

Mr. DURBIN. I urge my colleagues to read it. It shows how Visa leveraged its dominance in the credit card industry to enter into and dominate the debit card industry. Visa then changed the debit interchange fee system so it looked like the credit card fee system. The result: the United States has the highest interchange fees in the world.

We also have some of the worst fraud prevention technology in the world. This is because Visa gives banks higher interchange rates for so-called signature debit transactions instead of PIN debit transactions. So the banks tell their customers to pay with signature debit, even though far less fraud occurs with the use of PIN numbers.

It doesn't have to be this way. Many countries such as Canada have thriving debit card systems with zero interchange fees. Canada has low fraud and wide consumer debit usage. Other places such as the European Union carefully regulate interchange rates to keep them to a reasonable level. But in this country, we have let dominant card networks—and they are a powerful bunch—take over our debit card system. They are driving that system on an unsustainable course.

I have worked for years to reform interchange fees and to bring transparency, competition, and choice to the credit card and debit card industry. I first introduced a bill on this in 2008. In 2009, I joined with Senator Kit Bond of Missouri to file a modest floor amendment to the Credit CARD Act. The amendment simply said interchange fees should be reported to the Federal Reserve and that Visa and MasterCard should not be allowed to stop merchants from offering discounts for debit cards against credit cards. The card companies and bank industry hated that idea like the devil hates

holy water. They did everything they could to kill the amendment. They used their standard talking points, saying this amendment would hurt consumers, small banks, credit unions, the economy, everything one could think of. The amendment never reached a vote. Instead, in 2009, the banks and card companies said they would support a study. We love to study things in Washington. So Congress delayed real reform and said: Let's get on with the study.

Last year, I said: Enough is enough. We can't continue to let Visa, MasterCard, and the big banks use price-setting schemes to turn our debit card system into their own large piggy bank at the expense of merchants and consumers. The amendment I offered last year said: If banks are going to let a card network set interchange rates for them, those rates must be reasonable and proportional to the cost of processing a debit transaction over that network's wires.

Why would we bring the Federal Reserve in to establish a reasonable and proportional interest change fee? Because there is no competition in this market. Visa and MasterCard, recently under investigation by the Department of Justice for their practices, establish what these interchange fees are going to be. They impose them on merchants who many times are told late in the game how much the fee is. They don't bargain. Merchants can't shop around. There is no competition when it comes to the establishment of interchange fees.

The amendment will end this inefficient subsidy that Visa and MasterCard have created for banks, and it will incentivize banks to operate their card systems efficiently. The amendment directs the Fed to issue regulations to implement this reasonable and proportional standard. The Fed issued draft regulations in December and is now working on final regulations to be completed in April and take effect in July.

Do my colleagues know what they found in their initial cut at this? The average interchange fee is in the range of 40 cents, and the average cost to use a debit card is about 10 cents. Think of the overcharge that is going on with every single transaction. The next time you are standing in the airport and somebody hands a debit card to the cashier to pay for a pack of gum, think about that retailer just having lost money. The only ones who made money in the transaction were Visa, MasterCard and the issuing bank.

Last year, when I was drafting this amendment, I knew we had to be careful about the way the reform would affect small banks and credit unions that currently benefit from the rates Visa and MasterCard set. I didn't want to drive small issuers out of the debit card market. So my amendment specifically exempted them from regulation. That means that now, just like before, networks will compete by raising interchange rates to win the business of those small, unregulated issuers.

I know the small banks and credit unions are also lobbying on the Hill, saying that interchange reform will hurt them. For years, they have been making this argument against any type of reform. I have been on the Hill for a while, in the House and in the Senate.

I used to really believe there was a qualitative—not just quantitative but a qualitative—difference between community banks and credit unions and the big boys, the Wall Street banks. Over the years, I am sorry to say when it comes to these issues, they are the same. It is just a quantitative difference. Credit unions and community banks are smaller, but in terms of the way they look at issues, there is not a dime's worth of difference.

When it comes to this issue, there is an interesting phenomenon at work. Visa and MasterCard do not dare raise their head on Capitol Hill. If there are two more unpopular companies with American consumers, it is hard to think of what they might be. Maybe today it is oil companies. But it is a close second with credit card companies and the way they treat people. So they do not come in and lobby.

Well, how about the Wall Street banks? Do you think they are going to show up here and say: You cannot regulate these interchange fees? Two-thirds of the debit cards come from the biggest banks out of Wall Street, not the community banks and credit unions. So the big money in this whole transaction is on Wall Street. But you do not hear from the Wall Street banks. Why? Because they are not going to win any popularity contests either.

It was not that long ago we were shoveling billions of taxpayer dollars at these banks to keep the lights on after they made some pretty stupid investment decisions that drove our economy into the ditch. So they cannot lobby, the big banks, with the big money involved in this issue. The credit card companies cannot lobby because they have no popularity with the American consumer. So what do they do? They have some beards, and the beards in these circumstances are the credit unions and the community banks. Those specifically exempted are now coming to Congress, coming to Capitol Hill, saying this could hurt us in the future.

We drew a line and said if the asset value of the financial institution is below $10 billion—$10 billion—they are not affected by this law. There are, if I recall, only three credit unions in America with assets over $10 billion. The vast majority, the overwhelming majority, of credit unions in this country do not have anywhere near that kind of asset value. The same thing is true with community banks.

So Wall Street banks and credit card companies have found their great agents. Their agents are the credit unions, community banks, presenting their case to the Members of Congress as if they are directly regulated when they are specifically exempted from this.

I know the small banks and the credit unions are working the Hill. For years, they have been using these arguments against any type of reform. When we tried to get bankruptcy reform to deal with foreclosures a few years back—and I honestly think it could have had a dramatically positive impact to slow down foreclosures in this Nation—we specifically exempted credit unions and community banks, and they still lobbied against it. They are in concert when it comes to issues with the biggest banks in America. I do not understand it. It is a dramatic departure from where they have been historically.

Independent analysts agree that the reform Congress passed last year will give small banks actual competitive advantages over big banks. I ask unanimous consent to have printed in the RECORD a recent op-ed by Andrew Kahr in the American Banker newspaper entitled ''Never Mind the Lobbyists, Durbin Amendment Helps Small Banks.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From American Banker—BankThink, Mar. 3, 2011]

NEVER MIND THE LOBBYISTS, DURBIN AMENDMENT HELPS SMALL BANKS

The Durbin Amendment in Dodd-Frank lowers the interchange paid to large banks on debit card purchase transactions, and hence takes money away from these banks to give it to merchants, almost dollar for dollar. When passed, this provision was politically popular. It was a time for bank-bashing.

Now this component of Dodd-Frank is much less popular. Maybe legislators have noticed that even if Wal-Mart passed through every last penny of the 0.7% of debit card sales it's apt to save to customers in the form of lower prices, the consumer benefit is likely to be invisible to voters. In any event, the banks have made themselves highly audible to voters in shrill but absurd threats to cap debit card purchases at $50 and the like. Another form of lobbying.

One of the arguments made against the Durbin restriction on interchange is that it will hurt community banks.

Poppycock.

Since Durbin explicitly excludes banks with assets under $10 billion from the restriction on interchange, it takes a hyperactive imagination to see how these banks could be hurt by it. Lobbyists have the requisite inventiveness.

If large banks get 75% less interchange than they do now and small banks continue to get today's interchange rates, then obviously this confers a substantial competitive advantage on the small banks. They can impose lower fees, pay more interest, and give greater rewards to depositors. Anything that reduces revenue for big banks but not for small ones should help the latter compete more effectively against the former.

In opposition to common sense, bank lobbyists have put forward some very farfetched arguments about how, in some upside-down world, small banks are still going to be losers rather than winners from Durbin.

One argument is that the clearing networks, of which there are only four that

matter, will not support the ''two-tier'' interchange system envisaged by Durbin. Ridiculous. Visa is the largest of the networks. It's already announced that it will implement Durbin. (Maybe this is an object lesson as to why Visa remains No. 1.)

For the small banks, MasterCard is the only other significant player. If MasterCard finds it politic not to add one more wrinkle to a skein of interchange levels that is already of Byzantine complexity, then let the small banks gravitate to Visa in order to benefit from Durbin.

A second argument of the big-bank lobbyists is that merchants will reject the debit cards of small banks if these carry a 1% interchange cost, versus 0.3% for the large banks. Really? Then why don't these merchants reject all credit cards, with interchange of 2% or more, if the customer could instead use a debit card? When is the last time a merchant politely asked you whether you could pay with a debit card instead of a credit card?

The reason merchants don't do this, apart from association rules that purport to prohibit it, is that the retailer's top priority is sales, not interchange. Selective ''suppression'' of cards by merchants has occurred with extreme rarity. One instance took place long ago when merchants in Boston revolted against higher interchange rates from American Express. This can't happen now. Are cashiers in stores going to look at a list of small banks in order to discriminate against their cards—and then have customers walk out and leave their would-be purchases at the cash register? The fraction of customers who would be persuaded to change banks or carry two debit cards is infinitesimal.

The notion that merchants will give discounts on big-bank debit cards but not small-bank debit cards is equally silly. Since when did they offer an incentive to use debit rather than credit cards? If they are not motivated to do so by 2.3% versus 1% interchange, then why should they be motivated by 1% versus 0.3%?

Finally, we are warned that a second, utterly unrelated provision of Durbin that mandates competitive network routing will somehow injure small banks. Impossible. It is predominantly the biggest banks that have negotiated exclusive or volume-dependent routing deals with Visa or others. This too gives them an advantage over small banks that Durbin will undermine or erase—to the benefit of the small banks.

The charm of the Durbin debate on interchange is that it largely amounts to ''Who's going to get the money, big banks or merchants?'' (In other words, ''Which do you like less, Congressman, big banks, or big merchants?'')

Outside the realms of taxation and appropriations, it is unusual to see such a choice so sharply focused for our representatives in Washington.

Ben Bernanke and other regulators would like to see less pressure on big-bank earnings and capital. That's understandable. Maybe it's even a winning—though illogical—argument.

But let's not talk nonsense about bogeyman danger to community banks.

Mr. DURBIN. Now, Kahr is no mouthpiece for merchants. He is a financial consultant who is recognized as the creator of many aspects of the modern card industry. But he says what I have been saying for months—that the arguments small banks have been making against my amendment defy economic logic and common sense.

I also believe interchange reform is essential for consumers. Banks will tell you consumers will be hurt by reform because banks will have to raise consumer fees to make up for lost revenue.

First, when did we start listening to banks and credit card companies to tell us what is good for consumers? Second, read the headlines for the past few years and you will see that banks were already raising consumer fees to record highs in 2008, 2009, and 2010—before my amendment became law. They are always looking for ways to raise fees on consumers as high as the market will allow.

Third, consumers are already paying for the current interchange system. Soaring interchange fees are passed on to consumers in the form of higher prices for gasoline and groceries. And the current system particularly hurts unbanked consumers who pay with cash.

I believe consumers benefit from transparency, competition, and choice. The current interchange system has been designed specifically to avoid these features. That is why consumer groups agree with me and support the interchange reform which we have on the books.

I know the financial industry lobbyists are out there now storming the Halls of Congress. They are saying: Let's delay the Fed's interchange rulemaking for a year or two. Let's study this issue some more. Study, study, study; this is one great study hall, this U.S. Senate. But there comes a point when we need to act, and we are prepared to act now with the Federal Reserve in April and in July.

There is no need to delay these rules. Read the comments I submitted to the Fed about their draft rulemaking. You will see how the new law provides reasonable timeframes for implementing every part of the Fed's rules.

I saw this call for delay and study before, on the Credit CARD Act back in 2009, and it does not surprise me we are hearing it again.

If my colleagues remember nothing else, they should remember this: Delaying interchange reform will have significant consequences to employers, small businesses, and consumers all across America. Not only will businesses, universities, government agencies, and charities keep paying the current $1.3 billion per month in debit interchange fees, the fees will keep going up further. There will be nothing to constrain Visa and MasterCard from setting higher and higher fees. There is no competition in this industry.

Some of my colleagues say they are concerned about small banks and consumers. So am I. That is why I drafted the amendment to exempt them. Independent analysts and consumer groups agree that the reform we passed protects small banks and consumers.

I say to my colleagues, do not tell me you are worried about small banks and consumers and then push for a delay that will serve to provide $1 billion a month in more fees primarily to the largest banks in America.

A delay in this implementation would give Visa and MasterCard and the big banks a multibillion-dollar handout—have we heard this song before?—while leaving merchants and consumers worse off than they already are. I am not going to sit by and let the big banks and card companies get away with trying to kill this reform. They have been bailed out enough already.

I urge my colleagues in Congress: Do not bail out the big banks on Wall Street another time. Once in a political lifetime is enough for most of us.

I am standing with the consumers and merchants on this issue. I hope my colleagues will join me and find it is a good place to stand.

I yield the floor.

ADJOURNMENT UNTIL MONDAY, MARCH 14, 2011, AT 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday, March 14, 2011.

Thereupon, the Senate, at 5:35 p.m., adjourned until Monday, March 14, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL SECURITY EDUCATION BOARD

CHRISTOPHER B. HOWARD, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS, VICE KIRON KANINA SKINNER, TERM EXPIRED.

