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No. 126

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 9, 2009.

I hereby appoint the Honorable TIM HOLDEN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Dr. Benny Tate, Rock Springs Church, Milner, Georgia, offered the following prayer:

Our heavenly Father, as we bow our heads in Your presence, today we are reminded of the prayer of President Lincoln, who said, "I have been driven many times upon my knees by the overwhelming conviction that I had nowhere to go. My own wisdom, and that of all about me, seemed insufficient for that day." This morning, we also come to You, realizing we are insufficient and incapable. We come asking for divine protection for our men and women serving bravely in Iraq and Afghanistan and all over Your world. We acknowledge that freedom is not free and the trees of every generation are watered with the blood of its sons and daughters. We ask You to preserve and protect us. You said righteousness exalted the Nation but sin is a reproach to any people. May we seek righteousness and lives that please You.

We lift up our Congress, Senate, and President. May our leaders acknowledge their dependence upon You and seek wisdom and direction from You.

We pray this prayer, respecting all faiths, but we pray this prayer in the

name of our Lord and Savior Jesus Christ. Until You come, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

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

HONORING THE REVEREND DR. BENNY TATE

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

There was no objection.

Mr. WESTMORELAND. Mr. Speaker, I rise today to pay tribute to our guest chaplain for the day here in the House, the Reverend Dr. Benny Tate. Dr. Tate has served the members of Rock Springs Congregational Methodist Church in Milner, Georgia, for 20 years, and I'm honored to count him as a friend.

Dr. Tate is a leader among God's followers. He's well known in Georgia for delivering powerful, informative, and even life-changing messages from the pulpit of his church and from behind the microphone of his radio show, Apples of Gold, which is broadcast statewide on 15 stations.

Rock Springs Congregational Methodist Church has thrived during Dr. Tate's tenure. The church has grown from 35 members when he took the helm 20 years ago to more than 4,600 worshippers today.

The church has put those resources into the service of God's people and the church's community. Every day, Rock Springs teaches the next generation to live by biblical principles at Rock Springs Christian Academy. Dr. Tate's church also conducts a prison ministry and a nursing home ministry, and it sponsors a medical clinic for the uninsured. Georgia's Third District is privileged to have wise and selfless religious leaders such as Dr. Tate. It's a great honor to have him with us here today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HEALTH CARE REFORM WILL HELP SMALL BUSINESSES

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

Ms. KILROY. Mr. Speaker, for the last couple of years I have been talking to small businesses in my district, and one of the things that I consistently hear from them that they ask for help with is the issue of the cost of health care for small business. Small business is telling me they can't afford to buy health care or they are precluded from buying it because one of the members in their small group has a pre-existing condition, and insurance companies don't even sell to them. I'm here to tell them that we are listening to them and that, if health care reform passes this House and is signed into law, it can reform dramatically the small business health care costs.

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



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It can help small businesses by providing an exchange that they can access which will provide a bigger pool and shared risk and lower health care costs for them. And many small businesses would qualify for substantial tax credits to help small businesses make worker health care costs more affordable.

This bill will not cost small business jobs. In fact, it will help save jobs, giving them more opportunities to spend their money to help add to their jobs rather than paying extremely high health care costs.

HEALTH CARE SOLUTIONS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, you know, rather than complaining about the thousand-page, \$1 trillion health care bill that rations care and increases costs, in my district I hosted a forum on health care solutions.

A panel of experts shared some Texas-sized solutions they have used to fix what is broken in our health care system.

These folks didn't rely on government bureaucrats to solve their problems. They didn't wait for a Washington bailout. They forged ahead with innovative programs that improved the quality of life for Texans—ideas that both Democrats and Republicans can agree on.

My constituents have told me loud and clear: one, they don't want government-controlled health care; two, the President and Democrats in Congress need to start over and listen to America. Go for real bipartisan solutions.

HISPANIC HERITAGE MONTH

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in honor of Hispanic Heritage Month, which begins on September 15 and runs through October 15. During this time we will celebrate the culture of people who trace our roots to Spain, Mexico, Central America, South America, and the Caribbean, and their contributions to American life.

The achievements of the Hispanic community in America have positively affected so many aspects of our society. For example, there are now over 1.6 million Hispanic-owned businesses in America. Of these businesses, over 29,000 generate over \$1 million worth of revenues every year.

Hispanics in America are also succeeding in a wide variety of challenging fields. There are currently over 79,000 Hispanic executives, almost 51,000 Hispanic physicians and surgeons, almost 49,000 Hispanic post-sec-

ondary teachers, and over 38,000 Hispanic lawyers.

And lastly, let us not forget that there are over 1.1 million Hispanic veterans of the United States Armed Forces.

THERE ARE MANY SOLUTIONS TO HEALTH CARE REFORM

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

Mr. WILSON of South Carolina. Mr. Speaker, the President continues to try to sell the false myth that the health care debate is only between the Democrat bill or the status quo. This is completely inaccurate.

Republicans have offered different solutions and legislation to fix what is wrong with our health insurance system. Unfortunately, Democrats are unwilling to acknowledge that there may be other proposals, reforms that do not add billions to the national debt, cost millions of jobs or expand the size and powers of the Federal Government. Republicans believe we can make health insurance more affordable by giving Americans more of their own tax dollars to purchase insurance, shop for plans across State lines, and association health plans for small businesses.

The debate should be built on the honest exchange over what proposals are best to expand health insurance coverage, not on the false effort that we enact a big government takeover or do nothing.

In conclusion, God bless our troops, and we will never forget September the 11th in the Global War on Terrorism.

HEALTH CARE

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

Mr. CARNAHAN. This was an important August for America and for Members of this House. Back in Missouri, I had a number and variety of health care forums, from traditional townhalls to telephone townhalls, to roundtables of health care experts to kitchen table conversations with constituents. What we know is that the current system is broken, unsustainable, and unaffordable.

So the number one contributor to our deficit, to personal bankruptcies and costs of those who have insurance has doubled in 10 years. We also know we consider the source of the opponents peddling this information in this debate, the political gamers who just want to bring the President down, the profiteers who are making massive profits over the broken system.

We need to have important insurance reforms to reduce costs through competition, and this needs to be deficit neutral.

As Congress reconvenes and we prepare to hear the President tonight, we

need to continue this great debate, even a spirited debate that we have to find commonsense solutions for the American people. That's what they expect, and that's what they deserve.

UTOPIAN ILLUSION: GOVERNMENT RUN HEALTH CARE

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

Mr. POE of Texas. Mr. Speaker, my grandmother used to say "If you have your health, you have everything." Health is a personal and private matter with people. Individuals want to control who their doctor is. Now we are embarked upon a new philosophy regarding health care.

The government thinks it knows better how to take care of Americans than individuals do. Kind of like the sarcastic statement, "We're from the government, we're here to help you."

More government intrusion into personal lives alarms and scares people, especially seniors. They are afraid that additional government control of health care will take their personal choices away and give decisions and power to unelected, unaccountable 23-year-old bureaucrats in Washington, D.C. Frankly, many of my neighbors in Texas don't have the confidence that big government can provide better quality of health for this Nation.

People are also worried about the billions of dollars to pay for this utopian illusion: money that will have to be borrowed, then paid back in more taxes. The people I represent think this new plan will make matters worse. Sort of like what my grandmother also said, "If you think the problems government creates are bad, just wait until you see government solutions."

And that's just the way it is.

HEALTH CARE

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

Mr. PASCRELL. I have a quote from Republican Chief Justice Earl Warren, no longer with us. He said, Many people consider the things which government does for them to be social progress, but they consider the things government does for others as socialism. He said it. It is a message to everybody in this House. The fearmongering that's gone on in the last 2 months does not bring us any closer to resolution.

Look, private insurance companies are for-profit businesses. I can't blame them, you can't blame them for being in the business of denying access to needed care, avoiding and dumping the sick, and confusing consumers. They are, after all, driven by profits, not patients.

I aim in my business, what I have to do here in the House is look out for my constituents, for the hard-working families in New Jersey that are being

tossed aside so that insurance companies can maximize their profits. I support America's Affordable Health Choice Act because it creates a rational marketplace where Americans can find transparent information about their insurance options, guaranteeing coverage that won't discriminate based on health, gender, or job, and meaningful coverage that won't leave families laden with debt.

THE PRESIDENT'S RHETORIC SHOULDN'T BE TAKEN LITERALLY

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

Mr. SMITH of Texas. Mr. Speaker, in a speech before the American Medical Association, the President made a promise to the American people which he has often repeated: If you like your doctor, you will be able to keep your doctor. If you like your health care plan, you will be able to keep your health care plan. No one will take it away, no matter what end.

However, when asked about this, White House officials told the Associated Press, The President's rhetoric shouldn't be taken literally.

So when it comes to serious concerns that most Americans have about health care proposals, White House officials admit you can't believe what the President says. That's astounding. If we can't take the President literally on his promises to the American people, why aren't the national media all over this? The American people need the facts about health care reform, not political cover for the President.

□ 1015

HEALTH CARE REFORM

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

Mr. BUTTERFIELD. Mr. Speaker, during the August recess, not only did I conduct townhall meetings, but I toured medical facilities throughout my district. One of those visits has been etched vividly in my mind.

In Elizabeth City, North Carolina, I met Derrick Williams at DaVita Dialysis Center. He tearfully explained to me that he had received a kidney transplant from his sister. The kidney worked well, but he was required to take a variety of antirejection medicines. He liked his insurance.

His insurance company started reimbursing for the medicines, and he was very happy. But after just 2 years, the insurance company refused further reimbursement. Unable to afford the medicines, the kidney failed, he's back on dialysis, his sister is without a kidney, and Derrick is awaiting another kidney. What a tragedy.

Health insurers should work with us and their policyholders. Instead, they continue to rake in huge profits by

raising premiums \$1,800 per year and cutting back on coverage.

I urge the insurance industry to embrace health care reform, please.

CONFIRMING CZARS

(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, last Friday the so-called "green jobs czar" resigned from his post after it was revealed that he supported 9/11 Truth organization statements insinuating that the government permitted the attacks to happen.

This official was just one of the many czars the administration has appointed this year. There's a car czar, a pay czar, a science czar, a Great Lakes czar, plus 30 other czars.

Typically, high-ranking officials go through a Senate confirmation process to ensure their fitness for the position, but none of President Obama's czars went through this process required by the Constitution.

The Constitution calls for the Senate to give advice and consent for the appointment of its principal officers, a fitting definition for the power wielded by these czars.

It is not too late for the President to properly vet his next green jobs czar and to willingly submit all of these high officials to a transparent process that can only strengthen his administration.

When he was Senator, Obama said, "The biggest problems that we're facing right now have to do with George Bush trying to bring more and more power into the executive branch and not go through Congress at all. And that's what I intend to reverse when I'm President of the United States."

Mr. Obama, it's time to keep your word.

HEALTH CARE REFORM: DISPELLING MYTHS FOR SENIORS

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

Ms. HIRONO. The most damaging aspect of the misinformation circulating about health care insurance reform is the use of scare tactics targeted at our seniors. The cynical irony is that the misinformation targeting seniors is largely perpetuated by the very people who fought the establishment of Medicare and wanted to privatize Social Security.

Here are the facts about some common myths:

Myth No. 1, there will be rationing of health care. Not true. The bill promotes effective treatments through research.

Myth No. 2, Medicare will be eliminated. Not true. In fact, reform will lower prescription drug costs for people in the doughnut hole, allow them to keep the doctors of their choice, im-

prove the quality of care and eliminate billions in waste.

Closing the doughnut hole is especially important for Hawaii's seniors. We have the highest percentage; 36 percent compared to 26 percent nationally of our beneficiaries fall into this doughnut hole.

Our current health care system, the costliest in the world for what we get, with ever increasing costs year after year, can't be sustained. I urge my colleagues to support reform now.

UNACCOUNTABLE POLICY CZARS

(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, the recent controversy and resignation by one of President Obama's policy czars highlights a very real problem: the President's use of unaccountable policy czars to circumvent the Constitution. Now, by one count, the White House has 32 policy czars, including a science czar, a regulatory czar, and even a Great Lakes czar.

These czars are tasked with leading major policy efforts for the administration and have simply been granted a great deal of authority. Yet each czar, unlike a Cabinet secretary, is not subject to congressional oversight.

Members of the Cabinet have to be approved by Congress, and they report to Congress. Policy czars have no such obligation. So what we have now is a situation where major policy decisions are being made by a group of people who are not approved by Congress, not subjected to congressional oversight, and operate without any transparency or accountability. This is not what our Constitution intended.

OUR AILING HEALTH CARE SYSTEM

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

Mr. PERLMUTTER. Mr. Speaker, we have a health care system that is ailing and is almost on life support. It needs a major operation, and it needs it in three ways.

First, we have to stop discriminating against people with prior illnesses. It's wrong and probably unconstitutional under the 14th Amendment.

Second, small businesses and individuals can't get health care insurance because they are too small or they're by themselves and have no pool. We need to make insurance and health care financing available to small businesses and to individuals.

Third, we are on the cusp of some tremendous breakthroughs in medicine and in health care which will help us with heart disease, diabetes and cancer, but in general, wellness across the board, which will save this country a lot of money.

We have the most expensive health care system in the world. We deserve

the best health care system and financing, and that is the operation we are undertaking here in the Congress.

WHERE IS THE ACCOUNTABILITY OF CONGRESS?

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

Mr. FLEMING. Mr. Speaker, before the August recess, I introduced a resolution to hold Members accountable for their health care reform decisions. House Resolution 615 simply states that if Members of Congress vote for the government takeover of health care, they agree to give up their private insurance paid for by the taxpayers and enroll in the government-run plan. So far, 78 Republican Members have joined as cosponsors but not one Democrat.

Over 750,000 Americans from every State have contacted my office in support of this resolution. They are demanding that if government-run health care is good enough for Americans young and old, then it should certainly be good enough for the Members of Congress and their families.

How dare Congress force government-run health care down the throats of our fellow Americans and not be willing to choose it for themselves.

Mr. Speaker, you have heard people speak out on this. Isn't it time for every Member of this body to stand up and be accountable to the people they represent by taking a dose of their same medicine they prescribe to their constituents?

To my fellow Congressmen, won't you now join me in cosponsoring House Resolution 615 and prove that personal accountability finally does exist in Washington?

HEALTH CARE REFORM

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

Ms. EDWARDS of Maryland. Mr. Speaker, throughout the August recess, like my colleagues, I met with thousands of my constituents in Maryland's Fourth Congressional District. I heard the stories of so many who go to work every day but who also go without health insurance or with inadequate insurance to meet their family's needs.

I heard from seniors whose out-of-pocket costs are soaring, families with insurance but who have been broken and bankrupt because of a tragic illness, parents concerned about their newly adult children who are no longer eligible for health benefits, and small businesses that want to provide health insurance but can't because of the staggering costs.

It's time for us to stop talking and to start acting to provide quality, affordable, and accessible health care for all. We can't allow the loudest voices

backed by corporate special interests, health insurance companies, and drug companies to stand in the way of meaningful reform. And we can't just tinker around the edges of reform either without bringing down costs and providing accountability.

I join my colleagues in Congress in support of a robust public health insurance option that relies on Medicare providers as an essential mechanism to encourage real competition, lower costs for all Americans and keep insurance and drug companies honest.

HEALTH CARE REFORM

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

Ms. FOXX. Mr. Speaker, tonight President Obama will address a joint session of Congress to make yet another appeal for his health care plan.

According to an analysis by CBS News, the President has already delivered 27 speeches on the issue of health care. Tonight will mark speech number 28. Yet with each passing day, as the American public digs deeper into the details of the plan, they learn that the President's rhetoric doesn't always fit with reality.

Pushing for a government takeover of health care with new spin will not change the minds of the American people who strongly and correctly oppose a government-run insurance plan.

Tonight the President should reset on his health care plan and begin working with Republicans on bipartisan reform that addresses the concerns of Americans and that the American people can support.

HEALTH CARE REFORM

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

Mr. YARMUTH. Mr. Speaker, Maureen Dowd had it right in her column today when she said there's a lot of confusion and skepticism out in the American public about the health care plan. There isn't, however, a lot of opposition. What I've found is that once you spend time with the American people explaining things like the public option, they become very supportive, as national polls now show. And why shouldn't they? There are lots of examples of public and private competition in this country.

We spend billions of dollars as a society on bottled water every day when there is a public option, a much less expensive public option, turning on the faucet. Millions of Americans every day face the choice, they can drive their car to work or they can take the public option, a bus or a metro line.

We understand in this country that sometimes competition and choice make a difference for the American people. When we adopt the public option as part of our health care reform package, we will make a difference in

the health care delivery system in this country, and the American people will benefit from it.

PASSING ALONG CONCERNS OF HEALTH CARE REFORM FROM ARKANSAS' THIRD DISTRICT RESIDENTS

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

Mr. BOOZMAN. Mr. Speaker, during the August work period, I heard from thousands of Arkansans about health care reform. I promised my constituents that I would bring their stories and thoughts back to Washington so we can enact commonsense health reforms and have wide support throughout the country.

While residents of the Third District are supportive of reform to cut the cost of health care and make it more affordable and accessible to all Americans, there is a consensus that the reforms currently under consideration by Congress aren't what they want. The overwhelming majority of citizens I heard from don't want the government to federalize their health care.

We can create a better plan for health care reform that includes fixing the fraud in the Medicare and Medicaid systems, implementing tort reform and allowing Americans to own their own health insurance like they own their own car insurance.

Congress needs to listen to what the American public is saying. Do not support federalizing health care. Don't destroy the good things of the American health system while trying to fix the bad.

HEALTH CARE REFORM

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

Mr. COHEN. Mr. Speaker, I, like other Members of Congress, went home and had a townhall meeting on health care and met with many doctors. What I found is that the American public knows that the system is broken and that we need to change. The difficulty I have got in my district is I'm for a public option. But I'm not drawing a line in the sand to say I won't vote for a bill that improves the health care system, that takes care of the problem concerning preexisting conditions, that gives more wellness and preventative programs and that sees that we have more family doctors and health centers.

For that, the liberals in my district, and I'm a liberal, are upset with me because I haven't said I won't vote for a bill that doesn't have a public option. On the other hand, there are people that are against health care at all, and if I vote for anything, they will be upset.

Tonight the President of the United States will address the Nation. I plan

to listen, and I plan to support the President of the United States in providing health care and making the greatest reforms in welfare moves for the people of our Nation and improvement in health care since 1965 when Medicaid and Medicare were passed. Those were great days for America.

HONORING NEW JERSEY SUPERIOR COURT JUDGE MARILYN RHYNE HERR

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

Mr. LANCE. Mr. Speaker, I rise to recognize former New Jersey Superior Court Judge Marilyn Rhyne Herr for her 15 years of outstanding service to our State. I was honored to be part of the celebration recently honoring Judge Herr as her portrait was unveiled for permanent display in the Hunterdon County, New Jersey, courthouse.

Judge Herr was sworn in to the New Jersey Superior Court in 1989, becoming the second woman resident of Hunterdon County to be named a Superior Court judge and the first assigned to the bench in our home County. She was for many years in the family division, a court Judge Herr called the most important court there is.

More than a jurist, Judge Herr served for many years as a Girl Scout leader and two terms as president of the Rolling Hills Girl Scout Council. She is a patron of the arts, an avid reader of historical biographies, a former pilot, world traveler, and competitive tennis player.

Like my wife and me, she is a resident of Clinton Township, Hunterdon County, New Jersey, and my wife and I are proud to call Marilyn Rhyne Herr our friend and neighbor.

Congratulations, Judge Herr, and thank you for your service to New Jersey.

□ 1030

THE WIND ENERGY RESEARCH AND DEVELOPMENT ACT OF 2009

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

Mr. LUJÁN. Mr. Speaker, I want to take a moment to commend my colleague, Representative PAUL TONKO, for his work on the Wind Energy Research and Development Act of 2009, a bill that I proudly cosponsored and supported during the committee markup process.

Much of our clean energy future depends on our ability to harness and use the renewable power of wind. New Mexico is well positioned to be a leader in renewable energy development, and wind and solar energy have the potential to power an entire country.

New Mexico's wind energy resources are vast. And as home to Department

of Energy national laboratories in New Mexico, with Sandia and Los Alamos, New Mexico is a hub of scientific discovery and innovative technology.

We are also investing in clean energy job training and education programs. In my district, the North American Wind Research and Training Center at Mesalands Community College has established curriculum and provided job training opportunities to create a strong labor force to support a robust renewable energy economy.

Still, we have a lot of work to do, and we must continue to invest in renewable energy research and development. Investment in science and technology will be the key to our clean energy future, and I urge my colleagues to support this legislation.

THE PRESIDENT'S JOINT SESSION ADDRESS

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

Mrs. BIGGERT. Mr. Speaker, tonight when the President addresses the joint session of Congress, I hope that he will turn a new page in the health care debate, setting aside demands for a government-run, taxpayer-funded health care system and instead he will express support for real reforms that will reduce costs and increase access to quality health care for everyone regardless of preexisting conditions.

I hope to hear that the President finally will fix the medical malpractice crisis that continues to drive costs up and drives doctors out of Illinois and other States. I hope the President will finally commit to our small businesses by allowing them to band together in an association health plan so that they can provide affordable health care to their employees. And, finally, I hope that the President will join Members on both sides of the aisle to end waste, fraud and abuse plaguing Medicare and robbing seniors of much-needed health benefits.

It is my hope that after tonight's address the President and congressional Democrats will focus on bipartisan, commonsense reforms that will actually increase health care affordability and accessibility for all.

IT'S TIME TO ENACT REAL HEALTH CARE REFORM

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

Ms. TITUS. As Congress returns to Washington to focus on the Nation's business, we bring back the many stories we heard while we were home in our districts.

I spent much of August traveling around my district in southern Nevada talking to folks about health care. I held roundtables, I convened a Congress on the Corner, I participated in

telephone town halls, and I visited community health clinics. I shared my views on reform; I dispelled many of the myths that were circulating by those who want to protect the status quo; and I heard from people who cannot afford health care or found out that they don't have the coverage for the medical treatment that they need.

It is clear that we can no longer afford business as usual. The worst we can do is do nothing. The current health care system obviously isn't working, so it's time to enact real health care reform, health care reform that provides people with choice, lowers the cost of care, expands access, and provides Nevadans and all Americans with peace of mind should they or their families become ill.

THE AMERICAN PEOPLE HAVE SPOKEN; IS WASHINGTON LISTENING?

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

Mr. PENCE. After a tumultuous month of townhall meetings across the Nation, the American people have spoken, and House Republicans are on the side of the American people.

As the President comes into this well of Congress tonight to deliver a speech on health care reform, one thing is clear: the American people don't want just another speech on health care; they want another health care plan.

What I heard back home is that the folks want us to take action here in Washington that will lower the cost of health insurance and lower the cost of health care in the long term, but the American people don't want us to launch a new government-run insurance plan that will lead to a government takeover of health care paid for with \$800 billion in higher taxes.

As the President knows, House Republicans have a broad range of legislative ideas, and we hope to hear and reflect on some of them tonight. Why not let Americans purchase health insurance the way Members of Congress can across State lines? Why not bring about reasonable restrictions and limits on medical malpractice claims to end the era of defensive medicine?

House Republicans will welcome the President of the United States respectfully to the well of Congress tonight, and we stand ready to work with the Democratic majority to solve our health care challenges.

The American people have spoken. Tonight we'll see if Washington is listening.

HEALTH CARE REFORM

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

Ms. SPEIER. Mr. Speaker, ever since President Truman proposed a system

to keep Americans from going bankrupt due to medical bills, the for-profit insurance industry has painted any effort at reform as un-American. I want to talk today about health and wealth.

Unlike then, there is now broad consensus that our system is unsustainable. Premiums are rising at three times the rate of inflation, 4,000 Americans are losing their coverage every day, and more and more are unable to get insurance simply because they have preexisting conditions. Still, those who profit most by the status quo, the for-profit insurers, continue to lie to the American people while they take home between \$70,000 a day and \$300,000 a day.

Let me be clear: no one in Congress is trying to nationalize medical care. On the contrary, providing Americans a basic low-cost public option simply expands access so that consumers can visit the doctors of their choice.

It's time we start caring less about making private insurance companies and their CEOs wealthy and get back to making Americans healthy.

WAKE UP AMERICA: THIS IS THE TIME FOR HEALTH CARE REFORM

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

Mr. OLVER. Mr. Speaker, there are those in America who claim that we can't fix our broken health care system during an economic crisis. The truth is that we can't afford not to fix it.

Health care premiums have risen every year for more than a decade, at least three times as fast as family incomes have risen. If we do nothing, those rising health insurance premiums will eat up an ever larger slice of family incomes. Businesses that provide health insurance as a benefit for workers and their families will be ever more competitively disadvantaged. That is a loss of jobs that America cannot afford to lose.

Others in America claim that reform will mean a government takeover of health care decisions. The opposite is true. Every American will be able to choose their insurance plan and their doctor, but dropping a person's coverage because of a preexisting condition will be prohibited from all insurance plans.

Reform will ensure that the doctor and the family make the critical decisions on needed care. Now the insurance company executives make those decisions, and they only care about their profits.

Wake up, America; this is the time for health care reform.

HEALTH INSURANCE REFORM DAILY MYTH BUSTER: IMPACT ON SENIORS

(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, we have nothing but myths and scare tactics to our seniors about health care.

What is one of the myths? Under the health care reform, a government panel, a bureau, will tell you when you can die. Nothing can be further from the truth. It will be up to your doctor and your family. It simply provides reimbursement for Medicare for doing this.

Another myth: health care reform will lead to rationed care. No such thing. We have it now. As a matter of fact, nothing will stand between you and your doctor to make the best decision. Reform actually takes insurance company bureaucrats out of this decision and let's you make it.

What about the myth about health care reform is a government takeover? Just another lie. Under the bill, there is no government takeover of health care. Every American will still be able to choose their doctor and their health insurance plan and make decisions that they want.

The fourth out of these five myths: health care will reform and end Medicare. Untrue. As a matter of fact, it will strengthen Medicare and it will lower prescription drug benefits—take that doughnut out of Medicare.

And, finally: We can't afford to fix health care during an economic downturn. We can't afford not to fix it.

COMMUNICATION FROM THE HONORABLE JEAN SCHMIDT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JEAN SCHMIDT, Member of Congress:

HOUSE OF REPRESENTATIVES
Washington, DC, August 11, 2009.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents issued by the Ohio Elections Commission.

After consultation with counsel, I will make the determinations required by Rule VIII.

Sincerely,

JEAN SCHMIDT,
Member of Congress.

ELECTING A MINORITY MEMBER TO A STANDING COMMITTEE

Mr. PENCE. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 723

Resolved, That the following member be, and is hereby, elected to the following standing committee:

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM—Mr. Luetkemeyer.

Mr. PENCE (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 255

In the Senate of the United States, September 8, 2009.

Whereas the Honorable Edward Moore Kennedy was elected to the Senate in 1962 and served the people of Massachusetts in the United States Senate with devotion and distinction for nearly 47 years, the third longest term of service in Senate history;

Whereas the Honorable Edward Moore Kennedy became the youngest Majority Whip in Senate history at the age of 36;

Whereas the Honorable Edward Moore Kennedy served as Chairman of the Senate Judiciary Committee from 1979–1981 and as Chairman of the Senate Health, Education, Labor and Pensions Committee for nearly 13 years between 1987–2009;

Whereas the Honorable Edward Moore Kennedy made the needs of working families and the less fortunate among us the work of his life, particularly those of the poor, the disenfranchised, the disabled, the young, the old, the working class, the service member and the immigrant;

Whereas his efforts on behalf of the citizens of Massachusetts and all Americans earned him the esteem and high regard of his colleagues;

Whereas more than 300 laws bear his name and he co-sponsored more than 2,000 others covering civil rights, health care, the minimum wage, education, human rights and many other issues; and

Whereas with his death his State and the Nation have lost an outstanding lawmaker and public servant: Now, therefore, be it

Resolved, That the Senate has received with profound sorrow and deep regret the announcement of the passing of the honorable Edward Moore Kennedy, the great Senator from the Commonwealth of Massachusetts.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the Kennedy family.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

The message also announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 179. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas

and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

WIND ENERGY RESEARCH AND DEVELOPMENT ACT OF 2009

Mr. TONKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3165) to provide for a program of wind energy research, development, and demonstration, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3165

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 "Wind Energy Research and Development Act of 2009".

SEC. 2. WIND ENERGY RESEARCH AND DEVELOPMENT PROGRAM.

(a) *IN GENERAL.*—The Secretary of Energy shall carry out a program of research and development to—

(1) improve the energy efficiency, reliability, and capacity of wind turbines;

(2) optimize the design and adaptability of wind energy systems to the broadest practical range of atmospheric conditions; and

(3) reduce the cost of construction, generation, and maintenance of wind energy systems.

(b) *PROGRAM.*—The program under this section shall focus on research and development of—

(1) new materials and designs to make larger, lighter, less expensive, and more reliable rotor blades;

(2) technologies to improve gearbox performance and reliability;

(3) automation, materials, and assembly of large-scale components to reduce manufacturing costs;

(4) low-cost transportable towers greater than 100 meters in height to capitalize on improved wind conditions at higher elevations;

(5) advanced computational modeling tools to improve—

(A) the reliability of aeroelastic simulations of wind energy systems;

(B) understanding of the interaction between each wind turbine component;

(C) siting of wind energy systems to maximize efficiency and minimize variable generation;

(D) integration of wind energy systems into the existing electric grid to ensure reliability; and

(E) understanding of the wake effect between upwind and downwind turbine operations;

(6) advanced control systems and blade sensors to improve performance and reliability under a wide variety of wind conditions;

(7) advanced generators, including—

(A) medium-speed and low-speed generators;

(B) direct-drive technology; and

(C) the use of advanced magnets in generator rotors;

(8) wind technology for offshore applications;

(9) methods to assess and mitigate the effects of wind energy systems on radar and electromagnetic fields;

(10) wind turbines with a maximum electric power production capacity of 100 kilowatts or less;

(11) technical processes to enable—

(A) scalability of transmission from remotely located renewable resource rich areas; and

(B) optimization of advanced infrastructure design, including high voltage transmission; and

(12) other research areas as determined by the Secretary.

SEC. 3. WIND ENERGY DEMONSTRATION PROGRAM.

(a) *IN GENERAL.*—The Secretary of Energy shall conduct a wind energy demonstration program. In carrying out this section, the Secretary shall ensure that—

(1) the program is of sufficient size and geographic diversity to measure wind energy system performance under the full productive range of wind conditions in the United States;

(2) demonstration projects carried out under this program are—

(A) conducted in collaboration with industry and, as appropriate, with academic institutions; and

(B) located in various geographic areas representing various wind class regimes; and

(3) data collected from demonstration projects carried out under this program is useful for carrying out section 2(b).

(b) *COST-SHARING.*—The Secretary shall carry out the program under this section in compliance with section 988(a) through (d) and section 989 of the Energy Policy Act of 2005 (42 U.S.C. 16352(a) through (d) and 16353).

SEC. 4. EQUAL OPPORTUNITY.

In carrying out this Act, the Secretary of Energy shall—

(1) coordinate with the Office of Minority Economic Impact and with the Office of Small and Disadvantaged Business Utilization; and

(2) provide special consideration to applications submitted by institutions, businesses, or entities containing majority representation by individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b).

SEC. 5. COMPETITIVE AWARDS.

Awards under section 2 and section 3 shall be made on a competitive basis with an emphasis on technical merit.

SEC. 6. COORDINATION AND NONDUPLICATION.

To the maximum extent practicable the Secretary of Energy shall coordinate activities under this Act with other programs of the Department of Energy and other Federal research programs.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Energy to carry out this Act \$200,000,000 for each of the fiscal years 2010 through 2014.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3165, the bill now under consideration.

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

There was no objection.

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

I am pleased that today we are considering H.R. 3165, the Wind Energy Research and Development Act of 2009.

The United States has enough wind energy resources to meet all of our electricity needs several times over, but experience over the last several years has shown that many significant technical issues remain before wind can serve as a major provider of base-load electricity. This bipartisan bill

will establish a far more comprehensive research, development and demonstration program for wind technologies at the Department of Energy than currently exists. It is based on several recent assessments of the challenges that need to be overcome for wind power to reach its full potential in the United States and has been fully endorsed by the American Wind Energy Association.

If enacted, H.R. 3165 would become the first law to set an authorization level for wind research and development since DOE's immediate predecessor, the Energy Research and Development Administration, was established in 1975. As we continue to develop a national energy strategy, this will provide crucial guidance for the Department in the years ahead.

I would like to thank my colleagues on the Science and Technology Committee on both sides of the aisle for working with me to make this bill as strong as possible. In particular, I have great thanks for our chairman of the committee, who has made a stalwart effort in advancing our legislation.

In addition to the two Democratic amendments offered, we approved all five Republican amendments offered by voice vote. Thus, the bill ensures geographic diversity, coordination across the Federal Government, and a merit-reviewed award process, among other important provisions.

I ask my colleagues in the House to support H.R. 3165, and look forward to working with our counterparts in the Senate to get this to the President's desk as soon as possible.

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

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

I rise today in support of H.R. 3165, the Wind Energy Research and Development Act of 2009.

Wind energy has been and continues to be a very important part of the electricity-generating portfolio in this country, and in particular in my State of Texas, which I understand is the largest producer of wind energy in our country. However, the technology can be improved upon to make the wind turbines, systems and farms more efficient and more effective at producing energy.

Renewable energy from wind currently makes up almost 2 percent of the energy generated in this country, but industry experts believe that number can be as high as 20 percent. H.R. 3165 can help this country reach that goal.

The bill addresses the key research areas needed to expand our country's production of wind energy, and I thank Mr. TONKO for his work on this important renewable energy source and for working with both sides of the aisle to move this bill unanimously out of the Science Committee and before the House today.

With that, I reserve the balance of my time.

□ 1045

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

Mr. HALL of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in support of H.R. 3165, the Wind Energy Research and Development Act of 2009.

My home State of Nebraska is sixth in the Nation in wind energy potential, yet lacks in transmission capacity and development for additional generation. As this legislation made its way through the Science and Technology Committee, we adopted my amendment, which will allow for research and development into ways to efficiently and cost effectively create high-voltage transmission for renewable energy.

America needs a comprehensive national energy plan. An all-of-the-above approach to our energy policy, one which includes offshore oil and gas production, as well as the advancement of technologies to develop alternative sources of energy such as wind power, needs to be on the table.

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

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

Mr. TONKO. Mr. Speaker, as we continue to grow our dependency on wind power to meet this Nation's energy needs, it is important, critically important that we move forward aggressively with all efforts towards energy efficiency. This measure will do that. I strongly encourage our colleagues to support H.R. 3165.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and pass the bill, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING CONTRIBUTIONS OF AMERICAN COUNCIL OF ENGINEERING COMPANIES

Mr. TONKO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 447) recognizing the remarkable contributions of the American Council of Engineering Companies for its 100 years of service to the engineering industry and the Nation.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 447

Whereas the American Council of Engineering Companies (ACEC) and its thousands of member firms are celebrating the Council's 100th anniversary in 2009;

Whereas the ACEC is the oldest and largest business association of America's engineer-

ing industry, representing more than 5,000 engineering firms that employ 500,000 professionals, engaged in a wide range of practices that propel our economy and ensure a high quality of life for all people in the United States;

Whereas the ACEC represents engineers in private practice, who design the infrastructure, energy, and technological projects that ensure our Nation enjoys the highest standard of living in the world and continues to compete successfully in the 21st century economy;

Whereas the ACEC member firms have been responsible for many of the Nation's most significant achievements over the past 100 years, including the roads, bridges, subways, airports, buildings, industrial facilities, and water systems that are the most advanced in the world; and

Whereas the ACEC member firms have also been at the forefront of the environmental movement, cleaning up hazardous waste sites and incorporating sustainable solutions in infrastructure works: Now, therefore, be it Resolved, That the House of Representatives congratulates the American Council of Engineering Companies for its 100 years of service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on House Resolution 447, the resolution now under consideration.

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

There was no objection.

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

I rise today in support of House Resolution 447, recognizing the remarkable contributions of the American Council of Engineering Companies for its 100 years of service to the engineering industry and our Nation. I also want to thank the gentleman from North Carolina (Mr. SHULER) for introducing this resolution.

The American Council of Engineering Companies is the oldest and largest business association representing America's engineering industry. It represents more than 5,000 engineering firms that employ more than 500,000 engineers, architects, land surveyors, scientists and others. Its members engage in a wide range of engineering work, including designing the infrastructure, energy and technological projects that contribute to our economy and our quality of life.

The American Council of Engineering Companies traces its roots back to 1909, when a group of engineers in private practice established the American Institute of Consulting Engineers. Today, the American Council of Engineering Companies is a large federation of 51 State and regional councils representing a large section of America's engineering industry.

I congratulate the American Council of Engineering Companies on its 100 years of service and urge passage of House Resolution 447.

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

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

I rise today, of course, in support of House Resolution 447, recognizing the very remarkable contributions of the American Council of Engineering Companies for its 100 years of service to the engineering industry and to the Nation. ACEC is a large federation of 51 State and regional councils representing the great breadth of America's engineering industry. This includes one of the largest councils serving 325 firms in my home State of Texas.

ACEC represents more than 5,000 engineering firms that employ more than 500,000 engineers, architects, land surveyors, scientists and other specialists responsible for more than \$100 billion of private and public works annually.

It's an effective and growing advocate for advancing the practice of consulting engineering and the promotion of private enterprise, working to further the business interests and opportunities of the world's most respected engineering companies, those that design and build the roads, the bridges, the subways and the airports, industrial facilities and water systems of America. These buildings and infrastructure have truly been the backbone of American commerce and industry during the last 100 years. The ACEC member companies that have helped to construct them will no doubt be on the front lines of the economic recovery that lies ahead of us.

I commend ACEC and its member companies and employees for the immeasurable service and contribution to the country.

I reserve the balance of my time.

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

Mr. HALL of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I rise today in support of H. Res. 447, which recognizes the significant contributions of the American Council of Engineering Companies during its 100 years of service.

The American Council of Engineering Companies, or ACEC, represents more than 5,000 engineering firms across the Nation who work to enhance and safeguard America's quality of life. These companies are involved in every aspect of our economy, from highways and infrastructure to drinking water to new technologies. In 1909, a loosely organized group of engineers in private practice established the American Institute of Consulting Engineers, AICE, the forerunner of ACEC.

Since then, the organization has grown to encompass member firms that employ more than hundreds of thousands of engineers, architects, land surveyors, scientists and other specialists

responsible for more than \$200 billion of public and private works annually.

There are now 51 State and regional ACEC counsels, including a chapter in my State of Arkansas. The 2008–2009 Arkansas chapter president, Jerry Martin; vice president, Matt Crafton; treasurer, Barry McCormick; and state director, Brent Massey, all are doing a tremendous job. I can attest firsthand to the Arkansas chapter's hard work and the tremendous job that they have done in contributing to the State of Arkansas.

Mr. Speaker, the American Council of Engineering Companies' mission is to contribute to America's prosperity and welfare. I believe they do just that, and I commend the Council and their members for 100 years of outstanding service to the United States and urge adoption of H. Res. 447.

Mr. TONKO. Mr. Speaker, I now yield 3 minutes to Representative EARL BLUMENAUER of the State of Oregon. He is an outspoken voice for energy and environment matters and understands the role of engineers in that entire process.

Mr. BLUMENAUER. Thank you. I appreciate the gentleman's courtesy and his leadership.

If you spend a little time around here and work on a variety of issues, occasionally the various awards and honorary memberships come your way. Well, I am pleased to be an honorary fellow of the American Society of Civil Engineers. Nothing gives me more pride.

In the fight to rebuild and renew America, the American Council of Engineering Companies is in the forefront. ACEC provides, as referenced by my colleagues on the floor, the technical know-how to plan, develop design projects and help manage them through construction. These companies are at the heart of the essential building blocks of the built environment, the bridges, roads, water, sanitation, transit, rail, buildings, environmental protection and cleanup. They are leaders in the policy areas as well.

We have watched the engineering profession provide leadership and insight, counsel and advice in dealing with the reauthorization of our transportation bill, dealing with the recent legislation we have offered for a water trust fund, and with the reinstatement of the Superfund, the accountability that the ASCE has provided with an invaluable report card on the State of American infrastructure. They have done the study on a repeated basis, most recently issuing a new report that showed that we are still rated about a "D" in all the different categories. They do this on an ongoing basis to provide information that policymakers, businesses, the media can rely upon. Nobody else does it as well and as systematically.