INTERNATIONAL MONETARY FUND

BEN S. BERNANKE, OF NEW JERSEY, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA

DERETH BRITT GLANCE, OF NEW YORK, TO BE A COMMISSIONER ON THE PART OF THE UNITED STATES ON THE INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA, VICE IRENE B. BROOKS.

RICHARD M. MOY, OF MONTANA, TO BE A COMMISSIONER ON THE PART OF THE UNITED STATES ON THE INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA, VICE SAMUEL W. SPECK.

DEPARTMENT OF STATE

DANIEL BENJAMIN SHAPIRO, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ISRAEL.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be lieutenant (junior grade)

ZACHARY P. CRESS

CONFIRMATIONS

Executive nominations confirmed by the Senate March 10, 2011:

THE JUDICIARY

MAX OLIVER COGBURN, JR., OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA.

DEPARTMENT OF JUSTICE

TIMOTHY J. FEIGHERY, OF NEW YORK, TO BE CHAIRMAN OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR A TERM EXPIRING SEPTEMBER 30, 2012.

EXTENSIONS OF REMARKS

RECOGNIZING THE 100TH ANNIVERSARY OF THE THEODORE ROOSEVELT DAM

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. SCHWEIKERT. Mr. Speaker, I rise today to pay tribute to the 100th anniversary of Theodore Roosevelt Dam, the cornerstone of water resource operations in Central Arizona. The reliable, sustainable water supply provided by the dam and its reservoir, Theodore Roosevelt Lake, has served as an economic catalyst that spurred decades of growth and helped create the greater Phoenix metropolitan area.

The Salt River Valley, home to metropolitan Phoenix, was little more than a few military outposts and prospecting camps until the first modern canal company was organized in 1867. The success of this venture encouraged more irrigation concerns. Most used the ancient canal networks created and maintained by an indigenous civilization that thrived in the area more than 1,000 years earlier.

As a result of these canal companies, settlements cropped up across the Valley. Local leaders agreed a dam was needed to regulate the flow of the Salt River, which fed the canal networks, to ensure a reliable source of water and sustain development.

A group including a surveyor, journalist, and canal company superintendent identified a possible dam site in 1889 about 80 miles east of Phoenix near the confluence of Tonto Creek and the Salt River. The site was nestled among the Superstition wilderness area, the Sierra Ancha Mountains, and the Salt River Canyon.

Next, residents had to determine how to pay for such a massive undertaking. The Salt River Valley Water Users' Association was organized in 1903 when Valley landowners pledged their property as collateral for a government loan to build the proposed dam. It was a unique arrangement only made possible by an act of Congress the previous year, the National Reclamation Act of 1902.

Dam construction began in 1905 under the supervision of the U.S. Reclamation Service, now the U.S. Bureau of Reclamation. When completed in early 1911 and dedicated personally by the president whose name it bears, Roosevelt was the world's largest masonry dam.

Hydroelectric generation from the dam provided early power to, and served as the basis of, power operations for the Salt River Project (SRP), a water and power entity that includes the Salt River Valley Water Users' Association.

Roosevelt Dam has undergone various improvements through the ages, including three separate upgrades of its hydroelectric generating capacity. A major modification of the dam and reservoir was completed in 1996 when the height of the dam was raised by 77 feet and the dam envelope was strengthened.

This modification was part of a comprehensive project to increase water storage, improve dam safety and enhance flood control throughout central Arizona.

Through a partnership with SRP, the federal government, and state and local communities, central Arizona has grown into a vital metropolitan region in the Southwest.

Mr. Speaker, as Theodore Roosevelt Dam embarks on its second century of service to the people of the Salt River Valley, it deserves special recognition for its historic and invaluable contributions to my state.

TRIBUTE TO ALEX GURGANUS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievement of Alex Gurganus, a seventh-grade student at Ames Middle School in Ames, Iowa. Alex was recently named one of only four state winners of the VSA/CVS Call for Art.

Alex's participation in and of itself is stellar. Alex attained this honor despite being visually impaired. In the classroom, Alex requires large print, magnifiers, and a closed circuit TV system to facilitate his learning and compensate for zero vision in his right eye and low visual capacity in his left eye.

However, Alex did not allow these obstacles to deter him as he has been meticulously perfecting his award-winning artwork, "Design by Surprise," for the last three years. When composing a piece of art, Alex must memorize where the colors are on the palette in addition to utilizing a hand-held magnifying dome to ensure perfection.

The example set by this young man demonstrates the rewards of hard work, dedication and perseverance, and I am honored to represent Alex Gurganus and his family in the United States Congress. I know that all of my colleagues will join me in congratulating him on overcoming such a difficult hurdle as a means to achieve such wonderful results. I speak for all my colleagues as I wish Alex continued success in his future education and career.

FAIR ACCESS TO VETERANS BENEFITS, H.R. 810

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. FILNER. Mr. Speaker, the Fair Access to Veterans Benefits Access Act of 2011, H.R. 810, is a bill that would help our veterans who file appeals before the Court of Appeals for Veterans Claims. This legislation would require the U.S. Court of Appeals for Veterans' Claims to hear appeals of administrative decisions by veterans denying them benefits when circumstances beyond their control render them unable to meet the deadline for filing an appeal.

This legislation would extend the 120-day limit for the filing of an appeal to the Court of Veterans Appeals after a final decision of the Board of Veterans' Appeals upon a showing of good cause for such time as justice may require. The bill considers as good cause the inability of a veteran to file within the 120-day period due to a service-connected disability. The bill would make such extension applicable to appeals of final Board decisions issued on or after July 24, 2008. This bill also requires the Court of Appeals for Veterans Claims to reinstate untimely appeals already dismissed as a result of the court's failure to toll the filing period for good cause.

Under the current system, the veterans' appellate processes are very difficult to navigate especially since so many veterans are pro se at that stage. Additionally, as TBI and PTSD are the signature disability of the current conflicts of Operation Enduring Freedom and Operation New Dawn, many veterans are also filing claims and appeals while suffering from a physical or mental disability. The adherence to rigid filing deadlines by the CAVC potentially has resulted in the denial of benefits for many veterans. My bill seeks to rectify this issue by allowing the veteran to show "good cause" for missing the filing deadline if related to the veteran's service-connected disability. It is clear to me that Congress intended to allow equitable tolling when it created the veterans' court.

The VSO community wholeheartedly supports this legislation and its costs are likely discretionary. I urge my colleagues to support this bill without delay to give these veterans the access to justice that they deserve.

HONORING LINDSEY WALKER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Lindsey Walker. Lindsey is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Lindsey's outstanding achievement reflects her hard work and dedication. Lindsey has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Lindsey can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Lindsey Walker for her accomplishments with the Girl Scouts of the USA

● 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.

and for her efforts put forth in achieving the highest distinction of the Gold Award.

HONORING PURVIS E. ISLER, SR.

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following.

Whereas, Ninety years ago a tenacious man of God was born in Newport News, Virginia on March 9, 1921; and

Whereas, Mr. Purvis E. Isler, Sr., born to Mr. Elijah and Mrs. Esther Isler, grew up in New Jersey when his family moved north and attended Perth Amboy High School where he met and married his high school sweetheart Jeanette Deay Eaton and to their union seven daughters and three sons were born; and

Whereas, Mr. Isler has shared his time and talents as a Husband, Father and Motivator, giving the citizens of the United States a person of great worth, a fearless leader and a servant to all advancing the lives of others, through service to our country in the U.S. Army, as a broadcast electronics technician and being the ideal father and grandfather; and

Whereas, Mr. Isler has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Mr. Isler along with his family and friends are celebrating this day a remarkable milestone, his 90th Birthday, we pause to acknowledge a man who is a cornerstone in our community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside these days to honor and recognize Mr. Isler on his birthday and to wish him well and recognize him for an exemplary life which is an inspiration to all;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim March 9th and March 12th, 2011 as Mr. Purvis E. Isler, Sr. Days in Georgia's 4th Congressional District.

PROCLAIMED, THIS 9th day of March, 2011.

NATIONAL FISH AND WILDLIFE FOUNDATION

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. NUNES. Mr. Speaker, as Congress closely scrutinizes federal programs to reduce our massive federal debt and deficit, we must take a hard look at troubled, taxpayer-financed programs that play a role in destroying American jobs. The February 25, 2011 edition of The Washington Examiner contained a column by Mr. Ron Arnold that discusses the legislative history and current activities of the National Fish and Wildlife Foundation—a nonprofit organization authorized by Congress in 1984 pursuant to Public Law 98–244.

Mr. Arnold's column illustrates how Congress originally authorized an average of $100,000 per year in federal taxpayer money to the National Fish and Wildlife Foundation. Yet, more than a quarter century later, the organization receives $53 million annually in federal government funds according to its own records. Some of this money funds zealous and litigious environmental groups whose actions threaten the livelihoods of America's hard-working farmers and ranchers. At a time when American agriculture is threatened by onerous regulation, bureaucratic intimidation, unfair taxation, and high energy costs, our farmers cannot afford to defend themselves from advocacy groups funded by their hard-earned tax dollars.

I urge my colleagues to read Mr. Arnold's column on the National Fish and Wildlife Foundation and to question whether the federal government should continue supporting it and other non-profit groups that use taxpayer money to put people out of work.

[From the Washington Examiner, Feb. 25, 2011]

CONGRESS SHOULD STOP FUNDING BIG GREEN LAWSUITS AGAINST THE GOVERNMENT

(By Ron Arnold)

America's taxpayers need to know about a thorny federal program lurking in the Obama budget: the National Fish and Wildlife Foundation. It began decades ago as a millionaire's hobby horse and grew into a Frankenstein monster that today feeds millions of taxpayer dollars to green groups that sue the federal government—and thus sue the taxpayer.

I began researching NFWF in a 1995 report on Big Green's federally funded trial lawyers, ''Feeding at the Trough'' (www.undueinfluence.com/feeding-at-the-trough.pdf).

NFWF's origins are bizarre: Congress created it as a nonprofit corporation in 1984, specifying that it ''is not an agency or establishment of the United States Government.'' President Reagan denounced that double talk when he reluctantly signed the bill, writing, ''Entities which are neither clearly governmental nor clearly private should not be created.''

The intent for NFWF was to develop private sector support for the U.S. Fish and Wildlife Service, a government agency. This perverse purpose allows a well-connected private elite—originally including timber heiress Nancy Weyerhaeuser, oil billionaire Caroline Getty, and now hedge fund billionaire Paul Tudor Jones—to carve out government funds, solicit limitless private funds, and funnel the cash to whom they please, including $25,000 to Nancy Weyerhaeuser's son Rick for an anti-logging project he ran in Montana—and $23,500 to a Planned Parenthood-type group in Rajasthan, India, for population control near Ranthambhore National Park.

As it grew, NFWF created one horror story after another. It gave $89,748 to the Grand Canyon Trust, which filed suit and shut down the coal-fired Mojave Power Plant in Laughlin, Nev., and cost 200 Navajo miners their high-paying jobs at the Black Mesa coal mine that supplied the plant.

NFWF gave nearly $442,000 to the National Wildlife Federation and in return got a lawsuit to divert water from generating electricity in Pacific-Northwest power dams—and spill it for migrating salmon. The suit now threatens to remove four vital hydroelectric dams on the Snake River. Another NFWF recipient, American Rivers ($296,700), is also a party to the suit, which is still in court.

The list goes on and on, lawsuits against fisheries, agriculture, energy, construction, manufacturing, the whole economy. NFWF claims that grantee lawsuits do not use federal money. After examining the Internal Revenue Service Form 990 reports of major litigious NFWF recipients, I found no separate segregated accounts for lawsuits—you can't tell federal money from private—making NFWF's claims appear disingenuous at best.

NFWF's original $100,000 ''one-time seed money'' appropriation has bloated to $53 million in 2009, exactly what Reagan feared when he famously muttered, ''The definition of immortality is a government program.''

Even though NFWF's wealthy directors should be ideal fundraisers, two-thirds of its income is routinely taxpayer money, and now the Obama administration wants to give it more millions of federal dollars that we don't have.

House appropriators tried to cut NFWF's taxpayer umbilical in 1996. Immediately, a Byzantine cabal of Big Green leaders and hired lobbyists materialized, somehow convincing the appropriators to lay off. Reagan should have added, ''Environmental funding is forever.''

Last week, a gutsy congressman tried again. Rep. TOM MCCLINTOCK, R–Calif., chairman of the House Natural Resource Committee's Power and Water Subcommittee, introduced an amendment to the House's $1.2 trillion continuing resolution bill to permanently defund NFWF.

Once again, Big Green sent out its minions, and MCCLINTOCK's amendment failed on a voice vote.

That shouldn't be the end of it. We need congressional hearings to stop feeding taxpayer money into NFWF's funnel. And we need elected officials with the fortitude to instruct the National Fish and Wildlife Foundation's insatiable billionaires to stop feeding at the trough.

EEOIPCA AMENDMENT ACT OF 2011 AND THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM IMPROVEMENT ACT OF 2011

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. WHITFIELD. Mr. Speaker, today I join with my colleague, Rep. JARED POLIS (D–CO–02) to introduce two important pieces of legislation, the EEOIPCA Amendment Act of 2011 and the Energy Employees Occupational Illness Compensation Program Improvement Act of 2011, which will help ensure former employees at certain Department of Energy sites receive the benefits and care they are due while also bringing transparency and oversight to the program charged with administering compensation.