For years, Congress has ducked the tough questions of accountability and finance. Here again, ACEC is in the forefront.

There are lots of jokes about engineers and the pocket-protector crowd, but I am deeply appreciative of how the American Council of Engineering Companies, and their thousands of engineers across the country, are playing a critical role in rebuilding and renewing America and making sure our communities are more liveable, our families are safer, healthier and more economically secure.

I hope our Members not only celebrate this 100th anniversary, but maybe use this as an opportunity to take the time to look at the resources that ACEC gives to us to help us do our job better.

Mr. HALL of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan, Dr. EHLERS.

Mr. EHLERS. I thank you for recognizing me, and I wish to join in the accolades. You just heard from the gentleman from Oregon (Mr. BLUMENAUER) about the pocket-protector crowd, and I am proud to say that I am a member of the pocket-protector crowd, although I am not an engineer; I am a physicist. But I rise to commend the engineers for the work that they do and to recognize not just the companies—you have already heard all the companies lauded, and they do great and marvelous work—but the engineers behind it are also essential.

Whenever you step on an elevator, whenever you drive your car, whenever you go down a road or across a bridge, you are using engineering products. Throughout your entire life everything you touch, almost everything you do is related to engineers who designed and built the objects that you are using.

We fail to recognize the importance of this. Other countries have not failed to. India, for example, which has a much bigger population than the U.S., is now producing more engineers than we do.

China, with a very large population, is producing considerably more engineers than we do. If we want to maintain our preeminent position as a Nation, we have to provide more emphasis and more incentives to engineers, and especially incentives to students to get into the engineering profession.

And that is why it is extremely important that we improve our math and science curricula in the elementary and secondary schools, because it has become true that if students don't study enough math or science in the elementary and secondary schools, they will not go into engineering when they get to the university because they simply don't have the right background. So it is essential that we develop better programs and better-trained teachers for elementary and secondary school math and science courses, so that we can once again capture the lead in engineering and manufacturing that we have had for many years and which we are in danger of losing.

So I urge that, as we celebrate what this particular organization has done, we also recognize that they need good

engineers to accomplish their objectives and we, as a Congress, have a responsibility to make sure that we train the people who will become the engineers of the future.

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

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

Mr. TONKO. Mr. Speaker, as an engineer serving in the House, I want to commend Representative SHULER for his work on House Resolution 447, which recognizes the American Council of Engineering Companies for its 100 years of service. Obviously the impact made by engineers and related scientists on our society is profound.

We need them to continue through their professionalism to lead us along the ways of discovery of creating new concepts and certainly designs that will lift us as a society. This Nation relies heavily on their professionalism and their services, and they will be those agents that transition this economy to an innovation economy.

So I would ask that our colleagues strongly support House Resolution 447.

Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and agree to the resolution, H. Res. 447.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1100

SUPPORTING THE GOALS AND IDEALS OF NATIONAL AEROSPACE DAY

Mr. TONKO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 167), supporting the goals and ideals of National Aerospace Day, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 167

Whereas the missions to the Moon by the National Aeronautics and Space Administration are recognized around the globe as one of the most outstanding achievements of humankind;

Whereas the United States is a leader in the International Space Station, the first permanent human habitation and scientific laboratory in space;

Whereas the first aircraft flight occurred in the United States, and the United States operates the largest and safest aviation system in the world;

Whereas the United States aerospace industry is a powerful, reliable source of employment, innovation, and export income, directly employing 831,000 people in the United States and supporting more than 2,000,000 jobs in related fields;

Whereas space exploration is a source of inspiration that captures the interest of young people;

Whereas aerospace education is an important component of science, technology, engineering, and mathematics education and helps to develop the science and technology workforce in the United States;

Whereas aerospace innovation has led to the development of advanced meteorological forecasting, which has saved lives around the world;

Whereas aerospace innovation has led to the development of the Global Positioning System, which has strengthened national security and increased economic productivity;

Whereas the aerospace industry assists and protects members of the Armed Forces with military communications, unmanned aerial systems, situational awareness, and satellite-guided ordinances; and

Whereas September 16 is an appropriate date to observe "National Aerospace Day": Now, therefore, be it

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

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

(2) recognizes the contributions of the aerospace industry to the history, economy, security, and educational system of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on House Concurrent Resolution 167, the resolution now under consideration.

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

There was no objection.

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

I rise in strong support of H. Con. Res. 167, supporting the goals and ideals of National Aerospace Day. Since it opened in 1976, the Smithsonian Air and Space Museum has been the most popular museum in our Nation's Capital, with over 6 million visitors each year. This is indicative of our Nation's love of flight and the importance of flight to our country's well-being.

In this museum, you can see the Wright Flyer, which was the world's first powered airplane. You can also see the X-1 that Chuck Yeager first powered past the speed of sound and the Apollo XI capsule that returned Neil Armstrong, Buzz Aldrin and Michael Collins from their remarkable trip to the Moon. These are truly great achievements, and they deserve their hallowed place in our Nation's history.

The industry and individuals that support our aerospace endeavors also

deserve our recognition, because they are the ones that make the great achievements in flight and space exploration possible.

The aerospace industry directly employs over 800,000 people in the United States with high-paying and high-tech jobs. In addition, the industry supports more than 2 million jobs in related fields. The United States is the unquestioned leader in aerospace technology, and it is a leadership position made possible only through the dedication of the talented aerospace workforce.

I want to thank Representative EHLERS for introducing this resolution to recognize the contributions of the aerospace industry to our country and urge my colleagues to support its passage.

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

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

Mr. Speaker, I rise in strong support of H. Con. Res. 167, supporting the goals and ideals of National Aerospace Day, introduced by my good friend Representative VERN EHLERS and co-sponsored by a number of leading Members from both sides of the aisle.

Domestic aerospace products, services and technologies underpin the Nation's quality of life, our security and economic vitality. These are fundamental to our ability to travel safely and conveniently throughout this country and the world. This enables our military to reach trouble spots quickly, to monitor those who wish to do us harm, and to accurately defeat imminent threats. Just as importantly, aerospace makes it possible for people and industries all across our country to quickly and inexpensively be part of our economic mainstream.

The capabilities made possible by aerospace products in outer space are just as extraordinary. These have enabled safely landing men on the Moon, sending satellites to all the planets in our solar system, landing a satellite on an asteroid, building a permanently inhabited space station, monitoring weather, measuring changes to our planet, and providing instant communications to all parts of the globe. Space applications have enriched our lives and our understanding of the universe.

The history of aerospace is long and storied, from the Wright Brothers, to the creation of the Federal National Advisory Committee on Aeronautics and NASA, to the vigorous industrial growth and technological innovation led by the likes of companies such as Rockwell, McDonald Douglas, Grumman, North American, Boeing, Pratt and Whitney, and Beechcraft. That list could go on and on. These companies and many, many others have led the world in innovation and engineering excellence. It is because of their talented researchers, their engineers and machinists that our country leads the world in the production of aerospace products.

Before closing, it bears repeating that aerospace products and services are one of the largest sources of export income in our balance of trade. Not only is aerospace a large source of domestic sales to our airplanes and our government, it is also an extraordinarily large source of foreign income.

Mr. Speaker, H. Con. Res. 167 designates September 16th as National Aerospace Day to highlight the industry's importance to our economy and our way of life and to remind Americans of the extraordinary achievements it has fostered and continues to provide. I urge all Members to support this very worthwhile bill.

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

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

Mr. HALL of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan, Dr. EHLERS.

Mr. EHLERS. Mr. Speaker, I thank the gentleman for yielding.

As the author of this resolution and as a co-Chair of the House Aerospace Caucus, along with co-Chair Congressman NORM DICKS, I rise in strong support of House Concurrent Resolution 167, which supports the goals and ideals of creating a National Aerospace Day, in addition to recognizing the contributions of the aerospace industry to the history, economy, security and the educational system of the United States. I thank the gentleman from New York and the gentleman from Texas for their detailed recital of the many successes that the American aerospace industry has had, and I will not repeat those.

But as we celebrate the 40th anniversary of the Apollo Moon landing this year, it is appropriate that we pass this resolution recognizing the important achievements made possible by the aerospace industry. In addition to landing on the Moon, some other noteworthy achievements include leading the International Space Station project, innovative developments in meteorological forecasting, national defense, communications, and creating the Global Positioning System which has come to be used by consumers throughout the world in guiding them where they travel in their daily lives.

The United States also maintains the largest, most complex and safest aviation system in the world, comprised of more than 230,000 general aviation aircraft which use nearly 19,000 small and regional airports throughout our Nation, and more than 7,000 commercial passenger and cargo airline aircraft which utilize over 500 commercial airports. Our aviation system, especially business aviation, allows U.S. companies to stay competitive because our workers can be more productive and more efficient.

The United States aerospace industry is a powerful, reliable source of employment, innovation and export income, employing more than 840,000 people in the United States and supporting

more than 2 million jobs in related fields. Although unemployment remains high, especially in my home State of Michigan, these high-value, good-paying jobs continue to be available because of the shortage of qualified workers in this field.

Therefore, in order for the United States to remain at the forefront of aerospace development, we must do a better job of educating our children in science, technology, engineering and mathematics, commonly referred to as STEM education. Flying and space exploration remain a powerful inspiration that captures the interest of young people, and I applaud the efforts by the aerospace community to get involved with children and schools to nurture this interest and improve our STEM education programs.

I am proud to report that in my hometown of Grand Rapids, Michigan, a young gentleman, Patrick Johnson, who is a pilot, has formed the West Michigan Flight Academy, and been teaching aviation to children in the elementary schools, particularly those who are lagging behind. He has been helping them build model airplanes and fly them. Just about a month ago, I was with him when we went to a local meeting of the Experimental Aircraft Association chapter in my community.

Many of these children went up in an airplane for the first time in their life. They got to stand by the airplanes and hear an explanation of what the different parts of the airplanes were and how they work. And, believe it or not, most of those children are now very interested in studying math and science to better understand aviation, and may enter an occupation they had never thought of before. So aviation also has a very important educational impact, and I am pleased that the aerospace industry has helped schools and teachers learn more and teach more about aviation, and through that has inspired children to study science and mathematics.

I hope my colleagues will join me in honoring the aerospace industry for their good service by supporting the creation of a National Aerospace Day on September 16th. I also urge all members to vote for this concurrent resolution, H. Con. Res. 167.

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

Mr. TONKO. Mr. Speaker, I would again like to commend Representative EHLERS for his outstanding work on this resolution, drawing our attention to a National Aerospace Day. It is no small feat to have seen the history of the aerospace arena grow in leaps and bounds over the last century, and certainly writing much of that history was America and Americans who have, through their investment, given great opportunities to careers, to jobs that have been developed in that arena of a high-tech capacity, and certainly that have provided great hope and inspiration to many.

With all that being said, I would strongly encourage the Members of the House to support H. Con. Res. 167.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 167.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HEAVY DUTY HYBRID VEHICLE RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT OF 2009

Mr. TONKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 445) to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 445

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 "Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act of 2009".

SEC. 2. ADVANCED HEAVY DUTY HYBRID VEHICLE TECHNOLOGY RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a competitive research, development, demonstration, and commercial application program (referred to in this Act as the "program") to provide grants to applicants to carry out projects to advance research and development and to demonstrate technologies for advanced heavy duty hybrid vehicles.

(b) APPLICATIONS.—

(1) IN GENERAL.—The Secretary shall issue requirements for applying for grants under the program.

(2) SELECTION CRITERIA.—The Secretary shall establish selection criteria for awarding grants under the program. In evaluating applications, the Secretary shall—

(A) consider the ability of applicants to successfully complete both phases described in subsection (c); and

(B) give priority to applicants who are best able to—

(i) fill existing research gaps and achieve the greatest advances beyond the state of current technology; and

(ii) achieve the greatest reduction in fuel consumption and emissions.

(3) PARTNERS.—An applicant for a grant under this section may carry out a project in partnership with other entities.

(4) SCHEDULE.—

(A) APPLICATION REQUEST.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall publish in the Federal Register, and elsewhere as appropriate, a request for applications to undertake projects under the program. Applica-

tions shall be due not later than 90 days after the date of such publication.

(B) APPLICATION SELECTION.—Not later than 90 days after the date on which applications for grants under the program are due, the Secretary shall select, through a competitive process, all applicants to be awarded a grant under the program.

(5) NUMBER OF GRANTS.—The Secretary shall determine the number of grants to be awarded under the program based on the technical merits of the applications received. The number of grants awarded under the program shall not be less than three or more than seven, and at least half of the grants awarded shall be for plug-in hybrid technology.

(6) AWARD AMOUNTS.—The Secretary shall award not more than \$3,000,000 to each recipient per year for each of the 3 years of the project.

(c) PROGRAM REQUIREMENTS; TWO PHASES.—Each grant recipient shall be required to complete two phases:

(1) PHASE ONE.—

(A) IN GENERAL.—In phase one, the recipient shall research and demonstrate advanced hybrid technology by producing or retrofitting one or more advanced heavy duty hybrid vehicles.

(B) REPORT.—Not later than 60 days after the completion of phase one, the recipient shall submit to the Secretary a report containing data and analysis of—

(i) the performance of each vehicle in carrying out the testing procedures developed by the Secretary under subparagraph (E);

(ii) the performance during such testing of each vehicle's components, including the battery, energy management system, charging system, and power controls;

(iii) the projected cost of each vehicle, including acquisition, operating, and maintenance costs; and

(iv) the emissions levels of each vehicle, including greenhouse gas levels.

(C) TERMINATION.—The Secretary may terminate the grant program with respect to the project of a recipient at the conclusion of phase one if the Secretary determines that the recipient cannot successfully complete the requirements of phase two.

(D) TIMING.—Phase one begins upon receipt of a grant under the program and has a duration of one year.

(E) TESTING PROCEDURES.—The Secretary shall develop standard testing procedures to be used by recipients in testing each vehicle. Such procedures shall include testing a vehicle's performance under typical operating conditions.

(2) PHASE TWO.—

(A) IN GENERAL.—In phase two, the recipient shall demonstrate advanced manufacturing processes and technologies by producing or retrofitting fifty advanced heavy duty hybrid vehicles.

(B) REPORT.—Not later than 60 days after the completion of phase two, the recipient shall submit to the Secretary a report containing—

(i) an analysis of the technological challenges encountered by the recipient in the development of the vehicles;

(ii) an analysis of the technological challenges involved in mass producing the vehicles; and

(iii) the manufacturing cost of each vehicle, the estimated sale price of each vehicle, and the cost of a comparable non-hybrid vehicle.

(C) TIMING.—Phase two begins at the conclusion of phase one and has a duration of two years.

(d) RESEARCH ON VEHICLE USAGE AND ALTERNATIVE DRIVE TRAINS.—The Secretary shall conduct research into alternative power train designs for use in advanced

heavy duty hybrid vehicles. Such research shall compare the estimated cost, including operating and maintenance costs, emissions reductions, and fuel savings of each design with similar non-hybrid power train designs under the conditions in which these vehicles are typically used, including, for each vehicle type—

(1) number of miles driven;
 (2) time spent with the engine at idle;
 (3) horsepower requirements;
 (4) length of time the maximum or near maximum power output of the vehicle is needed; and
 (5) any other factors that the Secretary considers appropriate.

(e) REPORT TO THE CONGRESS.—Not later than 60 days after the Secretary receives the reports from grant recipients under subsection (c)(2)(B), the Secretary shall submit to the Congress a report containing—

(1) an identification of the grant recipients and a description of the projects to be funded;

(2) an identification of all applicants who submitted applications for the program;

(3) all data contained in reports submitted by grant recipients under subsection (c);

(4) a description of the vehicles produced or retrofitted by recipients in phase one and phase two of the project, including an analysis of the fuel efficiency of such vehicles; and

(5) the results of the research carried out under subsections (d) and (h).

(f) COORDINATION AND NONDUPLICATION.—To the maximum extent practicable, the Secretary shall coordinate, and not duplicate, activities under this Act with other programs and laboratories of the Department of Energy and other Federal research programs.

(g) COST SHARING.—Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) shall apply to the program established pursuant to this section.

(h) ELECTRICAL GRID RESEARCH PILOT PROGRAM.—The Secretary shall establish a pilot program through the National Laboratories and Technology Centers of the Department of Energy to research and test the effects on the domestic electric power grid of the widespread use of plug-in hybrid vehicles, including plug-in hybrid vehicles that are advanced heavy duty hybrid vehicles.

(i) DEFINITIONS.—For purposes of this section:

(1) ADVANCED HEAVY DUTY HYBRID VEHICLE.—The term “advanced heavy duty hybrid vehicle” means a vehicle with a gross weight between 14,000 pounds and 33,000 pounds that is fueled, in part, by a rechargeable energy storage system.

(2) GREENHOUSE GAS.—The term “greenhouse gas” means—

(A) carbon dioxide;
 (B) methane;
 (C) nitrous oxide;
 (D) hydrofluorocarbons;
 (E) perfluorocarbons; or
 (F) sulfur hexafluoride.

(3) PLUG-IN HYBRID.—The term “plug-in hybrid” means a vehicle fueled, in part, by electrical power that can be recharged by connecting the vehicle to an electric power source.

(4) RETROFIT.—The term “retrofit” means the process of creating an advanced heavy duty hybrid vehicle by converting an existing, fuel-powered vehicle.

(5) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(j) AUTHORIZATION OF APPROPRIATIONS.—

(1) There are authorized to be appropriated to the Secretary \$16,000,000 for each of fiscal years 2010 through 2012 to carry out this section.

(2) Of the funds authorized under paragraph (1), not more than \$1,000,000 per fiscal year may be used for—

(A) carrying out the studies required under subsection (d);

(B) carrying out the pilot program required under subsection (h); and

(C) the administration of the program.

SEC. 3. EXPANDING RESEARCH IN HYBRID TECHNOLOGY FOR LARGE VEHICLES.

Subsection (g)(1) of the United States Energy Storage Competitiveness Act of 2007 (enacted as section 641(g)(1) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17231(g)(1))) is amended by inserting “vehicles with a gross weight over 16,000 pounds,” before “stationary applications”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TONKO. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 445, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, it is my pleasure to put before the House today H.R. 445 by Mr. JIM SENSENBRENNER. The House passed a nearly identical bill, H.R. 6323, in the 110th Congress and, unfortunately, that is as far as the bill got. Hopefully we can get some movement on this measure this time around.

By enhancing the Department of Energy’s research program in heavy duty hybrid trucks, this bill draws much needed focus to a very critical component of the transportation sector, that being commercial trucks.

We have repeatedly learned the hard way just how much the health of our economy can hinge on the commercial transportation sector. Costly fuel translates directly into higher prices for consumers since the large majority of products we consume or use, from food to building materials, are at some point transported by a medium to heavy duty truck. We must take measures to ensure that this remains a vibrant economic sector.

The heavy truck sector also plays a role in our energy security and environmental health. Approximately one-fourth of the Nation’s fuel use and the majority of transportation-based emissions can be attributed to heavy duty trucks. One large tractor-trailer rig uses as much fuel annually as 48 passenger vehicles. We can see how even small improvements in their efficiency can have a substantial impact.

As with passenger vehicles, hybrid technologies hold the greatest promise for improving the fuel economy and emissions of commercial trucks, but considerable research and development is required to put these technologies on the road. While the technological requirements for hybrid trucks are very

different, advances in this sector can benefit the domestic automotive sector as a whole by providing invaluable lessons learned in the designing and manufacturing of these systems.

□ 1115

Mr. SENSENBRENNER’s bill represents a commonsense approach to chipping away at our energy challenge. I believe this is an important piece of legislation in the large and complex puzzle that is our transportation sector. And I urge my colleagues to support the measure.

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

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume. I rise today in support of H.R. 445, the Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act of 2009, sponsored by my good friend, Congressman SENSENBRENNER. H.R. 445 was originally introduced in the 110th Congress as H.R. 6323, where it passed out of the Committee on Science and Technology with bipartisan support and input from both sides of the aisle and was passed by the House of Representatives under suspension of the rules by voice vote.

I’m pleased that Mr. SENSENBRENNER reintroduced his bill in this Congress that we’re debating on the floor today. While most of the attention on hybrid vehicles has been focused on passenger cars, large, heavy duty hybrid trucks have received limited funds for Federal research and development programs. However, because trucks generally use much more fuel per year than passenger vehicles, the overall potential on satisfaction is very significant. The Environmental Protection Agency establishes that a typical delivery truck using a hydraulic hybrid system could save up to 1,000 gallons of fuel per year.

In light of the proposed savings in fuel use and resulting emissions reduction, the Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act of 2009 aims to encourage the advancement of the needed technology to bring about these savings. The bill directs the Secretary of Energy to establish a grant program for the development of advanced heavy duty hybrid vehicles.

These grants are awarded in two phases. In phase one, grant recipients are required to build or retrofit one or more advanced heavy duty hybrid vehicles and to collect required data. In phase two, grant recipients are required to produce or retrofit 50 advanced heavy duty hybrid vehicles, collect required data, and report on the results.

In addition, the bill directs the Secretary to conduct a study of alternative power train designs for use in advanced heavy duty hybrid vehicles and, further, directs the Secretary to establish a pilot program through DOE’s national laboratories to research and test the effects on the domestic electric power grid of the widespread use of plug-in hybrid vehicles,

including heavy duty plug-in hybrid trucks.

Again, I thank Congressman SENSENBRENNER for introducing this bill, and Chairman GORDON for helping to advance it. I think it makes good sense and deserves passage.

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

Mr. TONKO. Mr. Speaker, I again commend Representative SENSENBRENNER for his work on H.R. 445, which will speak to heavy duty hybrid vehicle research and development. The deployment of the improvements that we can make in that transportation sector will aid us tremendously in responding favorably to the environment and to our energy needs. For that purpose and many of the related energy and environment benefits that come from such research and development, I strongly urge our colleagues to support H.R. 445.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and pass the bill, H.R. 445, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING 75TH ANNIVERSARY OF FEDERAL CREDIT UNION ACT

Mr. HIMES. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 556) recognizing the 75th anniversary of the passage of the Federal Credit Union Act and the vibrant Federal credit union community that was created as a result of this important piece of legislation.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 556

Whereas, on June 26, 1934, President Franklin Roosevelt signed into law the Federal Credit Union Act, thus enabling credit unions to be organized throughout the United States under the charters approved by the Federal Government;

Whereas the passage of the Federal Credit Union Act enabled credit unions to play an instrumental role in helping hard-working people in the United States recover after the Great Depression;

Whereas credit unions have continued to exemplify the American values of thrift, self-help, and volunteerism, carving out a special place for themselves among the Nation's financial institutions;

Whereas credit unions operate with the credo, "Not for profit, not for charity, but for service" and have consistently reflected this philosophical tradition and the cooperative spirit of "people helping people" that gave birth to the Federal Credit Union Act;

Whereas credit unions continue to provide valuable services to their members, financial

alternatives for the underserved, and economic stimulus to our Nation even as we face a financial crisis today; and

Whereas, June 26, 2009, will mark the 75th anniversary of the enactment of the Federal Credit Union Act: Now, therefore, be it

Resolved, That the House of Representatives recognizes the 75th anniversary of the passage of the Federal Credit Union Act and the vibrant Federal credit union community that was created as a result of this landmark piece of legislation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. HIMES) and the gentleman from New Jersey (Mr. GARRETT) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, on June 26, 1934, President Franklin Delano Roosevelt signed into law the Federal Credit Union Act, establishing the Federal credit union system and creating the Bureau of Federal Credit Unions, the predecessor to the National Credit Union Administration, to charter and oversee Federal credit unions. June 26, 2009 marked the 75th anniversary of the passage of that act to create a not-for-profit financial institution formed for the purpose of promoting thrift among its members and providing them with a source of low-cost credit.

Given the presence of some of the oldest Federal credit unions in my home State of Connecticut and their important role that they play in their communities, I am pleased to offer this resolution.

Today there are more than 4,700 federally chartered credit unions. Together they serve nearly 50 million Americans and have nearly \$500 billion in combined assets. In my district alone, Federal credit unions serve about 60,000 members and manage approximately \$430 million in assets. Private sector organizations such as Pitney Bowes, the Fairfield University employees, Arnold Bakers run Federal credit unions. The Bridgeport police, Bridgeport hospital run successful credit unions, labor organizations such as the UFCW Local 371 are running successful Federal credit unions.

In these turbulent times, the not-for-profit cooperative business model of credit unions has been an example of safety and soundness providing credit at reasonable rates and important financial services to its members. Federal credit unions continue to seek opportunities to extend crucial financial services to underserved areas. They are inherently invested in the their mem-

bers and in their communities and have helped their members in these troubling economic times by promoting financial security and economic well-being for all.

I am happy to recognize the 75th anniversary of the passage of the Federal Credit Union Act and to acknowledge their valuable services to their members and communities across the Nation.

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

Mr. GARRETT of New Jersey. I yield myself such time as I may consume.

I rise in support of the legislation, and I commend my colleague on the other side of the aisle as well for his work on this piece as well and his support.

If you look to the legislation, page 2, I think this is an interesting portion and it really cuts to the quick of what we're talking about with regard to credit unions. It says: whereas credit unions operate with the credo, not for profit, not for charity, but for service and have consistently reflected this philosophical tradition and the cooperative spirit of people helping people that gave birth to the Federal Credit Union Act.

Well, when you think about it, that is exactly what the credit union industry is in this country: not for profit, not for charity but for service. And when I think of my district back in the great State of New Jersey in the Fifth Congressional District and the credit unions that are in that area, whether it was the very first credit union that I ever joined when I worked for Selective Insurance Company many years ago and the services that they provided to the employees of that company or other credit unions that have grown up over time in the various counties in northwest New Jersey and across the State of New Jersey, working to fill a particular niche for their members that perhaps were not being met by the rest of the industries for these individuals, they were doing so in a manner that was not for profit, the people coming together and saying that there is a need to be fulfilled and that they were going to make sure that they served it.

Now, it's interesting as I come to the floor here to speak to the benefits of credit unions that our country has seen over the last several decades. I just returned from meeting with officials from the European Union and also from Great Britain where they, right now, in light of all the financial difficulties they are experiencing in their financial markets, are looking across the Atlantic to see whether they can learn some things from us to see what they can do to provide, A, some services and, B, some stability to their markets as well.

And you know what the number one thing that the Conservative Party, the folks who I met with over there, said that they wanted to do and that was in Great Britain was to provide credit unions for the people of that country.

So they have a problem that's a little bit different from our country and that is that we have the traditional entrepreneurial spirit in the banking industry, that we have so many banks across the country, which is a good thing that provides services from the small individual right up to the large. They don't have it quite as extensively as we do in this country, and so they have a need even greater than we do to provide that niche marketplace for the individual.

So they will be looking to the United States to take the lead in this area and probably emulate much of what we have already learned and instituted with regard to the solvency issues and the prudential regulation issues and the like in that industry. So it's good to come back to the United States and say that in this area we have been a leader on this matter, and I stand in support of this legislation.

I reserve the balance of my time.

Mr. HIMES. I thank the gentleman from New Jersey. It's good to know that as we do the hard work of recasting the regulatory apparatus in this country, that there are models including the credit unions that others are looking to as things that we do right.

With that, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this bill. As we mark a year of near collapse of the American financial system, we're still trying to sort out exactly what happened and how to ensure it never happens again, to allow reckless behavior to drive our economy into the ditch.

With that as a background, it is appropriate for us to commemorate the 75 years of service by one part of the financial sector that didn't add to the problem, America's credit unions. Starting 75 years ago as small scale not-for-profit groups of people joined together to provide essential affordable financial services, we have watched it grow over the years. Personally, I can testify as a satisfied member of credit unions for over 25 years, including two currently, I've had firsthand experience of the personal, high-quality service. While certainly they've grown and expanded their services and membership over the years, we've seen that they still work well, managing to provide helpful competition.

When some of the largest banks in this country have stopped lending, not so with credit unions. Indeed, most credit unions have continued to lend to individuals and small businesses around the country, despite the challenging economic climate. Unlike many other lenders, credit unions saw their loans increase by 7 percent to over \$575 billion in 2008, up about \$35 billion from the previous year. By providing financial diversity, credit unions lend strength to American communities. By providing competition for other financial institutions, credit

unions help hold down costs for borrowers and provide greater access to capital, more choices for individuals.

And on a small scale, I've watched as they've worked with people who otherwise would have fallen prey to payday lenders to design short-term loans to help people in financial difficulty who may not be particularly financially sophisticated.

I thank the gentleman for introducing this legislation. I think it's important to recognize the contributions of the credit unions and to continue to work with them to provide their vital services to American consumers.

Mr. GARRETT of New Jersey. I now yield such time as he may consume to Mr. ROYCE.

Mr. ROYCE. Mr. Speaker, I'd like to thank the gentleman from Connecticut (Mr. HIMES) for sponsoring this resolution. And this resolution recognizes the 75th anniversary of the passage of the Federal Credit Union Act and the vibrant Federal credit union community that was created as a result of this important piece of legislation. The purpose of this law passed back in 1934 was to make credit available and to promote savings through a national system of nonprofit cooperative credit unions.

□ 1130

This act established what is now the federal credit union system, and it created the Bureau of Federal Credit Unions, which eventually became the National Credit Union Administration. Its intent was to charter and to regulate Federal credit unions.

While much of the economic downturn originated in the financial crisis, credit unions, for the most part, did not play a major role in the excessive risk-taking, over-leveraging or lax underwriting standards. Unlike many of the other mortgage originators throughout the housing bubble, credit unions held most of the mortgages they originated. They held them in their portfolios. As of late last year, roughly 70 percent of credit union mortgage originations were held in portfolio with only 30 percent having been sold into the secondary market.

Because credit unions generally took a conservative approach to banking, they avoided many of the problems that we saw in other institutions. This approach has left them well-suited to play a significant role in the economic recovery.

Certainly, the 90 million credit union members nationwide will continue to rely on these institutions for their everyday banking needs. I think it is worth noting the impact credit unions have had on communities around the world. Credit unions provide a great opportunity for people to pool resources. Thereby, they create an important source of liquidity for personal or capital investment.

Serving on the Foreign Affairs Committee has given me the opportunity to work on issues impacting countries

around the globe and to see credit unions at work around the globe. In this capacity, I have seen credit unions take shape and give hope to thousands looking for a better life.

Credit unions have helped and continue to help many African countries build a safe financial system for the first time. The fact of the matter is that credit unions work whether they're in Orange County, California or in Johannesburg, South Africa. They help families save hard-earned money, buy cars, purchase homes, and send their children to college. Indeed, credit unions are helping the futures of over 90 million members across this country and of countless others around the globe.

In closing, I would like to again thank the gentleman from Connecticut (Mr. HIMES) for taking the lead on this resolution. Hopefully, the credit unions that have served so many communities around our country will continue to do great work.

Mr. HIMES. I thank the gentleman for his very apt observations.

Mr. Speaker, clearly, we are in agreement here that credit unions are unique entities to be studied for the fact that they better, perhaps than other entities in our financial services world, align the interests of their shareholders with the interests of their customers, and as the gentleman from Oregon observed, are often the first point of entry into the formal financial system for families and for people who otherwise would be using informal or shady mechanisms of credit. As my friend from New Jersey points out, they're a model internationally and not just for foreign countries but for those of us who are really intent on studying how one balances prudence with the necessity for the availability of credit.

I urge my colleagues to pass House Resolution 556, and I reserve the balance of my time.

Mr. GARRETT of New Jersey. Mr. Speaker, I would just close then by thanking the gentleman from California (Mr. ROYCE) for taking the lead role as the Republican sponsor of this legislation and also for his work in the past with regard and on behalf of credit unions as well and also for making the significant point that he just did, which is, with regard to this time of financial crisis, that the American public could look to the resounding, strong support of the credit unions. So I thank Mr. ROYCE for his lead role, and I appreciate the role Mr. HIMES as well has played in bringing this legislation to the floor.

Ms. WATERS. Mr. Speaker, I rise today to support H. Res. 556, which recognizes the 75th anniversary of the passage of the Federal Credit Union Act and the vibrant Federal credit union community that was created as a result of this important piece of legislation.

The Federal Credit Union Act was created to promote savings, fight against unfair lending practices and extend credit to people to whom banks and other financial institutions forgot.

I have long been a supporter of credit unions, especially federal credit unions. There was a period of time when the major banks and other financial institutions abandoned many Los Angeles communities, including those within my district. Federal credit unions did the opposite and decided to invest in the people of communities such as Inglewood, Hawthorne, Gardena and Manhattan Beach. Credit unions have made a strong commitment to serve the communities where their members reside and have created a model more financial institutions should follow.

I am proud to recognize the improvements credit unions have made in Los Angeles and across our country. I urge other members to join me in supporting H. Res. 556.

Mr. GARRETT of New Jersey. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. HIMES) that the House suspend the rules and agree to the resolution, H. Res. 556.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

PROMOTING TRANSPARENCY IN FINANCIAL REPORTING ACT OF 2009

Mr. MOORE of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2664) to require annual oral testimony before the Financial Services Committee of the Chairperson or a designee of the Chairperson of the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board, relating to their efforts to promote transparency in financial reporting.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2664

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 “Promoting Transparency in Financial Reporting Act of 2009”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Transparent and clear financial reporting is integral to the continued growth and strength of our capital markets and the confidence of investors.

(2) The increasing detail and volume of accounting, auditing, and reporting guidance pose a major challenge.

(3) The complexity of accounting and auditing standards in the United States has added to the costs and effort involved in financial reporting.

SEC. 3. ANNUAL TESTIMONY ON REDUCING COMPLEXITY IN FINANCIAL REPORTING.

The Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board shall annually provide oral testi-

mony by their respective Chairpersons or a designee of the Chairperson, beginning in 2009, and for 5 years thereafter, to the Committee on Financial Services of the House of Representatives on their efforts to reduce the complexity in financial reporting to provide more accurate and clear financial information to investors, including—

(1) reassessing complex and outdated accounting standards;

(2) improving the understandability, consistency, and overall usability of the existing accounting and auditing literature;

(3) developing principles-based accounting standards;

(4) encouraging the use and acceptance of interactive data; and

(5) promoting disclosures in “plain English”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. MOORE) and the gentleman from New York (Mr. LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. MOORE of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mr. MOORE of Kansas. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2664, the Promoting Transparency in Financial Reporting Act, drafted by the gentleman from New York, Congressman CHRIS LEE.

I commend his work on this bill, H.R. 2664. It is a bipartisan bill that is also sponsored by Congressmen DAVID SCOTT, GEOFF DAVIS, MIKE CASTLE, and ADAM PUTNAM.

Following the financial crisis our country faced last year, it is clear that we need to improve the oversight and transparency of the financial services industry. This bill would require the Securities and Exchange Commission, the Financial Accounting Standards Board and the Public Company Accounting Oversight Board to provide annual testimony to Congress for 5 years. Their testimony will help us to understand and support their efforts to reduce the complexity in financial reporting and to provide more accurate and clear financial information to investors.

Again, Mr. Speaker, I commend Congressman LEE for his work on this legislation, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. LEE of New York. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2664, the Promoting Transparency in Financial Reporting Act.

I would like to thank the cosponsors of this bipartisan measure, including Mr. DAVIS of Kentucky, who championed this proposal in earlier Congresses, Mr. PUTNAM, Mr. CASTLE, and Mr. SCOTT of Georgia.

Every day, I hear from constituents who are experiencing a great amount of anxiety over what is happening to their portfolios—from younger families who are trying to save for their first homes or older workers who have had to put off long-planned retirements. While they certainly understand most of these losses can be attributed to the turmoil of our economy, we now know the role that faulty financial reporting, be it intentional or otherwise, played in affecting investors' decisions.

This issue, of course, features prominently in ongoing discussions of regulatory reform frameworks, and rightly so. We won't be able to fully restore investor and consumer confidence unless we have a system that allows for the clearest and most accurate financial reporting. That's why we need transparency.

It's not enough, however, just to pursue and to promote transparency for its own sake. Having run a business, I know that, if you want to have a healthy corporate environment, you have to have sound financial reporting. I also understand how time-consuming and costly these accounting processes can be. So it is critical, in bringing information to light, that we also take care to identify the complexities that trip up everyone from small businesses to large corporations and then pursue reforms that may simplify and improve the process.

That's why, with this simple bipartisan measure, we would require annual congressional testimony by the Securities and Exchange Commission, by the Financial Accounting Standards Board and by the Public Company Accounting Oversight Board on efforts being undertaken to reduce the complexity and costs of financial reporting and to increase transparency for investors.

Specifically, H.R. 2664 helps Congress exercise legitimate oversight authority to hold these institutions accountable for protecting taxpayers and for making progress on the following critical issues: First, reassessing complex and outdated accounting standards; second, increasing the usability of the existing accounting and auditing literature; third, developing principle-based accounting standards; fourth, encouraging the use and acceptance of interactive data; and fifth, promoting disclosure in plain English.

This bipartisan Promoting Transparency in Financial Reporting Act represents a critical step towards protecting taxpayers by creating a process for simplifying and for improving our financial reporting framework. I urge the immediate passage of this important bipartisan legislation.

I yield back the balance of my time.

Mr. MOORE of Kansas. Mr. Speaker, the Promoting Transparency in Financial Reporting Act will help provide greater transparency and clarity for investors. I urge my colleagues to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MOORE) that the House suspend the rules and pass the bill, H.R. 2664.

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

A motion to reconsider was laid on the table.

NONADMITTED AND REINSURANCE REFORM ACT OF 2009

Mr. MOORE of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2571) to streamline the regulation of nonadmitted insurance and reinsurance, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2571

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Nonadmitted and Reinsurance Reform Act of 2009”.

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

Sec. 1. Short title and table of contents.
Sec. 2. Effective date.

TITLE I—NONADMITTED INSURANCE

Sec. 101. Reporting, payment, and allocation of premium taxes.
Sec. 102. Regulation of nonadmitted insurance by insured’s home State.
Sec. 103. Participation in national producer database.
Sec. 104. Uniform standards for surplus lines eligibility.
Sec. 105. Streamlined application for commercial purchasers.
Sec. 106. GAO study of nonadmitted insurance market.
Sec. 107. Definitions.

TITLE II—REINSURANCE

Sec. 201. Regulation of credit for reinsurance and reinsurance agreements.
Sec. 202. Regulation of reinsurer solvency.
Sec. 203. Definitions.

TITLE III—RULE OF CONSTRUCTION

Sec. 301. Rule of construction.
Sec. 302. Severability.

SEC. 2. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, this Act shall take effect upon the expiration of the 12-month period beginning on the date of the enactment of this Act.

TITLE I—NONADMITTED INSURANCE

SEC. 101. REPORTING, PAYMENT, AND ALLOCATION OF PREMIUM TAXES.

(a) HOME STATE’S EXCLUSIVE AUTHORITY.—No State other than the home State of an insured may require any premium tax payment for nonadmitted insurance.

(b) ALLOCATION OF NONADMITTED PREMIUM TAXES.—

(1) IN GENERAL.—The States may enter into a compact or otherwise establish procedures to allocate among the States the premium taxes paid to an insured’s home State described in subsection (a).

(2) EFFECTIVE DATE.—Except as expressly otherwise provided in such compact or other

procedures, any such compact or other procedures—

(A) if adopted on or before the expiration of the 330-day period that begins on the date of the enactment of this Act, shall apply to any premium taxes that, on or after such date of enactment, are required to be paid to any State that is subject to such compact or procedures; and

(B) if adopted after the expiration of such 330-day period, shall apply to any premium taxes that, on or after January 1 of the first calendar year that begins after the expiration of such 330-day period, are required to be paid to any State that is subject to such compact or procedures.

(3) REPORT.—Upon the expiration of the 330-day period referred to in paragraph (2), the NAIC may submit a report to the Committee on Financial Services and Committee on the Judiciary of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate identifying and describing any compact or other procedures for allocation among the States of premium taxes that have been adopted during such period by any States.

(4) NATIONWIDE SYSTEM.—The Congress intends that each State adopt nationwide uniform requirements, forms, and procedures, such as an interstate compact, that provides for the reporting, payment, collection, and allocation of premium taxes for nonadmitted insurance consistent with this section.