During the Cold War, thousands of workers employed in the nation's atomic weapons programs were exposed to radioactive and toxic substances. For this reason, Congress passed the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) in 2000 to provide compensation to employees who have become ill as a result of work at atomic weapons facilities. Individuals, or their eligible survivors, who worked as an employee, contractor, or subcontractor at certain Department of Energy facilities may be eligible for compensation in the form of lump sum payments and medical expenses. Yet all too often workers and surviving family members, such as those in my Congressional District,

run into challenges when weaving through the federal government maze to claim the benefits they deserve.

The EEOIPCA Amendment Act is based upon a recent study by the Government Accountability Office (GAO) on how best to improve the EEOICPA program. Specifically, this legislation will require the President to establish and appoint an advisory board on toxic substances and worker health responsible for overseeing a portion of the original EEOICPA legislation known as ''Part E.'' The Part E program provides eligible employees with compensation payments of up to $250,000, plus medical expenses for health conditions as a result of having been exposed to toxic substances while working for DOE. Further, the Ombudsman for the Department of Labor will be required to provide an annual report to Congress on the program and make the report available to the public online.

The second bill we introduce today, the Energy Employees Occupational Illness Compensation Program Improvement Act of 2011, will amend Part E of the EEOICPA program to allow survivors of family members who file claims under Part E but who pass away before their claims are approved to receive the full benefit that would have been awarded to the claimant, rather than a lesser survivor's benefit. This bill will correct the sort of inequity in the case of a Kentucky resident who passed away from complications sustained while working for DOE and whose claim was approved just days after his death.

The EEOIPCA Amendment Act of 2011 and the Energy Employees Occupational Illness Compensation Program Improvement Act of 2011 are two important pieces of legislation that will improve the efficiency and effectiveness of EEOICPA and, in turn, help ensure workers and their families receive just compensation in a timely manner.

I urge my colleagues to join me in supporting these two bills and to push for swift passage in the House.

RECOGNIZING MR. SI MCCURDY

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Mr. Si McCurdy for his retirement from his position as Dean of Students from the Saint Anthony Catholic School. Mr. McCurdy contributed to the San Antonio and Randolph Air Force Base, Texas area for decades with his military and education background.

Mr. McCurdy attended the Elliott School of Saint Mary's Hall for two years, and then he studied at the San Antonio Academy and the Texas Military Institute in San Antonio, Texas. In 1970, he obtained a Bachelor Associates degree from Hampden Sydney College in Virginia. In the summer of 1969, Mr. McCurdy worked as a Train Order Operator for the Southern Pacific Railroad in San Antonio. After graduating from Hampden Sydney College, he received his Master's degree from the University of Texas at Austin. His exceptional academic achievements propelled him to hold outstanding positions in Air Force bases in Texas and the nation and ultimately serve as a Dean for the Saint Anthony Catholic School.

In 1971, Mr. McCurdy enrolled in the Air Force at Office Training School in Lackland Air Force Base, Texas and was commissioned as Second Lieutenant. He later moved to Wichita, Kansas, at the McConnell Air Force Base where he served as Combat Crew Commander, Command Post Controller, and Emergency War Order Coordinator for seven years. After his time in Kansas, he moved to Lackland Air Force Base in Texas, where he served as an Instructor at Officer Training School from 1979 to 1982. He also became a ROTC Instructor at the University of California in Berkeley for three years. By 1989, Mr. McCurdy returned to Texas and lived at the Randolph Air Force Base as a Texas Officer Accessions for four years. In October of 1993, he retired from the Air Force as a Lieutenant Colonel.

After his retirement from the Air Force, Mr. McCurdy began his career in education at the Saint Anthony Catholic School in 1993, and was appointed Dean. He pursued his passion for teaching history and classics to grade levels sixth, seventh, and eighth. His tireless dedication to students and education continued for eighteen years at Saint Anthony Catholic School. After nearly two decades of service to the school and students, he retires leaving his mark as a great leader and educator.

Mr. Speaker, I am honored to have this time to pay tribute to Mr. Si McCurdy for his outstanding service to Air Force bases throughout the nation and recognize his retirement from the Saint Anthony Catholic School after eighteen years of service. He has truly contributed to the community and nation in his efforts to protect the nation and serve our schoolchildren. Thank for you this time.

HONORING ALAMEDA FIRE CAPTAIN SCOTT CARNEVALE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today with my colleague, Representative FORTNEY PETE STARK, to honor the memory of a man who gave his life serving the people of the San Francisco Bay Area. Alameda Fire Captain Scott Carnevale, a resident of Mill Valley, California, died at the age of 42 on January 3, 2011, of occupational cancer.

Cpt. Carnevale was a proud Mill Valley native. He attended Mill Valley Middle School and Tamalpais High School, and it was at Tam High that he first met his future wife, Elizabeth. Mill Valley is also where Cpt. Carnevale took an early interest in firefighting, volunteering with the Mill Valley Fire Department in 1992. Cpt. Carnevale then attended the fire academy in Santa Rosa and graduated the following year.

Early in his career, Cpt. Carnevale served as a seasonal firefighter in Marin and worked for the Tamalpais Fire District before finally joining the Alameda Air Station as a full-time firefighter. When the airbase closed in 1997, Cpt. Carnevale was hired by the city of Alameda, where he was promoted to Apparatus Operator in 2001 and Captain of Station Two in 2007.

Cpt. Carnevale was also dedicated to his fellow firefighters. He served as an Executive Board Trustee and Shift Vice President for the International Association of Fire Fighters Local 689. He was also an active member of the Fire Labor Management Team, and he organized Alameda Fire Department's participation in the California Professional Firefighters Exposure Reporting Program.

Cpt. Carnevale had many outside passions and skills, including craftsmanship and the outdoors. He helped design and build his family's home in Mill Valley. He also helped to restore the fire department's two antique fire rigs, and he took it on himself to repaint the insignia at the front door of Station Three. Even a diagnosis of cancer could not slow him down, as he continued to enjoy spending time with his family, traveling, and kayaking.

Cpt. Carnevale is survived by his wife Elizabeth Carnevale and his eight-year-old son.

Mister Speaker, it is with a profound sense of loss that we ask you to join us in honoring the life of Cpt. Scott Carnevale. Family and friends remember Cpt. Carnevale as an adventurer who was loved and respected for his integrity, selflessness, and dependability. The people of the Bay Area remember him as a true hero.

HONORING THE FIFTIETH ANNIVERSARY OF ASPIRA

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to mark the fiftieth anniversary of ASPIRA, and the valuable contributions this organization has made enriching the lives of the Puerto Rican and Latino communities across our country.

Since its founding in New York City by the educator, civil rights leader and Presidential Medal of Freedom awardee Dr. Antonia Pantoja, ASPIRA has helped strengthen Puerto Rican and Latino communities through education and outreach programs.

Over the past five decades ASPIRA has helped nearly half-a-million Puerto Rican and Latino youth, giving them the tools they needed to succeed through education and leadership development programs. From its humble beginnings, ASPIRA has grown today to 30 centers serving 50,000 Latino youth and parents in 79 communities across nine states, as well as Puerto Rico and Washington, DC. In fact many ''Aspirantes,'' from actor Jimmy Smits to elected officials like Anthony Romero, Fernando Ferrer and Billy Ocasio, trace their success to this organization.

At a time when too many Latino youth do not complete a high school education, over 95-five percent of participating ASPIRA youth graduate. Of these, over 90 percent go on to a college education.

Indeed, this is the kind of success we are celebrating today with the fiftieth anniversary of ASPIRA. Their accomplishments have improved the quality of life and opportunities for the Latino community.

Mr. Speaker, I urge my colleagues to join me today, March 10, in recognizing 50 years of service by ASPIRA and its contributions to the social, economic, and cultural fabric of our great nation.

HONORING ETERNITY HAYNIE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Eternity Haynie. Eternity is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Eternity's outstanding achievement reflects her hard work and dedication. Eternity has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Eternity can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Eternity Haynie for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

HONORING GARNETT RHODES

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following.

Whereas, One hundred years ago a tenacious man of God was born in Taliaferro County, Georgia on March 11, 1911; and

Whereas, Mr. Garnett Rhodes was born to Mr. Chapman and Mrs. Mary Jane Frazier Rhodes, he grew up farming in Taliaferro County, Georgia and continued to farm in Greene County, Georgia and Athens, Georgia until he turned 90 years old; and

Whereas, Mr. Rhodes has shared his time and talents as a Husband, Father and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who want to advance the lives of others; and

Whereas, Mr. Rhodes has been blessed with a long, happy life, devoted to God, and credits it all to the Will of God; and

Whereas, Mr. Rhodes along with his family and friends are celebrating this day a remarkable milestone, his 100th Birthday, we pause to acknowledge a man who is a cornerstone in our community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mr. Rhodes on his birthday and to wish him well and recognize him for an exemplary life which is an inspiration to all;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim March 11, 2011 as Mr. Garnett Rhodes Day in the Fourth Congressional District. Proclaimed, this 11th day of March, 2011.

IN HONOR OF MARC JOHNSON, 2011 SUPERINTENDENT OF THE YEAR

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the distinguished educational leadership of Marcus Johnson, Superintendent of Sanger Unified School District in California's Central Valley, who has been honored as the 2011 Superintendent of the Year by the American Association of School Administrators.

A California native, Marc Johnson lives in the small community of Reedley, where at age four he moved with his parents and where his home sits ten miles away from his office. He is a graduate of Reedley Community College, California State University, Fresno and Fresno Pacific University, where he received his Masters degree and completed his credential programs.

Marc Johnson embarked on his career with Sanger Unified School District, first serving as an assistant superintendent of human resources and later as an associate superintendent in the district. In 2003, Marc assumed a new role of Superintendent, overseeing a highly diverse student population of 10,800 students. He entered amidst turmoil for the rural school community and one year later was faced with the challenges accompanied with an entire school district being designated for program improvement by the State of California. With boundless energy and enthusiasm, Marc proved from early on that his leadership was promising. By 2006, he led the district out of the state improvement status and on a path to reorganization that would later earn him accolades from colleagues and admirers of his professional endeavors across the country.

Under the leadership and guidance of Marc Johnson, Sanger Unified School District has been transformed into a professional learning community focused on student learning, high quality instruction and teacher collaboration. The Sanger district now boasts some of the highest overall achievement gains in the state of California, including: 13 schools have been designated as State Distinguished School; 12 schools have been designated as Title I Academic Achieving Schools; two schools have been named National Blue Ribbon Schools and all 13 elementary schools have been honored for their outstanding character development programs.

Dick Sheppard, editor of the Sanger Herald, called Marc Johnson, "the guy who pulled the district out of darkness into light." This could not be a more true statement and characterization of the person who commits to visiting the 1,000 classrooms in the district twice annually, using the first occasion each year to affix a pin of appreciation he has selected on each teacher in front of his or her students.

Mr. Speaker, I ask my colleagues to rise with me today to congratulate Mr. Marcus Johnson on the occasion of his special recognition as the 2011 Superintendent of the Year and, on behalf of the students, parents and teachers of Sanger Unified School District, thank him for his leadership and unwavering dedication to raising education standards in our community.

CONGRATULATIONS TO NEWEST APPOINTEES TO THE DEPOSITORY LIBRARY COUNCIL

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. BRADY of Pennsylvania. Mr. Speaker, I wish to congratulate the five newest members appointed to the Depository Library Council by Public Printer William Boarman. The Council is composed of 15 members, each of whom serves a 3-year term. Its purpose is to advise the Public Printer on policy matters relating to the Federal Depository Library Program (FDLP), which is administered by the Government Printing Office.

The FDLP provides public access across the United States to the published information of all three branches of the Federal Government through partnerships with more than 1,220 libraries nationwide—public libraries, university and college libraries, law libraries, research libraries, libraries of state appellate courts, Federal libraries, and others—about 3 per congressional district. Federal depository libraries serve as vital links between "We the People" and our Government. Anyone can visit Federal depository libraries and use the Federal documents collections, which are filled with information on careers, business opportunities, health and nutrition, laws and regulations, statistical data, demographics, consumer information, and numerous other subjects. Today, this partnership is predominately electronic, but tangible formats are distributed where online equivalents are not available.

The five new DLC members for the June 1, 2011–June 1, 2014, term are:

Stephanie Braunstein, Assistant Librarian at the Troy H. Middleton Library at the Louisiana State University in Baton Rouge, one of Louisiana's two regional depository libraries. Braunstein's outreach with the library community includes presenting at conferences, partnering with GPO to host an online list of Federal agency web sites, and contributing to Browse Topics, an online subject-based portal for government information. She currently serves as Coordinator of the Federal Documents Task Force (FDTF) of the American Library Association (ALA) and is the Louisiana Library Association Councilor to ALA.

Donna Lauffer, County Librarian for the Johnson County (KS) Library system's 13 branches. Lauffer has a strong track record in delivering government information to the public and in promoting civic engagement. Her leadership in support of government information and relevant programming in her library system led to the Johnson County Library being honored as the 2010 Federal Depository Library of the Year.