(c) ALLOCATION BASED ON TAX ALLOCATION REPORT.—To facilitate the payment of premium taxes among the States, an insured’s home State may require surplus lines brokers and insureds who have independently procured insurance to annually file tax allocation reports with the insured’s home State detailing the portion of the nonadmitted insurance policy premium or premiums attributable to properties, risks or exposures located in each State. The filing of a nonadmitted insurance tax allocation report and the payment of tax may be made by a person authorized by the insured to act as its agent.

SEC. 102. REGULATION OF NONADMITTED INSURANCE BY INSURED’S HOME STATE.

(a) HOME STATE AUTHORITY.—Except as otherwise provided in this section, the placement of nonadmitted insurance shall be subject to the statutory and regulatory requirements solely of the insured’s home State.

(b) BROKER LICENSING.—No State other than an insured’s home State may require a surplus lines broker to be licensed in order to sell, solicit, or negotiate nonadmitted insurance with respect to such insured.

(c) ENFORCEMENT PROVISION.—With respect to section 101 and subsections (a) and (b) of this section, any law, regulation, provision, or action of any State that applies or purports to apply to nonadmitted insurance sold to, solicited by, or negotiated with an insured whose home State is another State shall be preempted with respect to such application.

(d) WORKERS’ COMPENSATION EXCEPTION.—This section may not be construed to preempt any State law, rule, or regulation that restricts the placement of workers’ compensation insurance or excess insurance for self-funded workers’ compensation plans with a nonadmitted insurer.

SEC. 103. PARTICIPATION IN NATIONAL PRODUCER DATABASE.

After the expiration of the 2-year period beginning on the date of the enactment of this Act, a State may not collect any fees relating to licensing of an individual or entity as a surplus lines broker in the State unless the State has in effect at such time laws or regulations that provide for participation by the State in the national insurance producer database of the NAIC, or any other equivalent

uniform national database, for the licensure of surplus lines brokers and the renewal of such licenses.

SEC. 104. UNIFORM STANDARDS FOR SURPLUS LINES ELIGIBILITY.

A State may not—

(1) impose eligibility requirements on, or otherwise establish eligibility criteria for, nonadmitted insurers domiciled in a United States jurisdiction, except in conformance with such requirements and criteria in sections 5A(2) and 5C(2)(a) of the Non-Admitted Insurance Model Act, unless the State has adopted nationwide uniform requirements, forms, and procedures developed in accordance with section 101(b) of this Act that include alternative nationwide uniform eligibility requirements; and

(2) prohibit a surplus lines broker from placing nonadmitted insurance with, or procuring nonadmitted insurance from, a nonadmitted insurer domiciled outside the United States that is listed on the Quarterly Listing of Alien Insurers maintained by the International Insurers Department of the NAIC.

SEC. 105. STREAMLINED APPLICATION FOR COMMERCIAL PURCHASERS.

A surplus lines broker seeking to procure or place nonadmitted insurance in a State for an exempt commercial purchaser shall not be required to satisfy any State requirement to make a due diligence search to determine whether the full amount or type of insurance sought by such exempt commercial purchaser can be obtained from admitted insurers if—

(1) the broker procuring or placing the surplus lines insurance has disclosed to the exempt commercial purchaser that such insurance may or may not be available from the admitted market that may provide greater protection with more regulatory oversight; and

(2) the exempt commercial purchaser has subsequently requested in writing the broker to procure or place such insurance from a nonadmitted insurer.

SEC. 106. GAO STUDY OF NONADMITTED INSURANCE MARKET.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the nonadmitted insurance market to determine the effect of the enactment of this title on the size and market share of the nonadmitted insurance market for providing coverage typically provided by the admitted insurance market.

(b) CONTENTS.—The study shall determine and analyze—

(1) the change in the size and market share of the nonadmitted insurance market and in the number of insurance companies and insurance holding companies providing such business in the 18-month period that begins upon the effective date of this Act;

(2) the extent to which insurance coverage typically provided by the admitted insurance market has shifted to the nonadmitted insurance market;

(3) the consequences of any change in the size and market share of the nonadmitted insurance market, including differences in the price and availability of coverage available in both the admitted and nonadmitted insurance markets;

(4) the extent to which insurance companies and insurance holding companies that provide both admitted and nonadmitted insurance have experienced shifts in the volume of business between admitted and nonadmitted insurance; and

(5) the extent to which there has been a change in the number of individuals who have nonadmitted insurance policies, the type of coverage provided under such policies, and whether such coverage is available in the admitted insurance market.

(c) CONSULTATION WITH NAIC.—In conducting the study under this section, the Comptroller General shall consult with the NAIC.

(d) REPORT.—The Comptroller General shall complete the study under this section and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the findings of the study not later than 30 months after the effective date of this Act.

SEC. 107. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) ADMITTED INSURER.—The term “admitted insurer” means, with respect to a State, an insurer licensed to engage in the business of insurance in such State.

(2) AFFILIATE.—The term “affiliate” means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.

(3) AFFILIATED GROUP.—The term “affiliated group” means any group of entities that are all affiliated.

(4) CONTROL.—An entity has “control” over another entity if—

(A) the entity directly or indirectly or acting through one or more other persons owns, controls or has the power to vote 25 percent or more of any class of voting securities of the other entity; or

(B) the entity controls in any manner the election of a majority of the directors or trustees of the other entity.

(5) EXEMPT COMMERCIAL PURCHASER.—The term “exempt commercial purchaser” means any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(A) The person employs or retains a qualified risk manager to negotiate insurance coverage.

(B) The person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of \$100,000 in the immediately preceding 12 months.

(C)(i) The person meets at least one of the following criteria:

(I) The person possesses a net worth in excess of \$20,000,000, as such amount is adjusted pursuant to clause (ii).

(II) The person generates annual revenues in excess of \$50,000,000, as such amount is adjusted pursuant to clause (ii).

(III) The person employs more than 500 full time or full time equivalent employees per individual insured or is a member of an affiliated group employing more than 1,000 employees in the aggregate.

(IV) The person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least \$30,000,000, as such amount is adjusted pursuant to clause (ii).

(V) The person is a municipality with a population in excess of 50,000 persons.

(ii) Effective on the fifth January 1 occurring after the date of the enactment of this Act and each fifth January 1 occurring thereafter, the amounts in subclauses (I), (II), and (IV) of clause (i) shall be adjusted to reflect the percentage change for such five-year period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(6) HOME STATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “home State” means, with respect to an insured—

(i) the State in which an insured maintains its principal place of business or, in the case of an individual, the individual’s principal residence; or

(ii) if 100 percent of the insured risk is located out of the State referred to in subparagraph (A), the State to which the greatest percentage of the insured’s taxable premium for that insurance contract is allocated.

(B) AFFILIATED GROUPS.—If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term “home State” means the home State, as determined pursuant to subparagraph (A), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.

(7) INDEPENDENTLY PROCURED INSURANCE.—The term “independently procured insurance” means insurance procured directly by an insured from a nonadmitted insurer.

(8) NAIC.—The term “NAIC” means the National Association of Insurance Commissioners or any successor entity.

(9) NONADMITTED INSURANCE.—The term “nonadmitted insurance” means any property and casualty insurance permitted to be placed directly or through a surplus lines broker with a nonadmitted insurer eligible to accept such insurance.

(10) NON-ADMITTED INSURANCE MODEL ACT.—The term “Non-Admitted Insurance Model Act” means the provisions of the Non-Admitted Insurance Model Act, as adopted by the NAIC on August 3, 1994, and amended on September 30, 1996, December 6, 1997, October 2, 1999, and June 8, 2002.

(11) NONADMITTED INSURER.—The term “nonadmitted insurer” means, with respect to a State, an insurer not licensed to engage in the business of insurance in such State.

(12) QUALIFIED RISK MANAGER.—The term “qualified risk manager” means, with respect to a policyholder of commercial insurance, a person who meets all of the following requirements:

(A) The person is an employee of, or third party consultant retained by, the commercial policyholder.

(B) The person provides skilled services in loss prevention, loss reduction, or risk and insurance coverage analysis, and purchase of insurance.

(C) The person—

(i)(I) has a bachelor’s degree or higher from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by a State insurance commissioner or other State regulatory official or entity to demonstrate minimum competence in risk management; and

(II)(aa) has three years of experience in risk financing, claims administration, loss prevention, risk and insurance analysis, or purchasing commercial lines of insurance; or

(bb) has one of the following designations: (AA) a designation as a Chartered Property and Casualty Underwriter (in this subparagraph referred to as “CPCU”) issued by the American Institute for CPCU/Insurance Institute of America;

(BB) a designation as an Associate in Risk Management (ARM) issued by the American Institute for CPCU/Insurance Institute of America;

(CC) a designation as Certified Risk Manager (CRM) issued by the National Alliance for Insurance Education & Research;

(DD) a designation as a RIMS Fellow (RF) issued by the Global Risk Management Institute; or

(EE) any other designation, certification, or license determined by a State insurance commissioner or other State insurance regulatory official or entity to demonstrate minimum competency in risk management;

(ii)(I) has at least seven years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage

analysis, or purchasing commercial lines of insurance; and

(II) has any one of the designations specified in subitems (AA) through (EE) of clause (i)(II)(bb);

(iii) has at least 10 years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; or

(iv) has a graduate degree from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by a State insurance commissioner or other State regulatory official or entity to demonstrate minimum competence in risk management.

(13) PREMIUM TAX.—The term “premium tax” means, with respect to surplus lines or independently procured insurance coverage, any tax, fee, assessment, or other charge imposed by a government entity directly or indirectly based on any payment made as consideration for an insurance contract for such insurance, including premium deposits, assessments, registration fees, and any other compensation given in consideration for a contract of insurance.

(14) SURPLUS LINES BROKER.—The term “surplus lines broker” means an individual, firm, or corporation which is licensed in a State to sell, solicit, or negotiate insurance on properties, risks, or exposures located or to be performed in a State with nonadmitted insurers.

(15) STATE.—The term “State” includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

TITLE II—REINSURANCE

SEC. 201. REGULATION OF CREDIT FOR REINSURANCE AND REINSURANCE AGREEMENTS.

(a) CREDIT FOR REINSURANCE.—If the State of domicile of a ceding insurer is an NAIC-accredited State, or has financial solvency requirements substantially similar to the requirements necessary for NAIC accreditation, and recognizes credit for reinsurance for the insurer’s ceded risk, then no other State may deny such credit for reinsurance.

(b) ADDITIONAL PREEMPTION OF EXTRATERRITORIAL APPLICATION OF STATE LAW.—In addition to the application of subsection (a), all laws, regulations, provisions, or other actions of a State that is not the domiciliary State of the ceding insurer, except those with respect to taxes and assessments on insurance companies or insurance income, are preempted to the extent that they—

(1) restrict or eliminate the rights of the ceding insurer or the assuming insurer to resolve disputes pursuant to contractual arbitration to the extent such contractual provision is not inconsistent with the provisions of title 9, United States Code;

(2) require that a certain State’s law shall govern the reinsurance contract, disputes arising from the reinsurance contract, or requirements of the reinsurance contract;

(3) attempt to enforce a reinsurance contract on terms different than those set forth in the reinsurance contract, to the extent that the terms are not inconsistent with this title; or

(4) otherwise apply the laws of the State to reinsurance agreements of ceding insurers not domiciled in that State.

SEC. 202. REGULATION OF REINSURER SOLVENCY.

(a) DOMICILIARY STATE REGULATION.—If the State of domicile of a reinsurer is an NAIC-accredited State or has financial solvency requirements substantially similar to the requirements necessary for NAIC accreditation, such State shall be solely responsible

for regulating the financial solvency of the reinsurer.

(b) NONDOMICILIARY STATES.—

(1) LIMITATION ON FINANCIAL INFORMATION REQUIREMENTS.—If the State of domicile of a reinsurer is an NAIC-accredited State or has financial solvency requirements substantially similar to the requirements necessary for NAIC accreditation, no other State may require the reinsurer to provide any additional financial information other than the information the reinsurer is required to file with its domiciliary State.

(2) RECEIPT OF INFORMATION.—No provision of this section shall be construed as preventing or prohibiting a State that is not the State of domicile of a reinsurer from receiving a copy of any financial statement filed with its domiciliary State.

SEC. 203. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) CEDING INSURER.—The term “ceding insurer” means an insurer that purchases reinsurance.

(2) DOMICILIARY STATE.—The terms “State of domicile” and “domiciliary State” means, with respect to an insurer or reinsurer, the State in which the insurer or reinsurer is incorporated or entered through, and licensed.

(3) REINSURANCE.—The term “reinsurance” means the assumption by an insurer of all or part of a risk undertaken originally by another insurer.

(4) REINSURER.—

(A) IN GENERAL.—The term “reinsurer” means an insurer to the extent that the insurer—

(i) is principally engaged in the business of reinsurance;

(ii) does not conduct significant amounts of direct insurance as a percentage of its net premiums; and

(iii) is not engaged in an ongoing basis in the business of soliciting direct insurance.

(B) DETERMINATION.—A determination of whether an insurer is a reinsurer shall be made under the laws of the State of domicile in accordance with this paragraph.

(5) STATE.—The term “State” includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

TITLE III—RULE OF CONSTRUCTION

SEC. 301. RULE OF CONSTRUCTION.

Nothing in this Act or amendments to this Act shall be construed to modify, impair, or supersede the application of the antitrust laws. Any implied or actual conflict between this Act and any amendments to this Act and the antitrust laws shall be resolved in favor of the operation of the antitrust laws.

SEC. 302. SEVERABILITY.

If any section or subsection 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 affected.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. MOORE) and the gentleman from New Jersey (Mr. GARRETT) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. MOORE of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mr. MOORE of Kansas. I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2571, the Nonadmitted and Reinsurance Reform Act of 2009.

I drafted this bipartisan legislation with Congressman SCOTT GARRETT, Congressman PAUL KANJORSKI, Chairman BARNEY FRANK, and Ranking Member SPENCER BACHUS. I appreciate their support and the support of the bill's 22 cosponsors.

This bill will provide much-needed reform in the nonadmitted and reinsurance markets. In the 109th Congress, this House unanimously approved the bill by a vote of 417-0. In the 110th Congress, our bill was unanimously approved by voice vote. Unfortunately, the Senate has yet to act, but I believe the third time will be the charm.

Before he retired, Senator MEL MARTINEZ introduced the Senate version of the bill with Senators EVAN BAYH, MIKE CRAPO, and BILL NELSON. I know the other three will pick up where Senator MARTINEZ left off to help enact this legislation into law. Often called the “safety net of the insurance market,” surplus lines provides for coverage when the traditional market is not available.

Under today's laws, the regulation of the surplus lines market is, unfortunately, fragmented and cumbersome. This situation reduces insurance availability, leaving policyholders uninsured and with little choice in providers. Similarly, regulation of the reinsurance market is outdated and needs to be improved.

Accordingly, H.R. 2571 specifies that only the tax policies, licensing and other regulatory requirements of the home State of the policyholder govern a surplus lines transaction; it allows sophisticated commercial entities direct access to the surplus lines market; and it prohibits States from voiding established contractual arbitration agreements between reinsurers and primary companies.

Policyholders in a number of States are facing skyrocketing rates. The Nonadmitted and Reinsurance Reform Act provides commonsense solutions to the nonadmitted and reinsurance market. I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. GARRETT of New Jersey. I yield myself such time as I may consume.

Mr. Speaker, I would like to begin by thanking several people who played a significant role in getting us to where we are today, starting, of course, with the gentleman from Kansas (Mr. MOORE), who is the sponsor of the bill. He has exhibited tremendous leadership and persistence as well, as he indicated, in moving this legislation to the floor today, and so he should be commended for his hard work.

I would also like to congratulate the gentlewoman from Florida (Ms. BROWN-

WAITE), for she was the Republican lead sponsor on this bill in the last two Congresses, and she has worked tirelessly on this very important issue. So I am pleased now to have the opportunity to take up the mantle from Ms. BROWN-WAITE and to move this legislation forward.

Finally, I would like to thank the National Association of Insurance Commissioners and specifically Dr. Theresa Vaughan for their efforts in working closely with all of the interested parties.

Now, I believe that the inclusive and deliberative process that this legislation has undergone should serve, really, as a model as we continue to work on revamping and modernizing other aspects of our financial regulatory framework. Mr. Speaker, H.R. 2571, the Nonadmitted and Reinsurance Reform Act of 2009, will reform and will streamline the regulation of the nonadmitted—that's surplus lines—insurance market as well as the reinsurance market.

Title I, which addresses the surplus lines market, will reduce regulatory overlap, and will clarify where the appropriate taxing authority really should lie with each market transaction. It also will establish the NAIC's eligibility requirements as a standard for the participation in the surplus lines marketplace. These provisions will basically increase efficiency. They will work to reduce transaction costs, and they will work to improve access to the entire market for our consumers.

□ 1145

Now, if we go into Title II legislation, that section addresses several important areas within the reinsurance market. What the bill will do is create a procedure to establish a single solvency regulator for each reinsurer, eliminate the extraterritorial application of State law with regards to reinsurance, and it also will provide for a more meaningful and really a simplified process in determining the credit for reinsurance that the companies will receive. So both the surplus lines and the reinsurance titles are vital to promoting further harmonization for transactions occurring across State lines and eliminating unnecessary red-tape, which basically will help to reduce costs for consumers.

So in this increasingly complex world, it is essential that consumers and businesses be able to purchase insurance from risks outside of their traditional realm. And I believe this legislation will further increase efficiency and reduce costs for these very important transactions.

Similar variations of this legislation, as Mr. MOORE indicated, have passed the House in the last two Congresses by unanimous votes, and it is my hope that this bipartisan legislation will once again pass today unanimously. So I ask all of my colleagues on both sides of the aisle to support this legislation.

I reserve the balance of my time.

Mr. MOORE of Kansas. Mr. Speaker, I want to thank, again, my friend, the gentleman from New Jersey, SCOTT GARRETT, for his work on the bill. The Nonadmitted and Reinsurance Reform Act provides bipartisan, commonsense solutions to improve the regulation of the nonadmitted and reinsurance markets. So I urge my colleagues to support this bill.

Mr. BACHUS. Mr. Speaker, I want to express my support of H.R. 2571, the Nonadmitted and Reinsurance Reform Act of 2009, and urge my colleagues to vote for its passage under suspension of the rules today.

While there are many complex regulatory programs pending before our committee, today we are seeking to advance a modest but long-overdue measure to streamline the current system for surplus lines insurance and for reinsurance.

Surplus lines insurance, also known as “nonadmitted” insurance, is highly specialized property and casualty insurance for exceptional risks, such as hazardous materials or amusement parks.

H.R. 2571 would adopt a “home state” approach to address inconsistencies in state regulation of the surplus lines insurance market, and the bill generally follows the model law on nonadmitted insurance adopted by the National Association of Insurance Commissioners.

This legislation also addresses reinsurance in a similar way by designating the home state of the insurer purchasing reinsurance as the primary regulator of credit for reinsurance and the home state of the reinsurer as the primary regulator for the reinsurer’s solvency.

As an original cosponsor of H.R. 2571, I want to commend the bill’s primary sponsors, Oversight and Investigations Subcommittee Chairman MOORE and Capital Markets Subcommittee Ranking Member GARRETT.

They deserve credit for working together to move this bipartisan legislation through the House again this year and eventually we all hope into law.

I also want to commend Congresswoman BROWN-WAITE, the original champion of this effort in the 109th Congress as well as a lead cosponsor in the 110th Congress and an original cosponsor again in this Congress.

This will be the third time we are sending this important insurance reform proposal to the other body, and I hope our colleagues across the way will be able to see the value of enacting H.R. 2571 soon.

Mr. MOORE of Kansas. Mr. Speaker, I submit the following exchange of letters regarding H.R. 2571.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 9, 2009.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK: In recognition of the desire to expedite consideration of H.R. 2571, the Nonadmitted and Reinsurance Reform Act of 2009, the Committee on the Judiciary agrees to waive formal consideration of the bill as to provisions that fall within its rule X jurisdiction.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2571 at this time, it does not waive any jurisdiction over subject matter contained in this or similar legislation,

and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward, so that we may address any remaining issues in our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor.

Thank you for your attention to this matter, and for the cooperative working relationship between our two committees.

Sincerely,

JOHN CONYERS, Jr.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 9, 2009.

Hon. JOHN CONYERS,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN CONYERS: Thank you for your letter concerning H.R. 2571, the “Nonadmitted and Reinsurance Reform Act of 2009.” This bill will be considered by the House shortly.

I want to confirm our mutual understanding with respect to the consideration of this bill. I acknowledge that portions of the bill fall within the jurisdiction of the Committee on the Judiciary and I appreciate your cooperation in moving the bill to the House floor expeditiously. I further agree that your decision to not to proceed with a markup on this bill will not prejudice the Committee on the Judiciary with respect to its prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction in the event of a House-Senate conference.

I will include your letter and this response in the Congressional Record. Thank you again for your assistance.

BARNEY FRANK,
Chairman.

Mr. MOORE of Kansas. I yield back the balance of my time.

Mr. GARRETT of New Jersey. I also yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MOORE) that the House suspend the rules and pass the bill, H.R. 2571.

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

A motion to reconsider was laid on the table.

STAR-SPANGLED BANNER COMMEMORATIVE COIN ACT

Mr. WATT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2097) to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2097

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 “Star-Spangled Banner Commemorative Coin Act”.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) During the Battle for Baltimore of the War of 1812, Francis Scott Key visited the British fleet in the Chesapeake Bay on September 7, 1814, to secure the release of Dr. William Beanes, who had been captured after the British burned Washington, DC.

(2) The release of Dr. Beanes was secured, but Key and Beanes were held by the British during the shelling of Fort McHenry, one of the forts defending Baltimore.

(3) On the morning of September 14, 1814, after the 25-hour British bombardment of Fort McHenry, Key peered through the clearing smoke to see a 42-foot by 30-foot American flag flying proudly atop the Fort.

(4) He was so inspired to see the enormous flag still flying over the Fort that he began penning a song, which he named *The Defence of Fort McHenry*, to commemorate the occasion and he included a note that it should be sung to the tune of the popular British melody *To Anacreon in Heaven*.

(5) In 1916, President Woodrow Wilson ordered that the anthem, which had been popularly renamed the *Star-Spangled Banner*, be played at military and naval occasions.

(6) On March 3, 1931, President Herbert Hoover signed a resolution of Congress that officially designated the *Star-Spangled Banner* as the National Anthem of the United States.

SEC. 3. COIN SPECIFICATIONS.

(a) \$1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall mint and issue the following coins in commemoration of the bicentennial of the writing of the *Star-Spangled Banner*:

(1) \$5 GOLD COINS.—Not more than 100,000 \$5 coins, which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) contain 90 percent gold and 10 percent alloy.

(2) \$1 SILVER COINS.—Not more than 500,000 \$1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the War of 1812 and particularly the Battle for Baltimore that formed the basis for the *Star-Spangled Banner*.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year “2012”; and

(C) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary, after consultation with the Maryland War of 1812 Bicentennial Commission and the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) **QUALITY OF COINS.**—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) **MINT FACILITY.**—Only one facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) **PERIOD FOR ISSUANCE.**—The Secretary may issue coins under this Act only during the calendar year beginning on January 1, 2012.

SEC. 6. SALE OF COINS.

(a) **SALE PRICE.**—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in section 7 with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) **BULK SALES.**—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.

(1) **IN GENERAL.**—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) **DISCOUNT.**—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) **IN GENERAL.**—All sales of coins issued under this Act shall include a surcharge of—

- (1) \$35 per coin for the \$5 coin; and
- (2) \$10 per coin for the \$1 coin.

(b) **DISTRIBUTION.**—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be paid to the Maryland War of 1812 Bicentennial Commission for the purpose of supporting bicentennial activities, educational outreach activities (including supporting scholarly research and the development of exhibits), and preservation and improvement activities pertaining to the sites and structures relating to the War of 1812.

(c) **AUDITS.**—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Maryland War of 1812 Bicentennial Commission as may be related to the expenditures of amounts paid under subsection (b).

(d) **LIMITATION.**—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. **WATT**) and the gentleman from New York (Mr. **LEE**) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

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

Mr. Speaker, I rise in strong support of H.R. 2097, the Star-Spangled Banner Commemorative Coin Act, and applaud my colleague, Mr. **RUPPERSBERGER**, for introducing the bill.

The bill instructs the Secretary of the Treasury to mint and issue \$5 gold coins and \$1 silver coins in commemoration of the bicentennial of the writing of the “Star-Spangled Banner.” The issuing of this coin will begin during the calendar year. The “Star-Spangled Banner” is set to music to a poem entitled “In Defense of Fort McHenry” written in 1814 by Francis Scott Key, who wrote the poem after seeing the bombardment of Fort McHenry in Baltimore, Maryland, by the Royal British Navy during the War of 1812. The American victory and the sight of the large American flag that survived the 25-hour British bombardment inspired the poem and the anthem.

In 1916, President Woodrow Wilson ordered that the anthem, which had been popularly renamed the “Star-Spangled Banner,” be played at military and naval occasions. On March 6, 1931, President Herbert Hoover signed a resolution of Congress that officially designated the “Star-Spangled Banner” as the national anthem of the United States.

Throughout the course of American history, the “Star-Spangled Banner” has played a significant role in the democracy and freedom of this country and symbolizes our enduring respect for those who have fought and died to preserve the future of this great nation.

In the 110th Congress, similar legislation passed the House and had 298 cosponsors. I again urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. **LEE** of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2097, the Star-Spangled Banner Commemorative Coin Act introduced by the gentleman from Maryland (Mr. **RUPPERSBERGER**).

This simple measure is designed to ensure that the United States properly pays tribute to an important moment in its history, namely, the writing of the “Star-Spangled Banner.”

The story of Francis Scott Key at Fort McHenry is familiar to Americans old and young alike, but it bears some retelling. It was on the night of September 13, 1814, that Mr. Key negotiated the release of Dr. William Beanes, taken captive by the British and held on board a vessel in Baltimore Harbor. Not long after securing the doctor’s release, Key and his party were not allowed to leave because they had become familiar with the British strength and positioning, as well as their attack strategy.

Over the next 25 hours they waited in the harbor as the British mercilessly bombarded Fort McHenry, all while remaining out of range of U.S. firepower.

When the barrage ended, Key peered out through the clearing smoke at daybreak to see in the distance the flag of the United States, its 15 stars and 15 stripes tattered but standing tall. In-

spired, Key scribbled down a poem that he later set to a British melody. More than a century later, an act of Congress declared that tune was this Nation’s anthem.

Mr. Speaker, as our Nation prepares to mark the 8th anniversary of the September 11 terrorist attacks, we are reminded not only of the many challenges that this Nation has faced in its history, but the symbols and words that have brought us together to endure these trials.

Five years from now the people of the State of Maryland will be joined by all Americans in celebrating the bicentennial of the writing of the “Star-Spangled Banner.” H.R. 2097, the Star-Spangled Banner Commemorative Coin Act, provides for the minting of coins in commemoration of this historic event and ensures that surcharges on the sales of these coins will be used to support activities related to the bicentennial, including education and outreach activities. All of these will be done at no cost to the taxpayers.

I want to again commend my colleague from Maryland (Mr. **RUPPERSBERGER**) for introducing this bipartisan measure. I urge its immediate passage.

I reserve the balance of my time.

Mr. **WATT**. I yield to Mr. **RUPPERSBERGER** from Maryland as much time as he may consume.

Mr. **RUPPERSBERGER**. Thank you.

I rise today to ask my colleagues to support H.R. 2097, the Star-Spangled Banner Commemorative Coin Act. This legislation will create a commemorative coin to honor America’s national anthem. I would particularly like to thank Chairman **FRANK** for his support.

The United States Mint creates two commemorative silver coins each year. The topic is congressionally directed. All expenses of minting, design and production of the coin are included in the final selling price of the coin. This bill does not trigger any PAYGO rules and is revenue neutral.

This happens to be the second time I’ve gathered more than 290 cosponsors and have been on the floor to speak about this bill.

The \$1 silver coin will be minted in 2012 for the 200th anniversary of the War of 1812. Proceeds will help fund the War of 1812 Bicentennial Commission, which will hold celebrations along the east coast kicking off in June of 2012 and running through September of 2014. These celebrations include a naval review, reenactment, festivals, historical lectures, parades, the creation of a national curriculum for students and the opportunity to honor the brave men and women who withstood the British during the War of 1812.

My hometown of Baltimore is proud to be the home of America’s national anthem. During a nightlong attack on Baltimore by British forces, Francis Scott Key was held captive aboard a British ship in the Chesapeake Bay. The morning after the bombardment, he looked out his window and saw a

large American flag had survived the assault, still flying proudly over Fort McHenry. He knew the American forces had successfully defended the city of Baltimore at the fort. The next day, he was inspired to pen his famous poem in honor of that event.

His brother-in-law, Judge Joseph H. Nicholson, set the poem to the tune of a popular British melody. A few days later, it was printed in Baltimore and quickly spread to newspapers from New Hampshire to Georgia. The song gained popularity and was often played at public events and Fourth of July celebrations. However, it would be many years before the "Star-Spangled Banner" became our official national anthem.

In 1916, President Woodrow Wilson ordered that the song be played at military events and other official occasions. By the late 1920s, a consensus formed across the country that America needed an official anthem. John Philip Sousa, a famous U.S. composer, argued in favor of the "Star-Spangled Banner" and on March 3, 1931, President Hoover signed legislation adopting it as the national anthem for the United States of America. For more than 75 years, the "Star-Spangled Banner" has evoked pride and patriotism among Americans.

I hope this collectable coin will inspire more Americans to learn the lyrics of the "Star-Spangled Banner" and the role Baltimore played in the history of our Nation during the War of 1812.

All Americans are welcome to come to Baltimore to visit Fort McHenry. Right now, Americans can enjoy the rich history of this country. There are Civil War battlefields being preserved; a Star-Spangled Banner trail being created which runs through Maryland, the District of Columbia, and Virginia; and the War of 1812 Commissions being organized in States from New York to Georgia.

Folks can visit the original Star-Spangled Banner flag here in Washington at the American Museum of National History.

I ask that my colleagues vote for H.R. 2097 and join me in honoring Francis Scott Key, "The Star-Spangled Banner," and the War of 1812—an event that changed the history of our Nation.

Mr. LEE of New York. Mr. Speaker, I have no further requests for time.

I yield back.

Mr. WATT. Mr. Speaker, I submit the following exchange of letters regarding H.R. 2097.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 8, 2009.

Hon. BARNEY FRANK,
Chairman, Financial Services Committee,
Washington, DC.

DEAR CHAIRMAN FRANK: I am writing regarding H.R. 2097, the "Star Spangled Banner Commemorative Coin Act."

As you know, the Committee on Ways and Means maintains jurisdiction over bills that raise revenue. H.R. 2097 contains a provision that establishes a surcharge for the sale of

commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for Floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of Conferees or its jurisdictional prerogatives on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2097, and would ask that a copy of our exchange of letters on this matter be included in the Record.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 8, 2009.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR CHARLIE: I am writing in response to your letter regarding H.R. 2097, the "Star-Spangled Banner Commemorative Coin Act," which was introduced in the House and referred to the Committee on Financial Services on April 23, 2009. It is my understanding that this bill will be scheduled for floor consideration shortly.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters. However, I appreciate your willingness to forego committee action on H.R. 2097 in order to allow the bill to come to the floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

BARNEY FRANK,
Chairman.

Mr. WATT. Mr. Speaker, I simply encourage my colleagues to support this historic bill and thank Mr. RUPPERSBERGER for its introduction.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, H.R. 2097.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

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

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

There was no objection.

□ 1200

APPOINTING FRANCE A. CORDOVA TO BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 9) providing for the appointment of France A. Córdova as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

S.J. RES. 9

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of Eli Broad of California is filled by the appointment of France A. Córdova of Indiana. The appointment is for a term of 6 years, effective on the later of April 7, 2009, or the date of enactment of this joint resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes. The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask that all Members have 5 legislative days to revise and extend their remarks on this legislation.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this joint resolution will appoint Dr. France Córdova as a citizen regent of the Smithsonian Institution for a 6-year term beginning on the day of its enactment into law. The appointment would fill a long-standing vacancy and would bring the Board of Regents back up to full strength again for the first time in several years.

Dr. Córdova is the president of Purdue University in Indiana. She also served as chief scientist at NASA in the 1990s. The members of the Committee on House Administration met with her in July, and we found her to be very qualified to represent the

American people on the Smithsonian's governing body.

I urge approval of the joint resolution so that Dr. Córdova can assume her seat in time for the Regents' next meeting later this month.

I now reserve the balance of my time. Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

As a member of the House Administration Committee, I am pleased to support the appointment of Dr. France Córdova to be a citizen regent of the Smithsonian Institution. Dr. Córdova recently joined committee members to discuss her extensive educational background and ongoing work which will be of inestimable benefit to the ongoing mission of the Smithsonian. Because she is so distinguished and is involved in many activities, I did ask her whether she could give the time to this appointment that it deserves, and she assured us that she could. She recognized the importance of the Smithsonian Institution and felt that this was a more than worthy obligation on her part and felt that it was a contribution she would make to the American people.

In addition to the many national boards of which she is a member, Dr. Córdova serves as the 11th president of Purdue University in Indiana. She was the first woman chancellor of a University of California campus, but perhaps also indicative of her leadership, in the area of discovery, she was, I'm informed, the youngest chief scientist at NASA.

As a scientist, administrator, and ongoing researcher, the richness of her background in academic exploration would be difficult to overstate. As the Smithsonian Institution continues toward new achievements, I am confident that Dr. Córdova will be a critical piece in ensuring that James Smithson's original intent, that the institution would be "an establishment for the increase and diffusion of knowledge," is preserved with excellence.

I would urge my colleagues to join me in supporting Dr. Córdova's appointment to the Smithsonian's Board of Regents.

Since I have no other speakers, I would yield back the balance of my time.

Mr. BRADY of Pennsylvania. I thank the ranking member on the House Administration Committee for his cooperation, as always.

Mr. PENCE. Mr. Speaker, I rise to congratulate Dr. France A. Córdova on her nomination by the Smithsonian Institution's Board of Regents and appointment by joint resolution of Congress to serve as one of the Smithsonian's nine citizen regents. Her outstanding scientific contributions in the areas of observational and experimental astrophysics, multi-spectral research on x-ray and gamma ray sources, and space-borne instrumentation make her an ideal candidate for this prestigious position.

Born in France, Dr. Córdova attended high school in California and went on to graduate cum laude from Stanford University in less

than four years. She then earned a PhD in Physics from the California Institute of Technology, and in 1997, she was awarded an honorary doctorate by Loyola Marymount University. In 2007, Dr. Córdova moved to the Hoosier State and was appointed the eleventh president of Purdue University, as well as professor of physics and astronomy for the University.

Again, I commend the excellent work of Dr. Córdova and her many scientific contributions. Hoosiers are blessed to have the talent and expertise of Dr. Córdova at Purdue University, and her appointment to the Smithsonian's Board of Regents is a true honor for Indiana. I am confident that she will prove a valuable asset in her new position at the Smithsonian Institution.

Mr. BRADY of Pennsylvania. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the joint resolution, S.J. Res. 9.

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

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR CELEBRATION OF CITIZENSHIP DAY

Ms. NORTON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 136) authorizing the use of the Capitol Grounds for a celebration of Citizenship Day.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 136

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS TO CELEBRATE CITIZENSHIP DAY.

(a) IN GENERAL.—The National Korean American Service and Education Consortium (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event (in this resolution referred to as the "event") on the Capitol Grounds to celebrate Citizenship Day.

(b) DATE OF EVENT.—The event shall be held on September 17, 2009, or on such other day as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

- (1) free of admission charge and open to the public; and
- (2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to

erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes. The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 136.

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

There was no objection.

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

Mr. Speaker, House Concurrent Resolution 136 authorizes use of the Capitol Grounds for a celebration of Citizenship Day. This event will be sponsored by the National Korean American Service and Education Consortium. The bill is sponsored by Congresswoman WATSON and has bipartisan support.

The Capitol Hill event will be part of a national program for Korean Americans who will gather in Washington on that day. The date for the event is planned for September 17, 2009. September 17 marks the anniversary of the ratification of the U.S. Constitution and is commemorated as Constitution Day and Citizenship Day. Citizenship Day was authorized by P.L. 108-447. As is required of all events on the Capitol Grounds, this event will be free and open to the public.

I support this resolution and reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that I might yield my time to the gentleman from Florida (Mr. MARIO DIAZ-BALART) to control.

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

There was no objection.

Mr. MARIO DIAZ-BALART of Florida. The chairwoman has just explained this legislation, and it is obviously one that I support. It authorizes the use of the Capitol Grounds for a celebration of Citizenship Day, something that many people take for granted and yet we should not take for granted. This is the freest, the most wonderful, the most generous country that God has ever allowed men and women to create on this planet, and nothing is more sacred than citizenship of this wonderful land.

Again, it is wonderful that we are actually going to be celebrating that along with Constitution Day. The Constitution, again, is that document that has allowed all of this enterprise to take place, limited government, which our Founding Fathers understood was the key to greatness.

So, again, she already explained what this does, allowing the use of the Capitol Grounds for a celebration of Citizenship Day, and I would urge the adoption of this resolution.

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

Ms. NORTON. I thank the gentleman. I ask the gentleman if he has any further speakers.

Mr. MARIO DIAZ-BALART of Florida. I do not.

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

Mr. OBERSTAR. Mr. Speaker, I rise in support of House Concurrent Resolution 136, to authorize the use of the Capitol Grounds for a public event to honor citizenship day.

September 17th marks the anniversary of the ratification of the U.S. Constitution and is commemorated as Constitution Day and Citizenship Day. It designates a time to honor the Constitution of the United States and learn more about this famous piece of legislation.

Constitution Day and Citizenship Day also recognizes "all those who, whether by coming of age or by naturalization, have become citizens." The day is intended to encourage "the complete instruction of citizens in their responsibilities and opportunities as citizens of the United States and of the State and locality in which they reside."

H. Con. Res. 136 authorizes the National Korean American Service and Education Consortium to sponsor a free public event on the Capitol Grounds to celebrate Citizenship Day on September 17, 2009.

Activities on the Capitol Grounds conducted under H. Con. Res. 136 will be coordinated with the Architect of the Capitol, and will be free and open to the public.

I urge my colleagues to join me in supporting H. Con. Res. 136.

Ms. NORTON. I yield back the remainder of my time and ask that the bill be approved by the House.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 136.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

WILLIAM O. LIPINSKI FEDERAL BUILDING

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2498) to designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the "William O. Lipinski Federal Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2498

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

SECTION 1. DESIGNATION.

The Federal building located at 844 North Rush Street in Chicago, Illinois, shall be known and designated as the "William O. Lipinski Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "William O. Lipinski Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes. The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2498.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 2498 and am pleased today to speak in support of a bill that names a Federal building located in Illinois as the "William O. Lipinski Federal Building".

Representative William Lipinski was a leader on the Public Works and Transportation Committee and later on the Transportation and Infrastructure Committee throughout the time of his service in the Congress when he represented the Third and Fifth Congressional District of Illinois. He served as a senior Democrat on the Railroads Subcommittee, the Aviation Subcommittee, and the Highways and Transit Subcommittee.

He had a lifelong passion to address transportation and connectivity issues in his district, whether it was providing a local airport with access for financing infrastructure improvements or providing public transit options to areas in his congressional district that lacked access. Representative Lipinski also played a large role in national transportation policy by taking leadership roles in the past two transportation authorization bills that provided funding for local priorities in highways, highway safety, mass transit and surface transportation programs.

Representative Lipinski was born in Chicago on December 22, 1937. He attended Loras College in Dubuque, Iowa, and served in the United States Army Reserves from 1961 to 1967. After serving in the Armed Forces, Representative Lipinski served in several different public service capacities in Chicago, Illinois. He was an alderman in Chicago,

a city councilman, and later held several different positions within the Democratic Party in Chicago. Congressman Lipinski was eventually elected to Congress in 1982 and served in the 10 succeeding Congresses.

Representative Lipinski retired in 2005 and is succeeded by his son, Representative DANIEL LIPINSKI.

I urge my colleagues to support H.R. 2498, which names this building located at 844 North Rush Street in Chicago as the "William O. Lipinski Federal Building."

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, again, the chairwoman described this very, very well. I want to add just one more thing. I'm not quite sure if she touched on it.

Obviously he has a long and distinguished career in this body and in the Transportation Committee as well, but he was also in the United States Army Reserve. And one of the things we should never, never forget are those who are willing to serve in our Nation's Armed Forces. He was willing to do so, and he did so honorably.

So, again, naming this Federal building in Chicago after Representative Lipinski I think is an appropriate recognition of his commitment to public service.

I do not believe that I have any other speakers. Can I inquire if there are any other speakers?

Ms. NORTON. I have no other speakers.

Does the gentleman have any other speakers?

Mr. MARIO DIAZ-BALART of Florida. I have no other speakers, so I would yield back the remaining part of my time.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of the bill, H.R. 2498, which I introduced, to designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the "William O. Lipinski Federal Building" in honor of our former colleague and national leader in transportation issues, Bill Lipinski.

William O. Lipinski was born in Chicago, and lived there for most of his life. He attended Loras College in Dubuque, Iowa, and served in United States Army Reserves from 1961 to 1967. After serving in the armed forces, he was active in public service in Chicago, Illinois. He served as an Alderman, a city councilman, and several different positions within the Democratic Party in Chicago. William O. Lipinski was elected to Congress in 1982, where he went on to serve in 10 succeeding Congresses. In his Congressional career, Congressman Lipinski served as the senior Democrat on the Subcommittee on Railroads, the Subcommittee on Aviation, and the Subcommittee on Highways and Transit.

Our colleague, Bill Lipinski, was a leader on transportation issues while he represented the 3rd and 5th Congressional Districts of Illinois. He strongly advocated for the transportation and connectivity issues in his district, whether it was providing a local airport with access for financing for infrastructure improvement or providing public transit options to areas in his Congressional district that lacked access.

In the early 1990s, Congressman Lipinski was instrumental in securing the Passenger Facility Charge (PFC), which enabled airports to finance infrastructure improvements. He also served in leadership roles in the past two surface transportation authorization bills, providing funding for highway, highway safety, and public transit programs.

It is most fitting that we honor his civic career, his leadership role on the Committee on Transportation and Infrastructure, and his contributions to the transportation industry with this designation.

I urge my colleagues to join me in supporting H.R. 2498.

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

□ 1215

The SPEAKER pro tempore (Mr. PAS-TOR of Arizona). The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2498.

The question was taken.

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

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

The yeas and nays were ordered.

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

TRANSFER OF CERTAIN FEDERAL PROPERTY TO GALVESTON HISTORICAL FOUNDATION

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2121) to provide for the transfer of certain Federal property to the Galveston Historical Foundation, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2121

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

SECTION 1. CONVEYANCE OF REAL PROPERTY IN GALVESTON, TEXAS, TO GALVESTON HISTORICAL FOUNDATION.

(a) *CONVEYANCE.*—Not later than 90 days after the date of enactment of this Act, the Administrator of General Services shall offer to convey, by quitclaim deed, to the Galveston Historical Foundation all right, title, and interest of the United States in and to the parcel of real property located at 502 20th Street in Galveston, Texas, including the improvements thereon.

(b) *CONSIDERATION.*—As consideration for conveyance of the parcel under subsection (a), the Administrator shall require the Galveston Historical Foundation to pay to the Administrator the fair market value of the parcel, as determined based on an appraisal that is acceptable to the Administrator.

(c) *COSTS OF CONVEYANCE.*—The Galveston Historical Foundation shall be responsible for the costs of an appraisal conducted under subsection (b) and for all other costs related to the conveyance.

(d) *PROCEEDS.*—

(1) *DEPOSIT.*—Any proceeds received under subsection (b) shall be paid into the Federal Buildings Fund established under section 592 of title 40, United States Code.

(2) *EXPENDITURE.*—Amounts paid into the Federal Buildings Fund under paragraph (1) shall be available to the Administrator, in amounts specified in appropriations Acts, for expenditure for any lawful purpose consistent with existing authorities granted to the Administrator, except that the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate 30 days advance written notice of any expenditure of the proceeds.

(e) *ADDITIONAL TERMS AND CONDITIONS.*—The Administrator may require that any conveyance under subsection (a) be subject to such additional terms and conditions as the Administrator considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2121.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

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

H.R. 2121, as amended, authorizes the Administrator of General Services to convey a parcel of real property located at 502 20th Street in Galveston, Texas, to the Galveston Historical Foundation subject to certain requirements, but not later than 90 days after the date of enactment of the bill.

The bill was introduced by Congressman PAUL. The building is the U.S. Custom House and is currently occupied by the historical foundation, which has a long-term lease on the facility. In 1998, the historical foundation signed a cooperative agreement with the General Services Administration to permit the foundation to lease and rehabilitate the building. Despite a dedicated and unanimous commitment to preservation, the building is not well suited for Federal tenants and the needs that we have for modern office space.

This bill allows the Galveston Historical Society to purchase the building outright at fair market value as determined by the administrator. The proceeds will be deposited into the Federal building fund. The General Services Administration supports the bill, and I strongly urge its passage as Chair of the Subcommittee.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I also support this resolution by the gentleman from Texas (Mr. PAUL). The chairwoman has done a great job explaining what it does, and I would urge my colleagues to do the same.

Mr. OBERSTAR. Mr. Speaker, H.R. 2121, as amended, authorizes the Administrator of the General Services Administration (GSA) to transfer to the Galveston Historical Foundation the Federal property located at 502 20th St. Galveston, Texas.

The parcel of real property is the 1861 U.S. Custom House, one of the oldest buildings in Galveston, Texas, and was added to the National Register of Historic Places in 1970. The Galveston Historical Foundation was incorporated in 1954, and has since cultivated its work to cover community redevelopment, public education, historic preservation advocacy, maritime preservation, and stewardship of historic properties on Galveston Island. To date, the Galveston Historical Foundation has more than 2,000 members and has twice been awarded the National Trust for Historic Preservation's Honor Award.

In 1998, GSA and the Galveston Historical Foundation entered into a long-term lease agreement with respect to the 1861 U.S. Custom House. In exchange for the Galveston Historical Society rehabilitating the historical building, it was granted a long-term lease. This bill allows the Galveston Historical Society to purchase the building outright.

H.R. 2121 would convey the property at fair market value to the Galveston Historical Foundation. The proceeds will be deposited into the Federal Building Fund.

I urge my colleagues to join me in supporting H.R. 2121.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2121, as amended.

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

The title was amended so as to read: "A bill to authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation."

A motion to reconsider was laid on the table.

ALBERT ARMENDARIZ, SR., UNITED STATES COURTHOUSE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2053) to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the "Albert Armendariz, Sr., United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2053

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

SECTION 1. DESIGNATION.

The United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, shall be known and designated as the "Albert Armendariz, Sr., United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Albert Armendariz, Sr., United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2053.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

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

H.R. 2053 honors an outstanding American jurist. Judge Albert Armendariz, Sr. had a long and distinguished career of public service and was a true patriot of the United States of America.

Judge Armendariz was a native Texan. After he served his country in World War II, he left the U.S. Army and used the GI bill to continue his education. He graduated from the University of Texas at El Paso, then the University of Southern California Law School where he was the only Mexican American in attendance. After graduating from USC law school in 1950, Judge Armendariz returned to El Paso, Texas.

Early in his career, Judge Armendariz tackled discrimination head on while serving on the El Paso Civil Service Commission and pushing the agency to end discrimination against Latino applicants for civil service positions. Judge Armendariz also served as an immigration judge within the U.S. Department of Justice. He was the first Latino judge to serve as a justice on the Eighth Judicial District Court of Appeals for the State of Texas.

In addition to his service in the government, Judge Armendariz also found time to serve in leadership positions in several influential civic organizations and helped form the influential Mexican American Legal Defense and Educational Fund in 1968.

Judge Armendariz had a never-ending passion for service to his community and practiced law until his death at the age of 88 on October 4, 2004. Given his extraordinary service, it is fitting and proper to honor Judge Armendariz by designating the United States Courthouse located at 525 Magoffin Avenue in El Paso, Texas, in his honor.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, again, the gentlelady

has explained this resolution. I obviously have no objection to the passage of this bill. And I also want to thank the gentlelady for highlighting not only his distinguished career as a judge, but also the fact that he was part of what is known as the greatest generation.

Mr. HINOJOSA. Mr. Speaker, I rise today in strong support of H.R. 2053, a bill to name the new El Paso Federal courthouse after the late Judge Albert Armendariz, Sr.

Judge Armendariz helped change the landscape for Latinos in Texas and nationwide. He dedicated his life to representing immigrants and is best remembered for his work on the landmark case, *Hernandez v. the State of Texas*, which established Latinos as a distinct class entitled to protection under the 14th amendment.

Over his lifetime, Judge Armendariz had a wide and varied career. Not only was he a distinguished judge and civil rights leader, but he was a WWII veteran, the founder of the Mexican American Legal Defense and Educational Fund (MALDEF), national president of the League of United Latin American Citizens (LULAC), a Federal immigration judge and founding board member of the Mexican American Bar Association of El Paso.

In addition, in the late 1950s and early 1960s, Judge Armendariz served on the El Paso Civil Service Commission and is credited with helping to open the city's police and fire departments to Mexican-Americans.

Judge Armendariz gave so much to the El Paso community and to our Nation. I urge all of my colleagues to support this resolution to honor this great American.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 2053, which designates the U.S. courthouse located at 525 Magoffin Avenue in El Paso, Texas, in honor of Albert Armendariz, Sr.

Judge Armendariz was one of the most significant figures in Latino history, especially in the southwest region of the United States. He was the president of the League of United Latin American Citizens (LULAC), and the founder of the Mexican American Legal Defense Education Fund. He was a life-long champion of civil rights, a fighter against racism, and a defender of the underserved.

Judge Armendariz was a World War II veteran, and obtained his law degree from the University of Southern California Law School. Upon graduation, he returned to El Paso, where he set up his law office. He quickly became a community leader and activist.

His judicial legacy includes his work on *Hernandez v. The State of Texas*, which established Latinos as a protected class entitled to protection under the 14th amendment of the U.S. Constitution. Judge Armendariz also served as an immigration judge within the U.S. Department of Justice. In addition, he was the first Latino judge to serve as a Justice on the Eighth Judicial District Court of Appeals for the State of Texas. Judge Armendariz had a never ending passion for service to his community and practiced law until his death at age 88 on October 4, 2007.

Given his extraordinary service, it is fitting and proper to honor Judge Armendariz by designating the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the "Albert Armendariz, Sr., United States Courthouse".

I urge my colleagues to join me in supporting H.R. 2053.

Mr. REYES. Mr. Speaker, it is with deep pride that I rise in strong support of H.R. 2053, a bill that seeks to name the new El Paso Federal courthouse after the late Judge Albert Armendariz, Senior.

Judge Armendariz dedicated his life to advocating on behalf underserved communities and it is through his leadership and tireless efforts that we witnessed an improved landscape for Latinos in Texas and nationwide. He was a trailblazer who began his distinguished legal career by opening his law office in downtown El Paso with a \$50 loan from his father. Judge Armendariz maximized that small investment by quickly becoming a national leader who served on countless committees and boards that addressed the issues he would advance in his legal practice. Judge Armendariz would go on to practice law in Texas for over 50 years and would argue before the United States Supreme Court. He is best remembered for his work on the landmark case, *Hernandez v. The State of Texas*, which established Latinos as a distinct class entitled to protection under the 14th Amendment.

Judge Armendariz graduated from El Paso High School in 1934. After graduation, he became a sergeant in the military and was responsible for overseeing the motor pool at Ft. Bliss in El Paso. He was later assigned to oversee the Italian prisoners of war at Ft. Bliss. When the war ended, he used the GI Bill to attend the University of Texas at El Paso for his undergraduate studies and then the University of Southern California Law School, where he was the only Mexican-American student at that time.

Judge Armendariz was a proud American who possessed a deep commitment to ensuring equal opportunity for all. In the late 1950's and early 1960's, Judge Armendariz served on the El Paso Civil Service Commission and is credited with helping to open the city's police and fire departments to Mexican-Americans. In 1976, Judge Armendariz was appointed an administrative judge for the Immigration and Naturalization Service and served in that capacity until 1985. He was later appointed to the 8th Court of Appeals of Texas. He was a founder of the Mexican American Legal Defense and Educational Fund (MALDEF); national president of the League of United Latin American Citizens (LULAC); and founding board member of the Mexican American Bar Association of El Paso.

Judge Armendariz was a great American who gave so much to the El Paso community and to our nation. I urge all Members to join me in voting in favor of H.R. 2053.

Mr. ORTIZ. Mr. Speaker, I want to take this opportunity to support my colleague from Texas, Congressman SILVESTRE REYES, and his bill, H.R. 2053.

Albert Armendariz, Sr. was a great citizen and legal mind. His tireless work for the Latino community and under-represented citizens is his legacy that will be long remembered. His work on the landmark case, *Hernandez v. The State of Texas*, is part of this legacy and our judicial history. This case established protections under the 14th Amendment for Latinos and was a step forward in the American Civil Rights Movement.

Judge Armendariz served his community of El Paso, Texas, and his nation in WWII. He

attended the University of Southern California, School of Law and was the only Mexican-American graduate at that time. He was the founder of the Mexican American Legal Defense and Educational Fund (MALDEF), a founding board member of the Mexican American Bar Association of El Paso, and a federal immigration judge.

Judge Armendariz dedicated his life to the El Paso community and to our nation and it is fitting that we honor him in this manner.

I ask your support for this bill which will name the new El Paso Federal Courthouse after the late Judge Albert Armendariz, Sr.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2053.

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

A motion to reconsider was laid on the table.

ALTO LEE ADAMS, SR., UNITED STATES COURTHOUSE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3193) to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the "Alto Lee Adams, Sr., United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3193

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

SECTION 1. DESIGNATION.

The United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, shall be known and designated as the "Alto Lee Adams, Sr., United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Alto Lee Adams, Sr., United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3193.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 3193 and am pleased today to speak in support of a bill that names the courthouse located in Fort Pierce, Florida, as the Alto Lee Adams, Sr. United States Courthouse.

Judge Alto Lee Adams was born in 1899 in Florida and served as a member of the U.S. Navy in World War I. Judge Adams later graduated from the University of Florida Law School in 1921 and began practice in Fort Pierce in 1924. After practicing law in Fort Pierce County for 14 years, Judge Adams was appointed to the Florida State Circuit Court in 1938. After serving as a circuit court judge, Judge Adams served two stints as a member of the Florida Supreme Court. He was an active member of his community, serving as president of the Florida State Elks Association and vice-chair of the State Welfare Board.

Because of Judge Adams' exemplary career in public service as both a member of the military and as a Florida Supreme Court justice, I urge my colleagues to support H.R. 3193, which names the Federal courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the Alto Lee Adams, Sr. United States Courthouse.

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

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I would like to first thank Representative ROONEY for his leadership and work on this bill and would like to also yield the distinguished gentleman from Florida 3 minutes.

Mr. ROONEY. I thank the gentleman for yielding.

Today is a great day for the residents of Fort Pierce, Florida, and the Treasure Coast.

Over two decades ago, the late Congressman Tom Lewis and his district director, Ann Decker, started the long process of bringing a Federal courthouse to St. Lucie County. I was greatly honored that one of my first official events as Congressman was to participate in the historic groundbreaking of this new building. Shortly thereafter, I introduced legislation to honor the distinguished life and career of the late Florida supreme court chief justice, Alto Lee Adams, by naming this new building in his memory.

This courthouse will fill a vital role for the city of Fort Pierce, bringing much-needed jobs and investment to the community with a greatly needed new Federal courthouse to the area. It is only fitting that this courthouse be named in honor of a man who himself gave so much to his community.

Chief Justice Alto Lee Adams, Sr., attended the University of Florida College of Law and graduated in 1921. He practiced law in Fort Pierce from 1924 to 1938 until he was appointed as a circuit court judge for St. Lucie County.

After Florida voters adopted an amendment which created a seventh justice in the State supreme court in 1940, Alto Lee Adams, Sr. was appointed to the court by then-Governor Fred P. Cone. He served as a justice on the Florida supreme court from 1940 to 1951 and 1967 to 1968, and as chief justice from 1949 to 1951.

Chief Justice Adams believed it was important to give back to his community and even served as president of the Florida State Elks Association in 1937. His service to the St. Lucie community served as an example to his children and those who knew him. In addition to his distinguished career, Judge Adams started a successful cattle ranch named Adams Ranch in St. Lucie County which is still run by the Adams family.

Judge Adams set a standard of integrity and community service that lives on today, and I believe it's only fitting that a new courthouse be named in his honor.

I would like to thank Chairman OBERSTAR, Ranking Member MICA, Mr. DIAZ-BALART, and their staff, for helping support the moving of this legislation. I am proud to sponsor H.R. 3193 and ask my colleagues for their support.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 3193, a bill to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the "Alto Lee Adams, Sr., United States Courthouse".

Alto Lee Adams, Sr. was born and raised in Walton County, Florida, and graduated from the University of Florida Law School in 1921. After practicing law in Fort Pierce County for 14 years, Judge Adams was appointed to the Florida state circuit court in 1938.

In 1940, Florida citizens voted for the creation of a seventh seat on the State Supreme Court. Then-Governor Cone appointed Judge Adams to the State's highest court. He served on the Florida Supreme Court until 1951, the last two years as the Chief Justice. During this time, Justice Adams authored one of his most highly-regarded decisions in *Taylor v. State*, which illustrated Justice Adams' dedication to civil rights. He wrote that "[a]s to the relative rights and duties, the law makes no [racial] distinction." Justice Adams also continually advocated for individual property rights over the Federal Government's power of eminent domain. In 1967, then-Governor Kirk re-appointed Justice Adams to the State Supreme Court, where he remained on the court until his mandatory retirement in 1968.

Throughout his legal career, Justice Adams co-authored a book and wrote several articles regarding legal history and philosophy. His 13 years of service on the Florida State Supreme Court are marked by his fairness on the bench.

He was also an active member of his community serving as President of the Florida State Elks Association and as Vice Chair of the State Welfare Board.

Because of Judge Adams' exemplary career in public service, it is fitting to designate the United States Courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the "Alto Lee Adams, Sr., United States Courthouse".

I urge my colleagues to join me in supporting H.R. 3193.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 3193.

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

A motion to reconsider was laid on the table.

□ 1230

NATIONAL NIGHT OUT

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 623) requesting that the President focus appropriate attention on neighborhood crime prevention and community policing, and coordinate certain Federal efforts to participate in National Night Out, which occurs the first Tuesday of August each year, including by supporting local efforts and community watch groups and by supporting local officials, to promote community safety and help provide homeland security.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 623

Whereas neighborhood crime is of continuing concern to the American people;

Whereas child safety is a growing concern for parents and communities, as evidenced by several cases of missing and abducted children;

Whereas homeland security remains an important priority for communities and the Nation;

Whereas crime, drugs, and violence in schools is of continuing concern to the American people due to the recent high-profile incidents that have resulted in fatalities at several schools in the United States;

Whereas the fight against neighborhood crime requires people to work together in cooperation with law enforcement personnel;

Whereas neighborhood crime watch organizations effectively promote awareness about, and the participation of volunteers in, crime prevention activities at the local level;

Whereas neighborhood crime watch groups can contribute to the Nation's war on drugs by helping to prevent communities from becoming markets for drug dealers;

Whereas neighborhood crime watch programs play an integral role in combating domestic terrorism by increasing vigilance and awareness and encouraging citizen participation in community safety and homeland security;

Whereas community-based programs involving law enforcement, school administrators, teachers, parents, and local communities work effectively to reduce school violence and crime and promote the safety of children;

Whereas citizens throughout the United States will take part in National Night Out,

a unique crime prevention event that will demonstrate the importance and effectiveness of community participation in crime prevention efforts;

Whereas over 37,000,000 people in more than 15,000 communities from all 50 States, territories, District of Columbia, and military bases worldwide participated in National Night Out in 2007;

Whereas National Night Out will celebrate its 26th anniversary on Tuesday, August 4, 2009, when citizens, businesses, local law enforcement officers, mayors, State and Federal officials, and others will celebrate "America's Night Out Against Crime" and participate in events to support community crime prevention;

Whereas National Night Out is supporting the Department of Homeland Security's Ready campaign by handing out materials and educating and empowering the public on how to prepare for, and respond to, potential terrorist attacks or other emergencies;

Whereas National Night Out is supporting the National Child Identification Program, a joint partnership between the American Football Coaches Association and the Federal Bureau of Investigation, to provide identification kits to parents to help locate missing children;

Whereas the National Sheriffs Association, the United States Conference of Mayors, and the National League of Cities have officially expressed support for National Night Out; and

Whereas citizens and communities that participate on August 4, 2009, will send a positive message to other communities and the Nation, showing their commitment to reduce crime and promote homeland security: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Night Out; and

(2) requests that the President—

(A) issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for National Night Out;

(B) focus appropriate attention on neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing the Administration to make crime reduction an important priority; and

(C) coordinate the efforts of the Federal Emergency Management Agency, the USA Freedom Corps, the Citizen Corps, the National Senior Service Corps, and AmeriCorps to participate in National Night Out by supporting local efforts and neighborhood watches and by supporting local officials, including law enforcement personnel, to provide homeland security and combat terrorism in the United States.

The SPEAKER pro tempore (Mr. PASTOR of Arizona). Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, this resolution supports this year's National Night Out events coordinated by the National Association of Town Watch and encourages the President to focus attention on neighborhood crime prevention, community policing and Federal efforts to participate in various local events. The 26th Annual National Night Out, America's night out against crime, was held on Tuesday, August 4, 2009.

The National Night Out is designed to promote crime and drug prevention efforts, create support for local anti-crime programs and strengthen neighborhood camaraderie and police-community partnerships. Last year's National Night Out campaign involved citizens, law enforcement agencies, civic groups, businesses, neighborhood organizations and local officials from over 15,000 communities from all 50 States, as well as U.S. territories, Canadian cities and military bases worldwide.

In 2008, over 37 million people participated in National Night Out events. National Night Out has the support of many agencies and organizations, including the National Sheriffs Association, the United States Conference of Mayors, and the National League of Cities.

On August 4, people from communities around the country sat on their porches with their lights on to show their support for neighborhood crime prevention and drug abuse prevention efforts. Local sponsors also organized events such as block parties, cookouts, parades and visits with local law enforcement agencies, as well as rallies and marches. National Night Out events have become a very popular way to build police-community relations and to encourage people to volunteer in their communities.

For those reasons, Mr. Speaker, I urge my colleagues to support the resolution introduced by the gentleman from Michigan (Mr. STUPAK).

I reserve the balance of my time.

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

I want to thank the gentleman from Michigan (Mr. STUPAK) for sponsorship of this legislation.

On August 4, 2009, communities, businesses, local law enforcement officials and other individuals from all 50 States got together for what we call National Night Out. National Night Out, an annual event created to bring attention to the importance of community involvement in preventing crime and community awareness efforts throughout the country. It has successfully reached millions of people and thousands of communities in every State in our Nation.

Not only has the event grown in participation and size, but in production as well. The traditional "lights on," in which neighborhood families coordinate in turning on their porch lights,

has grown to include block parties, neighborhood walks, police meetings, cookouts and even parades.

Mr. Speaker, this is the only time of the year that many neighbors see each other. My grandfather used to say that people quit being as neighborly when builders quit building front porches on their homes. Anyway, National Night Out gives people the chance to visit with each other and be neighborly.

House Resolution 623 calls on the administration not only to highlight and urge participation in this nationwide campaign, but also to coordinate Federal efforts in other community crime-prevention initiatives.

The resolution reminds us that crime is local. Crime affects all Americans, regardless of where they live or who they are. In my 30 years as a prosecutor and a former judge, I saw for myself the terrible toll that crime puts on neighborhoods and on families and individuals.

We all suffer. Crime, especially violent crime, is a national health concern. Volunteer organizations such as neighborhood crime watch groups have proven to be invaluable, not just in awareness and prevention, but also in their coordination with local law enforcement.

National Night Out was created in 1984 to help bring members of our communities together to fight the scourge of crime in local neighborhoods. Since then, it has been the mission of Association of Town Watch and National Night Out to send a message to criminals that neighborhoods and communities are united in their fight against criminal conduct. Through the participation in local crime fighting programs and organizations, every American can make a difference in the safety of their community. Strong communities are safer communities.

In today's world, crime and violence can be found everywhere we look. Urban communities, rural communities, parks and even our schools. And while Federal coordination with local law enforcement plays a tremendous role in curbing criminal activity, the coordination of local law enforcement officials, volunteer groups and community leaders and neighbors is, without a doubt, the most effective way of attacking crime and protecting America's families.

So I urge all my colleagues to support this resolution.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the sponsor of the resolution, a law enforcement officer himself, the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the Stupak-Reichert resolution, House Resolution 623. This resolution commemorates the 26th Annual National Night Out event, which is sponsored by the National Association of Town Watch.

I would like to thank my Law Enforcement Caucus cochair, Congressman DAVE REICHERT, for introducing this resolution with me.

National Night Out, an annual nationwide grassroots crime prevention event, took place on Tuesday, August 4, and will actually take place in Texas on October 6, 2009. I appreciate the work of the Judiciary Committee and Chairman CONYERS and Chairman SCOTT in placing this resolution on the House calendar.

However, I must admit I am disappointed in the partisan, obstructionist tactics that precluded the recognition of National Night Out in a timely fashion in July. I am disappointed that this truly bipartisan resolution, that has been introduced year after year and passed by this House urging citizens to take back their streets from criminals, is hijacked by partisan politics. Now, a month later, we have to talk about this year's event in the past tense.

This year's event did bring together citizens, law enforcement agencies and civic groups throughout the United States. As Chairman SCOTT said, about 15,000 communities participated to heighten crime and drug prevention awareness and to strengthen neighborhood spirit and police-community partnerships.

National Night Out is the largest, most cost-effective crime prevention campaign. Whether it is stopping illegal drug sales, making schools safer, locating missing children or remaining vigilant against terrorism, local law enforcement officials depend on the support of community networks to succeed.

This high profile, high impact National Night Out sends a message to criminals, letting them know that neighborhoods are organized and fighting back. The active involvement of citizens and the presence of law enforcement in our communities is a winning combination that makes and keeps neighborhoods safe.

The Stupak-Reichert resolution expresses Congress' support for community crime prevention and asks that the President focus Federal attention on this issue. I urge all our Members to support this resolution.

Mr. POE of Texas. I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as she may consume to the gentlelady from Ohio, a strong supporter of law enforcement, Ms. SUTTON.

Ms. SUTTON. I thank the gentleman for the time and for his leadership on this very important issue.

I rise today, Mr. Speaker, in strong support of H. Res. 623, and I commend Representative STUPAK for bringing this great resolution to the floor.

National Night Out is an innovative and unique crime fighting tool, and the administration's support for this effort is critically important. This resolution sends a strong message to criminals,

letting them know that neighborhoods are organized and are fighting back.

It also sends a strong message to volunteers and neighbors and block leaders that their hard work is not going unnoticed by this Congress and this administration. When people volunteer in their community, they are telling the world that their neighborhood matters, that their neighborhood is important, and that it has value. And we hear them, Mr. Speaker.

In these difficult times, volunteering is critical to supporting both our neighbors and our communities. While neighborhood watch groups work tirelessly every night throughout this country, a special night of the year is reserved to celebrate National Night Out.

And on the first Tuesday of every August, nearly 37 million Americans gather together to participate in National Night Out, walking door to door, handing out important safety information, greeting old neighbors and meeting some new people on their block. It takes a community to keep a neighborhood safe, and on August 4 people across America helped keep their neighborhoods just that much safer.

This August 4, I had the honor to participate in the 26th Annual National Night Out in Akron. It was a great experience, and I hope to participate again next year, along with millions of my fellow crime fighting Americans.

I commend the gentleman again for bringing the resolution to the floor.

Mr. POE of Texas. We have no other speakers, Mr. Speaker.

I will close by saying that this is a bipartisan piece of legislation. This body here contains many former law enforcement officers, peace officers, sheriffs, prosecutors, former judges, and victims of crime as well. Crime knows no boundaries in this country, and it affects all of us. This legislation is a stand for the volunteers who support National Night Out and the good work that they do.

I strongly urge the adoption of this resolution.

Mr. REICHERT. Mr. Speaker, I rise today in support of H. Res. 623, which requests that the President focus appropriate attention on neighborhood crime prevention and coordinate Federal efforts to participate in National Night Out.

Today our suburban communities and neighborhoods throughout the nation are under attack. When our children are no longer free to play outside after school and families no longer feel safe in their suburban communities because gangs, and all the violence and drugs they bring with them, have spread to their communities; and when children are no longer safe in their own homes because thousands of sex offenders are online just waiting for their next prey; when the "bad guy" has no face and there are no boundaries thanks to the Internet—our very freedom itself is threatened.

National Night Out is an extraordinary opportunity for citizens, law enforcement, businesses, and local officials to come together to raise awareness about these threats and fight

crime where we live. Last year, over 37 million people participated in National Night Out.

As a former Sheriff, I know how important it is to foster relationships between the community, law enforcement and local businesses and organizations. By coming together we really can create safer places for our children to grow and thrive.

I urge all my colleagues to support H. Res. 623 and community policing efforts throughout their communities.

Mr. POE of Texas. I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman from Michigan for his introduction of the resolution and urge support of the resolution.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 623.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING SEPTEMBER 11 AS A NATIONAL DAY OF SERVICE AND REMEMBRANCE

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 718) Recognizing September 11 as a "National Day of Service and Remembrance".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 718

Whereas, on September 11, 2001, terrorists ruthlessly attacked the United States leading to the tragic deaths and injuries of thousands of innocent United States citizens and other citizens from more than 90 different countries and territories;

Whereas in response to the attacks in New York City, Washington, DC, and Shanksville, Pennsylvania, firefighters, police officers, emergency medical technicians, physicians, nurses, military personnel, and other first responders immediately and without concern for their own well-being rose to service, in a heroic attempt to protect the lives of those still at risk, consequently saving thousands of men and women;

Whereas in the immediate aftermath of the attacks, thousands of recovery workers including trades personnel, iron workers, equipment operators, and many others, joined with firemen, police officers, and military personnel to help to search for and recover victims lost in the terrorist attacks;

Whereas in the days, weeks, and months following the attacks, thousands of people in the United States and others spontaneously volunteered to help support the rescue and recovery efforts, braving both physical and emotional hardship;

Whereas many first responders, rescue and recovery workers, and volunteers, as well as survivors of the 9/11 terrorist attacks, continue to suffer from serious medical illnesses and emotional distress related to the physical and mental trauma of the 9/11 tragedy;

Whereas hundreds of thousands of brave men and women continue to serve every day,

having answered the call to duty as members of our nation's armed forces, with thousands having given their lives, or been injured to defend our nation's security and prevent future terrorist attacks;

Whereas the entire nation witnessed and shared in the tragedy of 9/11 and in the immediate aftermath of the September 11 attacks became unified under a remarkable spirit of service and compassion that inspired and helped heal the nation;

Whereas in the years immediately following the September 11, 2001, attacks, the U.S. Bureau of Labor Statistics documented a marked increase in volunteerism among citizens in the United States;

Whereas families of 9/11 victims, survivors, first responders, rescue and recovery workers, and volunteers called for Congress to pass legislation to formally authorize the establishment of September 11 as an annually recognized "National Day of Service and Remembrance", and for the President of the United States to proclaim the day as such;

Whereas in 2004, Congress unanimously passed H. Con. Res. 473, expressing the sense of Congress that it is appropriate to observe the anniversary of the September 11, 2001, attacks with voluntary acts of service and compassion;

Whereas hundreds of thousands of people in the United States from all 50 States, as well as others who live in 170 different countries already observe the anniversary of the September 11, 2001, attacks each year by personally engaging in service, good deeds, and other charitable acts; and

Whereas, on March 31, 2009, Congress passed the Edward M. Kennedy Serve America Act, which included for the first time authorization and Federal recognition of September 11 as a "National Day of Service and Remembrance", a bill signed into law on April 21, 2009, by President Barack Obama: Now, therefore, be it

Resolved, That the House of Representatives—

(1) calls upon all people in the United States to annually observe a "National Day of Service and Remembrance", with appropriate and personal expressions of reflection, including performing good deeds, attending memorial and remembrance services, and voluntarily engaging in community service or other charitable activities of their own choosing in honor of those who lost their lives or were injured in the September 11, 2001, attacks, in tribute to those who rose to come to the aid of those in need, and in defense of our Nation; and

(2) urges all people in the United States to continue to live their lives throughout the year with the same spirit of unity, service, and compassion that was exhibited throughout the Nation following the September 11, 2001, terrorist attacks.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

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

As we take time today to remember the tragic events of September 11, 2001,

let us also remember the great compassion that Americans showed each other following the attacks. They donated blood, searched through wreckage, and sat to comfort one another. The service of volunteers helped our country through their time of crisis, as it has so often during our history.

It is in their spirit that we observe the anniversary of the attacks by not only remembering those lost and injured on September 11, 2001, but by serving our fellow Americans in their honor. This is the proper tribute to those who served those in need on that day.

I am proud that we are taking time today to recognize these heroic volunteers. I would like to thank the leadership for allowing us to bring this bill to the floor today.

□ 1245

I would also like to thank the ranking member of the Committee on Oversight and Government Reform, Mr. Issa of California, for his support of the bill. I urge my colleagues to join us in supporting it.

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

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. BILBRAY) will control 20 minutes.

There was no objection.

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

The resolution before us is a commitment to reaffirm a sense of urgency, of reminding all of us of the crisis that occurred not so long ago in the crumbling towers in New York and the crisis at the Pentagon and in Pennsylvania. I appreciate the chairman bringing this item before us, and as a representative of the minority on the committee, I want to strongly urge its support.

I appreciate the fact that the gentleman has worked in a bipartisan fashion. I think this is one committee where the chairman and ranking member have proven that Washington, especially the House of Representatives, can work in a cooperative manner, and I think if there is any place the American people not only expect but demand that we find that bipartisan ground, I think we have found it in this resolution and on this issue.

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

Mr. TOWNS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the chairman and my good friend from New York for yielding to me.

Mr. Speaker, September 11 will always have a special meaning in our hearts and in our lives. I guess the previous generation, when you said December 7, Pearl Harbor Day, that was something that stuck in their minds. But, for us, September 11 is a date that will live, as President Roosevelt said, in infamy.

September 11 showed us the worst in people, the terrorists that killed approximately 2,000 people in New York

and at the Pentagon and in Pennsylvania, but it also showed the best in people, New Yorkers and others who came to try to save people, certainly at the World Trade Center.

Every week when I go back to New York, I look at the skyline of New York and something is missing. It always feels, to me, empty. It always feels wrong. Of course, the Twin Towers of the World Trade Center are missing. But as much as I have pain in my heart for the missing towers, it is nothing like the pain in my heart and the grief I have for the thousands of people that were killed and for their families.

I was very proud to be a New Yorker that day. I said it on the floor of this House soon afterwards 8 years ago. I am still very, very proud to be a New Yorker.

But there is still much more work to be done. We have been fighting for years for a health care bill that would enable first responders and good Samaritans who came to the World Trade Center day in and day out, digging sometimes with their bare hands to try to find victims and who very often did find victims, and now who are suffering from irreparable injuries to their lungs and to their health. We need a bill, and the New York delegation has been fighting for a bill that will take care of these people who, by the way, come from all 50 States, and we need to do that. This Congress needs to do that.

But also, as Mr. TOWNS said, we need to remember those people, the people who perished and the thousands of people who came to the aid of and to help the victims, to save their lives, to escort them to safety, to come and try to find people in the rubble. That again showed the best of humanity, the best of Americans, the best of New Yorkers, the best of what this country has to offer.

Again, Mr. Speaker, September 11 will obviously never be the same and will hold a special meaning. I generally have not attended meetings or any kind of things on that day in the 8 years because it is, for me, a day of reflection, but I am very, very proud that this Congress is taking up this resolution, and I urge my colleagues to support it.

Mr. BILBRAY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. KING), the ranking member on the Committee on Homeland Security.

Mr. KING of New York. Mr. Speaker, I thank the gentleman for yielding.

I want to commend Chairman TOWNS and Ranking Member ISSA for bringing this bill to the floor. I want to thank Congresswoman MATSUI for the tremendous work that she has done in leading the way on this legislation. I am proud to be a cosponsor of the legislation.

Mr. Speaker, I listened carefully to my good friend from New York, Mr. ENGEL, and he really articulated the way all New Yorkers feel. September 11 will be a day that none of us will ever

forget. It is a day that will just be embedded into us because of the terrible horror, the tragedy, all that occurred on that day, but also because of the tremendous valor, the tremendous dedication, and the tremendous sense of courage which was also demonstrated on that day.

I lost probably 150 constituents, friends, neighbors that day, and that is just all throughout downstate New York. Almost every Member of Congress can say the same thing about the large numbers of deaths in their districts and their friends, their neighbors who were murdered that day.

So it is really important, as we go forward, that September 11 never just be a day, never just be a holiday, never just be a day where maybe some people get off and some don't or a day that you use to go shopping. It should be a day where we find a way to remind ourselves of the sacrifice of that day, of the police officers and the firefighters and the EMTs and construction workers who actually ran into the burning towers and suffered those incalculable deaths, 343 firefighters, 60 police officers, a number of EMTs, a number of construction workers, all of whom were killed rescuing people that day.

Mr. Speaker, just as a historical note, this legislation initiated from an organization called MyGoodDeed, and this organization, one of the founders was Jay Winuk. His brother Glenn was a constituent of mine.

Glenn was actually working in Lower Manhattan that day as a lawyer, but he was also a volunteer firefighter. After he evacuated his own building, he ran into the World Trade Center and was killed. Just this past week, he was finally awarded the 9/11 Medal of Valor. But the Winuk family, in honor of Glenn, who really personified September 11 in that he was one of both a civilian and a firefighter, who in both capacities performed so brilliantly that day, his family was the starter of this organization, which was the genesis of this legislation.

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

Mr. BILBRAY. I yield the gentleman an additional 2 minutes.

Mr. KING of New York. Mr. Speaker, also, for instance, tomorrow, throughout my district, there will be various types of services being carried out. For instance, in my own office, we have a blood drive which is run by my assistant, Patricia Gartland, who will have people lined up from morning to night giving blood in honor of those killed on September 11.

In my own school district, the Seaford School District, there will be a large commemoration, and the coordinator, Ken Haskell, is a firefighter who lost two brothers on September 11. He is coordinating an effort where the students will show the good works that they did in honor of those who died on September 11.

So, Mr. Speaker, this is a day which, again, as tragic as it was, as horrible as

it was, it is also a day from which tremendous good came from that. So let's go forward. Let's adopt this legislation in the spirit of what happened on September 11, both in memory of those who were murdered and in honor of those who gave their lives, and in honor of those who in the days afterwards, as Congressman ENGEL said, not just from New York but from all over the country, came to Lower Manhattan, came to the World Trade Center, came to the Pentagon, went to Pennsylvania to try to do what they could to help those and to take part in the rescue operation and recovery operation and really showed the unity of the Nation, maybe as never before.

With that, again, I thank the chairman, I thank the ranking member, I certainly thank Congresswoman MATSUI, and I urge the adoption of the resolution.

Mr. TOWNS. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. MATSUI), who really is responsible for us being here today. I want to thank her for her insight and, of course, making it possible for us to recognize people who really contributed so much on September 11.

Ms. MATSUI. Thank you very much, Mr. Chairman.

Mr. Speaker, I rise today in support of House Resolution 718, which recognizes September 11 as a National Day of Service and Remembrance. On April 21 of this year, with Senator Ted Kennedy standing by his side, President Obama signed into law the Edward M. Kennedy Serve America Act. This landmark legislation makes historical investments in both national and community service programs and helps to facilitate the extraordinary interest in volunteerism we are seeing throughout the country and in my hometown of Sacramento certainly, too.

The Serve America Act also designates September 11 of every year as a National Day of Service and Remembrance. This year, and with this resolution, we are recognizing the observance of the first-ever federally recognized National Day of Service and Remembrance.

This bipartisan resolution calls upon all Americans to engage in community service and contribute to local projects in their neighborhood on September 11 in tribute to those who selflessly served their communities during the attacks on that day, as was mentioned by our New Yorkers here and people throughout the country.

On that day and the days following, first responders, rescue and recovery workers and perfect strangers came together to help those in need. Their sense of patriotism and service truly made our Nation great. This year we will honor them not only by remembering their heroism, but by recommitting ourselves to bettering our communities and our country.