Susan Lyons, Reference and Government Documents Librarian at the Rutgers University Law School Library in Newark, New Jersey. Lyons' professional interests include digital preservation, authentication, and permanent public access to government information. She has served as Chair of the Government Documents Special Interest Section of the American Association of Law Librarians (AALL), President of the New Jersey Law Librarians Association, and President of the Documents Association of New Jersey.

Mark Phillips, Assistant Dean for Digital Libraries at the University of North Texas in

Denton. Phillips specializes in digital collections, knowledge of infrastructure for digital collections, preservation techniques, and web harvesting. He currently serves on the Access Committee in the International Internet Preservation Consortium (IIPC) and the Dublin Core Metadata Initiative's, Dublin Core Library Profile Workgroup.

Arlene Weible, Government Documents and Technical Services Librarian at the Oregon State Library in Salem. Weible has a broad background in technical services and public services, and experience working in state and academic libraries. She currently serves on the National Digital Stewardship Alliance and as the regional coordinator for Oregon's intrastate shared regional, a successful shared housing arrangement that serves the depository libraries in Oregon.

In making these five appointments, Public Printer Boarman noted the talent and expertise these outstanding individuals bring to the Depository Library Council. Nearly all of us have depository libraries in our districts providing our constituents with public access to Government information. I trust all Members will join me in congratulating the appointees to the Council, and wishing them well as they embark upon their mission to strengthen and improve the Depository Library Program for the benefit of all Americans.

HONORING ALLISON DAVIS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Allison Davis. Allison is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Allison's outstanding achievement reflects her hard work and dedication. Allison has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Allison can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Allison Davis for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

HONORING CIRCUIT COURT JUDGE W. DALE YOUNG

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish today to honor a legal legend from my District on the occasion of his retirement.

Circuit Court Judge W. Dale Young has served the citizens of Blount County, Tennessee, admirably and with humor and humility for 26 years.

I served as a state trial judge in nearby Knoxville for 7 years before I was elected to Congress, and I was in private law practice 8 years before that. I do not know another person whose integrity honors the legal profession more than Judge Young.

At a recent reception in his honor, hundreds of people lined up to thank Judge Young for his service.

The Daily Times Newspaper in Maryville, Tennessee, reported, "Kind, fair, and the ultimate gentleman—that's how friends and admirers described Blount County Circuit Judge W. Dale Young . . ."

Judge Young has a long history of protecting and strengthening families, and his favorite part of the job was the many adoptions he helped finalize. He would often pose for photos with the families and showed great compassion during the process.

Judge William Brewer said, "He is a wonderful fellow. He's a gentleman."

Mr. Speaker, I urge my colleagues and other readers of the RECORD to join me in recognizing Judge W. Dale Young's 26-year service to Blount County, Tennessee.

On the occasion of his retirement, I submit the Daily Times article offering tribute to Judge Young's service.

[From the Daily Times]

HUNDREDS ATTEND RETIREMENT RECEPTION FOR JUDGE YOUNG

(By Chloe Morrison)

Kind, fair and the ultimate gentleman, that's how friends and admirers described Blount County Circuit Judge W. Dale Young Friday at his retirement reception.

"He has just been so good to so many people and I just feel like we should turn out and let him know how much we appreciate him," Louisville resident Sandra Stricklin said at the reception, which was on the third floor of the Justice Center.

Over a period of two hours, hundreds flowed through the reception, many stopping to shake the judge's hand, give him a gift or thank him for his service.

"He is a man of high integrity and character," Maryville Police Chief Tony Crisp said after the reception. "He has done a wonderful job for Blount County."

Young is retiring after 26 years at the bench. He is 72.

During decades of service Young has touched many area residents, such as Mike Everett, who came to Friday's ceremony to honor the judge.

Everett's granddaughter, Allie, 20 months, was the last adoption that Young finalized. Allie's parents—Morgan and Glenda Everett—couldn't attend the ceremony, but Everett said it was important for him to come and bring his grandchild.

"I was involved every step of the way," Everett said about the adoption process. "She's the only grandchild I have and will probably ever have, so I've been in the middle of it."

Everett also said that he heard that adoptions were Young's favorite part of the job, and he said the judge showed care and compassion for his family.

"He was so kind to us that day," Everett said of the day Young finalized Allie's adoption. "He made pictures and sent us copies."

Judge William Brewer summed up his thoughts about Young, keeping his words simple.

"He is a wonderful fellow," he said. "He's a gentleman."

At the retirement reception, Rick McNear, with the Blount County Sheriff's Office, also had praise for the retiring judge.

"He's a gentle, compassionate caring man," he said. "(He's) a loving man."

Former Blount County Mayor Jerry Cunningham said at the reception that he's known Young since high school.

He called the judge brilliant, compassionate—a gentleman.

"He brings dignity and fairness and equity to the bench," Cunningham said. "Anything he's every done, he's done it well."

Cunningham also said that Young has a good sense of humor and that the pair have had many fun times together."Sometimes in court, things happen that you just have to stop and laugh," he said. "Then sometimes things happen that are funny but you are not supposed to laugh and he would always manage to drop his pencil and duck down behind the bench (to laugh). We've always teased him about that."

INTRODUCTION OF THE JERUSALEM EMBASSY AND RECOGNITION ACT OF 2011

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. BURTON of Indiana. Mr. Speaker, I rise to introduce The Jerusalem Embassy and Recognition Act of 2011. This legislation closes a loophole that has allowed the United States Embassy in Israel to remain in Tel Aviv, despite the passage of the Jerusalem Embassy Act in 1995 and the passage of multiple resolutions (passed with overwhelming and bipartisan support) affirming the U.S. commitment to relocate the embassy to Jerusalem.

The Jerusalem Embassy Act declared that it is the official position of the United States that Jerusalem is, and rightly ought to remain, the undivided capital of Israel. On June 4, 2008, while still serving as a United States Senator, President Obama pledged that: "Jerusalem will remain the capital of Israel, and it must remain undivided." United States officials do conduct diplomatic meetings and other business in the city of Jerusalem in de facto recognition of its status as the capital of Israel, but the Embassy remains firmly grounded in Tel Aviv.

Despite this declaration of support and due to presidential waivers, the United States has failed to carry out our promise to our Israeli friends and has never acted to move the United States Embassy from Tel Aviv to Jerusalem. Every sovereign country has the right to designate its own capital and the United States maintains its Embassy in the functioning capital of every country. Why is it then that we continue to delay the relocation of this, our most important embassy in the Middle East?

Not only have we not relocated the embassy but our President has seemingly weakened the United States' resolve to do so. Presidential Determination 2011–6, which was transmitted by the Administration to Congress just a few months ago, renewed a legally required waiver which allows the Administration to suspend the 1995 law requiring the U.S. Embassy in Israel to move from Tel Aviv to Jerusalem. While the renewal of the waiver was not unexpected or unusual, the Obama Administration once again neglected to include a key sentence that the previous Administration had included in previous determinations; specifically: "My Administration remains committed to beginning the process of moving our embassy to Jerusalem."

During such an unstable time in the Middle East, it is more important that ever that the United States and this Congress stand firmly behind Israel. From the recent unrest in Egypt and the collapse of the Lebanese government, to the threat of Iran, Hezbollah, Hamas, and many other anti-Israel terrorist groups, Israel is constantly facing new challenges to maintaining its sovereignty and security. We must show that we are dedicated to our alliance and fulfill the commitments that we have made. In a country where security is an elusive goal, Israel should be secure in knowing that the United States will deliver on its promises.

I believe it is well past time to revisit the Jerusalem Embassy Act and close, once and for all, the loophole that has continued to allow the diplomatic embarrassment of not having our Embassy located in the capital city of Israel to continue for ten years. That is why I, along with a number of bi-partisan co-sponsors, am reintroducing this bill which mandates the relocation of the U.S. Embassy to Jerusalem, and reaffirms U.S. policy that Jerusalem must remain the undivided capital of Israel.

I strongly urge my colleagues to co-sponsor this important bill.

HONORING SARAH HEAD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Sarah Head. Sarah is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Sarah's outstanding achievement reflects her hard work and dedication. Sarah has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Sarah can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Sarah Head for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

HONORING LENORE CROUDY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me in recognizing the achievements of Lenore Croudy. A Birthday Tribute will be held on March 30th in Flint Michigan in her honor.

In addition to being a dear friend, Lenore Croudy is a tremendous asset to the flint community. She was an educator for the Flint Community Schools for over 40 years. During that time she worked as a teacher, instructional specialist, assistant principal, assistant dean, Director of the Reading, Language Arts and Humanities Department, and Steward for Resource and Information. Prior to her retirement she also served as President of the Congress of Flint School Administrators.

Lenore has also served as a member of the Mott Community College Board of Trustees for over 20 years. Re-elected to her 4th term in 2005, she has been the board chairperson since 1995. Recognized by her peers, Lenore has served on the National Board of Directors and as Central Region Chairperson for the Association of Community College Trustees. She is active with the YWCA of Flint, Center for the Visually Impaired, Salvation Army, Flint Rotary Club, Voluntary Action Center, Delta Sigma Theta Sorority, Boy Scouts of America Tall Pine Council, Hundred Club of Flint, and Flint Chapter of the NAACP. She is also the founder of the Youth Leadership Institute. In appreciation of her accomplishments, Lenore has received numerous awards including the Governor's Service Award in 2007—the George Romney Lifetime Achievement Award.

Mr. Speaker, it is with great pride that I ask the House of Representatives to join me in applauding Lenore Croudy. I have known Lenore for many years and she is always compassionate, focused, faithful, and dedicated to improving the lives of those around her. Her enthusiasm for serving others is contagious and I am proud to call her my "lifetime" friend. I wish her a happy birthday and many, many more.

STATEMENT APPLAUDING THE ABOLITION OF THE DEATH PENALTY IN THE STATE OF ILLINOIS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to celebrate the enactment of Illinois Senate Bill 3539, which abolishes the death penalty in Illinois. As a lifelong resident of Illinois, I want to thank Governor Quinn and each and every state legislator who courageously voted for this important bill.

I strongly oppose the death penalty because I have always believed that the government should never take a person's life as punishment for a crime. This is especially true in our judicial system which is wrought with inequity and unfairness that can lead to the conviction of innocent people. In fact, since 1977, 20 people sentenced to death in the state of Illinois were ultimately exonerated. This is a shameful record that troubles me deeply. Imagine if any of these persons were executed before evidence could be presented to prove their innocence.

The enactment of Senate Bill 3539 in Illinois is a tremendous step forward for justice. Already, Illinois had set an important example for the rest of the country, when in 2000, it placed a moratorium on the use of the death penalty. Today, with the stroke of his pen Governor Quinn has helped turn the tide against the use of capital punishment in America and I sincerely hope that other states will soon follow.

Mr. Speaker, the existence of the death penalty is not necessary to ensure that the most heinous crimes go punished and I will continue to fight for a fair justice system that does not use death as a means of achieving justice.

INTRODUCTION OF A RESOLUTION SUPPORTING THE RIGHTS OF ALL WORKERS AND CALLING FOR AN END TO THE RECENT ATTACKS ON WORKERS

HON. ELEANOR HOLMES NORTON

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Ms. NORTON. Mr. Speaker, today I rise, in advance of leading a special order this evening, to offer a resolution supporting the rights of all workers, including federal employees and other public employees, and calling for the end to attacks on their ability to organize and to collectively bargain. There are only a few salient rights recognized by every democracy, such as freedom of religion and freedom of speech, and on that list always appears the right for workers to organize in order to bargain collectively with an employer. It has long been recognized that individual workers have little, if any, bargaining power sitting alone with an employer who has hired or could hire her. When unions organize workers, the ground becomes more level and economic conditions decide the outcome.

Mr. Speaker, the American labor movement has been a major catalyst for the formation of a majority middle class in the United States by leading the way for improvements for all workers, which unions have gained through collective bargaining. I ask the House to join me in recognizing the American union movement and those who work in the public and private sectors.

HONORING ADRIEL BENNINGFIELD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Adriel Benningfield. Adriel is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Adriel's outstanding achievement reflects her hard work and dedication. Adriel has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Adriel can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Adriel Benningfield for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

NEWSPAPERS WIN LAP DOG AWARD FOR BIASED COLUMNS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. SMITH of Texas. Mr. Speaker, The New York Times, Los Angeles Times, and the Washington Post are the winners of this week's Media Fairness Caucus ''Lap Dog Award'' for biased news coverage.

Most of the regular columns in these newspapers have a left-wing bias. Combined, they feature a total of 19 columnists who show a liberal perspective in their articles and only four who regularly offer conservative views. That's a ratio of almost five to one, liberal to conservative.

It's no surprise that the great majority of Americans say the media are too liberal rather than too conservative, according to a recent Gallup public opinion poll.

Columnists certainly are entitled to their opinions, but I hope the national media will look for opportunities to give Americans more balanced commentaries.

IN RECOGNITION OF CHRISSY YOUNG OF CLYMER, PENNSYLVANIA

HON. MARK S. CRITZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. CRITZ. Mr. Speaker, I rise today to recognize a special young woman who has done a great deed for our servicemen and woman. The actions of Chrissy Young of Clymer, Pennsylvania, truly embody what it means to honor those that serve.

On September 2, 2010, Ms. Young experienced an angst that the family members of our brave uniformed men and women dread to bear. She received the call that her high school sweetheart, Lance Corporal Joshua T. Twigg, had lost his life while conducting combat operations in Helmand Province, Afghanistan.