This Friday, we will join with Americans across the country and give back to our communities by volunteering to

build houses, participate in literacy programs, lead neighborhood cleanups, collect food and clothing for the coming winter, and really much, much more. As a result, extraordinary things will be happening all through this country. The service events taking place will help address some of our Nation's toughest problems, from poverty and unmet education needs to preparing for natural disasters.

As co-Chair of the National Service Caucus, it is a pleasure to call attention to the tremendous work of volunteers participating in the first-ever National Day of Service and Remembrance and to partner with my colleague PETER KING of New York on this legislation.

I also want to thank MyGoodDeed.org, the Corporation for National and Community Service, and the families of 9/11 who helped make this a reality and for promoting volunteerism and service in every corner of our country.

I am really proud that this body has come together and has been a leader in recognizing the importance of volunteerism and community service. Please join me in honoring this spirit of service by voting in support of this resolution.

Mr. BILBRAY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

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

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

I have to say that I am rather struck as I listened to my California colleagues, Ms. MATSUI and Mr. BILBRAY. We have had three New Yorkers and now three Californians who have stood here to recognize the significance of what, unfortunately, is one of the most tragic days in the 220-year history of the United States of America.

All of the remarks have been extraordinarily thoughtful. They have focused on why it is that we are here, and it is to remember those thousands of lives that were lost. But, as was said by Mr. ENGEL, Mr. TOWNS and Mr. KING as well, and Ms. MATSUI and, I know, Mr. BILBRAY, the good that has come from one of the most tragic days in our Nation's history is that we saw a solidarity, the likes of which we have not seen in a long period of time, and we saw so many great things done by courageous people.

□ 1300

Now, we've heard about the New Yorkers, and no one sacrificed more than New Yorkers as we, for literally months, watched the cleanup take place at the World Trade Center. But I'm reminded of the Rancho Cucamonga Fire Department in Southern California. It was so moved they came together and provided a fire truck to the New York City Police Department. And when we've had three

New Yorkers and three Californians, I know that we speak for everyone across this country when we underscore how important it is to recognize this, one of the most tragic days in our Nation's history.

Now, there are other things that have come from this. And as I look at my friend, Mr. KING, I'm reminded that he is the former chairman, now the ranking member, of the Committee on Homeland Security that was established in the aftermath of September 11. And as we sit here, prepared to mark the eighth anniversary, I think it's important to note that another good thing has emerged.

That good thing is the fact that while most predicted that within a matter of months, and certainly years, we would have another terrorist attack on U.S. soil, it's due to the work of PETER KING and lots of other people in this institution, in the executive branch and around the country that have ensured that we have not to this point, and we hope and pray that this vigilance will continue and that we will never have an attack like we saw on September 11 of 2001.

And we also need to use this resolution, Mr. Speaker, to remind ourselves that we still live in a very, very dangerous world. There are people who would like to do us in. We know that. We find it out on a daily basis, and we see it in tragic terrorist attacks that take place in other parts of the globe.

And so I join, Mr. Speaker, with my colleagues in strong support of the effort that Ms. MATSUI and Mr. KING and others have put together on this resolution in hopes that this will be a learning experience, just, as Mr. ENGEL mentioned, as December 7, 1941, was a date for past generations. We all remember the history of December 7, 1941; and, similarly, we hope that this resolution will ensure that future generations will never forget what happened on September 11, 2001.

Mr. TOWNS. Mr. Speaker, I would like to join my colleagues in saying that this was a day that I will never, never forget as I stood and I watched the second plane hit, and then I realized that this was a day that we would never, never forget. I also want to recognize those firefighters and those police officers and people who came from all over the Nation to help us at that time, and I mean New Yorkers. And of course, that's something that we cannot forget. People just packed up, came to help us clean up. And I've never seen people work together the way they worked during the crisis of September 11.

So I think it's only fitting that we stop and we recognize the great work of those volunteers. And I want to thank Congresswoman MATSUI, I want to thank Congressman PETER KING for sponsoring this resolution.

I remember on that day a gentleman by the name of Al Walden, who worked here in the Congress, served in the Congress with us, who was a judge, and his

office was in the building that caught on fire, the first building. And I recall standing out there talking to him as we were looking at the problem and the smoke coming from the building. And then as we heard the fire trucks and the volunteers running to help each other, and, of course, that's a day that I will never, never forget. I remember getting a call indicating that Fireman Glascoe, who was a very, very dear friend, was in the building, and that Officer Venable, I mean, I just can go down the list, calling the roll of all these people that lost their lives on that day.

But I can't help from thinking about the togetherness that came from this and how people said, let's do everything we can to assist the people in New York. So I want to thank people from all over this land for doing that.

I have no other speakers, and I reserve my time.

Mr. BILBRAY. Mr. Speaker, I appreciate the chairman's words. And let me just say, December 7, 1941, was brought up earlier, and my father's birthday actually was December 7 and he was actually stationed at Pearl Harbor in 1941. And I think the big slogan we've always heard about December 7 is, never again shall we be not prepared to avoid this. I guess the goal that we need to say in remembrance is, never again with 9/11.

How many of us around this country, especially if you asked those in New York, how many thought that flight schools in Florida or California were going to affect their lives? Most New Yorkers would probably say, it doesn't affect me. I guess how many people around this country would think that if Virginia gave driver's licenses to people who were not legally in the country, did it really matter? And they would think, no it probably doesn't matter in my life. I think 9/11 has proven that what happens anywhere in the United States may have a major impact at corners across this country.

I'd have to say that we do talk about what happened at New York. We can identify where the Pentagon was hit. And, sadly, I don't think most of us could point out where in the field in Pennsylvania the heroes of that flight perished. In that field, somewhere in Pennsylvania, there were the heroes who chose to stop an act of terrorism dead in its tracks. And I think every Member of Congress, when we do a tour of the Capitol, we walk into the Capitol, every Member of Congress should remember those heroes who perished in that field in Pennsylvania because, Mr. Speaker, we stand here today and we have the privilege of showing our constituents this structure to representative government, the Capitol.

We stand today probably because these heroes were willing to give it all to protect the Capitol of the United States. As far as I know, this was, we were the next one in line. And so, as we stand here today and recognizing the sacrifice, the heroism and the loss of

9/11, I think that we should remember every day that a Member of Congress or the President has the privilege of serving the public in this building, in this temple of representative government, that we ought to thank those heroes for preserving for us the right to be able to represent them here in this structure because without that heroism, not only would the structure not be here, but there's many of us that will vote on this resolution today who may not be here today if it wasn't for their heroism.

So I ask that we support this resolution. I ask that we remember what it's about and we remember that the only way to make sure it doesn't happen again is to take the time to do the right things, learn from the mistakes of 9/11 and make sure we don't forget the mistakes of 9/11 so that we never repeat the tragedy of 9/11.

I yield back the balance of my time.

Mr. TOWNS. Mr. Speaker, how much time do I have?

The SPEAKER pro tempore. The gentleman has 10 minutes.

Mr. TOWNS. Let me just make the statement, then I will be prepared to yield back. Again, I want to thank the gentleman from California. I want to thank PETER KING. I want to thank Congresswoman MATSUI; I want to thank my colleague, of course, Congressman ENGEL, for his participation. And again I would like to urge my colleagues to join me in recognizing September 11 as an ideal opportunity for giving back to our Nation through service.

Mr. EHLERS. Mr. Speaker, I rise in support of House Resolution 718, which recognizes September 11 as a "National Day of Service and Remembrance."

I am honored to cosponsor this resolution, and I thank Representatives DORIS MATSUI and PETER KING for their work on it.

The horrific events of September 11, 2001 made a permanent mark on our Nation's history and the lives of thousands of American families.

In recognition of this, Congress passed the Edward M. Kennedy Serve America Act, which included for the first time authorization and Federal recognition of September 11 as a "National Day of Service and Remembrance."

As a co-chair of the National Service Caucus, I believe that it is very fitting that Americans be encouraged to voluntarily engage in community service or other charitable activities of their own choosing in honor of those who lost their lives or were injured in the September 11, 2001 attacks.

Charitable activities have a positive and immediate impact in our communities and often make a notable difference in the lives of the people whom they benefit. Recently, I had the opportunity to serve in my community by reading books to children at the local public library and through the Reach Out and Read program. I encourage other Members of Congress and staff to set an example by voluntary service in their communities.

I encourage all Members to support this important resolution.

Mr. VAN HOLLEN. Mr. Speaker, I join my colleagues today to honor the memory and

sacrifice of almost 3,000 innocent men and women who lost their lives 8 years ago in the worst act of terrorism this country has ever endured.

Terrorism anywhere is a threat to life, freedom and democratic values everywhere. The tragedy of September 11th was not just a tragedy for Americans, it will forever remain a global reminder that there are people who will stop at nothing and cross any border to spread hate and visit violence upon the innocent.

The President has expressed his determination to face the cancer of global terrorism with renewed purpose and to defeat it at its source. He has made this commitment not only to safeguard lives, but also to honor the commitment of the dedicated men and women in uniform serving in harms way, here at home, and around the world.

September 11th is a day to remember those who lost their lives and to express our solidarity with the families they left behind. It is a day to honor the heroic public servants who help keep us safe here and abroad and a day for Americans to express their gratitude for their sacrifice.

September 11th is also a day of acknowledgment of the dangerous world we live in today and of the difficult task that still lies ahead.

Mr. TOWNS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the resolution, H. Res. 718.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE FIRST RESPONDERS AND VICTIMS OF THE CALIFORNIA WILDFIRES

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 724) honoring the first responders, paying tribute to the victims of the Southern California wildfires, and mourning the loss of the Firefighter Captain Tedmund "Ted" Hall, and Firefighter Specialist Arnaldo "Arnie" Quinones.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 724

Whereas beginning in August 2009, California has experienced a number of devastating wildfires which have burned hundreds of thousands of acres of public and private lands, destroyed and damaged structures and homes, and forced the evacuation of thousands of homes and businesses;

Whereas high temperatures and erratic winds caused the multiple fires to rapidly progress to a point that the Governor of California proclaimed a state of emergency in the counties of Los Angeles, San Bernardino, Santa Cruz, Monterey, Placer, and Mariposa;

Whereas loss of life and serious injuries have resulted from the fires;

Whereas beginning on August 26, 2009, the Station Fire, ignited by arson, has burned more than 160,000 acres of public lands and private property in Los Angeles County and the Angeles National Forest, including over 200 structures and homes;

Whereas the Station Fire is one of the largest in modern California history and the largest wildfire in the modern history of Los Angeles County;

Whereas as of September 9, 2009, the Station Fire continues to threaten 7,000 structures in the Angeles National Forest and nearby communities like Altadena, La Cañada Flintridge, Acton, Glendale, La Crescenta, Pasadena, Littlerock, Sunland, Sierra Madre, and Tujunga;

Whereas more than 8,000 fire personnel, 800 fire engines, approximately 40 helicopters, 13 fixed-winged aircraft, and 88 water tenders have been deployed statewide to assist with firefighting efforts;

Whereas the extraordinary effort made by firefighters throughout the region contributed to the preservation of the historic Mount Wilson Observatory, a national landmark for astronomical research;

Whereas on August 30, 2009, the lives of two firefighters with the County of Los Angeles Fire Department were lost while battling the Station Fire: Fire Captain Tedmund "Ted" Hall, 47, and Firefighter Specialist Arnaldo "Arnie" Quinones, 34;

Whereas Fire Captain Tedmund Hall, of San Bernardino County, was a 26-year veteran of the fire service, and is survived by his wife, two sons, and his parents;

Whereas Firefighter Specialist Arnaldo Quinones, of Palmdale, was an 8-year veteran of the fire service and soon-to-be father and is survived by his wife and his mother;

Whereas more than 10 firefighters were injured as they put their lives on the line to respond to wildfires in California;

Whereas it is clear that the continued commitment and heroism exhibited by firefighters has saved countless lives, homes, and businesses;

Whereas additional emergency personnel, such as law enforcement and medical personnel, have coordinated with local authorities and firefighters and have performed beyond the call of duty in the preservation and protection of human lives; and

Whereas hundreds of volunteers gave their time to help ensure that evacuees are sheltered, clothed, fed, and emotionally comforted through this traumatic event: Now, therefore, be it

Resolved, That the House of Representatives—

(1) offers its deepest sympathy to the families of those servicemen who lost their lives fighting the Station Fire in Southern California;

(2) commends the thousands of firefighters and emergency responders who continue to risk their lives fighting the wildfires throughout California;

(3) expresses condolences to the individuals and families who lost their homes and other property in the wildfires;

(4) extends its appreciation for the ongoing work to protect the communities and businesses that continue to be threatened by fire; and

(5) condemns the acts of arson perpetrated in igniting the Los Angeles County Station Fire.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. BILBRAY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

Mr. TOWNS. I now recognize the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. At the outset, Mr. Speaker, I want to thank the chairman for moving this resolution so expeditiously and in time for a memorial service that will be conducted at Dodger Stadium this Saturday. I rise today to speak in support of legislation I've introduced with my colleague, DAVID DREIER, my neighbor in California, honoring the first responders to the recent California wildfires, paying tribute to all those who helped during this crisis, and mourning the loss of Firefighter Captain Tedmund "Ted" Hall and Firefighter Specialist Arnaldo "Arnie" Quinones who died while bravely fighting the Station fire. These courageous men made the ultimate sacrifice for their family and friends and greater community, deserve our recognition and have earned our undying gratitude.

It is, I suppose, fitting, Mr. Speaker, that we take up this resolution following the September 11 resolution. When we think of September 11, in addition to the terrible tragedy and the loss of so many innocent lives, we think of the bravery of the emergency responders who, while others were rushing out of those collapsing buildings, they were rushing in.

Similarly, in California, 3,000 miles away from the site of that terrible tragedy, we, once again see firefighters rushing in while others are rushing out. And none could exemplify this courage and this call to service more than Specialist Quinones and Captain Hall. Our thoughts today go out to the families of these brave men. And with this resolution we seek to honor their lives and also highlight the contributions of thousands of other personnel who helped fight these massive wild fires which have burned hundreds of thousands of acres of public and private lands, destroyed and damaged structures and homes and forced the evacuation of thousands of families.

The weather conditions in California have been mixed. At times the weather has been still; the wind has been still. But that has caused smoke to accumulate and hampered emergency aircraft. At other times the winds have fanned the flames and started new fires. Low humidity has also, and high ambient temperatures have, contributed to the heat of the blaze, to the point where the Governor of California proclaimed a state of emergency in several counties in Los Angeles, San Bernardino, Santa Cruz, Placer, Monterey and Mariposa.

The Station fire, ignited by arson, began on August 26 and burned more

than 160,000 acres of public lands and private property in L.A. County and the Angeles National Forest where it continues to burn, including over 200 structures and homes. It is currently one of the largest fires in modern California history, and the largest wild fire in the history of Los Angeles County, as far as we can tell.

The Station fire continues to threaten 7,000 structures in the national forest and nearby communities like Altadena, Acton, Glendale, La Canada Flintridge, La Crescenta, Pasadena, Littlerock, Sunland, Sierra Madre, and Tujunga. More than 8,000 fire personnel, 800 fire engines and approximately 40 helicopters, 13 fixed-wing aircraft and 88 water tenders have been deployed statewide to assist with fire-fighting efforts.

The continuing commitment and heroism exhibited by fire fighters have saved countless lives, homes and businesses. We also recognize the additional emergency personnel such as law enforcement and medical personnel who have coordinated with local authorities and fire fighters and performed beyond the call of duty in the preservation and protection of human lives.

We also recognize hundreds of volunteers who gave their time to help ensure that evacuees are sheltered, clothed, fed and comforted during this traumatic event. I can recall visiting some of the shelters in La Crescenta and La Canada, meeting with volunteers for the Red Cross. One, Kim Lardia, who's a Glendale police officer, worked a full day in uniform as a police officer, then came out in the evening to volunteer at the shelter to make sure that people had a place to sleep. It's people like this, bravely serving the community that are such an inspiration to us and give us confidence that we will finally get this fire put out.

So I want to join with my colleague again, DAVID DREIER. We had the chance to visit the command center and speak with the fire chief and the incident commander, see the incredible coordination of Federal, State and local resources, had the chance to see not only acres and acres of burned forest land, but also homes that had been destroyed and devastated.

And we wanted to introduce this resolution today to acknowledge all the superb people who have come together to fight these fires and to pledge our commitment to make sure that the Federal Government continues to be a good partner. And once again, I urge support for this resolution.

□ 1315

Mr. BILBRAY. Mr. Speaker, I would like to yield as much time as he may consume to my colleague from California (Mr. DREIER), the coauthor of this resolution.

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

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, let me begin by expressing appreciation to my friend, colleague and partner in dealing with this and with a wide range of issues that affect the Los Angeles area, Mr. SCHIFF.

It is true that we are in the midst, Mr. Speaker, of what is the largest recorded fire in the history of Los Angeles County, and it has been a difficult time. It started in a little, tiny area above La Canada Flintridge. Immediately, we saw the wonderful local, county and State officials come together, as is so often the case, to deal with this tragedy. We also were able to see—and we continue to see at this moment, Mr. Speaker—one of the unique capabilities shown by California, because of the fact that we regularly deal with fire, that being the Unified Command.

Under Captain Mike Dietrich, the incident commander, we have seen all of these firefighters—the 8,000, the number mentioned by my colleague Mr. SCHIFF—come from near and far to join together under this Unified Command to prosecute this fire, which, as of right now, has burned over 160,000 acres.

Now, to put this in context, the Angeles National Forest is made of 650,000 acres, and it is the number one, most utilized national park in the United States of America. Why? Because of its proximity to the Los Angeles basin. In excess of 160,000 acres have burned at this point, and it's about 60 percent contained. It is hoped that full containment will take place around the 15th of this month, meaning sometime next week.

So this is a problem with which we have dealt for a long period of time, and it is obviously one we will continue to face. We all know, Mr. Speaker, that fires are a national phenomenon, but when we see lives and property threatened, it is essential that we do everything that we can to put forward priority number one, and that is the protection first of life and then of property.

As Mr. SCHIFF has said, we also know that we have tragically lost two courageous firefighters, and having just gone through the resolution dealing with September 11 and the loss of those firefighters, we are reminded again of the courage of these individuals.

Just before getting onto the airplane at LAX yesterday, I had a lengthy conversation with Laurie Barrios, who is the sister of Captain Ted Hall. She talked about the sacrifice that their family has made.

In fact, I should say, with Mr. TOWNS here, jokingly, she said, We're like a New York family.

Her father had been a battalion chief. Her brothers and other relatives are firefighters in this California family. She quoted her brother, who said at a reunion that they had had just recently, I am not a hero. I am just an average guy, doing the job that I love.

That, I believe, really is the vision and the goal that so many firefighters have. They're not selfish. They very much want to make sure that they can ensure the safety of people and property. The sacrifice. Mr. SCHIFF mentioned the Glendale officer who was in uniform at day and who volunteered at night. These people are so extraordinarily dedicated.

So Captain Ted Hall was one of those tragically killed, working to save lives and property. Specialist Arnie Quinones is the other, and I know that he is a constituent of our colleague Mr. McKEON. Mr. BERMAN is here. I know that his area has been impacted, Mr. SHERMAN's as well, Mr. LEWIS', Mr. BACA's. This has had an impact all over the southern California area; but the unique tragedy here in the case of Mr. Quinones is that his wife, Laurie, is expecting a child in 2 weeks. So, as we look at the two lives that have been lost, Specialist Quinones will have passed away before his child is born. It underscores the fragility of life and the importance of the work that these people have engaged in.

Mr. Speaker, I would like to also share a little bit more of the conversation that I had with Captain Hall's sister. She referred to their family as having been firefighters for—I guess now—generations, and she talked about their respect and reverence for the environment. She said that her father would always say, when they were out hiking, to put the pinecone back exactly where it was because that is God's gift to us. She had, as had every member of their family, a wonderful reverence for the environment.

Mr. Speaker, there is no way that I can stand here and articulate the emotion that Captain Hall's sister, Laurie Barrios, shared with me when she insisted that we pursue a balanced policy when it deals with the preservation of our environment. She went so far as to say that there are, obviously, steps that could have been taken that would have diminished the magnitude of this fire. Again, I can't speak as strongly as she, but I do believe that it is absolutely essential that we pursue that very, very balanced approach in dealing with fires.

With 160,000 acres burning, one of the challenges has been, as Mr. SCHIFF said, what has happened to the air quality in the area. Well, I think that controlled burns and taking steps to ensure that fires do not spread are essential. The great team in Los Angeles County, led by Fire Chief P. Michael Freeman, and others in the State of California, in the County of Los Angeles, and in these great cities that we're privileged to represent make it very, very clear that we want to take those preemptive steps to ensure that, while we'll always face fires in the future, we can diminish the level of damage that we have seen in the past 10 days in southern California.

So, Mr. Speaker, we recognize most importantly the loss of two heroes,

Captain Ted Hall and Specialist Arnie Quinones. We at the same time recognize the continued sacrifice that at this moment is going on in southern California to do everything that they possibly can to get this fire under control. In the names of Arnie Quinones and Ted Hall, I hope very much that we will do everything that we can to ensure that all levels of government and individuals take steps to make sure that we don't have the kind of tragedy through which we're going at this moment.

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

Mr. BILBRAY. Mr. Speaker, I would just like to close by saying I thank everyone for the cooperative effort here. Sadly, recently, we've talked a lot about heroes, and too often we mix up heroes and victims. I think we've got to remind ourselves that, when we talk about Ted Hall and Arnie Quinones, we're talking about true heroes. Victims are individuals who are at the wrong place at the wrong time and who have paid the ultimate price. Heroes are individuals who willfully put themselves in the wrong place at the wrong time and who pay the ultimate price. There is a huge difference between a hero and a victim.

Today, with this resolution, we're not only recognizing the men and women who are out fighting the fires today, but we're recognizing the heroes—all of the individuals who are fighting fires and who are addressing this issue—in the persons of Messrs. Hall and Quinones, the heroes who chose to serve their community and to put themselves in harm's way as a service. With this resolution, we do them honor and respect, not only to the two individuals but to everyone who chooses to put themselves in harm's way to protect others.

I yield back the balance of my time.

Mr. TOWNS. Mr. Speaker, I would also like to associate myself with the remarks made by the gentleman from California by saying that, yes, they are truly real heroes. There is no question about it.

Again, I would like to urge my colleagues to join me in paying tribute to the first responders who are fighting the California wildfires. I will tell you that that has been something that I have watched. Seeing people coming together around an issue is something for which we should all pause and say thank you.

Ms. PELOSI. Mr. Speaker, I rise today to offer deep condolences to the victims of the recent California wildfires and the residents who have lost their homes and businesses; and to pay tribute to the brave firefighters and first responders still standing in harm's way.

The wildfires broke out in the last week of August. Since then, more than 160,000 acres have burned. More than 160 structures—houses and businesses—have been destroyed; nearly 4,000 more remain in harm's way.

At this stage, thousands of residents and families have been affected by the flames—

forced into shelters; displaced; facing the horrifying prospect of a home burned to the ground or a workplace caught in the blaze.

The prayers of every Member of Congress go out to every resident impacted by the fires.

As the Nation has watched the rapid spread of the wildfires, no one deserves greater praise or gratitude than our firefighters on the front lines.

These dedicated men and women stay through the night to get the job done. Their bravery is unparalleled, their heroism unmatched. Their efforts are the front line of defense against the fires, and their sacrifice is saving lives.

Two of these firefighters paid the ultimate price for the safety of LA County's residents.

Captain Tedmund "Ted" Hall and Specialist Arnaldo "Arnie" Quinones represent our nation's best values: service and sacrifice, an obligation to help others and a responsibility to protect your community.

To ensure our firefighters have the resources they need to beat back the flames, Congress provided nearly \$490 million in extra funding this year, boosting the federal government's commitment to helping the people standing in the line of fire each year.

Congress will continue to watch closely the developments and spread of the wildfires across the State of California, and we will remain steadfast in our support for state and county emergency agencies in their efforts to protect local residents and rebuild in the days ahead.

In the words of this resolution, the Congress "condemns the acts of arson perpetrated in igniting the Los Angeles County Station Fire," and we extend our appreciation to the volunteers, law enforcement and medical personnel for helping evacuees, sheltering the displaced, and treating injuries in recent weeks.

Mr. McKEON. Mr. Speaker, I rise today to both send my deepest condolences to the families of the two brave firefighters lost in the "Station Fire," which directly impacted my district, and to thank the thousands of fire and rescue personnel who have fought the largest blaze in Los Angeles County history.

The tragic loss of Fire Captain Tedmund "Ted" Hall, 47, of San Bernardino County, and Firefighter Specialist Arnaldo "Arnie" Quinones, 35, of Palmdale, has hit our communities very hard. These brave men paid the ultimate price to protect lives and property of individuals they had never met before. This kind of heroism serves as a constant reminder of what it means to "sacrifice." Each man and woman who dons a fireman's uniform does so knowing that there is always the possibility that they may not make it home to see their families. But in the face of this adversity, they still serve.

Firefighter Specialist Quinones was a constituent of mine. He lived in Palmdale, California, with his wife Loressa. They are expecting their first child in the next few weeks. My heart goes out to his family. I know his spirit will live on and endure forever within their family.

Fire Captain Ted Hall was a resident of Hesperia, California. He graduated from the Fire Academy in 1983 and served ever since. He was survived by his wife Katherine, and sons Randall, 21, and Steven, 20. My deepest condolences go out to his family as well.

I was on the ground the past couple of weeks and witnessed, first hand, the bravery

of the firefighters and rescue personnel during this fire. As I speak, firefighters have contained 61 percent of a fire that has, thus far, scorched 160,357 acres in the Angeles National forest. Firefighters have greatly limited the loss of property because of their valiant efforts to beat back the flames. The hot, dry conditions of southern California, coupled with swift winds make fighting these fires treacherous. Add in the geographic landscape that the firefighters must deal with and you can begin to understand the risk that every firefighter takes.

For all of the work that I have witnessed and for all that none of us has seen, I thank you. Thank you for putting your lives in danger to protect those you don't know. Thank you for giving us all that comfort, knowing that you are there to help us in our time of need. And thank you to the families that must endure sleepless nights, wondering whether they will see their loved ones walk through the door one more time.

Ms. HIRONO. Mr. Speaker, I rise today in support of H. Res. 724, a resolution that honors the first responders who are courageously fighting the California wildfires and that pays tribute to the victims who lost their lives.

Hundreds of firefighters throughout the country have been working tirelessly in this effort, risking their lives to put out wildfires so that the lives of others can be protected. Included in this group of brave responders are 20 firefighters from the National Park Service in Hawaii, including William Akima, Jordan Barthold, Tessa Chieves, Andrew Christie, Christopher Derman, Raymond Eselu, Michael Ferguson, Brandon Figueroa, Sean Grossman, William Konanui, Elias Kuamoo, Michael Kyser, Paul Kelihoomalua, Jon Makaika, Nicholas Martin, Sky Mullins, Arnold Nakata, Dexter Pacheco, Jr., Russell Rosario, and Lowe Thomas, who have put themselves in harm's way to battle the raging wildfires. We are proud of your commitment and grateful for your service. We also pay tribute to the two firefighters who died, Captain Tedmund Hall and Specialist Arnaldo Quinones, and hope that the eleven people who have been injured make a full and speedy recovery.

I urge my colleagues to honor those who have served by voting for H. Res. 724.

Mr. TOWNS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the resolution, H. Res. 724.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF THE HOUSE REGARDING SEPTEMBER 11, 2001

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 722) expressing the sense of the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 722

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

Whereas the passengers and crew aboard United Flight 93 fought heroically and sacrificed their own lives by crashing the plane in Shanksville, Pennsylvania, to prevent terrorist hijackers from killing additional innocent Americans;

Whereas nearly 3,000 innocent men, women, and children were murdered in the attacks;

Whereas eight years later, the United States of America continues to mourn the lives lost on September 11, 2001;

Whereas by targeting symbols of American strength and prosperity, the attacks were intended to assail the principles and values of the American people and to intimidate the Nation and its allies;

Whereas the United States remains steadfast in its determination to defeat, disrupt, and destroy terrorist organizations and seeks to harness all elements of national power, including its military, economic, and diplomatic resources, to do so;

Whereas Congress has passed, and the President has signed, numerous laws to protect the Nation, prevent terrorism at home and abroad, assist victims of terrorism, and support, in the field and upon return, the members of the Armed Forces who courageously defend the United States;

Whereas the terrorist attacks that have occurred around the world since September 11, 2001, serve as reminders that the hateful inhumanity of terrorism poses a common threat to the free world and to democratic values;

Whereas the United States has worked cooperatively with the nations of the free world to capture terrorists and bring them to justice;

Whereas the United States remains committed to building strong and productive counterterrorism alliances;

Whereas immediately following September 11, 2001, the United States Armed Forces moved swiftly against al-Qaeda and the Taliban, which the President and Congress had identified as enemies of America;

Whereas in doing so, brave members of the Armed Forces left loved ones in order to defend the Nation; and

Whereas many members of the Armed Forces remain abroad, defending the Nation from further terrorist attacks and continuing to battle al-Qaeda and the Taliban; Now, therefore, be it

Resolved, by the House of Representatives, That the House of Representatives—

(1) recognizes September 11 as both a day to mourn and remember those taken from their loved ones and fellow citizens, and a day for the people of the United States to recommit to the Nation and to each other;

(2) once again extends its deepest sympathies to the friends, families, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks;

(3) honors the heroic service and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and others who aided the victims and, in so doing, bravely risked and often sacrificed their own lives and health;

(4) expresses gratitude to the foreign leaders and citizens of all nations who continue to stand in solidarity with the United States

against the international scourge of terrorism;

(5) asserts, in the strongest possible terms, that the fight against terrorism is not a war on any nation, any people, or any faith;

(6) recognizes the heroic service of United States personnel, including members of the United States Armed Forces, United States intelligence agencies, and the United States diplomatic service, and their families, who have sacrificed much, including their lives and health, to defend their country against terrorists;

(7) vows that it will continue to take whatever actions are appropriate to defend the people of the United States and to identify, intercept, and defeat terrorists, including providing the United States Armed Forces, United States intelligence agencies, and the United States diplomatic service with the resources and support to effectively accomplish this mission; and

(8) calls on all Americans to renew their devotion to the universal ideals that make the Nation great: freedom, pluralism, equality, and the rule of law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROSLEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the resolution under consideration.

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

There was no objection.

Mr. BERMAN. I rise in strong support of this resolution, and I yield myself as much time as I may consume.

Mr. Speaker, this resolution pays homage to the lives lost on September 11, 2001, and recognizes the anniversary as not only a time of solemn commemoration but also as a demonstration of America's great resolve in combating terrorism. It extends our enduring and deeper condolences to the friends, families and loved ones of the innocent victims, and recognizes the heroism of U.S. service men and women who defend our country today. It honors the Nation's first responders and others whose valiant efforts were a credit to their country on that horrible day, and it honors them as they continue to help keep us safe.

□ 1330

It expresses gratitude to the leaders and citizens of other countries who assisted, supported, and stood by the United States in the aftermath of the attack.

In America's modern and fragmented society, collective memories are few. But each of us remembers where we were on 9/11 when we heard the news. We remember the days of unity that followed when we acted together to protect this country from those who were determined to bring us to our knees. We remember the efforts that Congress, the executive branch, and

the American people have made since then to protect our Nation from a real and ongoing threat. And even though 8 years have passed, we must remember that al Qaeda, while under pressure everywhere, remains a serious threat to the United States.

The very al Qaeda leadership responsible for ordering the attacks on September 11 continues to rally those who would do us harm and, along with its Taliban allies, seeks to defeat our troops in Afghanistan.

This is a time when we must transcend partisan politics and stand together to recall a moment when terrorists targeted the very symbols of American strength. Our values and our very foundation were under attack, and yet we persevered, and we will carry on the fight against extremists who seek to do us harm.

In this battle, the global realities of the 21st century require that we use not only our military but all of the tools available to us: economic, financial, diplomatic, and cultural resources to promote a better alternative to extremism and to protect our national security.

Mr. Speaker, none of us will forget what happened 8 years ago. We will always remember the victims of 9/11 and the loved ones who survived them. We will always honor the first responders who lost their lives that day and those in uniform at home and abroad who risk their lives today and every day to defend America.

We will continue to promote our founding principles of freedom and equality and ensure that the lives lost in pursuit of our ideals are never forgotten.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it has been 8 years since our country and the entire world stopped and looked on helplessly as the slaughter of innocents at the hands of al Qaeda unfolded before our eyes. And although we watched in safety, our fear and hopes were enmeshed with those who, without warning, were suddenly forced to fight for their lives and for those of the friends and strangers around them. It is a true miracle that so many escaped destruction, but we will forever mourn the thousands who perished on that terrible day. Our sorrow, however deep, cannot match those whose loved ones were taken away from them on 9/11. But we will always share a part of it even for those whom we will never know. The passage of years has not smoothed the deep impressions that we will bear for the rest of our lives.

But as Americans, it is not in our nature to resign ourselves to helplessness, even when facing seemingly impossible challenges. Instead, we instinctively rally and focus our minds and efforts on meeting and overcoming the threats that we face. We have always done so, and we have always won.

If there is anything useful that we could take away from this tragedy it is the unmistakable warning we have been given of the unseen dangers that we face in this new century. From that, a clarity of vision and a new understanding of the world has emerged. Over the past 8 years we have come to know our enemies. We have learned that their hatred of us, our success, and our freedom is too deep to be changed by concessions and appeals to reason. We now grasp the magnitude of the threat, and it is a global one. Other countries have come under attack and so can no longer deceive themselves that, once again, this is a menace for the United States to handle alone while they stand safely on the sidelines. We have uncovered their hiding places in caves, in villages, in deserts, in cities, in jungles, in back alleys in nations far away, as well as right here in our own homeland.

But it would be a mistake if our successes lead us to believe that the danger has passed. We have seen destruction descend from clear and sunny skies and know that it can happen again. To hope that our enemies will abandon their mission, to relax our watch, is to invite destruction.

President Lincoln said that those who are responsible for our Nation's course, which includes the Members of this body, cannot escape history. We have a responsibility to do all in our power to ensure that our country is secure and that America's promise for the world that generations have labored and fought for and died to protect remains whole and unbounded.

How we meet this reality will repeatedly test our national character. We are right to remember and mourn those men, women, and children who died on that day so sharply etched in our minds that it seems like yesterday. But this tragedy must be redeemed by a new understanding of our duty to our beloved country and to our fellow citizens and by what it is to be an American.

As long as we draw breath, we will remember those who, asking nothing other than to live their lives in peace, were brutally murdered by men without conscience or mercy. Let those of us who remain be steadfast, be courageous, and live lives worthy of their great sacrifice and thereby honor their memories.

With that, Mr. Speaker, I reserve the balance of our time.

Mr. BERMAN. I am very pleased to yield 3 minutes to the distinguished chairman of the House Armed Services Committee, the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, 8 years ago on September 11, 2001, this Chamber was empty, the Capitol was evacuated, the Pentagon was burning, the Twin Towers in New York lay crumpled, and almost 3,000 of our citizens were dead. We can never forget them, and we should never forget what we owe them.

Today we will once again mourn the families and those that are fallen, and we express our deepest sympathy to their friends and their loved ones. This is only right, but it's not enough. We owe it to the victims, to their loved ones, to the survivors, to ourselves to make sure that those who carried out this awful attack are brought to justice and to ensure that they can never again attack and kill our people here at home.

For too long the war in Afghanistan was the forgotten war. Only recently have we refocused our attention on the war on al Qaeda and the Taliban who sheltered them as they carried out their plot to murder thousands of Americans.

We can debate the best way to prosecute the fight against al Qaeda and the Taliban. For my part, the President has proposed a strategy for Afghanistan with which I agree. What we cannot do is walk away from the fight. We cannot allow the memory of this horrific event to be forgotten, and we cannot forget how important it is to bring those who caused it to justice.

Failing in Afghanistan brings clear and compelling dangers. Failing means the Taliban will once again control Afghanistan and permit their al Qaeda terrorist allies to operate from there. Failure means we let down those who died on 9/11. We can and we should consider how best to prosecute the war in Afghanistan. It's not a simple war, it's not an easy war. But for the first time, we have a real strategy. And for the first time, we are providing the resources needed for the fight. We have a new commander who is breathing new life into our effort, and now we must show that we have the resolve to give our men and women in uniform the time and resources they need to show progress in the fight against enemies who carried out this and supported the attacks of 9/11.

America was attacked on 9/11 by a ruthless, callous enemy. We cannot forget that. And we cannot walk away from the war in Afghanistan against them.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), our respected Republican leader.

Mr. BOEHNER. Let me thank my colleagues for yielding and thank them for this resolution that's on the floor.

All of us will remember, I think quite clearly, where we were on the morning of September 11, 2001. I think all of us will remember the victims of this heinous act that occurred that day. But while we today remember those victims and remember their families and we remember those first responders who put their lives in danger as well, I think we, today, need to resolve that we will never forgive those who perpetrated that attack and vow that we will continue to go after them.

I want to associate myself with the remarks of the gentleman from Missouri, the chairman of the Armed Services Committee, who understands quite

clearly that if we walk away from our efforts in Afghanistan, the Taliban will once again be in control, providing safe haven for those who perpetrated these attacks.

And while it's been now 8 years since that attack, our enemies are still out there, still attempting to injure Americans, kill Americans, both here and abroad.

I think it's critically important that we, as a Nation, never forget what happened on 9/11 and vow what many of us believe is important: that our number one job is to provide safety and security to the American people.

So I thank my colleagues for the resolution that's on the floor and honor those who gave their lives on 9/11 and think of their families and the first responders who continue to suffer today.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to a member of our committee, the distinguished Member from New York, Mr. ENGEL.

Mr. ENGEL. I thank the chairman for his yielding to me, and I rise in strong support of this resolution. And I want to reiterate some of the things I said before with Mr. TOWNS.

When I go back to New York every week and look at the skyline of New York, it will never be the same. The World Trade Center is no longer there, and as much as that pains me, it pales in comparison to the fact that we lost nearly 3,000 people that day, and each and every one of those lives was precious.

And what September 11 means to me, it means to me what the previous generation talked about December 7. President Roosevelt said during December 7, 1941, Pearl Harbor, that was a day of infamy. Well, to us, September 11, 2001, will always be a day of infamy.

But yet it was a day that showed the best in people as well as obviously the worst in people. The terrorists who attacked us showed the worst in people. But the first responders and the people from all parts of the country who came to save people's lives and try to dig people out of the rubble, that's the best in people.

I want to mention that the New York delegation has been fighting for a health bill which would ensure that those who were first responders and others who came as volunteers at the World Trade Center saving lives, that their health needs should be taken care of by this country, and there are people who live in all 50 States.

So, Mr. Speaker, as we commemorate and mourn the lives that were lost at the World Trade Center, at the Pentagon, and at Shanksville, Pennsylvania—and there were many people in my district who were killed, as there were in all districts in New York—we have to redouble our efforts to fight terrorism.

But I want to say that I was very, very proud that day to be an American and proud to be a New Yorker because the way the people of New York responded was exemplary.

So every day we hear more and more people who were lost at the World Trade Center. So I hope we can pass this unanimously.

Ms. ROS-LEHTINEN. I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. PENCE), the chairman of our Republican Conference.

□ 1345

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

Mr. PENCE. Mr. Speaker, let me rise in gratitude to the distinguished majority leader, Mr. HOYER, and the minority leader, Mr. BOEHNER, for bringing this important resolution to the floor. Bringing a bipartisan resolution to the floor is perhaps the best way to commemorate the bipartisanship that followed the extraordinary events of 8 years ago this Friday.

I was here on Capitol Hill that day as my colleagues were. It was just as pretty a day as it is today, and the shock and horror of the images on the television screens, the smoke rising from the Pentagon, still are with me today and informs my service in this building, as it does all of our colleagues.

Let me say today's resolution is important because, as the Old Book says, we are to mourn with those who mourn and grieve with those who grieve. And we are also to pay the debts of honor and gratitude to those that are owed. This resolution today remembers those we lost that day, and this Nation should never forget the lives that were lost at the Pentagon, in the heart of our great City of New York, or in a field in Pennsylvania. So we remember them today, and we think of their families.

We rise to pay a debt of gratitude to all those who rushed in when others were rushing out, who filled recruiting offices, who put on the uniform of the United States and went in and confronted this terror where it all began. As we grieve and as we mourn, as we remember and as we pay debts of gratitude, let us also resolve to continue to do all that we can to maintain that bipartisan commitment that began on that very day and continues to this day to make sure that our Nation and our soldiers and those who protect us at home and abroad have the resources that they need to get the job done and come home safe.