While Chrissy suffered a great loss, she did not recluse herself from the world. Instead, she decided to organize a care package drive to deliver essentials to her fallen hero's unit, the Marine's 2nd Battalion, 9th Marine Regiment. By leveraging resources from area churches, schools, businesses, and individuals, she was able to send almost 300 care packages to the Marine unit on Veterans Day 2010. It is efforts like these that convey to our service members that there are Americans who care about you, who miss you, and who are thankful for the job that you are doing to protect our freedoms and to keep our Nation safe.

This past February, Chrissy had to bear the brunt of Lance Corporal Twigg's unit returning home without him or the fourteen other Marines who lost their lives in Afghanistan. While he did not return with his unit that day, Chrissy could stand proud knowing that he had served his country bravely and that her act of kindness had deeply touched this Marine unit.

In referring to the dedication someone must possess to serve in the military, Chrissy wrote, ''it takes a person of character, a person who knows what they have, is thankful for what they have, and is willing to give whatever it takes to preserve those freedoms for all of us.''

Mr. Speaker, although she may not be in the military, Chrissy exemplifies the person of character, valor, and dedication that she so eloquently spoke of. Once again, I would like to honor Chrissy Young for her actions and selfless efforts.

FLAKE AMENDMENT No. 370 TO H.R. 1

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Ms. FOXX. Mr. Speaker, due to a voting error that I was unaware of at the time, my vote on the Flake amendment, No. 370 to H.R. 1 (to reduce funding by $18,750,000 for unneeded boards and commissions) was recorded incorrectly. Please let the RECORD show that I support this amendment.

HONORING ANN CAMPBELL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ann Campbell. Ann is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Ann's outstanding achievement reflects her hard work and dedication. Ann has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Ann can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Ann Campbell for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

THANK YOU FOR THE TIME YOU GAVE

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. SULLIVAN. Mr. Speaker, I rise today to submit for the RECORD a poem written by Kaprise Anuu, a 5th grader from Tulsa, Oklahoma, that was written for her Veteran's Day celebration at Wesley V. Jarman Elementary School. It is entitled, ''Thank You For The Time You Gave.''

Thank you for the time you gave
I wish I were just that . . . very brave
You fought for all the country
You even fought for liberty
Before you thought of yourself
You thought of me
You thought of me so I'd be free
Thank you for the time you gave
You thought of me night and day
I always pray you'll be okay
Thank you for the time you gave.

I commend the patriotism of Kaprise. It is wonderful that young people like her express such gratitude and appreciation for those men and women who put their lives on the line to protect the freedoms we cherish in America.

HONORING THE SERVICE OF DONALD ''DON'' A. JACKSON

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. COSTA. Mr. Speaker, I rise today to honor Donald ''Don'' A. Jackson, who recently stepped down as Chairman of the Kenneth L. Maddy Institute at California State University, Fresno. As Maddy Institute Chair, Mr. Jackson was committed to ensuring the strength of the Maddy Institute since its inception in 2000.

Don attended the University of Arizona where he earned a Bachelor of Science degree in 1959. He then went on to Stanford University and received his Juris Doctorate degree in 1962. While attending Stanford University, he earned class honors in Corporate Finance and was selected to be a member of the Stanford Law Review. In 1962, he was admitted to the bar in the State of California. Don is a member of the Bond Lawyers Association and is a listed as a Bond Attorney in the Bond Buyer's Directory.

Outside of Don's professional career as an attorney, he has been an active member in the community of Fresno for over 40 years. He has served on several state boards and agencies including the Public Employee Relations Board, the Senate Cost Control Commission, and the Bureau of Repair Services. Don has also been an active member with the St. Agnes Medical Center Foundation Board, the Central California Women's Conference, the Fresno Redevelopment Agency Board, and Rotary Club of Fresno.

Don was a confidant and ''very, very close friend,'' according to the late California State Senator Kenneth L. Maddy. Senator Maddy credited his own success during his 1978 political campaign to Don Jackson, describing Don as a ''key strategist.'' After Senator Maddy passed away, Don was instrumental in establishing the Maddy Institute at Fresno State. Under Don's leadership, the Maddy Institute created scholarships for over 150 Federal and State legislative interns, in addition to raising over $1 million for grants, events, and programs. During Don's tenure, the institute has also successfully established an outreach program through radio, television, the Internet, and its public affairs seminar series. The Costa Scholars Internship in Washington, DC is a program Don helped me bring to fruition. Since 2005, we have created an opportunity for students from Fresno State to spend an entire semester interning in San Joaquin Valley congressional offices.

Having worked closely with Don Jackson and the Maddy Institute during my years in the California State Senate and now as a Member of Congress, I know firsthand of Don's outstanding abilities. The dedicated effort he has

put forth in preserving the legacy of late former Senator Kenneth L. Maddy is truly remarkable.

Mr. Speaker, I ask you to join me in thanking Don Jackson for his tremendous contributions and outstanding service to the Maddy Institute and Fresno State.

CENTENNIAL OF THE THEODORE ROOSEVELT DAM

HON. BENJAMIN QUAYLE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. QUAYLE. Mr. Speaker, next week we will celebrate the centennial of the Theodore Roosevelt Dam; I rise today to recognize the important role this structure has played in Arizona's history.

Drought and floods often plagued the first settlers of our area. In 1902 the National Reclamation Act was signed into law paving the way for a unique public-private partnership that formed the Salt River Valley Water Users Association and later the Salt River Project (SRP). Soon after the Act was signed, residents in the area pledged their land to the Federal Government in order to build the Roosevelt Dam on the Salt River.

Completed in 1911, just one year before Arizona gained statehood, the Roosevelt Dam helped our area flourish, first as a farming community and then as a growing population center. As the Valley landscape changed, SRP also adapted to the changing needs of the community by delivering water to both city treatment plants and farms.

The history and growth of our area all began 100 years ago with the dedication of the Roosevelt Dam—it helped transform the Valley into one of the largest metropolitan regions in the country. Roosevelt Dam services an area covering more than 375 square miles and a 13,000 square mile watershed. I wish to honor this structure for the important role it plays in meeting Arizona's water and power needs, both in the past and into the next century.

HONORING KATRINA LAFFOON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Katrina Laffoon. Katrina is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Katrina's outstanding achievement reflects her hard work and dedication. Katrina has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Katrina can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Katrina Laffoon for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

HONORING THE MISSISSIPPI ARMY NATIONAL GUARD 287TH FROM LUCEDALE, MISSISSIPPI

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. PALAZZO. Mr. Speaker, I rise today to recognize the hard work and determination of a group of my fellow soldiers who have recently returned home to Mississippi after a long deployment in Afghanistan.

Over 100 troops from the Mississippi Army National Guard 287th from Lucedale, MS have just finished a yearlong deployment in Paktia Province. These brave soldiers have been providing route clearance, removing improvised explosive devices and roadside bombs allowing their fellow troops serving our Nation safe passage.

The 287th faced danger and uncertainty every day. I am truly honored to represent these brave Americans in the U.S. House of Representatives.

Having served in the military, I believe that all of our soldiers deserve the utmost respect from all of those they protect. I ask that my colleagues here in Washington and the American people take a moment to thank these selfless men and women and continue to keep all of the brave men and women serving our Nation in their thoughts and prayers.

THE EXTENT OF RADICALIZATION IN THE AMERICAN MUSLIM COMMUNITY AND THAT COMMUNITY'S RESPONSE

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. RUSH. Mr. Speaker, I rise today to express my opposition to a hearing being held by our colleagues on the Homeland Security Committee. For those who may not be aware, the House Committee on Homeland Security is currently holding a hearing titled ''The Extent of Radicalization in the American Muslim Community and that Community's Response.''

I applaud my colleagues' diligence in ensuring that our Nation is safe. However, I am saddened to see that Members of this body feel the only way to do this is by singling out their fellow citizens, most of whom have done nothing wrong.

Mr. Speaker, I was especially saddened to read a quote from the gentleman from New York, Mr. KING, who is quoted in the New York Times as stating, ''The threat is coming from the Muslim community.'' This is a prime example of history repeating itself. I would like to remind my colleagues of the abysmal treatment our nation subjected Japanese-Americans to during World War II. I encourage those who are not familiar with this disdainful period in our history to speak to those who had to live through that degradation and humiliation. In fact, they would not have to go far as our very own Mr. HONDA of California can speak first-hand as to what he endured at an internment camp in Colorado.

More recently, Mr. Speaker, civil rights groups in the 1960's were subject to espionage and charges of subversion.

Examples such as this go to show us that time and time again this government has seen fit to exclude its own citizens and treat them as an internal threat. All of this, Mr. Speaker, without foundation.

This nation, Mr. Speaker, has always been a rich, diverse landscape of different ethnicities, religions, and cultures. So much so that our founding fathers saw fit to include on our Great Seal the phrase ''E pluribus unum'', out of many, one. One. One people, one country, one identity. To single out a subgroup out of the greater American identity is blatantly un-American. Our recent history has far too many examples of domestic terrorist that did not stem from the Muslim community. Names such as Timothy McVeigh, Terry Nichols, Ted Kaczynski, Eric Rudolph, The Weather Underground, and the KKK have, unfortunately, become all too familiar in our national dialogue.

All of these, whether an individual or a group, was responsible for reprehensible acts of terrorism on their fellow Americans. None of these has been found to have any connection to the Muslim community—a community that has been helpful to law enforcement in catching suspected terrorists, such as the Times Square bomber.

In closing, Mr. Speaker, I would like to remind my colleagues and our constituents of the words of Deputy National Security Advisor, Denis McDonough. Mr. McDonough, this past Sunday, reminded Americans that ''In the United States of America, we don't practice guilt by association. And let's remember that just as violence and extremism are not unique to any one faith, the responsibility to oppose ignorance and violence rests with us all.''

HONORING MELISSA ANDERSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Melissa Anderson. Melissa is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Melissa's outstanding achievement reflects her hard work and dedication. Melissa has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Melissa can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Melissa Anderson for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

THE DEPLOYMENT OF THE OKLAHOMA NATIONAL GUARD'S 45TH INFANTRY BRIGADE COMBAT TEAM, THE OKLAHOMA STABILIZATION TRANSITIONS TEAM AND THE 146TH AIR SUPPORT OPERATION SQUADRON

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. SULLIVAN. Mr. Speaker, I rise today to commemorate the Oklahoma National Guard's 45th Infantry Brigade Combat Team (IBCT), the Oklahoma Stabilization Transitions Team and the 146th Air Support Operations Squadron that are set to deploy to Afghanistan in support of the Global War on Terror.

A farewell ceremony honoring more than 3,200 deploying members of the 45th IBCT, the Oklahoma Stabilization Transitions Team and the 146th Air Support Operation Squadron was held at the Oklahoma City Arena and Cox Convention Center in Oklahoma City, Oklahoma. Families and friends throughout the state had the opportunity to celebrate the patriotism and courage of Oklahoma's citizen soldiers and airmen. This will be the largest single deployment since the Korean War, an important event in the history of the Oklahoma National Guard.

The 45th IBCT recently began training at Camp Gruber Maneuver Training Center and then they will move to the mobilization station at Fort Bliss, Texas. The brigade is undergoing intense mission specific training that will prepare them for any mission unique tasks that they will be required to perform while deploying to Afghanistan.

I know this is not the first deployment for many of these brave men and women and their families back home. Their collective sacrifice for our nation's security is symbolic of the pride Oklahoma has for our citizen soldiers and airmen serving in times of war and conflict.

I am confident these soldiers and airmen are ready to answer the call in the defense of our nation. With this deployment, they are carrying forward the proud history of this brigade. It is an honor to represent many of these brave citizen soldiers in Congress, and I look forward to supporting their critically important missions to the fullest extent possible. My prayers go out to the soldiers and their families during this deployment. They have my full support and I pray for not only successful missions but their safe return home to their families.

HONORING KEVIN HUNTER

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following.

Whereas, we are saddened by the untimely death of Mr. Kevin Hunter because our lives have been touched by the life of this one man . . . who gave of himself in order for the betterment of our beloved DeKalb County; and

Whereas, Mr. Kevin Hunter's work is present in DeKalb County, Georgia for all to see, being one of DeKalb's favorite sons; and

Whereas, this highly effective civil servant utilized his skills to aid in the growth and development of DeKalb County since 1999; and

Whereas, he gave of himself, his time, his talent and his life as he served his family, his friends and his community; and

Whereas, Mr. Kevin Hunter was a son, a father, a friend and a man of great integrity who remained true to the uplifting of our community; and

Whereas, the U.S. Representative of the fourth district of Georgia has set aside this day to bestow a special recognition on Mr. Kevin Hunter for his leadership, friendship and service to all of the citizens of Georgia and throughout the Nation as a citizen of great worth and so noted distinction;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress of the United States that Mr. Kevin Hunter of Ellenwood, DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Recognition" by declaring

Mr. Kevin Hunter

U.S. Citizen of Distinction

in the 4th Congressional District.

Proclaimed, this 10th day of March, 2011.

HONORING MAZIE EARLY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Mazie Early. Mazie is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Mazie's outstanding achievement reflects her hard work and dedication. Mazie has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Mazie can take pride in for the rest of her life.

Mr. Speaker, I proudly ask you to join me in commending Mazie Early for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

CONGRATULATING KAY KATZ

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. ALEXANDER. Mr. Speaker, it is with great respect and admiration that I stand before you today to congratulate Kay Kellogg Katz who is being recognized as the Monroe Rotary Club's Woman of the Year. She is truly deserving of this honor for her exemplary service and dedication to Northeast Louisiana.

A woman who embodies the spirit of public service, Kay's legislative career spans a decade, and she presently serves as a member of the Louisiana House of Representatives. In addition, she is the immediate past Louisiana Republican national committeewoman, which made her an automatic member of the 168-member Republican National Committee.

Preceding her legislative service, Kay was a valued member of the Monroe City Council. In this capacity, she served as council chairman and as a member of the Street Improvement Committee.

Among her lengthy civic accomplishments, Kay is active with Rotary International, American Heart Association, Ouachita Parish Recycling Commission, Monroe Tree Board, Fort Miro chapter of the Daughters of the American Revolution, Monroe Airport Advisory Committee and Monroe Garden Club.

In addition to her citizenship activities and community organizations, Kay is also a committed patron of the arts through her involvement with the Monroe Symphony and sits on the boards of both the Northeast Louisiana Arts Council and the Louisiana State Arts Council. She served as vice president of the Monroe Little Theatre, and in 2000, the Louisiana Museum Association selected her as "Legislator of the Year." She is also associated with the Masur Museum, University of Louisiana-Monroe (ULM) Art Department, ULM Foundation for the Performing Arts, Children's Museum, Twin City Ballet and Masterworks Chorus.

Kay is a homegrown hero having graduated from Neville High School in Monroe. She went on to obtain her college degree from Mississippi State University.

Her dedication to community and career is exceeded only by her devotion to her loving family. Kay and her late husband Ben Katz are the parents of three. Ben, like his wife, was a faithful public servant.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Kay Kellogg Katz on being named the Monroe Rotary's Woman of the Year. Her commitment, compassion and leadership warrant this laudable recognition.

HONORING THE LATE JUDGE DOUG LUNA

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. MCDERMOTT. Mr. Speaker, today I rise to pay special tribute to my friend, the late Judge Douglas Luna. Judge Luna was born in 1944 in Seattle, Washington, where he grew up in the Central District.

Doug Luna served honorably with the United States Air Force during the Vietnam War, assigned to Da Nang until the late 1960s. After returning from his distinguished military service, he completed law school and served as the Deputy Corporate Administrator for The Boeing Company's Small and Minority Business Program. Doug loved the law; he became an administrative law judge for the Washington State Department of Employment Security, and also served as a review judge for the Department of Social and Health Services.

Among Doug Luna's many lasting achievements is the judicial structure he helped to create for Alaska's Tlingit-Haida Tribe. The Tribe was part of his heritage, and he was proud to serve as an elected judge on the Tribal Court for nearly twenty years. Judge

Luna later served on the Washington State Minority and Justice Commission, an agency charged with determining if racial or ethnic bias exists in the courts of the State of Washington. He was a Eucharistic minister at Immaculate Conception Church and also was active with Saint Matthew's Church.

Throughout his life, Doug Luna was deeply involved in the Native American and Asian communities—in addition to his Tlingit heritage, Doug also shared Filipino heritage. He was a founding member of the Asian American Bar Association, and volunteered with the Seattle Indian Center, the InterIm Community Development Association, the International District Housing Alliance, and the Filipino American National Historical Society. Doug was the volunteer every organization dreams of: he was smart, dedicated, absolutely reliable, and a pleasure to be with.

Doug Luna championed the poor and the underrepresented throughout his life. His efforts to better his community were limitless, and he brought to his work a gentle spirit that touched hundreds of lives. Doug will be long remembered for his kindness, his generosity, and his unwavering integrity. He was a proud and loving father to his daughter, Mercedes, and I join her and so many others in mourning the loss of this extraordinary friend. It was a privilege to know Doug Luna.

TRIBUTE TO THE SUCCESS OF THE RIALTO HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. BACA. Mr. Speaker, I rise today to honor the Lady Knights, the Rialto High School girls basketball team, and congratulate them for winning the CIF—Southern Section Division 2AA title game.

The Lady Knights came back from behind in the final minutes of the championship game to beat Ventura Buena 55 to 53 at the buzzer, clinching the first section title in the school's history. After a season of hard work and determination, Rialto trailed by three points with just over two minutes to go in the game.

Point guard, Summer Webb, tied the game with a three-pointer. Following the play, Janae Sharpe stole the ball, passing to Webb for an assist that pushed the Lady Knights two points ahead. Ventura Buena answered with two free throws, tying the championship game. Sharpe converted another steal to a lay-up but Buena Ventura tied the game again with nineteen seconds remaining.

This game was the Lady Knights first section appearance in the history of the Rialto girls' basketball program and it came down to the last tenth of a second. With seventeen seconds remaining on the clock, Coach Michael Anderson designed a play to give Sharpe the final shot of the game. Hundreds of fans looked on from the stands of the Anaheim Convention Center. Sharpe received the inbounds pass.

Crossing half court with composure, she let nine seconds tick off the game clock. Sharpe paused again at the three-point line, only three seconds remained. She drove into the lane, released a jumper, and scored the game-winning shot as the buzzer sounded. The blue-clad Rialto fans celebrated in an uproar as the players on the floor rushed into a dog-pile. The Lady Knights secured the championship in their first section final appearance.

I would like to extend my heart-felt congratulations to Head Coach Michael Anderson and his coaching team, Bryant Young, Toneisha Knox, Erika Matkins and Juanita Perez. I would also like to acknowledge the families, fans, and teachers in the greater Rialto community for their support. Of course, I want to congratulate the girls on the Rialto High School basketball team: Janae Sharpe, Bianca Brown, Brittani Walker, Channe Armstrong, Summer Ramsey, Summer Webb, Cynthia Mora, Montoya Washington, Ma' Kaela Buhl, Danae "Mary" Williams, Jasmin Samano. I wish you all the best of luck in the Southern California Regional playoffs.

COMMEMORATING THE LIFE OF MR. ROBERT C. HOWELL

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. DAVID SCOTT of Georgia. Mr. Speaker, it is with a heavy heart that I rise today to commemorate the life and service of one of my constituents, Mr. Robert C. Howell. A native Georgian, Mr. Howell passed away at the age of 93 on Tuesday March 8th, 2011. He was an honorable man, devoted to his country and his community.

Mr. Howell served our nation in the United States Army during World War II as an infantryman and an engineer. One of his most dangerous duties was to remove undetonated land mines to protect his fellow soldiers. His dedication to service did not end with his retirement from the armed forces. He continued to support his fellow servicemen and veterans by actively participating in Veterans of Foreign Wars and his local American Legion post. Each time a veteran would pass in his community, Mr. Howell would attend their funerals to honor their service and express his gratitude. He himself was honored by the Douglas County Board of Commissioners with an engraved brick in the Pathway of Service Walkway at the Douglas County Courthouse.

Mr. Robert Howell was devoted to the Lord. During his lifetime he was a member of the New Georgia Baptist Church, the First Presbyterian Church and the Lithia Springs First Baptist Church. A member of the Baptist faith, he attended a Men's Bible Study, served at a deacon and taught Sunday School.

Mr. Howell was preceded in death by his first wife, Henrietta Howell; his second wife, Martha McMichen Howell; stepdaughter, June Roland; stepson, Tony Pilgrim; and sister-in-law, Marie Howell. My deepest sympathies lie with the surviving members of this family: his sister and brother-in-law, Virgie and Ervin Chandler; his brother, Herman Howell; and his stepdaughters, sons-in-law, stepsons, grandchildren, and great-grandchildren. Mr. Speaker, my fellow colleagues, I hope you will join me in honoring Mr. Robert C. Howell for his life of service to Georgia and to this country.

PERSONAL EXPLANATION

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. MARINO. Mr. Speaker, on March 9, I was unexpectedly detained and missed rollcall vote No. 166. Had I been present, I would have voted "aye."

MIKE COLLINS—AT BEST

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. LARSON of Connecticut. Mr. Speaker, the following entry is a poem that was given at the Irish Embassy by the Democratic Caucus' Poet Laureate the Honorable BILL PASCRELL. As we approach the "Day", I think it only fitting to submit Mr. PASCRELL'S work for the CONGRESSIONAL RECORD—in which he honors Ambassador Michael Collins and the Nation of Ireland.

MIKE COLLINS—AT BEST

(By the Honorable Bill Pascrell, Jr.)

Raising glasses to a white sky,
Pausing . . . to look at twinkling eyes,
In blue skies hemorrhaging avocado
dreams of a homeland of Irish monks who saved Ireland—
as Cahill wrote,
indeed,
saved the world . . .
Raising glasses many times, with many chimes and voices clear
And monks as advocates of avocadoes
And prose to beat for Gaelic friends good cheer
And
Have no fear . . .
Long live Ireland

HONORING THE LIFE OF CATO WALKER III

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. COHEN. Mr. Speaker, I rise today to honor the life of Memphian, saxophonist, manager and promoter Cato Walker III. Mr. Walker has been on the music scene in Memphis for many decades and was a huge proponent in the revitalization of Memphis's Beale Street. He also served as the longtime vice president of development at Performa Entertainment Real Estate.

Cato Walker III was a beloved member of the Memphis music community. Mr. Walker came from a very musically talented and well-known family, and he and his family have contributed so much to the musical community. His father, Cato Walker, Jr. was B.B. King's original road manager in the 1950s while his beloved mother, Polly Walker, confirmed all show bookings and travel arrangements. Cato Walker III, continuing his family's legacy with B.B. King, became the band leader and road manager during the late 1970s. He also later worked with Lou Rawls, The Barkays and J. Blackfoot.

Mr. Walker has influenced future musicians through his work by teaching recording at the Kansas Vocational Technical Center and as an adjunct professor at Memphis State University. Through running his own record label, Strick 9, he helped advance the musical careers of many contemporary Memphis musicians, including Academy Award winning group Three 6 Mafia.

Cato Walker has touched the lives of many and influenced a great variety of musicians from the 1970s to today. Mr. Walker will be remembered forever in the heart of not just his family and friends, but also Memphians and musicians everywhere. He is survived by his wife, VanEsta Walker, two sons, Tondtrict Dixon, and Dietrich Dixon, stepson, Ahmed Jenkins, stepdaughter, Angela Cunningham, and sisters, Lora Walker, Thelma Brim and Joanna Brown. His was a life well lived.

A TRIBUTE TO DAVID RONALD REED, SR.: AN AMERICAN ORIGINAL

HON. BOBBY L. RUSH
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2011

Mr. RUSH. Mr. Speaker, I rise today with a heavy heart to acknowledge the loss of a gifted man who loved his country, his family, and his fellow man and who, throughout his life, moved seamlessly through diverse cultural and political communities all with a focus on making our country a better place to live. I'm speaking of my dear friend and former political colleague, David Ronald Reed, Sr., whose life on Earth ended on March 4, 2011. David's legacy, however, lives on through his dear wife, Judith Reed, and the family and friends he leaves behind throughout our nation. David spent the early part of his life in Chicago and the political footprint he left in our city and state still resonates in the lives of thousands of grateful Chicagoans and others, throughout our state, whose lives he touched during an important time in the rise of African-Americans and other progressive communities in the State of Illinois.

I first got to know David by observing his friendship with my brother, Fred. Aside from their friendship and their competitive spirits, I watched this brilliant man look at problems and see opportunities. David's quick mind and determination to succeed led him to step way beyond the cultural and political boundaries that, in the 1960s, so often defined the life experience of middle-class African-Americans.

David was born in Chicago, Illinois, on February 20, 1941. He was educated in the Chicago Public Schools where he attended Willard Elementary School and DuSable High School. While a student at DuSable, David honed his skills as an accomplished basketball player. Upon graduation from DuSable in 1959, his skills on the basketball court allowed him to gain a full basketball scholarship to Drake University in Des Moines, Iowa. While at Drake, David became a member of Kappa Alpha Psi Fraternity, Inc. He graduated from Drake University in 1964 with a Bachelors of Science degree in Political Science.

David returned to Chicago where all that he had learned—in the classroom and on the basketball courts—would serve him well in the rough and tumble world of Chicago politics. After graduating from college, David worked for People's Gas Light & Coke Company for almost two years until his entry into politics in 1966.

While for the better part of his life David was a Democrat, he first came to prominence on the national stage as a young, 25-year-old Republican. Like many African-American youth in the 1960s, David and a talented group of his friends chafed at some of the old guard, ''machine'' politics of Illinois' Democratic Party. In response, David and some of his friends formed a political group, the ''New Breed Committee,'' that represented forward thinking African-American youth. Only months after they were formed, their brilliance and boldness of spirit captured the hearts and minds of a whole new generation of young African-American political activists, including me.