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. ACKERMAN) will control the remainder of the time.

There was no objection.

Mr. ACKERMAN. Mr. Speaker, it is my privilege now to recognize the cosponsor, the main sponsor of the resolution, the majority leader of the House.

Mr. HOYER. I thank the distinguished chairman and gentleman from New York. I thank Mr. PENCE for his remarks. On many days, this floor is a place for heated debate, and that is, of course, as it should be. That is what

our Founders intended. But at this moment, as Mr. PENCE, the chairman of the Republican Conference pointed out, and as I will point out as the majority leader on the Democratic side, there are no Democrats or Republicans on this floor because we join to remember and mourn the attack on America, not on Democrats or Republicans, but on America and on its values and on what it stands for throughout the world: freedom and justice.

September 11, 2001, was a day of grief and of shock, of fear and of anger. But today it can and must be something more: a day to rededicate ourselves with memory and with service to the ideals that make our Nation great, as I said earlier, freedom, pluralism, equality, the rule of law, and justice. Those, no less than our buildings and our citizens, were the targets of the 9/11 terrorists.

Though buildings crumbled and the dead are lost to us, it is in our power to see our ideals remain strong and unscathed.

So on this eighth anniversary, along with the Republican leader, Mr. BOEHNER, I am proud to introduce this resolution marking September 11 not only as a day of remembrance, but also a day of resolve.

So many conflicting emotions marked this indelible day: grief for nearly 3,000 men, women and children murdered; heartfelt sympathy for those who loved and lost them; and an unspeakable pride in the first responders, firemen, policemen and medical personnel who served and, indeed, sacrificed on that day. Among the 3,000 are numbered 343 firefighters, 37 port authority officers and 23 police officers who died serving their fellow citizens as they ran into danger's jaws, not away from.

Alongside them in honor stand the passengers of the United Flight 93, ordinary Americans, who discovered their extraordinary heroism at a moment of crisis and who quite possibly saved this building, this Chamber, and the Capitol dome from ruin. It is my own view that that was the target of this third plane, to strike down that dome which here in America and throughout the world is a symbol of freedom, pluralism, justice and, yes, democracy.

We also remember the sacrifices of our troops, not only those who lost their lives under our flag, but those who make the everyday sacrifice of separation from family and home. Not all of us are called to serve as heroically, but in hundreds of small acts of dedication to our communities, we can emulate their service in ways both large and small. That is our resolve today. And along with it, we resolve to take the lesson of our vulnerability to heart.

We commit ourselves to defending America from whatever threats may confront it, with all of our military force, all of our diplomatic skill, and all the power of our moral example.

Our lives are limited, but we have in our keeping the ideals and truths that have animated our Nation since its founding, and that, we trust, will outlive us, outlive all of us, to light the lives of our children and grandchildren, and as a great-grandfather, let me say for generations to come.

They have lived through war, through economic crisis, and through the gravest attacks. Now, while they are in our keeping, let us defend them, serve them, live for them, and pass them down unharmed and undamaged.

All that, my fellow colleagues, on behalf of the 300 million people who have sent 435 of us here to represent their views and their aspirations, their courage and their commitment. Let us again resolve today, may we hold it for tomorrow and every day thereafter.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 3 minutes to the gentleman from New York (Mr. KING), the ranking member of the Committee on Homeland Security, who lost so many of his constituents that day on 9/11.

Mr. KING of New York. I thank the gentledady for yielding.

Mr. Speaker, I am proud to rise in support of this resolution today. And at the outset, let me commend the majority leader, Mr. HOYER, and the Republican leader, Mr. BOEHNER, for introducing the resolution and showing the spirit of bipartisanship that is so essential.

Mr. Speaker, September 11 is not just history. It is real. It is with us every day. As the ranking member, Ms. ROS-LEHTINEN, said, I lost approximately 150 friends, neighbors and constituents on September 11, and that is true of almost every Member of the downstate delegation from New York. In fact, I can't drive throughout my district without seeing sign after sign, street signs commemorating the police officers and firefighters who were killed on that day. So this was a real tragedy. It is a real tragedy that continues today in those families, with their friends and with their neighbors.

It is also an ongoing threat against the United States of America. The attacks on September 11 do not end on September 11. The fact is we have an enemy of Islamic terrorism, al Qaeda, which threatens us throughout the world and, indeed, here in our own country. In New York alone, there have been attacks foiled against the Brooklyn Bridge, Herald Square, against Fort Dix in neighboring New Jersey, against the synagogues in Riverdale in the north Bronx. So these are issues. This is a threat which is ongoing and it is real. We always have to keep our defenses up.

We have to thank the men and women of our Armed Forces who are fighting throughout the world, the men and women of our intelligence agencies, the men and women of the State and local police departments in New York, of the New York City Police Department, of the Nassau County Police

Department, and of the Suffolk County Police Department. There are more than 1,000 police officers dedicated to fighting terrorism in counterterrorism units. And again, it is a daily, daily effort.

As the ranking member of the Homeland Security Committee, I'm aware of many of the threats we have stopped, and we are realizing again how the enemy is never going to stop, and we can't let our guard down.

Also, in the interests of bipartisanship, I believe we should give President Bush credit for setting up the international level of cooperation with so many countries throughout the world and also for breaking down barriers with their own intelligence agencies and requiring them to share information with local police departments. It is not because of luck we haven't been attacked in 8 years. On September 12, 2001, no one would have thought we would go 8 years without being attacked the way we were on that horrible day of September 11.

Also, in the interest of bipartisanship, it is important for us, as Republicans, to stand with President Obama with his policy in Afghanistan, which is a continuation of efforts that we began against the Taliban and al Qaeda after the attacks of September 11. This issue of international terrorism is too important to allow us to be divided by partisan politics. We came together as a Nation on September 11 and the days after. It is important that we stay together.

This, as President Kennedy said in 1961, is going to be a long twilight struggle. But we won that Cold War, and we're going to win this war. We are going to prevail if we stand together as one, stand together as a Nation and realize that our enemy is attempting to destroy us. But if we stand together as one with our allies and with our forces here in this country, we can never be defeated.

Mr. ACKERMAN. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in strong support of the resolution and commend the majority leader and the minority leader for their good work. We have before us an excellent memorial resolution. It is succinct and strong and truly expresses what I believe to be the position of the entire House.

As we consider this resolution, I would suggest that every Member take a moment to close their eyes, if they are in their offices, turn off the chattering of the television or the importuning of their staff and try to think back to September 11, 2001. It really was 8 years ago.

Remember how beautiful that day was. Perfect. A clear, crisp September day with a cloudless sky. Remember where you were when you heard that our Nation was under attack, when you first saw those awful images of the towers gushing black smoke and the Pentagon in flames. Remember the thousands of our fellow Americans who

perished in the World Trade Center and at the Pentagon. Remember the inconceivable heroism of the first responders who rushed into the flames and the chaos in order to save others.

Remember the defiant courage of the passengers on United Flight 93 who lost their lives but probably saved the most glorious symbol of our democracy in the world, the U.S. Capitol, and many, many who were working here on that day. Remember our shock and fury. Remember our national unity and the feeling of common purpose. Remember how the whole world stood with us and shared our outrage and our agony.

These memories are available to all of us if we take but that one moment. We all experienced these events, and all that's needed is to take a moment, to set aside a little bit of time and let it all come back. Why? Is it a morbid fascination with catastrophe? Is it merely to justify some policy or expenditure? I would suggest two other reasons.

First, memory is what we owe to those who were so unjustly murdered. We cannot bring them back and we cannot give meaning to the horrific act that took them from us, but we can remember them as our fellow Americans, as people whose lives were connected to thousands of our fellow citizens who still mourn them to this very day.

Second, I think we should take a moment to ponder the last 8 years. What have we done in response to that day? What have we learned? What do we still owe to those who died? And what we have used their deaths to justify? Have we made the world a safer place? Have we made our homeland more secure? Will the next generation of Americans face more or less danger because of our actions? Each of us will still have our own answers to those questions, just as each one of us remembers that awful day uniquely.

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

Mr. ACKERMAN. I yield myself another 15 seconds.

In this great Nation which gives each person complete freedom of thought, belief and expression, in which the governed choose who will govern them, the meaning of 9/11 and the consequences of that terrible, terrible, terrible day remain for us to decide, each man and woman for themselves. All it takes is that moment to remember.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Indiana (Mr. BURTON), the ranking member on the Subcommittee on the Middle East and South Asia.

□ 1400

Mr. BURTON of Indiana. I thank the gentledady from Florida for yielding me this time.

I would just like to say to my colleague, Mr. ACKERMAN, I really appreciate your remarks; I think they were right on the money.

I've heard a lot of my colleagues talking about how we should remember those who died and sacrificed their lives on September 11, and I think that's fitting and proper; but one of the things that I don't want to ever happen again is a repeat of 9/11. And for the past 8 years, we have not had another attack due in very large part to the Homeland Security people and to the CIA and to the FBI. We have intercepted information from terrorists and we've been able to prevent additional attacks because of the work they've done. And I think it is improper for us today, while we're remembering those who sacrificed their lives on that day, the firemen and the people on those planes, I think we would be remiss if we didn't think about the future and be concerned about that never happening again.

Right now, the Justice Department of the United States is investigating the CIA. And those people have been involved in stopping terrorist activity by going after the terrorists and making them give us information that would stop an additional terrorist attack. Today they are under scrutiny, and some of them may be prosecuted for doing their job. I think that's improper.

Everybody in America owes our intelligence agencies a debt of gratitude and Homeland Security a debt of gratitude for protecting this country for the last 8 years. And if we don't want to see another 9/11—and none of us do, and there have been some prevented like the one in California that was going to take place—if we don't ever want to see that again, we must support the intelligence agencies who are stopping the terrorists. And right now, the attack that's taking place by the Justice Department on the CIA only discourages those who do their job to protect this country from doing their job.

If you're a CIA agent today and you know the Justice Department is watching every single thing you do in trying to stop a terrorist attack, are you going to want to take the risk of being prosecuted because you're going after a terrorist to make him give you information that will stop another terrorist attack?

The SPEAKER pro tempore. The gentleman's time has expired.

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. BURTON of Indiana. We're demoralizing our intelligence agencies by doing this right now. It may be unintentional, I don't know, but we certainly should not be doing it. They were doing their job. If you don't agree with waterboarding, or whatever it was, okay, but that's something that's in the past. We shouldn't discourage our intelligence agencies from doing their jobs now. We want to protect every single American from another terrorist attack, and the way to do it is certainly not by attacking our intelligence people.

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. SIREs).

Mr. SIREs. Mr. Speaker, I rise today in support of the resolution expressing the sense of the House regarding the terrorist attacks launched against the United States on September 11, 2001. As the district I represent sits across from downtown Manhattan, my constituents and I are faced with a constant visual reminder of that day's tragic events.

As time passes, we must continue to commemorate this sad day. We will remember the innocent lives that were lost, the heroes that emerged from this disaster, and we will remember how this day forever changed our lives.

As new generations grow older, we must pass on the lessons of this day and its significance to our country. For 8 years, we have mourned the lives lost, and we have worked at home and abroad to protect our great Nation, its people, and the ideals it represents.

I am pleased to join my colleagues in remembering this significant day and recognize how it continues to affect all our lives. I thank my colleagues for introducing this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL. I thank the gentledady.

Mr. Speaker, today we rise as Americans, first and foremost, to remember: to remember the victims of 9/11, the 3,000 Americans who were killed on that day; to remember the fallen heroes, the firefighters, the police officers who rescued so many lives and some who gave the ultimate sacrifice.

I remember watching the television on 9/11 with my daughter as the second airplane flew into the building and she said, Daddy, why did that airplane fly into the building? And by the time the second one hit, we all knew that this was no accident; this was an intentional act of terrorism, an act of war against the United States.

I was a counterterrorism prosecutor in the Justice Department. We saw many warning signs—the embassies in Africa, the USS Cole, 1993 World Trade Center, Ramzi Yousef, who almost brought the World Trade Center down that day—when they arrested him in Islamabad, many of you may not know this, but they found 12 baby dolls stuffed with chemical explosives that he intended to take on airplanes, part of the Bojinka plot to blow up 12 airplanes simultaneously.

The evil genius, his uncle, Khalid Sheikh Mohammed, the mastermind of 9/11, who to this day the information we obtained from him has saved American lives, the most chilling experience I've had as a Member of Congress was to see Khalid Sheikh Mohammed imprisoned down in Guantanamo, the man who was responsible for killing 3,000 Americans.

As the 9/11 Commission said, the only way we will ultimately prevail in this twilight struggle is through good intelligence. We cannot tie the hands of the

intelligence community. We cannot threaten them with prosecution. We cannot have a global justice policy that Mirandizes terrorists captured on the battlefield in Afghanistan when the first words we say to them is, You have the right to remain silent. How in the world will we get good intelligence with that kind of policy?

And if I could close with an FBI quote before 9/11 that said, "Some day someone will die and the public will not understand why we were not more effective at throwing every resource we had at certain problems, especially since the biggest threat to us now, Osama bin Laden, is now getting the most protection."

The SPEAKER pro tempore (Mr. ROSS). The gentleman's time has expired.

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. MCCAUL of Texas. I thank the gentledady.

We will never forget that day. We can never make the same mistake again. We owe that to the victims and the heroes of 9/11. It is our most solemn obligation to first and foremost protect and defend the American people.

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New York (Mr. MCMAHON).

Mr. MCMAHON. Mr. Speaker, I rise today in strong support of House Resolution 722 and to honor all those who were murdered or injured in the terrorist attacks of September 11.

As we honor that day, we are reminded that on that day we saw the worst in humanity and the best in humanity. And let us focus on the best, because when I think of that day, I think of people like one of the more than 300 people from my district who lost their lives that day, like Stephen Siller, a devoted husband and father of five who served as a member of the New York City Fire Department.

Stephen was on his way home from a tour of duty that ended at 9 o'clock that morning when he was on the Verrazano Bridge and heard the call of what happened. He turned his private vehicle around and drove back to the Brooklyn Battery Tunnel, took all his gear out, put it on—because of traffic he couldn't get through—ran back through that tunnel to the World Trade Center, where he joined his brothers from the fire department, and others, rescued tens of thousands, but they lost their lives.

Each September since that day Stephen's family and the people of New York City honor his memory and bravery with a 5K race known as the "Tunnel to Towers" race that retraces Stephen's steps. In addition, Stephen's memory lives on in the good works the family has done by building Stephen's House and Home for Orphans.

So today I urge all of my colleagues and all Americans to not only honor those we lost, but to honor the bravery and spirit of countless people like Stephen Siller who made the ultimate sacrifice to save others.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), an esteemed member of the Committee on Appropriations who also lost constituents that day.

Mr. FRELINGHUYSEN. I thank the gentlewoman for yielding to me, and I rise in support of the resolution.

Eight years have now passed since tragedy struck our Nation. In lower Manhattan, the fields of Pennsylvania, and across the river at the Pentagon more than 3,000 of our fellow Americans lost their lives. The events of that day remain indelibly etched in our collective memory.

Of those lost, 700 of the victims came from New Jersey, many from my congressional district, and many more from New York, other States, and 80 nations. For those of who us had this tragedy hit so close to home, I know that each September 11 brings with it a great deal of sorrow. Later this week, all of us will have the honor of attending a number of 9/11 remembrances, especially in New Jersey, the home of so many good people who died, as well as to honor those who sought to save them, our first responders.

My constituents remember that day every day. That day dawned like most days in New Jersey, bright and clear; crowded train stations in the morning taking people across the Hudson to lower Manhattan, parking lots packed with cars as they are most mornings. That evening, however, the scene was far different; trains weren't full, cars remained unclaimed in parking lots, and many families were left wondering what had happened to their loved ones. A single day that changed how each of us would think for the rest of their lives.

At one of those small train stations in Chatham there is a tree at whose base is a plaque inscribed: "We shall never forget our friends and neighbors who rode the rails with us that morning but did not return with us that night." That remarkable poignant quotation. We will never forget those victims. We will never forget those who sought to save them at the Pentagon, in Pennsylvania, and in lower Manhattan. Their bravery will never be forgotten.

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentlelady from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from New York and the distinguished gentlelady from Florida.

This is a duty that we do not relish, but that we obligate ourselves to be able to be reminded of the lost souls of September 11, 2001. It changed the innocence of America, but yet we stood tall as we mourned with these families from far and wide that we are America that believes in justice and civil liberties and, yes, the Bill of Rights.

The Homeland Security effort was born during that time. I began to serve on the Select Committee and now the

Homeland Security Committee. The work we do every day should be silent work, but it is work to ensure that the Nation's airlines and airports, train stations and railroads and mass transit and everywhere we go protects the American people. It is a world that stands up against terrorism, but understands that America can be a friend.

So today, as we come together as a Congress, as we did those few years ago and stood on the front steps singing "God bless America," I rise today to tell those families we will never forget them. And it is our obligation to be diligent, to be responsive, and to be remembered.

God bless America.

Ms. JACKSON-LEE. Mr. Speaker, I rise today in support of the H. Res. 722. The legacy of the events of September 11, 2001 still resonates today. We will never forget the harrowing experience of the loss of more than 3,000 lives that marked this national tragedy. We will never forget the events of that day, nor those who paid the ultimate price. We will forever remember how the country suffered profound sadness, the likes of which we as a nation hope to never experience again.

Mr. Speaker, I recall vividly the intense emotions evoked as the attacks unfolded. The nation watched in horror as two airliners crashed into the Twin Towers and brought down the World Trade Center. That horror intensified as we witnessed an attack on the Pentagon, and a crashed airplane in Pennsylvania. Horror turned to anger as it came to light that the attacks were the actions of hate-filled cowards who had no respect for human life. I remember too, that in the aftermath of these senseless attacks, we came together as a nation and with friends from around the world united in grief and sadness. That moment transformed our country and the world, as the resolve of our nation strengthened and our principles hardened.

We remember the heroes from that day; those who ran into the danger, sacrificing themselves to save strangers. They were the brave firefighters, police officers, and civil servants who died in the service of protecting others. We remember the heroes from United Flight 93 who overpowered the terrorists and gave their own lives to prevent the deaths of countless others. We hope that their families can take some small measure of comfort knowing that Americans have made a permanent place for those heroes in our hearts.

In Houston, we mourned the loss of two of our own: Naval Petty Officer 3rd Class Daniel Martin Caballero and Army Lieutenant Colonel Karen Wagner. Twenty-one year old Petty Officer Caballero was an electronics technician who had a bright life ahead of him. Forty-year-old Lt. Col. Wagner had a distinguished career as a medical personnel officer in the office of the Army surgeon general. Both lives were taken when United Flight 77 was steered into the Pentagon. Also Councilmember Toni Lawrence lost her dear sister to this horrible tragedy.

Mr. Speaker, I ask that we also pay tribute today to those who have fought the wars born from September 11. In the years since that tragic day, our country has fought ardently to eliminate the enemies who would work to perpetuate the culture of fear and violence born from 9/11.

The men and women of the U.S. military prove daily that their commitment to protecting and defending our country is steadfast. Let us remember those who fought and died while serving the country, let us honor those who continue to fight, and let us pledge our unending support for our soldiers and their families.

As a Senior Member of the Foreign Affairs and Homeland Security Committees, I believe that we must continue to honor the fallen by working to prevent needless deaths. In the years since September 11, 2001, Congress has worked hard to make sure that such a tragedy will never happen again. In large part, we have taken heed of the advice of the 9/11 Commission and built a strong system to prevent future attacks.

Mr. Speaker, I rise before this body to say that our work is not yet done. Our nation's rail and mass transit lines continue to be vulnerable. Millions of Americans rely on our rail and mass transit for transportation. Terrorist attacks in Madrid in 2004 and London in 2006 indicate that transportation routes continue to be potential security threats. We must not let another tragedy occur. As Chair of the Transportation Security Subcommittee—we are working to increase America's security.

Preventing terrorism at home begins with addressing terrorism abroad. We must engage nations that are susceptible to the influence of extremists and arm them with the tools to fight radicalism. That means increasing education, improving living conditions, and increasing the capacity to govern. The struggle against terrorism will be won in the hearts and minds of people around the world.

Mr. Speaker, I urge all members to join me in supporting H. Res. 722. Let us remember this day and the tragedy that befell the nation by properly honoring the victims with our renewed commitment to America's security and Democracy.

Mr. ACKERMAN. Mr. Speaker, I am privileged to yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I rise in support of the resolution. It's important that we remember 9/11, those innocents who lost their lives, those who put their lives at risk while saving lives, and those who survived to grieve the loss of irreplaceable loved ones.

We have a responsibility to remember 9/11. It would be good, too, for us to remember the course of action our Nation embarked upon as a consequence of 9/11. We have a right, a duty to defend ourselves, but in the name of 9/11 war was waged against the people of Iraq who had nothing to do with 9/11.

At this point, let us remember our troops, too, and their sacrifices since 9/11, and the over 1 million innocent civilian casualties everywhere who also paid a price because of 9/11. We should never forget 9/11, and we should never forget the truth.

In our grief, we know the truth is our ultimate defense. The truth is our security. It is the truth which sets us free and the truth which keeps us free. God bless America.

WASHINGTON, SEPT. 11, 2001.—America grieves this day for the victims of these terrorist attacks, and for their families and friends. Our prayers are with them and our

hearts go out to those who have endured unbearable loss today. Our most hopeful thoughts are with those who have risked their lives in heroic rescue efforts. In this grim moment, we must be resolute in protecting the fabric of our democracy and the individual freedoms that make America a great nation. As we grieve, we cannot let terrorists win by turning the United States into a national security state. We cannot let their dialogue become our dialogue.

America must remain calm because such calm is essential to preserving our liberties. America must bring to justice those responsible for these cowardly deeds. We must be cautious about rolling back freedoms at home or placing blame in the wrong place.

America must continue to be a beacon of democracy for the world. Let this sad moment cause all governments and all people of good will around the world to unite and to move together to challenge and uproot those who have destructive goals which seek to create death and drive the world toward chaos. Now, more than ever, America must continue to be a force for peace in the world. We must not let the terrorists win.

Mr. ACKERMAN. Mr. Speaker, could I request of the gentlewoman from Florida if she has the time and would be willing to lend us one of her minutes.

Ms. ROS-LEHTINEN. Yes, we would be more than happy to do so. We were waiting to see if some of the speakers who had reserved time would show up; but since they are not here yet, we would be more than pleased to give you some of our time, 1 minute.

Mr. ACKERMAN. Thank you so much. And if someone shows up and you need the time, I would be happy to make a unanimous request that that be restored to you.

Mr. Speaker, it is now my pleasure to recognize the gentleman from New Jersey (Mr. PASCRELL) for 1¾ minutes.

□ 1415

Mr. PASCRELL. Thank you, Mr. Chairman.

I rise today as this Congress commemorates perhaps the most horrific day in our Nation's history, that day being September 11, 2001. So many of us in New Jersey and New York lost our friends, our loved ones, acquaintances and people we never met before.

It's difficult to believe that it was almost 8 years to the day when our Nation was attacked by foreign terrorists and claimed almost 3,000 lives, including 411 of our Nation's bravest first responders. As a Member of the Homeland Security Committee, I am proud of the steps that we have taken since that fateful day to make the American people safer, but our work obviously is far from complete. This is a mission we, as public servants, can never stop striving to achieve.

I am also proud that earlier this year we passed the aptly named Edward M. Kennedy Serve America Act, which will designate September 11 as the first annual National Day of Service and Remembrance. On September 11, more so than any other day of the year, we should come together as Americans and find new ways to save our Nation, and hopefully that will spill over to the days after.

So I say to all of you that many of the wounds of that fateful day will heal over time, but that we will never forget the heroism we witnessed, the lessons we learned, the redemption the American people earned through our own strength. And so we pray that this never happens again.

Mr. ACKERMAN. I yield myself 10 seconds.

We have no further additional Members, so if the gentlewoman would like to close we will wait on the Speaker if she chooses to close as well.

Ms. ROS-LEHTINEN. Do you need an additional minute? I think we only have how much time, Mr. Speaker?

The SPEAKER pro tempore. The gentlewoman from Florida has 2 minutes remaining, and the gentleman from New York has 3 minutes remaining.

Mr. ACKERMAN. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the day after that horrific event, I was back in New York. I went to the piers where the people were waiting to claim bodies and hear of missing loved ones.

There was a gentleman before this huge wall where people had posted pictures of relatives that were missing. And there was one gentleman standing there—it was close to midnight—all by himself, in traditional Orthodox Jewish garb, with a long black coat and large black-brimmed hat standing in front of a picture of someone who looked remarkably like him.

And he just stood there stone-faced. And I just went over and stood next to him as one of the firemen called him to my attention. And he said, without turning away from the picture that he was looking at on the wall, the missing person, he said, That was my brother. He is gone. He called me moments before the building collapsed. He said he knew what was happening, but he would not leave his workplace.

He worked in a station next to a young man from Puerto Rico who was sitting in a wheelchair and who was frightened. And he said, My brother told me I will not let him stay here to die alone. And they were holding hands when his brother hung up the phone. That was the kind of bravery we saw from Americans, all kinds of Americans on that fateful day.

Let us remember them and the sacrifice they made.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

I thank my good friend from New York and our chairman, Mr. BERMAN, and Mr. HOYER and Mr. BOEHNER for this resolution.

Mr. Speaker, when we talk about the 9/11 attacks on our Nation, we must also recall that it was an attack on our way of life. It was an attack on what we stand for, on what we represent. What is it that we represent? Freedom, democracy, liberty.

These are the values that distinguish our Nation, our people, from our

attackers, the belief in freedom, the belief in democracy, the belief in liberty. And as we recall this somber anniversary of this resolution before us, let us honor the memory of those whom we lost, the murdered, for it was a crime, and the heroism of our public servants, our first responders, our ordinary fellow citizens who were so extraordinary that day, who discovered the extraordinary courage of self-sacrifice on behalf of their fellow citizens, some of whom they had never met, including many of us in this building.

And let us resolve that 9/11 will not just be an anniversary that we commemorate with an interesting and touching ceremony, but that 9/11 is really a symbol of what America is about, how we dealt with that struggle, how we dealt with that devastation, how we dealt with that sorrow and what we said we would do as a people, that we would not let this attack go unanswered.

And to frame the events of that day as they should be framed, as freedom versus oppression, as tolerance versus hatred, as incitement versus understanding. And this is what we fight for to this day: for freedom, for tolerance, to make sure that we can just not recall the days of 9/11, but also honor the memory and what they stood for.

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

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield for the purpose of a unanimous consent request to the gentlewoman from New York (Ms. CLARKE).

(Ms. CLARKE asked and was given permission to revise and extend her remarks.)

Ms. CLARKE. Mr. Speaker, I rise to add my voice to those who have spoken in support of this bipartisan 9/11 resolution, H. Res. 722.

Mr. Speaker, I proudly rise in support of the bipartisan 9–11 Resolution, H. Res 722, which recognizes September 11 as both a day to mourn and remember those that were taken from us, and a day for the people of the United States to recommit to the Nation and to each other.

Today, Congress pauses to reflect on the life and legacy of the men and women whose lives were tragically altered or cut short as a result of the violent attacks on 9–11–01.

I began my public life as a member of the New York City Council shortly after the attacks of September 11th changed America's perception on the world. From that first day, I have dedicated myself to the issues of security and preparedness.

As the only New York City member of the House Committee on Homeland Security, I am humbled at the opportunity to commemorate this day with my colleagues and victims' families.

We will never forget that almost 3,000 lives were lost, including 343 firefighters and 23 police officers, on that day. Their contributions and legacies will forever be honored and revered.

I salute the many World Trade Center and Pentagon workers who may not have held a corner office with their names on the door, but

were an integral part of our thriving economy and communities.

I salute the mothers, teachers, doctors, flight crews and other valuable members of our society that were taken from us on that tragic day.

As we prepare to commemorate that tragic day with several victims' families on the front steps of the U.S. Capitol, I offer my prayers to all 9-11 families and the survivors whose lives are forever changed.

I especially send my condolences to the parents and families of the children who's precious lives were tragically taken from us on that fateful day.

The collective sacrifices, strength, and compassion of these individuals and all Americans, as well as the fallen soldiers that we have lost in the fight against terror and the families they've left behind—all of whom represent diverse backgrounds and beliefs—remind us that our national resiliency lies within our ability to come together as a nation for the greater good of our society.

Mr. ACKERMAN. I thank the distinguished gentlelady from Florida for her cooperation in this bipartisan effort and expression of the House.

I yield the balance of our time, 1 minute, to the distinguished Speaker of the House to close the debate, Ms. PELOSI.

Ms. PELOSI. I thank the gentleman for yielding. I thank Congressman ACKERMAN and Congresswoman ROS-LEHTINEN for bringing this opportunity to the floor to speak about the unspeakable horror of 9/11.

When we talk about this subject, Mr. Speaker, we are treading on sacred ground, a ground we thought we would never see in our country.

But as Congresswoman ROS-LEHTINEN said, it has defined us, how we dealt with it, and how we carry on afterward. One of the goals of terrorists is to instill fear. So not only do they take lives and destroy a community, try to destroy a community, they also instill fear as to how we will act upon the challenges that we have as we go forward. That did not happen with 9/11.

The American people rallied in a way that removed all doubt that we would not suffer that consequence. But it's the families of 9/11 who made the biggest sacrifice, that's self-evident. But when they turned their grief into action, working with the 9/11 Commission to help ensure that this doesn't happen again, they did a great service to our country.

In just a few moments, in the Capitol, we will unveil a marker of bravery to recall the sacrifice, in particular of the men and women on Flight 93 who died in rural Pennsylvania. We gather to honor their families, who will be with us. This is the day that they have chosen for that and to ensure that we never forget their heroic deeds, their bravery and the sacrifices of those individuals. They made a decision in that flight not to fly into Washington, D.C., perhaps into this Capitol.

Again, it is to those families that we owe so much, whether it was in rural Pennsylvania, in the Pentagon, or in New York at the Twin Towers.

Following that ceremony, we will go to Statuary Hall where leaders of both parties in both Houses of Congress will gather to recognize the heroes of 9/11, the firefighters and first responders, the rescue workers and all who perished on Flight 93, in the Pentagon and the World Trade Center on that terrible morning. It is in their names that we mark this day.

It is in memory of those who died that we, in the words of this resolution, renew our devotion to the universal ideals that make this Nation great: freedom, pluralism, equality and the rule of law. It is their voices that remind us not just of the images of destruction and despair, but of the unity we all felt in the wake of the attacks and of our common humanity and shared strength, of our potential to move forward as one community, one Nation. When we take inspiration from the memories of the heroes of 9/11, may this resolution rekindle a spirit of service and sacrifice among all Americans.

May God continue to bless the United States of America.

Mr. TEAGUE. Mr. Speaker, like all Americans I still mourn the innocent lives that were lost on September 11, 2001. Though I was not in Washington, DC or New York City on that day, I am often reminded of the attacks when I pass the Pentagon on my way to the Capitol. And when I think of the thousands of family members that lost a loved one on that day, I admit that it makes me want to visit with my own children a little more often, play with my grandchildren a little longer and hold my wife a little closer.

On September 11th, 2001, America was exposed to a darker side of the human condition—one that is so fueled by hate and fear that it would drive individuals to come to a foreign land and dedicate themselves to studying the most efficient way to murder innocent civilians.

The 9/11 attacks were cowardly actions by desperate, evil men, but, like we've seen on other tragic days in our Nation's history, the attacks also shined a light on American bravery and heroism.

Our firefighters and other first-responders ran into buildings that were about to collapse, sometimes sacrificing their own lives to save others. The passengers of United Flight 93 became true citizen-soldiers when they chose to take on the hijackers and sacrifice themselves to save others, demonstrating to the world what makes us strong and good as a country.

These brave people showed that even in one of the darkest hours in our history, Americans were resolute, resilient and committed to see the light of our liberty burn steady and bright.

Let us remember that while these horrendous acts may have toppled over buildings and taken the lives of innocent Americans, they neither destroyed our Republic nor the principles upon which our country was built.

Eight years after that dark day, it is appropriate for us to take time to remember those that lost their lives in these attacks and those who gave their lives so that others would live. And it is equally important for us to acknowledge that despite these tragic events America has remained free, strong and committed to liberty.

Mr. MARKEY of Massachusetts. Mr. Speaker, this week we commemorate the eighth anniversary of the most devastating attack on our country since Pearl Harbor. The planes which destroyed the World Trade Center towers took off from Boston. The planes carried 142 passengers and crew members, many of them were our neighbors, and the catastrophe almost 200 miles south in Manhattan was also a catastrophe for victims' families and their loved ones and friends in communities across Massachusetts.

The September 11th attacks demonstrated that America's very strengths—its technology and its open society—could be turned into weapons and used against us. We have spent much of the past eight years trying to reduce the opportunities for terrorists to exploit our vulnerabilities; while we can claim significant achievements we must admit that the job is not done.

Two years ago, the Democratic Congress passed legislation to implement the recommendations of the 9/11 Commission, designating it as our top priority—H.R. 1. But much work to implement the bill's provisions and other needed homeland security upgrades is still needed, and it is now up to the Obama Administration to end the years of delays, obstruction and catering to industry's demands that was characteristic of the Bush Administration's homeland security policy.

I authored a provision in the 9/11 law to require the screening, within three years, of all the cargo carried on passenger planes to a level of security commensurate with the level of security applied to passengers' checked bags. The statutory deadline is less than one year from now, in August 2010. I am concerned that the system developed by the previous administration to implement the 100 percent screening requirement is facing significant challenges and must be quickly remedied by this Administration in order to comply with the law.

A requirement that I helped to insert into the 9/11 law contains a mandate to scan all inbound maritime cargo at its point of origin by 2012, unless the Department of Homeland Security chooses to extend the deadline for a particular port or group of ports because of technological, economic or other barriers. I believe that Congress included sufficient flexibility in the statutory requirements to address any delays in meeting the 2012 statutory deadline for maritime scanning that may have been caused as a result of inaction by the last Administration, and now the Obama Administration is tasked with implementing this vital security safeguard.

Since 9/11, Congress has enacted legislation to secure the aviation, maritime, rail, mass transit, nuclear energy and other sectors. But what we have yet to do is act on comprehensive legislation to secure the facilities that make or store dangerous chemicals. Instead, we have relied on the incomplete, inadequate and loophole-ridden legislative language that was inserted into a 2007 Appropriations bill behind closed doors that amounted to little more than a long run-on sentence. The Energy and Environment Subcommittee which I chair will soon act on comprehensive chemical security legislation that will close the loopholes in part by requiring each high-risk facility to assess whether it could use safer processes or technologies and provide authority to ensure that the highest-risk facilities do so if it is economically and technologically possible.

The upcoming anniversary is a time for reflection and commemoration. But it is also an opportunity to review the progress we have made towards improving the security of all Americans.

On this 8th anniversary of a terrible tragedy, I am taking time to both remember those who we lost and to rededicate myself to ensuring that such a tragedy will never again be allowed to occur.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 722.

The question was taken.

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

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

The yeas and nays were ordered.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 965, CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK CONTINUING AUTHORIZATION ACT

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111-249) on the resolution (H. Res. 726) providing for consideration of the bill (H.R. 965) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

House Resolution 447, by the yeas and nays;

H.R. 2097, by the yeas and nays;

H.R. 2498, by the yeas and nays;

House Resolution 722, by the yeas and nays.

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

RECOGNIZING CONTRIBUTIONS OF AMERICAN COUNCIL OF ENGINEERING COMPANIES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 447, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and agree to the resolution, H. Res. 447.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 13, as follows:

[Roll No. 690]

YEAS—420

- | | | |
|----------------|-----------------|------------------|
| Abercrombie | Cole | Heinrich |
| Ackerman | Conaway | Heller |
| Aderholt | Cannolly (VA) | Hensarling |
| Adler (NJ) | Conyers | Herger |
| Akin | Cooper | Hersteth Sandlin |
| Alexander | Costa | Higgins |
| Altmire | Costello | Hill |
| Andrews | Courtney | Himes |
| Arcuri | Crenshaw | Hinchey |
| Austria | Crowley | Hinojosa |
| Baca | Cuellar | Hirono |
| Bachmann | Culberson | Hodes |
| Bachus | Cummings | Hoekstra |
| Baird | Dahlkemper | Holden |
| Barrett (SC) | Davis (AL) | Holt |
| Barrow | Davis (CA) | Honda |
| Bartlett | Davis (KY) | Hoyer |
| Barton (TX) | Davis (TN) | Hunter |
| Bean | Deal (GA) | Inglis |
| Becerra | DeFazio | Inslee |
| Berkley | DeGette | Israel |
| Berman | DeLauro | Issa |
| Berry | Dent | Jackson (IL) |
| Biggert | Diaz-Balart, L. | Jackson-Lee |
| Bilbray | Diaz-Balart, M. | (TX) |
| Bilirakis | Dicks | Jenkins |
| Bishop (GA) | Dingell | Johnson (GA) |
| Bishop (NY) | Doggett | Johnson (IL) |
| Bishop (UT) | Donnelly (IN) | Johnson, E. B. |
| Blackburn | Doyle | Johnson, Sam |
| Blumenauer | Dreier | Jones |
| Blunt | Driehaus | Jordan (OH) |
| Bocchieri | Duncan | Kagen |
| Boehner | Edwards (MD) | Kanjorski |
| Bonner | Edwards (TX) | Kaptur |
| Bono Mack | Ehlers | Kennedy |
| Boozman | Ellison | Kildee |
| Boren | Ellsworth | Kilpatrick (MI) |
| Boswell | Emerson | Kilroy |
| Boucher | Engel | Kind |
| Boustany | Eshoo | King (IA) |
| Brady (PA) | Etheridge | King (NY) |
| Brady (TX) | Fallin | Kingston |
| Braley (IA) | Farr | Kirk |
| Bright | Fattah | Kirkpatrick (AZ) |
| Broun (GA) | Filner | Kissell |
| Brown (SC) | Flake | Klein (FL) |
| Brown, Corrine | Fleming | Kline (MN) |
| Brown-Waite, | Forbes | Kosmas |
| Ginny | Fortenberry | Kratovil |
| Buchanan | Foster | Kucinich |
| Burgess | Fox | Lamborn |
| Burton (IN) | Frank (MA) | Lance |
| Butterfield | Franks (AZ) | Langevin |
| Buyer | Frilinghuysen | Larsen (WA) |
| Calvert | Fudge | Larson (CT) |
| Camp | Gallegly | Latham |
| Campbell | Garrett (NJ) | LaTourette |
| Cantor | Gerlach | Latta |
| Cao | Giffords | Lee (CA) |
| Capito | Gingrey (GA) | Lee (NY) |
| Capps | Gohmert | Levin |
| Capuano | Gonzalez | Lewis (CA) |
| Cardoza | Goodlatte | Lewis (GA) |
| Carnahan | Gordon (TN) | Linder |
| Carney | Granger | Lipinski |
| Carson (IN) | Graves | LoBiondo |
| Carter | Grayson | Loeb |
| Cassidy | Green, Al | Lofgren, Zoe |
| Castle | Green, Gene | Lowey |
| Castor (FL) | Griffith | Lucas |
| Chaffetz | Grijalva | Luetkemeyer |
| Chandler | Guthrie | Lujan |
| Childers | Gutierrez | Lummis |
| Chu | Hall (NY) | Lungren, Daniel |
| Clarke | Hall (TX) | E. |
| Clay | Halvorson | Mack |
| Cleaver | Hare | Maloney |
| Clyburn | Harman | Manzullo |
| Coble | Harper | Marchant |
| Coffman (CO) | Hastings (FL) | Markey (CO) |
| Cohen | Hastings (WA) | Markey (MA) |

- | | | |
|-----------------|------------------|---------------|
| Marshall | Peters | Shimkus |
| Massa | Peterson | Shuler |
| Matheson | Petri | Shuster |
| Matsui | Pingree (ME) | Simpson |
| McCarthy (CA) | Pitts | Sires |
| McCaul | Platts | Skelton |
| McClintock | Poe (TX) | Smith (NE) |
| McCollum | Polis (CO) | Smith (TX) |
| McCotter | Pomeroy | Smith (WA) |
| McDermott | Posey | Snyder |
| McGovern | Price (GA) | Souder |
| McHenry | Price (NC) | Space |
| McHugh | Putnam | Speier |
| McIntyre | Quigley | Spratt |
| McKeon | Radanovich | Stark |
| McMahon | Rahall | Stearns |
| McNerney | Rangel | Stupak |
| Meek (FL) | Rehberg | Sullivan |
| Meeks (NY) | Reichert | Taylor |
| Melancon | Reyes | Teague |
| Mica | Richardson | Terry |
| Michaud | Rodriguez | Thompson (CA) |
| Miller (FL) | Roe (TN) | Thompson (MS) |
| Miller (MI) | Rogers (AL) | Thompson (PA) |
| Miller (NC) | Rogers (KY) | Thornberry |
| Miller, Gary | Rogers (MI) | Tiahrt |
| Miller, George | Rohrabacher | Tiberi |
| Minnick | Rooney | Tierney |
| Hirono | Ros-Lehtinen | Titus |
| Hodes | Ross | Tonko |
| Hoekstra | Rothman (NJ) | Towns |
| Holden | Roybal-Allard | Tsongas |
| Holt | Royce | Turner |
| Moran (KS) | Ruppersberger | Upton |
| Moran (VA) | Rush | Van Hollen |
| Murphy (CT) | Ryan (OH) | Velázquez |
| Murphy (NY) | Ryan (WI) | Visclosky |
| Murphy, Patrick | Salazar | Walden |
| Murphy, Tim | Sánchez, Linda | Walz |
| Murtha | T. | Wamp |
| Myrick | Sanchez, Loretta | Wasserman |
| Nadler (NY) | Sarbanes | Schultz |
| Napolitano | Scalise | Waters |
| Neal (MA) | Schakowsky | Watson |
| Neugebauer | Schauer | Watt |
| Nunes | Schiff | Waxman |
| Nye | Schmidt | Weiner |
| Oberstar | Schock | Welch |
| Obey | Schrader | Westmoreland |
| Olson | Schwartz | Wexler |
| Olver | Scott (GA) | Whitfield |
| Ortiz | Scott (VA) | Wilson (OH) |
| Pallone | Sensenbrenner | Wilson (SC) |
| Pascarella | Serrano | Wittman |
| Pastor (AZ) | Sestak | Wolf |
| Paul | Shadegg | Woolsey |
| Paulsen | Shea-Porter | Wu |
| Payne | Sherman | Yarmuth |
| Pence | | Young (FL) |
| Perlmutter | | |
| Perriello | | |

NOT VOTING—13

- | | | |
|------------|---------------|------------|
| Baldwin | Maffei | Smith (NJ) |
| Boyd | McCarthy (NY) | Sutton |
| Davis (IL) | McMorris | Tanner |
| Delahunt | Rodgers | Young (AK) |
| Lynch | Slaughter | |

□ 1452

Mr. NUNES changed his vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE COMMEMORATING THE 9/11 ATTACKS

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence. The Chair asks that the House now observe a moment of silence in memory of the victims of the terrorist attacks on September 11, 2001.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. Ross). Without objection, 5-minute voting will continue.

There was no objection.

STAR-SPANGLED BANNER
COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2097, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, H.R. 2097.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 1, not voting 13, as follows:

[Roll No. 691]

YEAS—419

Abercrombie Carnahan Filner
Ackerman Carney Flake
Aderholt Carson (IN) Fleming
Adler (NJ) Carter Forbes
Akin Cassidy Fortenberry
Alexander Castle Foster
Altmire Castor (FL) Foy
Andrews Chaffetz Frank (MA)
Arcuri Chandler Franks (AZ)
Austria Childers Frelinghuysen
Chu
Bachmann Clarke
Baca Clay Gallegly
Baird Cleaver Garrett (NJ)
Barrett (SC) Clyburn Gerlach
Barrow Coble Giffords
Bartlett Coffman (CO) Gingrey (GA)
Barton (TX) Cohen Gohmert
Bean Cole Gonzalez
Becerra Conaway Goodlatte
Berkley Connolly (VA) Gordon (TN)
Berman Conyers Granger
Berry Cooper Graves
Biggart Costa Grayson
Billray Costello Green, Al
Billirakis Courtney Griffith
Bishop (GA) Crenshaw Grijalva
Bishop (NY) Crowley Guthrie
Bishop (UT) Cuellar Gutierrez
Blackburn Culberson Hall (NY)
Blumenauer Cummings Hall (TX)
Blunt Dahlkemper Halvorson
Boccheri Davis (AL) Hare
Boehner Davis (GA) Harman
Bonner Davis (KY) Harper
Bono Mack Davis (TN) Hastings (FL)
Boozman Deal (GA) Hastings (WA)
Boren DeFazio Heinrich
Boswell DeGette Heller
Boucher DeLauro Hensarling
Brady (PA) Dent Herger
Brady (TX) Diaz-Balart, L. Herseth Sandlin
Braley (IA) Diaz-Balart, M. Higgins
Bright Dicks Hill
Broun (GA) Dingell Himes
Brown (SC) Doggett Hinchey
Brown, Corrine Donnelly (IN) Hinojosa
Brown-Waite, Doyle Hirono
Ginny Dreier Hodes
Buchanan Driehaus Hoekstra
Burgess Duncan Holden
Burton (IN) Edwards (MD) Holt
Butterfield Edwards (TX) Honda
Buyer Ehlers Hoyer
Calvert Ellison Hunter
Camp Ellsworth Inglis
Campbell Emerson Inslee
Cantor Engel Israel
Cao Eshoo Issa
Capito Etheridge Jackson (IL)
Capps Fallin Jackson-Lee
Capuano Farr (TX)
Cardoza Fattah Jenkins

Johnson (GA) Miller (FL) Sarbanes
Johnson (IL) Miller (MD) Scalise
Johnson, E. B. Miller (NC) Schakowsky
Johnson, Sam Miller, Gary Schauer
Jones Miller, George Schiff
Jordan (OH) Minnick Schmidt
Kagen Mitchell Schock
Kanjorski Molohan Schrader
Kaptur Moore (KS) Schwartz
Kennedy Moore (WI) Scott (GA)
Kildee Moran (KS) Scott (VA)
Kilpatrick (MI) Moran (VA) Sensenbrenner
Kilroy Murphy (CT) Serrano
Kind Murphy (NY) Sessions
King (IA) Murphy, Patrick Sestak
King (NY) Murphy, Tim Shadegg
Kingston Murtha Shea-Porter
Kirkpatrick (AZ) Myrick Sherman
Kissell Nadler (NY) Shimkus
Klein (FL) Napolitano Shuler
Kline (MN) Neal (MA) Shuster
Kosmas Neugebauer Simpson
Kratovil Nunes Sires
Kucinich Nye Skelton
Lamborn Oberstar Smith (NE)
Lance Obey Smith (TX)
Langevin Olson Smith (WA)
Larsen (WA) Olver Snyder
Larson (CT) Ortiz
Latham Pallone Souder
LaTourette Pascrell Space
Latta Pastor (AZ) Speier
Lee (CA) Paulsen Spratt
Lee (NY) Payne Stark
Levin Pence Stearns
Lewis (CA) Perlmutter Stupak
Lewis (GA) Perriello Sullivan
Linder Peters Sutton
Lipinski Peterson Taylor
LoBiondo Petri Teague
Loeb sack Pingree (ME) Terry
Lofgren, Zoe Pitts Thompson (CA)
Lowe Platt Thompson (MS)
Lucas Poe (TX) Thompson (PA)
Luetkemeyer Polis (CO) Thornberry
Lujan Pomeroy Tiahrt
Lummis Posey Tiberi
Lungren, Daniel Price (GA) Tierney
E. Price (NC) Titus
Mack Putnam Tonko
Maloney Quigley Towns
Manzullo Radanovich Tsongas
Marchant Rahall Turner
Markey (CO) Rangel Upton
Markey (MA) Rehberg Van Hollen
Marshall Reichert Velázquez
Massa Reyes Visclosky
Matheson Richardson Walden
Matsui Rodriguez Walz
McCarthy (CA) Roe (TN) Wamp
McCaul Rogers (AL) Wasserman
McClintock Rogers (KY) Schultz
McCollum Rogers (MI) Waters
McCotter Rohrabacher Watson
McDermott Rooney Watt
McGovern Ros-Lehtinen Waxman
McHenry Roskam Weiner
McHugh Ross Welch
McIntyre Rothman (NJ) Westmoreland
McKeon Roybal-Allard Wexler
McMahon Royce Whitfield
McMorris Ruppertsberger Wilson (OH)
Rodgers Rush Wilson (SC)
McNerney Ryan (OH) Wittman
Meek (FL) Ryan (WI) Wolf
Meeks (NY) Salazar Woolsey
Melancon Sánchez, Linda Wu
Mica T. Yarmuth
Michaud Sanchez, Loretta Young (FL)

NAYS—1

NOT VOTING—13

Paul
Kirk Smith (NJ)
Lynch Tanner
Boyd Maffei Young (AK)
Davis (IL) McCarthy (NY)
Delahunt Slaughter

□ 1503

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WILLIAM O. LIPINSKI FEDERAL
BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2498, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2498.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 14, as follows:

[Roll No. 692]

YEAS—419

Abercrombie Cassidy Frelinghuysen
Ackerman Castle Fudge
Aderholt Algallegly Gallegly
Adler (NJ) Chaffetz Garrett (NJ)
Akin Chandler Gerlach
Alexander Childers Giffords
Altmire Chu Gingrey (GA)
Andrews Clarke Gohmert
Arcuri Clay Gonzalez
Austria Cleaver Goodlatte
Baca Clyburn Gordon (TN)
Bachmann Coble Granger
Bachus Coffman (CO) Graves
Baird Cohen Grayson
Barrett (SC) Cole Green, Al
Barrow Conaway Green, Gene
Bartlett Connolly (VA) Griffith
Barton (TX) Conyers Grijalva
Bean Cooper Guthrie
Becerra Costa Gutierrez
Berkley Costello Hall (NY)
Berman Courtney Hall (TX)
Berry Crenshaw Halvorson
Biggart Crowley Hare
Billray Cuellar Harman
Billirakis Culberson Harper
Bishop (GA) Cummings Hastings (FL)
Bishop (NY) Dahlkemper Hastings (WA)
Bishop (UT) Davis (AL) Heinrich
Blackburn Davis (CA) Heller
Blumenauer Blumenauer Davis (KY) Hensarling
Blunt Davis (TN) Herger
Boccheri Deal (GA) Herseth Sandlin
Boehner DeFazio Higgins
Bonner DeGette Hill
Bono Mack DeLauro Himes
Boozman Dent Hinchey
Boren Diaz-Balart, L. Hinojosa
Boswell Diaz-Balart, M. Hirono
Boucher Dicks Hodes
Brady (PA) Dingell Hoekstra
Brady (TX) Doggett Holden
Braley (IA) Donnelly (IN) Holt
Bright Doyle Honda
Broun (GA) Dreier Hoyer
Brown (SC) Driehaus Hunter
Brown, Corrine Duncan Inglis
Brown-Waite, Edwards (MD) Inslee
Ginny Edwards (TX) Israel
Buchanan Ehlers Issa
Burgess Ellison Jackson (IL)
Burton (IN) Ellsworth Jackson-Lee
Butterfield Emerson (TX)
Buyer Engel Jenkins
Calvert Eshoo Johnson (GA)
Camp Etheridge Johnson (IL)
Campbell Fallin Johnson, E. B.
Cantor Farr Johnson, Sam
Cao Fattah Jones
Capito Filner Jordan (OH)
Capps Flake Kagen
Capuano Fleming Kanjorski
Cardoza Cardoza Kaptur
Carnahan Fortenberry Kennedy
Carney Foster Kildee
Carson (IN) Foy Kilpatrick (MI)
Carter Franks (AZ) Kilroy

Kind Moore (KS) Schiff
 King (IA) Moore (WI) Schmidt
 King (NY) Moran (KS) Schrock
 Kingston Moran (VA) Schrader
 Kirk Murphy (CT) Schwartz
 Kirkpatrick (AZ) Murphy (NY) Scott (GA)
 Kissell Murphy, Patrick Scott (VA)
 Klein (FL) Murphy, Tim Sensenbrenner
 Kline (MN) Murtha Serrano
 Kosmas Myrick Sessions
 Kratovil Nadler (NY) Sestak
 Kucinich Napolitano Shadegg
 Lamborn Neal (MA) Shea-Porter
 Lance Neugebauer Sherman
 Langevin Nunes Shimkus
 Larsen (WA) Nye Shuler
 Larson (CT) Oberstar Shuster
 Latham Obey Simpson
 LaTourette Olson Sires
 Latta Olver Skelton
 Lee (CA) Ortiz Smith (NE)
 Lee (NY) Pallone Smith (TX)
 Levin Pascarell Smith (WA)
 Lewis (CA) Pastor (AZ) Snyder
 Lewis (GA) Paul Souder
 Linder Paulsen Space
 Lipinski Payne Speier
 LoBiondo Pence Spratt
 Loeb sack Perlmutter Stark
 Lofgren, Zoe Perriello Stearns
 Lowey Peters Stupak
 Lucas Peterson Sullivan
 Luetkemeyer Petri Sutton
 Luján Pingree (ME) Taylor
 Lummis Pitts Teague
 Lungren, Daniel Platts Terry
 E. Poe (TX) Thompson (CA)
 Mack Polis (CO) Thompson (MS)
 Maloney Pomeroy Thompson (PA)
 Manzullo Posey Thornberry
 Marchant Price (GA) Tiahrt
 Markey (CO) Price (NC) Tiberi
 Markey (MA) Putnam Tierney
 Marshall Quigley Titus
 Massa Radanovich Tonko
 Matheson Rahall Towns
 Matsui Rangel Tsongas
 McCarthy (CA) Rehberg Turner
 McCaul Reichert Upton
 McClintock Reyes Van Hollen
 McCollum Richardson Velázquez
 McCotter Rodriguez Vislosky
 McDermott Roe (TN) Walden
 McGovern Rogers (AL) Walz
 McHenry Rogers (KY) Wamp
 McHugh Rogers (MI) Wasserman
 McIntyre Rohrabacher Schultz
 McKeon Rooney Waters
 McMahan Ros-Lehtinen Watson
 McMorris Roskam Watt
 Rodgers Ross Weiner
 McNerney Rothman (NJ) Waxman
 Meek (FL) Roybal-Allard Wolf
 Meeks (NY) Royce Welch
 Melancon Ruppertsberger Westmoreland
 Mica Ryan (OH) Wexler
 Michaud Ryan (WI) Whitfield
 Miller (FL) Salazar Wilson (OH)
 Miller (MI) Sánchez, Linda Wilson (SC)
 Miller (NC) T. Wittman
 Miller, Gary Sanchez, Loretta Wolf
 Miller, George Sarbanes Woolsey
 Minnick Scalise Wu
 Mitchell Schakowsky Yarmuth
 Mollohan Schauer Young (FL)

NOT VOTING—14

Baldwin Frank (MA) Slaughter
 Boustany Lynch Smith (NJ)
 Boyd Maffei Tanner
 Davis (IL) McCarthy (NY) Young (AK)
 Delahunt Rush

□ 1510

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF THE HOUSE REGARDING SEPTEMBER 11, 2001

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 722, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 722.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 18, as follows:

[Roll No. 693]

YEAS—416

Abercrombie Chaffetz Gingrey (GA)
 Ackerman Chandler Gohmert
 Aderholt Childers Gonzalez
 Adler (NJ) Chu Goodlatte
 Akin Clarke Gordon (TN)
 Alexander Clay Granger
 Altmire Cleaver Graves
 Andrews Clyburn Grayson
 Arcuri Coffman (CO) Green, Al
 Austria Cohen Green, Gene
 Baca Cole Griffith
 Bachmann Conaway Grijalva
 Bachus Connolly (VA) Guthrie
 Baird Conyers Gutierrez
 Barrett (SC) Cooper Hall (NY)
 Barrow Costa Hall (TX)
 Bartlett Costello Halvorson
 Barton (TX) Courtney Hare
 Bean Crenshaw Harman
 Becerra Crowley Harper
 Berkeley Cuellar Hastings (FL)
 Berman Culberson Hastings (WA)
 Berry Cummings Heinrich
 Biggert Dahlkemper Heller
 Bilbray Davis (AL) Hensarling
 Bilirakis Davis (CA) Herger
 Bishop (GA) Davis (KY) Herseht Sandlin
 Bishop (NY) Davis (TN) Higgins
 Bishop (UT) Deal (GA) Hill
 Blackburn DeFazio Himes
 Blumenauer DeGette Hinchey
 Blunt DeLauro Hinojosa
 Boccieri Dent Hirono
 Boehner Diaz-Balart, L. Hodes
 Bonner Diaz-Balart, M. Hoekstra
 Bono Mack Dicks Holden
 Boozman Dingell Holt
 Boren Doggett Honda
 Boswell Donnelly (IN) Hoyer
 Boucher Doyle Hunter
 Boustany Dreier Inglis
 Brady (PA) Driehaus Inslee
 Brady (TX) Duncan Israel
 Braley (IA) Edwards (MD) Issa
 Bright Edwards (TX) Jackson (IL)
 Broun (GA) Ehlers Jackson-Lee
 Brown (SC) Ellison (TX)
 Brown, Corrine Ellsworth Jenkins
 Brown-Waite, Emerson Johnson (GA)
 Ginny Johnson (IL)
 Buchanan Johnson, E. B.
 Burgess Etheridge Johnson, Sam
 Burton (IN) Fallin Jones
 Butterfield Farr Jordan (OH)
 Buyer Fattah Kagen
 Calvert Filner Kanjorski
 Camp Flake Kaptur
 Campbell Fleming Kennedy
 Cantor Forbes Kildee
 Cao Portenberry Kilpatrick (MI)
 Capito Foster Kilroy
 Capps Foyx Kind
 Capuano Frank (MA) King (IA)
 Cardoza Franks (AZ) King (NY)
 Carney Frelinghuysen Kingston
 Carson (IN) Fudge Kirk
 Carter Gallegly Kirkpatrick (AZ)
 Cassidy Garrett (NJ) Kissell
 Castle Gerlach Klein (FL)
 Castor (FL) Giffords Kline (MN)

Murphy, Patrick Schock
 Murphy, Tim Schrader
 Murtha Schwartz
 Myrick Scott (GA)
 Nadler (NY) Scott (VA)
 Napolitano Sensenbrenner
 Neal (MA) Serrano
 Neugebauer Sessions
 Nunes Sestak
 Nye Shadegg
 Oberstar Shea-Porter
 Obey Sherman
 Olson Shimkus
 Olver Shuler
 Ortiz Shuster
 Pallone Simpson
 Pascarell Sires
 Pastor (AZ) Skelton
 Paul Smith (NE)
 Paulsen Smith (TX)
 Payne Smith (WA)
 Pelosi Snyder
 Pence Souder
 Perlmutter Perriello Space
 Perriello Speier
 Peters Spratt
 Peterson Stark
 Petri Stearns
 Pingree (ME) Pingree (ME) Stupak
 Pitts Sullivan
 Platts Sutton
 Poe (TX) Taylor
 Polis (CO) Teague
 Pomeroy Pomeroy Terry
 Posey Posey Thompson (CA)
 Price (GA) Price (GA) Thompson (MS)
 Price (NC) Price (NC) Thompson (PA)
 Putnam Putnam Thornberry
 Quigley Quigley Tiahrt
 Radanovich Radanovich Tiberi
 Rahall Rahall Tierney
 Rangel Rangel Titus
 Rehberg Rehberg Tonko
 Reichert Reichert Towns
 Reyes Reyes Tsongas
 Richardson Richardson Turner
 Rodriguez Rodriguez Upton
 Roe (TN) Roe (TN) Van Hollen
 Rogers (AL) Rogers (AL) Velázquez
 Rogers (KY) Rogers (KY) Vislosky
 Rogers (MI) Rogers (MI) Walden
 Rohrabacher Rohrabacher Walz
 Rooney Rooney Wamp
 Roskam Roskam Wasserman
 Ross Ross Schultz
 Rothman (NJ) Rothman (NJ) Waters
 Roybal-Allard Roybal-Allard Watson
 Royce Royce Watt
 Ruppertsberger Ruppertsberger Waxman
 Rush Rush Weiner
 Miller, Gary Ryan (OH) Welch
 Miller, George Ryan (WI) Westmoreland
 Minnick Salazar Sánchez, Linda Wexler
 Mitchell Sánchez, Linda Whitfield
 Mollohan Mollohan Wilson (SC)
 Moore (KS) Sanchez, Loretta Wittman
 Moore (WI) Sarbanes Wolf
 Moran (KS) Scalise Wolf
 Moran (VA) Schakowsky Woolsey
 Murphy (CT) Schauer Yarmuth
 Murphy (NY) Schiff Young (FL)

NOT VOTING—18

Baldwin Lynch Slaughter
 Boyd Maffei Smith (NJ)
 Carnahan McCarthy (NY) Tanner
 Coble McHugh Wilson (OH)
 Davis (IL) Ros-Lehtinen Wu
 Delahunt Schmidt Young (AK)

□ 1528

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall votes Nos. 690, 691, 692 and 693. Had I been present, I would have voted “yea” on rollcall votes Nos. 690, 691, 692 and 693.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 6, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 6, 2009, at 8:27 p.m.:

That the Senate passed without amendment H.R. 3435.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 7, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 7, 2009, at 9:16 a.m.:

That the Senate passed with an amendment H.R. 1016.

That the Senate passed without an amendment H.R. 3325.

Appointments:

British-American Interparliamentary Group.

Board of Directors of the Mickey Leland National Urban Air Toxics Research Center.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 7, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 7, 2009, at 12:52 p.m.:

Appointments:
Advisory Committee on Student Financial Assistance.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

□ 1530

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet tonight in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those immediately to her left and right will be open.

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

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule 1, the Chair declares the House in recess until approximately 7:35 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 3 o'clock and 31 minutes p.m.), the House stood in recess until approximately 7:35 p.m.

□ 1945

AFTER RECESS

The recess having expired, the House was called to order at 7 o'clock and 45 minutes p.m.

JOINT SESSION OF CONGRESS
PURSUANT TO HOUSE CONCURRENT
RESOLUTION 179 TO RECEIVE
A MESSAGE FROM THE
PRESIDENT

The Speaker of the House presided.

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

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Connecticut (Mr. LARSON);

The gentleman from California (Mr. BECERRA);

The gentleman from Maryland (Mr. VAN HOLLEN);

The gentleman from California (Mr. GEORGE MILLER);

The gentlewoman from Connecticut (Ms. DELAURO);

The gentleman from Rhode Island (Mr. KENNEDY);

The gentleman from Ohio (Mr. BOEHNER);

The gentleman from Virginia (Mr. CANTOR);

The gentleman from Indiana (Mr. PENCE);

The gentleman from Michigan (Mr. MCCOTTER);

The gentleman from Texas (Mr. CARTER);

The gentleman from Texas (Mr. SESSIONS);

The gentleman from California (Mr. MCCARTHY); and

The gentleman from Missouri (Mr. BLUNT).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as a committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from New York (Mr. SCHUMER);

The Senator from Washington (Mrs. MURRAY);

The Senator from New Jersey (Mr. MENENDEZ);

The Senator from North Dakota (Mr. DORGAN);

The Senator from Michigan (Ms. STABENOW);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Arizona (Mr. KYL);

The Senator from Tennessee (Mr. AL-

EXANDER);

The Senator from Alaska (Ms. MURKOWSKI);

The Senator from South Dakota (Mr. THUNE); and

The Senator from Texas (Mr. CORNYN).

The Majority Floor Services Chief announced the Acting Dean of the Diplomatic Corps, His Excellency Abdulwahab A. Al Hajjri, Ambassador of the Republic of Yemen.

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

The Majority Floor Services Chief announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 8 o'clock and 10 minutes p.m., the Majority Floor Services Chief and the Sergeant at Arms, the Honorable Wilson Livingood, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of the Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

The PRESIDENT. Madam Speaker, Vice President BIDEN, Members of Congress, and the American people:

When I spoke here last winter, the Nation was facing the worst economic crisis since the Great Depression. We were losing an average of 700,000 jobs per month. Credit was frozen. And our financial system was on the verge of collapse.

As any American who is still looking for work or a way to pay their bills will tell you, we are by no means out of the woods. A full and vibrant recovery is still many months away. And I will not let up until those Americans who seek jobs can find them; until those businesses that seek capital and credit can thrive; until all responsible homeowners can stay in their homes. That is our ultimate goal. But thanks to the bold and decisive action we have taken since January, I can stand here with confidence and say that we have pulled this economy back from the brink.

I want to thank the Members of this body for your efforts and your support in these last several months, and especially those who have taken the difficult votes that have put us on a path to recovery. I also want to thank the American people for their patience and resolve during this trying time for our Nation.

But we did not come here just to clean up crises. We came here to build a future. So tonight, I return to speak to all of you about an issue that is central to that future—and that is the issue of health care.

I am not the first President to take up this cause, but I am determined to be the last. It has now been nearly a century since Theodore Roosevelt first called for health care reform. And ever since, nearly every President and Congress, whether Democrat or Republican, has attempted to meet this challenge in some way. A bill for comprehensive health reform was first introduced by John Dingell, Sr. in 1943. Sixty-five years later, his son continues to introduce that same bill at the beginning of each session.

Our collective failure to meet this challenge—year after year, decade after decade—has led us to a breaking point. Everyone understands the extraordinary hardships that are placed on the uninsured, who live every day just one accident or illness away from bankruptcy. These are not primarily people on welfare. These are middle-class Americans. Some can't get insurance on the job. Others are self-employed and can't afford it, since buying insurance on your own costs you three times as much as the coverage you get from your employer. Many other Americans who are willing and able to pay are still denied insurance due to previous illnesses or conditions that insur-

ance companies decide are too risky or too expensive to cover.

We are the only advanced democracy on Earth—the only wealthy nation—that allows such hardships for millions of its people. There are now more than 30 million American citizens who can't get coverage. In just a 2-year period, one in every three Americans goes without health care coverage at some point. And every day, 14,000 Americans lose their coverage. In other words, it can happen to anyone.

But the problem that plagues the health care system is not just a problem for the uninsured. Those who do have insurance have never had less security or stability than they do today. More and more Americans worry that if you move, lose your job, or change your job, you'll lose your health insurance too. More and more Americans pay their premiums, only to discover that their insurance company has dropped their coverage when they get sick, or won't pay the full cost of care. It happens every day.

One man from Illinois lost his coverage in the middle of chemotherapy because his insurer found that he hadn't reported gallstones that he didn't even know about. They delayed his treatment, and he died because of it. Another woman from Texas was about to get a double mastectomy when her insurance company canceled her policy because she forgot to declare a case of acne. By the time she had her insurance reinstated, her breast cancer had more than doubled in size. That is heart-breaking, it is wrong, and no one should be treated that way in the United States of America.

Then there's the problem of rising costs. We spend one-and-a-half times more per person on health care than any other country, but we aren't any healthier for it. This is one of the reasons that insurance premiums have gone up three times faster than wages. It's why so many employers—especially small businesses—are forcing their employees to pay more for insurance, or are dropping their coverage entirely. It's why so many aspiring entrepreneurs cannot afford to open a business in the first place, and why American businesses that compete internationally—like our automakers—are at a huge disadvantage. And it's why those of us with health insurance are also paying a hidden and growing tax for those without it—about \$1,000 per year that pays for somebody else's emergency room and charitable care.

Finally, our health care system is placing an unsustainable burden on taxpayers. When health care costs grow at the rate they have, it puts greater pressure on programs like Medicare and Medicaid. If we do nothing to slow these skyrocketing costs, we will eventually be spending more on Medicare and Medicaid than every other government program combined. Put simply, our health care problem is our deficit problem. Nothing else even comes close.

These are the facts. Nobody disputes them. We know we must reform this system. The question is how.

There are those on the left who believe that the only way to fix the system is through a single-payer system like Canada's, where we would severely restrict the private insurance market and have the government provide coverage for everybody. On the right, there are those who argue that we should end the employer-based system and leave individuals to buy health insurance on their own.

I have to say that there are arguments to be made for both these approaches. But either one would represent a radical shift that would disrupt the health care most people currently have. Since health care represents one-sixth of our economy, I believe it makes more sense to build on what works and fix what doesn't, rather than try to build an entirely new system from scratch. And that is precisely what those of you in Congress have tried to do over the past several months.

During that time, we have seen Washington at its best and at its worst.

We've seen many in this Chamber work tirelessly for the better part of this year to offer thoughtful ideas about how to achieve reform. Of the five committees asked to develop bills, four have completed their work, and the Senate Finance Committee announced today that it will move forward next week. That has never happened before. Our overall efforts have been supported by an unprecedented coalition of doctors and nurses; hospitals, seniors' groups, and even drug companies—many of whom opposed reform in the past. And there is agreement in this Chamber on about 80 percent of what needs to be done, putting us closer to the goal of reform than we have ever been.

But what we have also seen in these last months is the same partisan spectacle that only hardens the disdain many Americans have toward their own government. Instead of honest debate, we've seen scare tactics. Some have dug into unyielding ideological camps that offer no hope of compromise. Too many have used this as an opportunity to score short-term political points, even if it robs the country of our opportunity to solve a long-term challenge. And out of this blizzard of charges and countercharges, confusion has reigned.

Well, the time for bickering is over. The time for games has passed. Now is the season for action. Now is when we must bring the best ideas of both parties together, and show the American people that we can still do what we were sent here to do. Now is the time to deliver on health care.

The plan I'm announcing tonight would meet three basic goals:

It will provide more security and stability to those who have health insurance. It will provide insurance to those who don't. And it will slow the growth

of health care costs for our families, our businesses, and our government. It's a plan that asks everyone to take responsibility for meeting this challenge—not just government, not just insurance companies, but everybody, including employers and individuals. And it's a plan that incorporates ideas from Senators and Congressmen; from Democrats and Republicans—and yes, from some of my opponents in both the primary and general election.

Here are the details that every American needs to know about this plan:

First, if you are among the hundreds of millions of Americans who already have health insurance through your job, or Medicare, or Medicaid, or the VA, nothing in this plan will require you or your employer to change the coverage or the doctor you have. Let me repeat this: nothing in our plan requires you to change what you have.

What this plan will do is make the insurance you have work better for you. Under this plan, it will be against the law for insurance companies to deny you coverage because of a pre-existing condition. As soon as I sign this bill, it will be against the law for insurance companies to drop your coverage when you get sick or water it down when you need it the most. They will no longer be able to place some arbitrary cap on the amount of coverage you can receive in a given year or in a lifetime. We will place a limit on how much you can be charged for out-of-pocket expenses, because in the United States of America, no one should go broke because they get sick. And insurance companies will be required to cover, with no extra charge, routine checkups and preventive care, like mammograms and colonoscopies—because there's no reason we shouldn't be catching diseases like breast cancer and colon cancer before they get worse. That makes sense, it saves money, and it saves lives.

That's what Americans who have health insurance can expect from this plan—more security and more stability.

Now, if you're one of the tens of millions of Americans who don't currently have health insurance, the second part of this plan will finally offer you quality, affordable choices. If you lose your job or you change your job, you will be able to get coverage. If you strike out on your own and start a small business, you'll be able to get coverage. We will do this by creating a new insurance exchange—a marketplace where individuals and small businesses will be able to shop for health insurance at competitive prices. Insurance companies will have an incentive to participate in this exchange because it lets them compete for millions of new customers. As one big group, these customers will have greater leverage to bargain with the insurance companies for better prices and quality coverage. This is how large companies and government employees get affordable insurance. It's how everyone in this Congress gets

affordable insurance. And it's time to give every American the same opportunity that we've given ourselves.

For those individuals and small businesses who still can't afford the lower-priced insurance available in the exchange, we'll provide tax credits, the size of which will be based on your need. And all insurance companies that want access to this new marketplace will have to abide by the consumer protections I already mentioned. This exchange will take effect in 4 years, which will give us time to do it right. In the meantime, for those Americans who can't get insurance today because they have preexisting medical conditions, we will immediately offer low-cost coverage that will protect you against financial ruin if you become seriously ill. This was a good idea when Senator JOHN MCCAIN proposed it in the campaign, it's a good idea now, and we should all embrace it.

Now, even if we provide these affordable options, there may be those—especially the young and the healthy—who still want to take the risk and go without coverage. There may still be companies that refuse to do right by their workers by giving them coverage. The problem is, such irresponsible behavior costs all the rest of us money. If there are affordable options and people still don't sign up for health insurance, it means we pay for these people's expensive emergency room visits. If some businesses don't provide workers health care, it forces the rest of us to pick up the tab when their workers get sick, and give those businesses an unfair advantage over their competitors. And unless everybody does their part, many of the insurance reforms we seek—especially requiring insurance companies to cover preexisting conditions—just can't be achieved.

That's why under my plan, individuals will be required to carry basic health insurance—just as most States require you to carry auto insurance. Likewise, businesses will be required to either offer their workers health care, or chip in to help cover the cost of their workers. There will be a hardship waiver for those individuals who still can't afford coverage, and 95 percent of all small businesses, because of their size and narrow profit margin, would be exempt from these requirements. But we can't have large businesses and individuals who can afford coverage game the system by avoiding responsibility to themselves or their employees. Improving our health care system only works if everybody does their part.

While there remain some significant details to be ironed out, I believe a broad consensus exists for the aspects of the plan I just outlined: consumer protections for those with insurance, an exchange that allows individuals and small businesses to purchase affordable coverage, and a requirement that people who can afford insurance get insurance.

And I have no doubt that these reforms would greatly benefit Americans

from all walks of life, as well as the economy as a whole. Still, given all the misinformation that's been spread over the past few months, I realize that many Americans have grown nervous about reform. So tonight I want to address some of the key controversies that are still out there.

Some of people's concerns have grown out of bogus claims spread by those whose only agenda is to kill reform at any cost. The best example is the claim, made not just by radio and cable talk show hosts, but by prominent politicians, that we plan to set up panels of bureaucrats with the power to kill off senior citizens. Such a charge would be laughable if it weren't so cynical and irresponsible. It is a lie, plain and simple.

There are also those who claim that our reform efforts will insure illegal immigrants. This, too, is false. The reforms I am proposing would not apply to those who are here illegally. And one more misunderstanding I want to clear up—under our plan, no Federal dollars will be used to fund abortions, and Federal conscience laws will remain in place.

My health care proposal has also been attacked by some who oppose reform as a "government takeover" of the entire health care system. As proof, critics point to a provision in our plan that allows the uninsured and small businesses to choose a publicly sponsored insurance option administered by the government just like Medicaid or Medicare.

So let me set the record straight here. My guiding principle is, and always has been, that consumers do better when there is choice and competition. That's how the market works. Unfortunately, in 34 States, 75 percent of the insurance market is controlled by five or fewer companies. In Alabama, almost 90 percent is controlled by just one company. Without competition, the price of insurance goes up and the quality goes down. And it makes it easier for insurance companies to treat their customers badly—by cherry-picking the healthiest individuals and trying to drop the sickest; by overcharging small businesses who have no leverage; and by jacking up rates.

Insurance executives don't do this because they are bad people. They do it because it's profitable. As one former insurance executive testified before Congress, insurance companies are not only encouraged to find reasons to drop the seriously ill; they are rewarded for it. All of this is in service of meeting what this former executive called "Wall Street's relentless profit expectations."

Now, I have no interest in putting insurance companies out of business. They provide a legitimate service, and employ a lot of our friends and neighbors. I just want to hold them accountable. The insurance reforms that I've already mentioned would do just that. But an additional step we can take to keep insurance companies honest is by

making a not-for-profit public option available in the insurance exchange. Let me be clear—it would only be an option for those who don't have insurance. No one would be forced to choose it, and it would not impact those of you who already have insurance. In fact, based on Congressional Budget Office estimates, we believe that less than 5 percent of Americans would sign up.

Despite all this, the insurance companies and their allies don't like this idea. They argue that these private companies can't fairly compete with the government. And they'd be right if taxpayers were subsidizing this public insurance option. But they won't be. I have insisted that like any private insurance company, the public insurance option would have to be self-sufficient and rely on the premiums it collects. But by avoiding some of the overhead that gets eaten up at private companies by profits, excessive administrative costs and executive salaries, it could provide a good deal for consumers. It would also keep pressure on private insurers to keep their policies affordable and treat their customers better, the same way public colleges and universities provide additional choice and competition to students without in any way inhibiting a vibrant system of private colleges and universities.

It's worth noting that a strong majority of Americans still favor a public insurance option of the sort I've proposed tonight. But its impact shouldn't be exaggerated—by the left, or the right, or the media. It is only one part of my plan, and shouldn't be used as a handy excuse for the usual Washington ideological battles. To my progressive friends, I would remind you that the driving idea behind reform has been to end insurance company abuses and make coverage affordable for those without it. The public option is only a means to that end—and we should remain open to other ideas that accomplish our ultimate goal. And to my Republican friends, I say that rather than making wild claims about a government takeover of health care, we should work together to address any legitimate concerns you may have.

For example, some have suggested that the public option go into effect only in those markets where insurance companies are not providing affordable policies. Others have proposed a co-op or another nonprofit entity to administer the plan. These are all constructive ideas worth exploring. But I will not back down on the basic principle that if Americans can't find affordable coverage, we will provide you with a choice. And I will make sure that no government bureaucrat or insurance company bureaucrat gets between you and the care that you need.

Finally, let me discuss an issue that is a great concern to me, to Members of this Chamber, and to the public—and that's how we pay for this plan.

Here's what you need to know. First, I will not sign a plan that adds one

dime to our deficits—either now or in the future. Period. And to prove that I'm serious, there will be a provision in this plan that requires us to come forward with more spending cuts if the savings we promised don't materialize. Part of the reason I faced a trillion-dollar deficit when I walked in the door of the White House is because too many initiatives over the last decade were not paid for—from the Iraq war to tax breaks for the wealthy. I will not make that same mistake with health care.

Second, we've estimated that most of this plan can be paid for by finding savings within the existing health care system—a system that is currently full of waste and abuse. Right now, too much of the hard-earned savings and tax dollars we spend on health care don't make us any healthier. That's not my judgment—it's the judgment of medical professionals across this country. And this is also true when it comes to Medicare and Medicaid.

In fact, I want to speak directly to seniors for a moment, because Medicare is another issue that's been subjected to demagoguery and distortion during the course of this debate.

More than four decades ago, this Nation stood up for the principle that after a lifetime of hard work, our seniors should not be left to struggle with a pile of medical bills in their later years. That's how Medicare was born. And it remains a sacred trust that must be passed down from one generation to the next. That is why not a dollar of the Medicare trust fund will be used to pay for this plan.

The only thing this plan would eliminate is the hundreds of billions of dollars in waste and fraud, as well as unwarranted subsidies in Medicare that go to insurance companies—subsidies that do everything to pad their profits but don't improve the care of seniors. And we will also create an independent commission of doctors and medical experts charged with identifying more waste in the years ahead.

These steps will ensure that you—America's seniors—get the benefits you've been promised. They will ensure that Medicare is there for future generations. And we can use some of the savings to fill the gap in coverage that forces too many seniors to pay thousands of dollars a year out of their own pockets for prescription drugs. That's what this plan will do for you. So don't pay attention to those scary stories about how your benefits will be cut—especially since some of the same folks who are spreading these tall tales have fought against Medicare in the past, and just this year supported a budget that would essentially have turned Medicare into a privatized voucher program. That will not happen on my watch. I will protect Medicare.

Now, because Medicare is such a big part of the health care system, making the program more efficient can help usher in changes in the way we deliver health care that can reduce costs for everybody. We have long known that

some places, like the Intermountain Healthcare in Utah or the Geisinger Health System in rural Pennsylvania, offer high-quality care at costs below average. So the commission can help encourage the adoption of these commonsense best practices by doctors and medical professionals throughout the system—everything from reducing hospital infection rates to encouraging better coordination between teams of doctors.

Reducing the waste and inefficiency in Medicare and Medicaid will pay for most of this plan. Much of the rest would be paid for with revenues from the very same drug and insurance companies that stand to benefit from tens of millions of new customers. This reform will charge insurance companies a fee for their most expensive policies, which will encourage them to provide greater value for the money—an idea which has the support of Democratic and Republican experts. And according to these same experts, this modest change could help hold down the cost of health care for all of us in the long run.