In 1966, in what was then a stunning political move that inspired me and so many other young people who believed in America's political process, 25-year-old David Reed—who, as a community activist, was admired in Chicago's black community for his brilliance, his organizing skills, his articulate speech, and his comfort in speaking truth to power—responded to a call from, then, candidate for the U.S. Senate, Charles Percy, to switch from the Democratic Party to the Republican Party! It was a strategically inspired move aimed at defeating the intransigent political forces of the long-time incumbent Congressman William L. Dawson and other factions of the Democratic machine. Shortly after David filed as a ''New Breed'' Democratic challenger to Dawson, Percy's senate campaign reached out to David and his supporters. Illinois' statewide Republican Party recognized David's passion and the opportunity to help elevate a younger generation of African-Americans while also boosting Republican Party fortunes—in Illinois and across the nation. Percy and leaders of his political organization appealed to David and his forces and told him he'd have a better opportunity to unseat Dawson if he joined the Republican ticket. David and his supporters agreed and they folded the ''New Breed Committee'' into the Republican Party's political apparatus. And the result was electric!

While David's candidacy ultimately fell short, David was part of a broader trend among African-American voters, in 1966, that led to some of the largest gains by the national Republican Party among black voters in a generation. Not only did Percy win his first campaign for the U.S. Senate that year, but 1966 was the year the U.S. Senate gained its first African-American Senator in a generation. Edward Brooke, from Massachusetts, became the first African-American to be elected to the Senate since reconstruction. Although David lost his election contest, Percy and others in Illinois' Republican Party recognized his talent. Only weeks after the election, David became one of the first, top leadership appointments by the Republican President of the Cook County Board, Richard V. Ogilvie.

David's leadership exploits brought national pride and acclaim to millions of African-Americans and others of goodwill throughout our nation. His accomplishments were profiled in the December 22, 1966 edition of Jet magazine who described him this way, ''David R. Reed, 25, the ''New Breed'' Republican who challenged Congressman William L. Dawson on Chicago's South Side was one of the first five people Richard V. Ogilvie, newly elected President of the Cook County Board, appointed to his administrative team. Reed, a native Chicagoan and former Drake University basketball star, was named an administrative assistant in the President's office. . .The members of the New Breed are mostly young, militant Negroes who are college graduates and many are Vietnam Veterans.'' From 1967 to 1971, David worked as a chief administrative aide to Ogilvie during his tenure as President of the Cook County Board and, later, during his statewide run for Illinois Governor.

In the 1970s, David returned to the Democratic Party and was active, for years, in progressive grassroots politics. David went on to play a leading role in helping to elect Chicago's first African-American Mayor, Harold Washington, in 1983. After the Mayor's death in 1987, David became chair of the Harold Washington Party where, for years, he worked tirelessly to help other African-American candidates reach their political dreams.

By the mid-1970s, David left government and launched a string of successful entrepreneurial pursuits—it was a level of work and success that would span four decades. Most of those businesses were based in Chicago and focused on various industries including a restaurant (Seafood Safari), a skating rink (Rolla World), a security agency (Best Security) and other business interests in real estate and construction. Over the years, David's consulting practice grew and he served several leading clients and companies throughout metro Atlanta, where he spent the latter part of his life.

With all that David meant to Chicago, the state of Illinois, our nation, and especially my wife, Carolyn, and I, he was so much more. He and his adoring wife, Judith, were life-long friends and adoring life partners. David and his wife, who was his high school sweetheart, led a life of passion, joy, service, and style that set an example for our nation. Over the years that I got to know him in Chicago, David remained a very dear friend. The two of us, and our wives, shared many joyous moments, and a few sorrows, along the path of life we walked together. I can truly say that the love and devotion David and Judy shared is a classic American love story that, in and of itself, is worthy of acclaim.

David was a tremendous inspiration to me, not only because of his brilliance and political skills but because of the way he carried himself. He was comfortable speaking truth to power but he did it with dignity, class, and in a way that made me, and generations of African-American men and women like me, so very, very proud.

In addition to his wife, Judy, David's legacy endures through their two children, Karren Grant who lives in Atlanta, Georgia, and David Reed, Jr., who currently resides in Denver, Colorado.

Mr. Speaker, on behalf of a grateful city, state and nation, it is my privilege to enter into our nation's permanent record the inspired life story of my friend, David Ronald Reed, Sr., a man whose contributions to our nation are worthy of recognition. May his soul rest in peace. And, as I close, I want Judy and his children to know that they will always have the love and support of Carolyn and me as well as a large and loving extended family in Chicago, and the State of Illinois, whose lives they so magnificently touched. May God bless all of you.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1546–S1572

Measures Introduced: Twenty-seven bills and three resolutions were introduced, as follows: S. 538–564, and S. Res. 98–100. **Page S1546–47**

Measures Considered:

SBIR/STTR Reauthorization Act—Cloture: Senate began consideration of the motion to proceed to consideration of S. 493, to reauthorize and improve the SBIR and STTR programs. **Page S1543**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, March 10, 2011, a vote on cloture will occur immediately following the Senate's action in Executive Session on Monday, March 14, 2011. **Page S1543**

Subsequently, the motion to proceed was withdrawn. **Page S1543**

Boasberg Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, March 14, 2011, Senate begin consideration of the nomination of James Emanuel Boasberg, of the District of Columbia, to be United States District Judge for the District of Columbia, and that there be one hour for debate, equally divided in the usual form; that upon the use or yielding back of time, Senate vote on confirmation of the nomination, without intervening action or debate. **Page S1568**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 96 yeas (Vote No. EX. 38), Max Oliver Cogburn, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina. **Pages S1537–41, S1572**

Timothy J. Feighery, of New York, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2012. **Pages S1568, S1572**

Nominations Received: Senate received the following nominations:

Christopher B. Howard, of Virginia, to be a Member of the National Security Education Board for a term of four years.

Ben S. Bernanke, of New Jersey, to be United States Alternate Governor of the International Monetary Fund for a term of five years.

Dereth Britt Glance, of New York, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

Richard M. Moy, of Montana, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

Daniel Benjamin Shapiro, of Illinois, to be Ambassador to Israel.

A routine list in the National Oceanic and Atmospheric Administration. **Page S1572**

Messages from the House: **Page S1546**

Executive Communications: **Page S1546**

Executive Reports of Committees: **Page S1546**

Additional Cosponsors: **Pages S1547–48**

Statements on Introduced Bills/Resolutions: **Pages S1548–67**

Additional Statements: **Pages S1545–46**

Authorities for Committees to Meet: **Pages S1567–68**

Record Votes: One record vote was taken today. (Total—38) **Pages S1540–41**

Adjournment: Senate convened at 10 a.m. and adjourned at 5:35 p.m., until 2 p.m. on Monday, March 14, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1568.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and

Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Department of Transportation, after receiving testimony from Ray LaHood, Secretary of Transportation.

APPROPRIATIONS: DEPARTMENT OF JUSTICE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Department of Justice, after receiving testimony from Eric H. Holder Jr., Attorney General of the United States, Department of Justice.

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Department of Agriculture, after receiving testimony from Tom Vilsack, Secretary of Agriculture.

U.S. NATIONAL SECURITY

Committee on Armed Services: Committee concluded open and closed hearings to examine the current and future worldwide threats to the national security of the United States, after receiving testimony from James R. Clapper, Jr., Director of National Intelligence; Andrew M. Gibb, National Intelligence Officer for Weapons of Mass Destruction; and Lieutenant General Ronald L. Burgess, Jr., USA, Director, Defense Intelligence Agency, Department of Defense.

U.S. SECURITIES AND EXCHANGE COMMISSION BUDGET

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment concluded a hearing to examine the President's proposed budget request for fiscal year 2012 for the Securities and Exchange Commission, after receiving testimony from Mary Schapiro, Chairman, United States Securities and Exchange Commission.

DEFENSE AND INTERNATIONAL AFFAIRS BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2012 for defense and international affairs, after receiving testimony from William J. Lynn III, Deputy Secretary of Defense; and Thomas R. Nides, Deputy Secretary of State for Management and Resources.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Philip E. Coyle III, of California, to be an Associate Director of the Office of Science and Technology Policy, Executive Office of the President, Kathryn D. Sullivan, of Ohio, to be Assistant Secretary of Commerce, who was introduced by Senator Portman, Frances M.D. Gulland, of California, to be a Member of the Marine Mammal Commission, and Ann D. Begeman, of Virginia, to be a Member of the Surface Transportation Board, Department of Transportation, after the nominees testified and answered questions in their own behalf.

ENERGY POLICY AND CONSERVATION BILLS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 398, to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and S. 395, to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency, after receiving testimony from Kathleen Hogan, Deputy Assistant Secretary for Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy; Steven Nadel, American Council for an Energy-Efficient Economy (ACEEE), Joseph McGuire, Association of Home Appliance Manufacturers, Steven Yurek, The Air-Conditioning, Heating, and Refrigeration Institute, Kyle Pistor, National Electrical Manufacturers Association (NEMA), and Mark Cooper, Consumer Federation of America (CFA), all of Washington, D.C.; and Howard M. Brandston, Hollowville, New York.

CHILD WELFARE WAIVERS

Committee on Finance: Committee concluded a hearing to examine innovations in child welfare waivers, focusing on a pathway to reform, after receiving testimony from Crystal Ward Allen, Public Children Services Association of Ohio, Columbus; William C. Bell, Casey Family Programs, Seattle, Washington; Isha McNeely, Portland, Oregon; and Joscelynn Murdock, Santa Barbara, California.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Carolyn N. Lerner, of Maryland, to be Special Counsel, Office of Special Counsel, after the nominee testified and answered questions in her own behalf.

INFORMATION SHARING IN THE ERA OF WIKILEAKS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine information sharing in the era of WikiLeaks, focusing on balancing security and collaboration, after receiving testimony from Patrick Kennedy, Under Secretary of State for Management; Teresa Takai, Chief Information Officer, and Acting Assistant Secretary for Networks and Information Integration, and Thomas Ferguson, Principal Deputy Under Secretary for Intelligence, both of the Department of Defense; and Corin R. Stone, Intelligence Community Information Sharing Executive, and Kshemendra Paul, Program Manager, Information Sharing Environment, both of the Office of the Director of National Intelligence.

BRIDGEPOINT EDUCATION, INC.

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine Bridgepoint Education, Inc., focusing on a case study in for-profit education and oversight, after receiving testimony from Kathleen S. Tighe, Inspector General, Department of Education; Arlie Thoreson Willems, Practitioner Preparation, Anamosa, Iowa; Sylvia Manning, North Central Association of Colleges and Schools Higher Learning Commission, Chicago, Illinois; and Jose Cruz, Education Trust, Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 193, to extend the sunset of certain provisions of the USA PATRIOT Act, with amendments; and

The nominations of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit, Jimmie V. Reyna, of Maryland, to be United States Circuit Judge for the Federal Circuit, John A. Kronstadt, to be United States District Judge for the Central District of California, Vincent L. Briccetti, to be United States District Judge for the Southern District of New York, Arenda L. Wright Allen, to be United States District Judge for the Eastern District of Virginia, and Michael Francis Urbanski, to be United States District Judge for the Western District of Virginia.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 39 public bills, H.R. 992–1030; and 5 resolutions, H. Res. 160–164, were introduced. **Pages H1722–25**

Additional Cosponsors: **Pages H1726–27**

Reports Filed: A report was filed today as follows:

H.R. 658, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, and to provide stable funding for the national aviation system, with an amendment (H. Rept. 112–29). **Page H1722**

Speaker: Read a letter from the Speaker wherein he appointed Representative Latta to act as Speaker pro tempore for today. **Page H1669**

Recess: The House recessed at 10:51 a.m. and reconvened at 12 noon. **Page H1675**

Chaplain: The prayer was offered by the guest chaplain, Reverend Raymond Bowman, Spruce Street Baptist Church, Nashville, Tennessee. **Page H1675**

FHA Refinance Program Termination Act: The House passed H.R. 830, to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, by a recorded vote of 256 ayes to 171 noes, Roll No. 171. **Pages H1678–H1704**

Rejected the Deutch motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 185 ayes to 243 noes, Roll No. 170. **Pages H1702–04**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H1686**

Agreed to:

Fitzpatrick amendment (No. 11 printed in the Congressional Record of March 9, 2011) that requires any unexpended balances for the FHA Refinance Program that are rescinded and canceled under the bill be retained in the general fund of the Treasury for reducing the debt of the Federal Government; **Page H1690**

Paulsen amendment (No. 4 printed in the Congressional Record of March 9, 2011) that includes military servicemembers and veterans who have service-connected injuries, as well as survivors and dependents of such individuals, in a study on use of the FHA Refinance program; and **Pages H1692–93**

Waters amendment (No. 6 printed in the Congressional Record of March 9, 2011), as modified, that requires the Secretary of Housing and Urban Development to post a statement prominently on the HUD website stating that the FHA Short Refinance Program has been terminated and including contact information for borrowers who are uncertain as to how to proceed (by a recorded vote of 278 ayes to 147 noes, Roll No. 169). **Pages H1700, H1701–02**

Rejected:

Lynch amendment (No. 3 printed in the Congressional Record of March 8, 2011) that sought to strike language in the bill terminating the Mortgagee Letter 2010–23, which provided guidance for the FHA Refinance Program (by a recorded vote of 184 ayes to 243 noes, Roll No. 168).

Pages H1690–92, H1700–01

Point of Order sustained against:

Maloney amendment (No. 9 printed in the Congressional Record of March 9, 2011) that sought to add a section which lists the number of underwater mortgages in 43 states and the District of Columbia; **Pages H1686–88**

Inslee amendment (No. 12 printed in the Congressional Record of March 9, 2011) that sought to modify the bill's required study by the Department of Housing and Urban Development on the FHA Refinance Program's use by, and effects on, certain homeowners to include a study on the need and appropriate guidelines for a replacement mortgage insurance program; **Page H1693**

Waters amendment (No. 5 printed in the Congressional Record of March 9, 2011) that sought to direct the Department of Housing and Urban Development, in consultation with the Treasury Department, to conduct a study on the negative impacts of underwater mortgage loans on the housing market and economy of the United States and to report on the findings; **Pages H1694–95**

Loretta Sanchez amendment (No. 15 printed in the Congressional Record of March 9, 2011) that sought to insert a complete new text detailing use of funding for the FHA Refinancing Program; **Pages H1695–96**

Inslee amendment (No. 14 printed in the Congressional Record of March 9, 2011) that sought to add a new section directing the Attorney General to pursue criminal prosecution of those who have failed to comply with State laws relating to foreclosure of mortgages on residential real property; **Page H1696**

Holt amendment (No. 8 printed in the Congressional Record of March 9, 2011) that sought to add a new section detailing modifications of real property standard deduction; and **Page H1697**

Garamendi amendment (No. 7 printed in the Congressional Record of March 9, 2011) that sought to add a new section regarding treatment of bonuses for financial sector employees. **Pages H1697–98**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H1704**

H. Res. 150, the rule providing for consideration of the bill, was agreed to yesterday, March 9th.

Quorum Calls—Votes: Four recorded votes developed during the proceedings of today and appear on pages H1700–01, H1701–02, H1703–04, and H1704. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:56 p.m.

Committee Meetings

EPA REGULATION ON AGRICULTURE

Committee on Agriculture: Full Committee held a hearing to review the impact of EPA regulation on agriculture. Testimony was heard from Lisa P. Jackson, Administrator, EPA.

INTERIOR, ENVIRONMENT

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Bureau of Land Management FY 2012 Budget Oversight. Testimony was heard from Bob Abbey, Director, Bureau of Land Management.

AGRICULTURE, RURAL DEVELOPMENT, FDA

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Department of Agriculture FY 2012 Budget Request. Testimony was heard from Edward Avalos, Under Secretary for Marketing and Regulatory Programs.

COMMERCE, JUSTICE, STATE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on National Science Foundation (NSF) FY 2012 Budget Request. Testimony was heard from Subra Suresh, NSF Director.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on Executive Office of the President. Testimony was heard from Alyson Laackman, Chief Financial Officer, Executive Office of the President.

ENERGY AND WATER DEVELOPMENT

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Bureau of Reclamation FY 2012 Budget. Testimony was heard from Michael Conner, Commissioner of Reclamation; and Reed Murray, Director of Central Utah Project Compliance Act Office.

LABOR, HEALTH AND HUMAN SERVICES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Department of Education: FY 2012 Budget Request. Testimony was heard from Arne Duncan, Secretary of Education.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT

Committee on Appropriations: Subcommittee on Transportation and Housing and Urban Development, and Related Agencies held a hearing on FY 2012 Budget Request, Department of Housing and Urban Development. Testimony was heard from Shaun Donovan, Secretary of Housing and Urban Development.

STATE, FOREIGN OPERATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations and Related Agencies held a hearing on State Department FY 2012 Budget Request. Testimony was heard from Hilary Clinton, Secretary of State.

INTERIOR, ENVIRONMENT

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Office of Surface Mining FY 2012 Budget Oversight. Testimony was heard from the following Office of Surface Mining Officials: Joseph G. Pizarchick, Director; Glenda H. Owens, Deputy Director; and Ruth E. Stokes, Budget Officer.

MILITARY CONSTRUCTION, VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing on Navy and Marine Corps FY 2012 Budget. Testimony was heard from ADM Gary Roughead, Chief of Naval Operations; and Gen. James Amos, Commandant of the Marine Corps.

INTERIOR, ENVIRONMENT

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Major Management Challenges at the Forest Service. Testimony was heard from Anu Mittal, Director, Natural Resources and Environment, GAO; and Phyllis K. Fong, Inspector General, Department of Agriculture.

HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Department of Homeland Security held a hearing on FY 2012 Oversight and Budget. Testimony was heard from ADM Robert Papp, Commandant, United States Coast Guard.

FY 2012 BUDGET REQUEST AND READINESS

Committee on Armed Services: Subcommittee on Readiness held a hearing on global challenges to readiness and the fiscal year 2012 budget request. Testimony was heard from LTG Daniel P. Bolger, Deputy Chief of Staff, USA; LTG Herbert J. Carlisle, Deputy Chief of Staff for Operations, Plans and Requirements, USAF; VADM Bruce W. Clingan, Deputy Chief of Naval Operations for Operations, Plans and Strategy; and Gen. Richard T. Tryon, Deputy Commandant for Plans, Policies, and Operations, USMC.

BURDEN OF DEBT

Committee on the Budget: Full Committee held a hearing entitled "Lifting the Crushing Burden of Debt". Testimony was heard from Douglas Holtz-Eakin, former Director of the Congressional Budget Office and public witnesses.

EMPLOYER PROVIDED HEALTH CARE

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor and Pensions held a hearing on the Pressures of Rising Costs on Employer Provided Health Care. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Energy and Power held a markup on H.R. 910, the

Energy Tax Prevention Act of 2011. The subcommittee forwarded the bill to the full Committee without amendment.

SEC'S OPERATIONS, ACTIVITIES AND CHALLENGES

Committee on Financial Services: Subcommittee on Capital Markets and Government Sponsored Enterprises held a hearing entitled ''Oversight of the Securities and Exchange Commission's Operations, Activities, Challenges and FY 2012 Budget Request''. Testimony was heard from the following SEC officials: Robert Cook, Director, Division of Trading and Markets; Meredith Cross, Director, Division of Corporation Finance; Robert Cook, Director, Division of Trading and Markets; Carlo di Florio, Director, Office of Compliance Inspections and Examinations; and Eileen Rominger, Director, Division of Investment Management.

COMPETITIVENESS AND JOB CREATION

Committee on Financial Services: Subcommittee on International Monetary Policy held a hearing entitled ''The Role of the Export-Import Bank in U.S. Competitiveness and Job Creation''. Testimony was heard from public witnesses.

NORTH KOREA

Committee on Foreign Affairs: Full Committee held a hearing on North Korea's Sea of Fire: Bullying, Brinkmanship and Blackmail. Testimony was heard from public witnesses.

RELATIONS WITH EUROPE AND EURASIA

Committee on Foreign Affairs: Subcommittee on Europe and Eurasia held a hearing on U.S. Relations with Europe and Eurasia. Testimony was heard from Robert O. Blake, Assistant Secretary, Bureau of Central and South Asian Affairs Department of State; and Philip H. Gordon, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

PRIORITIES AND NEEDS AMIDST ECONOMIC CHALLENGES IN THE MIDDLE EAST

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing on Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in the Middle East. Testimony was heard from Jeffrey D. Feltman, Assistant Secretary of State for Near Eastern Affairs, Department of State; and George A. Laudato, Administrator's Special Assistant for the Middle East, Agency for International Development.

RADICALIZATION—AMERICAN MUSLIM COMMUNITY

Committee on Homeland Security: Full Committee held a hearing entitled ''The Extent of Radicalization in the American Muslim Community and That Community's Response.'' Testimony was heard from Rep. Dingell; Rep. Keith Ellison; Rep. Frank Wolf; and public witnesses.

JUDICIAL DECISIONS—PATENT LAW

Committee on the Judiciary: Subcommittee on Intellectual Property, Competition and the Internet held a hearing on Review of Recent Judicial Decisions on Patent Law. Testimony was heard from public witnesses.

SUBCOMMITTEE ORGANIZATION; NEW JOBS IN RECESSION AND RECOVERY; AND DEPARTMENTAL REPORT REQUESTS ON THE BENEFICIARIES OF A PRIVATE BILL

Committee on the Judiciary: Subcommittee on Immigration Policy and Enforcement held a hearing on New Jobs in Recession and Recovery: Who Are Getting Them and Who Are Not. Testimony was heard from public witnesses.

Prior to the hearing the subcommittee met to Adopt Rules of Procedure and Statement of Policy for Private Immigration Bills and Statement of Policy on Federal Charters; and approved requests to the Department of Homeland Security Departmental Reports on the Beneficiaries of: H.R. 316, Private Bill for the relief of Esther Njeri Karinge, H.R. 357, Private Bill for the relief of Corina De Chalup Turcinovic, H.R. 794, Private Bill for the Relief of Allan Bolor Kelley, H.R. 823, Private Bill for the Relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas, and H.R. 824, Private Bill for the Relief of Daniel Wachira.

FY 2012 BUDGET—NATIONAL PARK SERVICE

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing entitled ''Examining the Spending, Priorities and the Missions of National Park Service and the President's FY 2012 Budget Proposal.'' Testimony was heard from Jon Jarvis, Director, National Park Service.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Held a markup of H.R. 471, the Scholarships for Opportunity and Results Act. The bill was ordered reported without amendment.

WHO'S WATCHING WALL STREET'S WATCHDOG?

Committee on Oversight and Government Reform: Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs and the Subcommittee on Government Organization, Efficiency

and Financial Management held a joint hearing entitled "Financial Management, Work Force, and Operations at the SEC: Who's Watching Wall Street's Watchdog?" Testimony was heard from the following SEC officials: Mary Schapiro, Chairman; Jeffrey Risinger, Director of Human Resources; Jonathan ("Jack") Katz, former Secretary.

FY 2012 BUDGET—NOAA

Committee on Science, Space, and Technology: Full Committee held a hearing on Fiscal Year 2012 Research and Development Budget Proposals at the National Oceanic and Atmospheric Administration and the Environmental Protection Agency. Testimony was heard from Jane Lubchenco, Administrator, NOAA; and Paul Anastas, Assistant Administrator, Office of Research and Development, EPA.

FEDERAL OFFICE SPACE

Committee on Transportation: Subcommittee on Economic Development, Public Buildings, and Emergency Management hearing on Cutting Spending and Consolidating Federal Office Space: GSA's Capital Investment and Leasing Program. Testimony was heard from Robert Peck, Commissioner, Public Building Service, GSA.

BUDGET FY 2012—INTELLIGENCE

House Permanent Select Committee on Intelligence: Held a hearing on H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011, and views and estimates on the President's Budget for Fiscal Year 2012. Testimony was heard from administration officials.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 11, 2011

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, hearing on Forest Service FY 2012 Budget Oversight Hearing, 9:30 a.m., B–308 Rayburn.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on Food and Drug Administration, Department of Health and Human Services FY 2012 Budget Request, 10 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on Members and Outside Witness Hearing, 10 a.m., H–309 Capitol.

Subcommittee on Homeland Security, hearing on FY 2012 Oversight & Budget Department of Homeland Security, 10 a.m., 2359 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, hearing on Status of Health Reform Implementation, 10 a.m., 2358–B Rayburn.

Subcommittee on Legislative Branch, hearing on Library of Congress FY 2012 Budget, 10 a.m., HT–2 Capitol.

Subcommittee on Legislative Branch, hearing on Government Accountability Office FY 2012 Budget, 11 a.m., HT–2 Capitol.

Committee on Armed Services, Subcommittee on Emerging Threats and Capabilities, hearing on counterproliferation strategy and the fiscal year 2012 national defense authorization budget request for the Defense Threat Reduction Agency and chemical biological defense program, 11:30 a.m., 2212 Rayburn.

Committee on Education and the Workforce, Subcommittee on Higher Education and Workforce Training hearing on Education Regulations: Federal Overreach into Academic Affairs, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy, joint hearing entitled "The FY 2012 EPA Budget." 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled "Legislative Proposals to Create a Covered Bond Market in the United States", 10 a.m., 2220 Rayburn.

Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled "Legislative Proposals to Reform the National Flood Insurance Program" 10 a.m., 2128 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, hearing on a bill regarding lawsuit abuse reduction, 10 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, hearing entitled "Transparency Through Technology: Evaluating Federal Open-Government Initiatives." 10 a.m., 2154 Rayburn.

Subcommittee on Government Organization, Efficiency & Financial Management, hearing entitled "Red to Black: Improving the Collection of Delinquent Debt Owed to the Government." 10 a.m., 2247 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing on the Fiscal Year 2012 Budget Proposals at the National Science Foundation and the National Institute of Standards and Technology, 10 a.m., 2318 Rayburn.

Committee on Transportation, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing on Finding Ways to Encourage and Increase Private Sector Participation in Passenger Rail Service, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on Implementation of Caregiver Assistance: Are we getting it right? 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Human Resources, hearing on the use of data matching to improve the administration of government benefit programs, 10 a.m., B–318 Rayburn.

Next Meeting of the **SENATE**

2 p.m., Monday, March 14

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4:30 p.m.), Senate will begin consideration of the nomination of James Emanuel Boasberg, of the District of Columbia, to be United States District Judge for the District of Columbia, and after a period of debate, vote on confirmation of the nomination at 5:30 p.m., to be followed by a vote on the motion to invoke cloture on the motion to proceed to consideration of S. 493, SBIR/STTR Reauthorization Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Friday, March 11

House Chamber

Program for Friday: Consideration of H.R. 836—Emergency Mortgage Relief Program Termination Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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