Finally, many in this Chamber—particularly on the Republican side of the aisle—have long insisted that reforming our medical malpractice laws can help bring down the cost of health care. I don't believe malpractice reform is a silver bullet, but I have talked to enough doctors to know that defensive medicine may be contributing to unnecessary costs. So I am proposing that we move forward on a range of ideas about how to put patient safety first and let doctors focus on practicing medicine. I know that the Bush administration considered authorizing demonstration projects in individual States to test these ideas. I think it's a good idea, and I am directing my Secretary of Health and Human Services to move forward on this initiative today.

Add it all up, and the plan I'm proposing will cost around \$900 billion over 10 years—less than we have spent on the Iraq and Afghanistan wars, and less than the tax cuts for the wealthiest few Americans that Congress passed at the beginning of the previous administration. Most of these costs will be paid for with money already being spent—but spent badly—in the existing health care system. The plan will not add to our deficit. The middle class will realize greater security, not higher taxes. And if we are able to slow the growth of health care costs by just one-tenth of 1 percent each year, it will actually reduce the deficit by \$4 trillion over the long term.

This is the plan I'm proposing. It's a plan that incorporates ideas from many of the people in this room tonight—Democrats and Republicans. And I will continue to seek common ground in the weeks ahead. If you come to me with a serious set of proposals, I will be there to listen. My door is always open.

But know this: I will not waste time with those who have made the calculation that it's better politics to kill this plan than to improve it. I won't stand by while the special interests use the same old tactics to keep things exactly the way they are. If you misrepresent what's in this plan, we will call you out. And I will not accept the status quo as a solution. Not this time. Not now.

Everyone in this room knows what will happen if we do nothing. Our deficit will grow. More families will go bankrupt. More businesses will close. More Americans will lose their coverage when they are sick and need it the most. And more will die as a result. We know these things to be true.

That is why we cannot fail. Because there are too many Americans counting on us to succeed—the ones who suffer silently, and the ones who shared their stories with us at town halls, in e-mails, and in letters.

I received one of those letters a few days ago. It was from our beloved friend and colleague, Ted Kennedy. He had written it back in May, shortly after he was told that his illness was terminal. He asked that it be delivered upon his death.

In it, he spoke about what a happy time his last months were, thanks to the love and support of family and friends, his wife, Vicki, and his amazing children, who are all here tonight. And he expressed confidence that this would be the year that health care reform—"that great unfinished business of our society," he called it—would finally pass. He repeated the truth that health care is decisive for our future prosperity, but he also reminded me that "it concerns more than material things." "What we face," he wrote, "is above all a moral issue; at stake are not just the details of policy, but fundamental principles of social justice and the character of our country."

I've thought about that phrase quite a bit in recent days—the character of our country. One of the unique and wonderful things about America has always been our self-reliance, our rugged individualism, our fierce defense of freedom and our healthy skepticism of government. And figuring out the appropriate size and role of government has always been a source of rigorous and, yes, sometimes angry debate. That's our history.

For some of Ted Kennedy's critics, his brand of liberalism represented an affront to American liberty. In their minds, his passion for universal health care was nothing more than a passion for big government.

But those of us who knew Teddy and worked with him here—people of both parties—know that what drove him was something more. His friend ORRIN HATCH knows that. They worked together to provide children with health insurance. His friend JOHN MCCAIN knows that. They worked together on a Patient's Bill of Rights. His friend CHUCK GRASSLEY knows that. They

worked together to provide health care to children with disabilities.

On issues like these, Ted Kennedy's passion was born not of some rigid ideology, but of his own experience. It was the experience of having two children stricken with cancer. He never forgot the sheer terror and helplessness that any parent feels when a child is badly sick; and he was able to imagine what it must be like for those without insurance; what it would be like to have to say to a wife or a child or an aging parent—there is something that could make you better, but I just can't afford it.

That large-heartedness—that concern and regard for the plight of others—is not a partisan feeling. It is not a Republican or a Democratic feeling. It, too, is part of the American character. Our ability to stand in other people's shoes. A recognition that we are all in this together; that when fortune turns against one of us, others are there to lend a helping hand. A belief that in this country, hard work and responsibility should be rewarded by some measure of security and fair play; and an acknowledgment that sometimes government has to step in to help deliver on that promise.

This has always been the history of our progress. In 1935, when over half of our seniors could not support themselves and millions had seen their savings wiped away, there were those who argued that Social Security would lead to socialism. But the men and women of Congress stood fast, and we are all the better for it. In 1965, when some argued that Medicare represented a government takeover of health care, Members of Congress, Democrats and Republicans, did not back down. They joined together so that all of us could enter our golden years with some basic peace of mind.

You see, our predecessors understood that government could not, and should not, solve every problem. They understood that there are instances when the gains in security from government action are not worth the added constraints on our freedom. But they also understood that the danger of too much government is matched by the perils of too little; that without the leavening hand of wise policy, markets can crash, monopolies can stifle competition, and the vulnerable can be exploited. And they knew that when any government measure, no matter how carefully crafted or beneficial, is subject to scorn; when any efforts to help people in need are attacked as un-American; when facts and reason are thrown overboard and only timidity passes for wisdom, and we can no longer even engage in a civil conversation with each other over the things that truly matter—that at that point we don't merely lose our capacity to solve big challenges. We lose something essential about ourselves.

What was true then remains true today. I understand how difficult this health care debate has been. I know

that many in this country are deeply skeptical that government is looking out for them. I understand that the politically safe move would be to kick the can further down the road—to defer reform one more year, or one more election, or one more term.

But that is not what this moment calls for. That's not what we came here to do. We did not come to fear the future. We came here to shape it. I still believe we can act even when it's hard. I still believe we can replace acrimony with civility, and gridlock with progress. I still believe we can do great things, and that here and now we will meet history's test.

Because that is who we are. That is our calling. That is our character. Thank you, God bless you, and may God bless the United States of America.

(Applause, the Members rising.)

At 9 o'clock and 6 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Majority Floor Services Chief escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 9 o'clock and 7 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

ADJOURNMENT

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Thursday, September 10, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3203. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal, Sabine River, Orange, TX [USCG-2008-1269] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3204. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River (LMR), Mile Marker 532 to 530, Greenville, MS [COTP Lower Mississippi River-08-020] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3205. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Apalachicola River, Chattahoochee, FL [COTP Mobile-08-008] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3206. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 200 yards east to 200 west of the Lewis Street Swing Bridge at MM52.5 Bayou Teche, New Iberia, Louisiana, bank to bank [COTP Morgan City-07-009] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3207. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 200 yards east to 200 yards west of the Lewis Street Swing Bridge at MM52.5 Bayou Teche, New Iberia, Louisiana, bank to bank [COTP Morgan City-07-017] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3208. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway MM45 to MM47, WHL, bank to bank [COTP Morgan City-08-006] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3209. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Position 29-37.30N, 090-55.54W on Shell Canal, off Bayou Black, extending 500 yards in all directions, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3210. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Marker 138.5 to Mile Marker 139.85, Above Head of Passes, Reserve, LA [COTP New Orleans-07-012] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3211. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Marker 175 to Mile Marker 176, Above Head of Passes, Donaldsonville, LA [COTP New Orleans-07-013] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3212. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Harvey Canal, Mile Marker 4.0 to Mile Marker 5.0, Harvey, LA [COTP New Orleans-07-016] (RIN: 1625-AA00) received July 30, 2009,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3213. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Marker 228.8 to Mile Marker 229.8, Above Head of Passes, Baton Rouge, LA [COTP New Orleans-07-017] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3214. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Marker 229.4 to Mile Marker 230, Above Head of Passes, Baton Rouge, LA [COTP New Orleans-07-018] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3215. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile 105.6 to Mile 106.6, Above Head Passes, Jefferson Parish, LA [COTP New Orleans-08-012] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3216. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway, Mile Marker 338 to 339 Galveston County, TX [Docket No.: USCG-2008-1027] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3217. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Wolf River Chute, Mile Marker 1 to Mile Marker 2, Memphis, TN [Docket No.: USCG-2008-1047] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3218. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ouachita River, Mile Marker 167 to Mile Marker 169, Monroe, LA [Docket No.: USCG-2008-1160] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3219. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tennessee River, Mile 446.0 to 455.0, Chattanooga, TN [Docket No.: USCG-2008-1271] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3220. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regattas and Marine Parades; The Snow Row, Hull, MA [Docket No.: USCG-2009-0012] (RIN: 1625-AA08) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3221. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Missouri River, Mile 377.6 to 377.8 [COTP Upper Mississippi River-08-40] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3222. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Illinois River, Mile 162.5 to 162.7 [COTP

Upper Mississippi River-08-41] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3223. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River, Mile 469.2 to 470.2, Cincinnati, OH [Docket No.: USCG-2008-0518] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3224. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kanawha River Mile 46.1 to 47.1, Saint Albans, WV [Docket No.: USCG-2008-0528] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3225. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Clinch River Mile Marker 0.5 to 1.5, Kingston, TN [Docket No.: USCG-2008-0567] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3226. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kanawha River, Mile Marker 54.6 to 56.00, Charleston, WV [Docket No.: USCG-2008-0577] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3227. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cumberland River, Mile 190.6 to 191.1, Nashville, TN [Docket No.: USCG-2008-0797] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3228. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River, Mile 601.5 to 603.8, Louisville, KY [Docket No.: USCG-2008-0868] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3229. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kanawha River Mile 57.8 to 59.3, Charleston, WV [Docket No.: USCG-2008-0980] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3230. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River at MM 0.5 — 2.0 [Docket No.: USCG-2008-0994] (RIN: 1625-AA00), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3231. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway (GICW) [COTP Port Arthur-08-002] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3232. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf of Mexico, Sabine, TX [COTP Port Arthur-08-003] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to

the Committee on Transportation and Infrastructure.

3233. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway (GICW) [COTP Port Arthur-08-004] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3234. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine River and Sabine-Neches Canal [COTP Port Arthur-08-005] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3235. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River, Mile 469.0 to 471.0, Cincinnati, OH [Docket No.: USCG-2008-0767] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3236. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Neches River and Sabine-Neches Canal [COTP Port Arthur-08-008] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3237. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal [COTP Port Arthur-08-009] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3238. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Calcasieu Ship Channel [COTP Port Arthur-08-011] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3239. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Safe Passing Distance and Minimum Safe Speed for Vessels Operating near Coast Guard ATON Vessels, Sector Houston-Galveston; Harris, Galveston, Brazoria and Chambers Counties, Texas [Docket No.: USCG-2008-1025] (RIN: 1625-AA00) received July 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3240. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 707 Airplanes and Model 720 and 720B Series Airplanes [Docket No.: FAA-2008-0645; Directorate Identifier 2007-NM-358-AD; Amendment 39-15969; AD 2009-15-06] (RIN: 2120-AA64) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3241. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAE 146 and Avro 146-RJ Airplanes [Docket No.: FAA-2009-0398; Directorate Identifier 2008-NM-193-AD; Amendment 39-15971; AD 2009-15-08] (RIN: 2120-AA64) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3242. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; Airbus Model A330-301, -321, -322, -341, and -342 Series Airplanes, and Airbus Model A340-211, -212, -213, -311, -312, and -313 Series Airplanes [Docket No.: FAA-2009-0645; Directorate Identifier 2009-NM-034-AD; Amendment 39-15973; AD 2009-15-10] (RIN: 2120-AA64) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3243. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A380-841, -842, and -861 Airplanes [Docket No.: FAA-2009-0644; Directorate Identifier 2009-NM-059-AD; Amendment 39-15972; AD 2009-15-09] (RIN: 2120-AA64) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3244. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospaciale Model SN-601 (Corvette) Airplanes [Docket No.: FAA-2009-0646; Directorate Identifier 2009-NM-055-AD; Amendment 39-15974; AD 2009-15-11] (RIN: 2120-AA64) received July 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. ARCURI: Committee on Rules. House Resolution 726. Resolution providing for consideration of the bill (H.R. 965) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network (Rept. 111-249). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DANIEL E. LUNGREN of California:

H.R. 3542. A bill to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union; to the Committee on House Administration.

By Ms. BALDWIN:

H.R. 3543. A bill to direct the Environmental Protection Agency to establish a product carbon disclosure program to facilitate carbon content labeling, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FILNER:

H.R. 3544. A bill to amend title 38, United States Code, to provide guidelines for the establishment of new national cemeteries by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HOYER (for himself, Mr.

GEORGE MILLER of California, Mr. LOEBSACK, Mr. CONYERS, Ms. DELAURO, Ms. FUDGE, Mr. MASSA, Mr. SARBANES, Mrs. CAPPS, Mr. ELLS-WORTH, Mr. SIRES, Ms. MARKEY of Colorado, Mr. FATTAH, Mr. GRIJALVA, Mr. BERMAN, Ms. CLARKE, Mr. HIMES, Mr. KENNEDY, Mr. MCGOVERN, Mr. STARK, Ms. BORDALLO, Ms. SCHAKOWSKY, Mr. HONDA, Mr. TONKO, Ms. NORTON, Mr. CARSON of Indiana,

Ms. LINDA T. SÁNCHEZ of California, Mr. ELLISON, Ms. MATSUI, Ms. JACKSON-LEE of Texas, Mr. LANGEVIN, Mr. COHEN, Mr. HARE, Ms. RICHARDSON, Mr. RODRIGUEZ, Mr. RYAN of Ohio, Mr. SERRANO, Mr. CROWLEY, Mr. LUJÁN, Mr. ENGEL, Mr. OLVER, Mr. SABLAN, Mr. HEINRICH, Mr. BUTTERFIELD, Mr. CONNOLLY of Virginia, Mr. SESTAK, Mr. DAVIS of Illinois, Mr. SCHAUER, and Mr. RUSH):

H.R. 3545. A bill to authorize the Secretary of Education to award grants for the support of full-service community schools, and for other purposes; to the Committee on Education and Labor.

By Mr. SESTAK (for himself, Ms. BORDALLO, and Mr. KAGEN):

H.R. 3546. A bill to amend the Small Business Act to make permanent the Community Express Program, and for other purposes; to the Committee on Small Business.

By Mr. PENCE:

H. Res. 723. A resolution electing a minority member to a standing committee; considered and agreed to.

By Mr. SCHIFF (for himself, Mr.

DREIER, Ms. PELOSI, Ms. ZOE LOFGREN of California, Mr. MCKEON, Mrs. NAPOLITANO, Mr. RADANOVICH, Ms. ROYBAL-ALLARD, Mrs. BONO MACK, Ms. LEE of California, Mr. DANIEL E. LUNGREN of California, Mrs. DAVIS of California, Mr. CALVERT, Mr. BERMAN, Mr. ROHRBACHER, Mr. CARDOZA, Mr. NUNES, Ms. LORETTA SANCHEZ of California, Mr. ISSA, Mrs. CAPPS, Mr. HERGER, Ms. MATSUI, Mr. MCCLINTOCK, Ms. WOOLSEY, Mr. BILBRAY, Mr. COSTA, Mr. GARY G. MILLER of California, Mr. FARR, Mr. CAMPBELL, Ms. LINDA T. SÁNCHEZ of California, Mr. MCCARTHY of California, Mr. SHERMAN, Mr. LEWIS of California, Mr. GEORGE MILLER of California, Mr. GALLEGLY, Ms. SPEIER, Mr. ROYCE, Mr. BACA, Mr. MCNERNEY, Ms. HARMAN, Mr. THOMPSON of California, Ms. RICHARDSON, Mr. FILNER, and Ms. CHU):

H. Res. 724. A resolution honoring the first responders, paying tribute to the victims of the Southern California wildfires, and mourning the loss of Firefighter Captain Tedmund "Ted" Hall, and Firefighter Specialist Arnaldo "Arnie" Quinones; to the Committee on Oversight and Government Reform; considered and agreed to.

By Mr. FILNER (for himself, Mr.

BILBRAY, Mr. THOMPSON of Pennsylvania, Mr. GRIJALVA, Mr. BACA, Mr. ROHRBACHER, Mr. COSTA, Mrs. NAPOLITANO, Mr. FARR, Ms. SPEIER, Mr. CARDOZA, Mr. THOMPSON of California, Mr. SHERMAN, Ms. LINDA T. SÁNCHEZ of California, and Mrs. DAVIS of California):

H. Res. 725. A resolution congratulating the Chula Vista Park View Little League team of Chula Vista, California, for winning the 2009 Little League World Series Championship; to the Committee on Oversight and Government Reform.

By Mr. ISRAEL (for himself, Ms. DELAURO, Mr. BURTON of Indiana, and Mr. ISSA):

H. Res. 727. A resolution supporting the goals and ideals of National Ovarian Cancer Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. KENNEDY (for himself, Mrs. BONO MACK, and Mr. LARSEN of Washington):

H. Res. 728. A resolution recognizing the importance of "National Drug Facts Chat Day" on November 10, 2009; to the Committee on Education and Labor.

ADDITIONAL SPONSORS

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

H.R. 25: Mr. BONNER.
 H.R. 43: Mr. ROGERS of Kentucky, Mr. JOHNSON of Georgia, and Mr. MURPHY of Connecticut.
 H.R. 82: Mr. MARSHALL.
 H.R. 104: Mr. JACKSON of Illinois.
 H.R. 156: Mr. BURGESS.
 H.R. 197: Mr. WALDEN, Mrs. SCHMIDT, and Mr. BOCCIERI.
 H.R. 240: Mr. DAVIS of Kentucky.
 H.R. 275: Mr. DAVIS of Kentucky, Mrs. KIRKPATRICK of Arizona, Mr. KING of Iowa, Mr. CHANDLER, and Mr. LOBIONDO.
 H.R. 303: Mr. ROE of Tennessee.
 H.R. 422: Mr. VAN HOLLEN.
 H.R. 450: Mr. WILSON of South Carolina, Mr. SOUDER, and Mr. TIAHRT.
 H.R. 460: Mr. WAXMAN.
 H.R. 510: Mr. BLUNT, Mr. SCALISE, Mr. LEE of New York, and Mr. POSEY.
 H.R. 615: Mr. UPTON.
 H.R. 621: Mr. MASSA, Mr. BOUCHER, Mr. STARK, and Mr. DAVIS of Alabama.
 H.R. 673: Mr. SESTAK.
 H.R. 678: Mr. MASSA.
 H.R. 690: Mr. ALTMIRE.
 H.R. 721: Mr. CARNEY.
 H.R. 725: Mrs. KIRKPATRICK of Arizona, Mr. REYES, and Mr. GRIJALVA.
 H.R. 734: Mr. MILLER of North Carolina and Mr. SHULER.
 H.R. 745: Mr. PRICE of North Carolina, Mr. RYAN of Wisconsin, and Mr. MILLER of North Carolina.
 H.R. 758: Mr. MARKEY of Massachusetts.
 H.R. 795: Ms. GIFFORDS and Mr. STARK.
 H.R. 848: Mr. BRADY of Pennsylvania.
 H.R. 884: Mr. PLATTS.
 H.R. 949: Mr. COSTELLO and Mr. LATOURETTE.
 H.R. 959: Mr. CARNEY.
 H.R. 983: Mr. SHUSTER.
 H.R. 995: Mr. WU.
 H.R. 1017: Ms. LINDA T. SÁNCHEZ of California.
 H.R. 1142: Mr. BUCHANAN.
 H.R. 1176: Mr. MORAN of Kansas.
 H.R. 1182: Mr. ADLER of New Jersey, Ms. MARKEY of Colorado, and Mr. MORAN of Kansas.
 H.R. 1207: Mr. DELAHUNT.
 H.R. 1210: Mr. LATOURETTE.
 H.R. 1215: Ms. TSONGAS.
 H.R. 1255: Mr. MANZULLO, Mr. ROSS, and Mr. HELLER.
 H.R. 1278: Ms. JACKSON-LEE of Texas.
 H.R. 1283: Ms. CHU.
 H.R. 1339: Mr. BAIRD.
 H.R. 1361: Mr. HOLT and Mr. LANGEVIN.
 H.R. 1362: Mr. EHLERS, Mr. BERMAN, Mr. MURPHY of Connecticut, Mr. WILSON of South Carolina, Mr. BRALEY of Iowa, and Mr. WU.
 H.R. 1378: Mr. TIM MURPHY of Pennsylvania.
 H.R. 1423: Mr. CROWLEY, Mr. VAN HOLLEN, Mr. LEVIN, and Ms. BERKLEY.
 H.R. 1476: Ms. ROS-LEHTINEN and Mr. ACKERMAN.
 H.R. 1479: Mrs. NAPOLITANO, Ms. MATSUI, and Mrs. CAPPS.
 H.R. 1503: Mr. FRANKS of Arizona.
 H.R. 1557: Mr. EDWARDS of Texas.
 H.R. 1581: Mr. PLATTS.
 H.R. 1585: Mr. PETRI.
 H.R. 1618: Mr. VISCLOSKY.
 H.R. 1625: Mr. JOHNSON of Illinois, Mr. BERRY, Mr. RUPPERSBERGER, and Mr. PAYNE.
 H.R. 1646: Mr. RYAN of Ohio and Mr. ETHERIDGE.
 H.R. 1682: Mr. CARNEY.
 H.R. 1691: Mr. ABERCROMBIE.
 H.R. 1702: Mr. HOLT.
 H.R. 1799: Mr. DAVIS of Alabama.

H.R. 1826: Mr. STARK and Mr. DEFAZIO.
 H.R. 1866: Mr. HONDA.
 H.R. 1908: Mr. BARTLETT, Ms. BERKLEY, Mr. SESSIONS, Mr. CROWLEY, and Mr. MCCOTTER.
 H.R. 1928: Mr. SESTAK.
 H.R. 1964: Mr. COHEN.
 H.R. 1995: Mr. WU and Mr. SESTAK.
 H.R. 2000: Mrs. HALVORSON, Mr. AL GREEN of Texas, and Mr. GUTIERREZ.
 H.R. 2002: Mr. SESTAK.
 H.R. 2016: Mr. SESTAK.
 H.R. 2024: Mr. HOEKSTRA.
 H.R. 2067: Ms. LEE of California.
 H.R. 2068: Ms. SHEA-PORTER and Mr. COHEN.
 H.R. 2149: Ms. ZOE LOFGREN of California.
 H.R. 2156: Ms. BALDWIN.
 H.R. 2170: Mr. MINNICK.
 H.R. 2239: Mr. SESTAK.
 H.R. 2254: Mr. ROTHMAN of New Jersey and Ms. SCHAKOWSKY.
 H.R. 2280: Mr. ABERCROMBIE.
 H.R. 2310: Mr. SMITH of Washington.
 H.R. 2339: Mrs. MALONEY.
 H.R. 2365: Mr. LOBIONDO, Mr. KLEIN of Florida, Mr. ROONEY, Mr. OLVER, and Mr. BISHOP of New York.
 H.R. 2377: Mr. MCNERNEY.
 H.R. 2406: Mr. DAVIS of Kentucky, Mr. DEAL of Georgia, and Mr. KING of Iowa.
 H.R. 2425: Mr. PAUL and Mr. WU.
 H.R. 2452: Mr. PALLONE, Mr. SIRES, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SPACE, Mr. LANGEVIN, Mr. GRAYSON, Mr. LOBIONDO, Mr. OLSON, and Mr. COSTA.
 H.R. 2456: Ms. SUTTON.
 H.R. 2528: Mrs. McMORRIS RODGERS and Mr. HERGER.
 H.R. 2538: Mr. SESTAK.
 H.R. 2554: Mr. MANZULLO.
 H.R. 2555: Mr. SHULER, Ms. WOOLSEY, and Mr. CHILDERS.
 H.R. 2556: Mr. KLINE of Minnesota.
 H.R. 2562: Mr. PLATTS.
 H.R. 2590: Mr. WU.
 H.R. 2626: Mr. MINNICK.
 H.R. 2676: Mr. POMEROY.
 H.R. 2692: Mr. MOORE of Kansas, Mr. MASSA, and Mr. CARNEY.
 H.R. 2695: Mr. SULLIVAN.
 H.R. 2697: Mr. KRATOVLIL.
 H.R. 2698: Mr. ROONEY.
 H.R. 2699: Mr. ROONEY.
 H.R. 2711: Mr. CHAFFETZ and Ms. SHEA-PORTER.
 H.R. 2713: Ms. SHEA-PORTER.
 H.R. 2835: Ms. CLARKE.
 H.R. 2866: Mr. HINCHEY.
 H.R. 2894: Ms. MCCOLLUM and Mr. CUMMINGS.
 H.R. 2897: Ms. BALDWIN, Mr. LUETKEMEYER, Mr. HOLDEN, Mr. FOSTER, and Mr. CLAY.
 H.R. 2900: Mr. CULBERSON.
 H.R. 2909: Mr. ELLISON, Ms. MOORE of Wisconsin, and Mr. SIRES.
 H.R. 2941: Mr. POSEY, Mr. WU, Ms. EDWARDS of Maryland, Mr. DOGGETT, Ms. JACKSON-LEE of Texas, and Mr. ELLISON.
 H.R. 2954: Mr. DELAHUNT.
 H.R. 2964: Mr. SESTAK.
 H.R. 3019: Mr. DINGELL, Mr. BUYER, and Mr. STEARNS.
 H.R. 3164: Mr. PLATTS and Mr. PRICE of North Carolina.
 H.R. 3166: Mr. HALL of New York.
 H.R. 3167: Mr. TIAHRT.
 H.R. 3178: Mr. BOCCIERI.
 H.R. 3226: Mr. CULBERSON, Mr. MORAN of Kansas, Mr. LUETKEMEYER, Mr. BURGESS, Mr. COLE, Mr. GINGREY of Georgia, Mr. MARCHANT, Mr. POSEY, Mr. NEUGEBAUER, Mr. MARIO DIAZ-BALART of Florida, Mr. MCCAUL, Mr. CASSIDY, Mrs. LUMMIS, Mr. KLINE of Minnesota, Mr. BROWN of South Carolina, Mr. TERRY, Mr. COFFMAN of Colorado, Mr. DENT, Mr. SHUSTER, Mr. STEARNS, Mr. SULLIVAN, Mr. JORDAN of Ohio, Mr. MICA, Mr. WALDEN, Mr. LATHAM, Mr. AKIN, Mr. HUNTER, Mr. BUCHANAN, Mr. BACHUS, Mr. WOLF, and Mr. WILSON of South Carolina.

H.R. 3238: Ms. JACKSON-LEE of Texas, Ms. CORRINE BROWN of Florida, Mr. FATTAH, Mr. REYES, Mr. MEEK of Florida, and Ms. ROYBAL-ALLARD.
 H.R. 3266: Mr. CAO, Mr. ROONEY, Mr. MEEK of Florida, Mr. PETERSON, and Mr. BOSWELL.
 H.R. 3286: Mr. MCGOVERN, Ms. SHEA-PORTER, Mr. CUMMINGS, Ms. WATERS, Mr. VAN HOLLEN, Mr. COSTELLO, Mr. SULLIVAN, Mr. ISRAEL, Mr. BOUCHER, and Mr. TONKO.
 H.R. 3295: Mr. BLUMENAUER and Mr. JOHNSON of Georgia.
 H.R. 3382: Mr. PITTS.
 H.R. 3404: Mr. SESTAK, Ms. KAPTUR, Mr. CUMMINGS, Mr. KILDEE, Mr. YARMUTH, and Ms. ROYBAL-ALLARD.
 H.R. 3464: Mr. BERRY and Mr. WILSON of South Carolina.
 H.R. 3472: Mr. SCHRADER, Mr. LUJÁN, and Mr. MASSA.
 H.R. 3519: Mr. MICHAUD, Ms. SHEA-PORTER, Mr. MCCOTTER, Mr. MOORE of Kansas, Mr. EDWARDS of Texas, and Mr. JOHNSON of Illinois.
 H.R. 3522: Mr. BOCCIERI and Mr. RODRIGUEZ.
 H.R. 3532: Ms. CHU.
 H.R. 3535: Ms. SUTTON.
 H.R. 3536: Mr. STUPAK, Mr. MAFFEL, Ms. DELAURO, Mr. KENNEDY, and Mr. HINCHEY.
 H. Con. Res. 42: Ms. JACKSON-LEE of Texas.
 H. Con. Res. 43: Ms. JACKSON-LEE of Texas.
 H. Con. Res. 44: Mr. PAYNE and Ms. JACKSON-LEE of Texas.
 H. Con. Res. 46: Ms. JACKSON-LEE of Texas.
 H. Con. Res. 73: Mr. PAYNE.
 H. Con. Res. 94: Ms. KILPATRICK of Michigan.
 H. Con. Res. 97: Ms. BALDWIN.
 H. Con. Res. 129: Mr. SPRATT, Mr. LANGEVIN, Mr. BRADY of Pennsylvania, Mr. JOHNSON of Georgia, Mr. HOLDEN, Mr. DRIEHAUS, and Ms. SHEA-PORTER.
 H. Con. Res. 147: Mr. MASSA.
 H. Con. Res. 158: Mr. LUETKEMEYER, Mr. COURTNEY, and Mr. LEVIN.
 H. Con. Res. 178: Mr. CARNAHAN, Mrs. MALONEY, Mr. MEEKS of New York, Mr. MCMAHON, and Mr. UPTON.
 H. Res. 148: Ms. JACKSON-LEE of Texas.
 H. Res. 167: Mr. MANZULLO, Mr. GERLACH, Mr. MCGOVERN, Mr. CONYERS, and Mr. RUPPERSBERGER.
 H. Res. 252: Mr. THOMPSON of California, Mr. HALL of New York, Mr. ISRAEL, Mr. GALLEGLEY, and Ms. RICHARDSON.
 H. Res. 291: Mr. PLATTS and Mr. LOBIONDO.
 H. Res. 364: Mr. HELLER.
 H. Res. 419: Mr. SESTAK.
 H. Res. 458: Mr. SESTAK.
 H. Res. 459: Mr. PAULSEN.
 H. Res. 487: Mr. KIND.
 H. Res. 494: Mr. TURNER.
 H. Res. 510: Mr. GRIJALVA.
 H. Res. 547: Mr. SESTAK.
 H. Res. 601: Mr. SESTAK.
 H. Res. 605: Ms. SCHAKOWSKY, Mr. PALLONE, Mr. CAPUANO, Ms. SHEA-PORTER, Mr. AL GREEN of Texas, Mr. SCHIFF, and Mr. LUETKEMEYER.
 H. Res. 615: Mr. THORNBERRY and Ms. FOXF.
 H. Res. 633: Ms. MCCOLLUM.
 H. Res. 638: Mr. COBLE.
 H. Res. 649: Mrs. CHRISTENSEN, Mr. GRIJALVA, Ms. LEE of California, Ms. MCCOLLUM, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. SESTAK, and Ms. WOOLSEY.
 H. Res. 655: Mr. BACA.
 H. Res. 659: Ms. RICHARDSON.
 H. Res. 671: Mr. DUNCAN, Mr. FORBES, and Mr. PITTS.
 H. Res. 677: Mr. WEINER, Mr. BLUMENAUER, Mr. RYAN of Ohio, Mr. AL GREEN of Texas, Mr. TOWNS, and Mr. PETERS.
 H. Res. 686: Mr. ADLER of New Jersey, Mr. NADLER of New York, Ms. SHEA-PORTER, Mr. SCHIFF, Ms. KILPATRICK of Michigan, Ms. LEE of California, Mr. VAN HOLLEN, Mr. DANIEL E. LUNGREN of California, Mr. ENGEL, Mr.

MCINTYRE, Mr. TURNER, and Mr. MORAN of Kansas.

H. Res. 704: Mr. CLAY, Mr. CAPUANO, Mr. ROHRBACHER, Mr. PRICE of North Carolina, Mr. BARTLETT, and Mr. POE of Texas.

H. Res. 707: Mr. TONKO and Mr. HARE.

H. Res. 712: Mr. BLUNT and Mr. GORDON of Tennessee.

H. Res. 716: Mr. LANCE, Mr. CONNOLLY of Virginia, Mr. MANZULLO, Ms. TITUS, Mr. SABLAN, Ms. HARMAN, Mr. PIERLUISI, Mr. MCGOVERN, and Mr. SCHAUER.

H. Res. 718: Ms. ZOE LOFGREN of California, Mr. POE of Texas, Ms. MCCOLLUM, Ms. SUTTON, Mr. TONKO, and Mr. POLIS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative BISHOP of Utah, or a designee, to H.R. 965, the Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act, does not contain any congressional earmarks, limited tax benefits, or limited

tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

OFFERED BY MR. RAHALL

The provisions that warranted a referral to the Committee on Natural Resources, in H.R. 965, the Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.



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No. 126

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

PRAYER

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

Eternal Spirit, the fountain of all wisdom, we bring our fragmented lives into Your presence, seeking Your wholeness. We bring our restless spirits to You seeking Your calm strength. We bring You our transient thoughts, seeking the permanence of Your gracious providence.

Today, remind our lawmakers that only as we lose ourselves in something higher can we truly find ourselves. To this end, give them great causes to embrace and a great faith to energize their labors. Lord, lead them from doubt and disillusionment, from cynicism and frustration, to a confidence that in everything You work for the good of those who love You. Give them the light to see the way You desire them to take through today's perplexing circumstances.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 9, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business for an hour, with Senators permitted to speak therein for up to 10 minutes each. The majority will control the first 30 minutes and the Republicans will control the second 30 minutes. Following morning business, the Senate will resume consideration of S. 1023, the Travel Promotion Act. The Senate will recess from 12:30 to 2:15 to allow for the weekly caucus luncheons to meet. We hope to reach an agreement to yield back some of the debate time on the travel promotion legislation prior to 4:30 p.m. Senators will be notified when that vote is scheduled. Upon disposition of the travel bill, the Senate will proceed to a cloture vote on the executive nomination of Cass Sunstein to be Administrator of the Office of Information and Regulatory Affairs at the Office of Management and Budget. This week, we are also going to go to the Transportation appropriations bill, and we will continue to work through the important appropriations process.

HEALTH CARE REFORM

Mr. REID. Mr. President, I wish to take a few minutes this morning to bring to the attention of the Senate an article in the September 7 Newsweek magazine. This is the language from Newsweek. I am not using the words; these are their words. There are two pages. "The Five Biggest Lies in the Health Care Debate." Remember, it is the five biggest, but there are a lot of them that have been going on. These are the five biggest lies, in the estimation of the publishers of this multi-million-dollar distributed magazine:

To the credit of opponents of health-care reform, the lies and exaggeration they're spreading are not made up out of whole cloth—which makes the misinformation that much more credible. Instead, because opponents demand that everyone within earshot (or e-mail range) look, say, "at page 425 of the House bill," the lies take on a patina of credibility. Take the claim in one chain e-mail that the government will have electronic access to everyone's bank account, implying that the Feds will rob you blind.

That is a falsehood. It is not in any bill, on any page, or anyplace. It is just made up, and it is carried on talk radio, blogs, and cable TV all over America. It is false, not true.

One of the things I found in going home is that people are concerned—old people, because we get sick when we get old—they won't be able to get any chemotherapy. In this magazine, No. 1, it says that "the threat that Medicare will give cancer patients over 70 only end-of-life counseling and not chemotherapy" is a lie. It is not me saying that, it is Newsweek.

Another one is that illegal immigrants will get free health insurance.

The House bill doesn't give anyone free health care.

So illegal immigrants getting free health insurance is a lie. That is one of the five biggest lies.

Another one is that death panels will decide who lives. This is a dandy that started and got legs because of the resigned Governor of Alaska.

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



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On July 16, Betsy McCaughey, a former lieutenant governor of New York and darling of the right, said on Fred Thompson's radio show that "On page 425"—

They talk about page 425, but it doesn't exist there or anywhere else. But that gives them credibility.

"On page 425, Congress would make it mandatory . . . that every five years, people in Medicare have a required counseling session that will tell them how to end their life sooner, how to decline nutrition." Sarah Palin coined "death panels" in an August 7 Facebook post.

Mr. President, that is a lie.

Next is that the government will set doctors' wages. This is the socialized medicine thing we hear so much about, that all this health care debate is about is socialized medicine. This is in the magazine.

I have told people in Nevada and everywhere I went during the break that the only person I have ever heard in many years who spoke about a single-payer system was Paul Wellstone. He did it proudly. He believed in it and he talked about it. But he is the only person I have heard talk about it since I have been in Congress. But the government setting doctors' wages is a lie. Socialized medicine is not part of the plan that is being talked about. That is simply not true.

I hope people will come back to reality and understand that what we are trying to do is fix a system that is bankrupting our country. Insurance companies are making huge amounts of money. They are not subject to the antitrust laws. They are taking advantage of the American people. Their No. 1 goal is to see how much money they can make, and that is not a lie. We are trying to change the curve.

Right now, in America, one-sixth of every dollar spent by everyone—it doesn't matter where you are—is for health care. If we don't change that, by 2020, which is close, 35 percent of every dollar spent will be for health care. We are not trying to take away benefits from old people. We are doing our very best to have a fair system and one that stops the insurance companies from taking advantage of everyone.

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 proceed to a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees. The majority will control the first half and the Republicans will control the second half.

The Senator from Illinois is recognized.

REMEMBERING SENATOR EDWARD M. KENNEDY

Mr. DURBIN. Mr. President, we knew it was coming. Yet the sight of Senator Edward Kennedy's desk draped in the black velvet of mourning is painfully sad.

America and the world have lost a great champion of civil rights, human rights, and fairness. As President Obama said so well, Senator Kennedy was not only historic, he was heroic.

We will have more time later this week to talk about his extraordinary life and the honor those of us who served with him enjoyed during his life. Today, I wish to say what a great honor it was to have worked alongside Ted Kennedy.

On his desk today is a copy of one of his favorite poems, "The Road Less Traveled" by Robert Frost.

There is another Frost poem that is identified with the Kennedys that Ted Kennedy loved as well. It is called "Stopping by Woods on a Snowy Evening." It is the story of a man who pauses to admire the simple serene beauty of a New England woods filling softly with snow and wishes he could stay longer. It reads:

But I have promises to keep,
And miles to go before I sleep,
And miles to go before I sleep.

Unlike his beloved brothers, Senator Kennedy's life was not one of promise cut short but a life of promises kept. He loved America, and his life's work made us a better and more just nation.

If Ted Kennedy were here today, I feel absolutely certain that he would be on the floor at this moment talking about health care. It really was the hallmark of his public career. From the beginning, he understood this was one of the most fundamental things when it came to justice and fairness in America.

The fact that 47 million Americans have no health insurance is at least embarrassing, if not shameful, in this great and prosperous Nation. Who are these people, these 47 million? Are they lazy or just unlucky? Well, they are not the poorest in America because we provide for the poorest. We have Medicaid, which provides basic health care for those who are out of work and have no source of income or savings. They are not the fortunate few or the fortunate majority, because they don't enjoy health insurance, as most of us do, where they work. They are people who get up and go to work every single day, without the assurance that they are going to have protection if they run into medical bills.

This morning, in the State Journal Register, which is published in my hometown of Springfield, IL, there is a story of one person, Terry Broida. He is a fellow who is down on his luck. He is 62 years old, and he says:

"I couldn't get a credit card to buy a postage stamp," said Broida, 62, who estimated he owes \$80,000 to Springfield doctors and hospitals, money he doesn't think he will be able to pay.

Is he out of work? No. He is a small businessman who operates an air-filter maintenance company, and he is one of more than 45 million Americans who have no health insurance.

It says:

He wants to see Congress and the Obama administration cover all Americans through a universal, government-controlled system. And he's not scared of what some would call "socialized medicine."

He said this Tuesday:

We have socialized medicine already—it's called Medicare, and it works.

This says:

America's health-care costs total more than \$2.2 trillion a year, accounting for 16.2 percent of the gross domestic product in 2007.

That is \$1 out of every \$6 spent in America.

And yet, the latest statistics indicate that 15 percent of Americans [like Terry Broida] were uninsured in 2007.

Health care costs are crippling the ability of many companies to compete, and many companies are dropping coverage.

Broida, the father of six, hasn't had health insurance [in 40 years] since 1969, when he was 22 and sold life insurance [at a local agency]. When he left that job, he operated furniture stores for more than 30 years.

He said, "I was young, stupid and thought I could handle anything."

He said he never could afford health insurance but always seemed to scrape together enough money for doctor visits for himself, his kids and his now-ex-wife—until 1980, when he broke his right leg playing softball.

To pay for the \$3,000 surgery to fix his leg, he agreed to reupholster the surgeon's furniture.

"It was a pretty good swap," Broida said. But that doctor died a few months later, leaving Broida with no one willing to accept a similar swap to remove the metal rod [the doctor put] in his leg.

The rod is still there today, 29 years later.

A 17-foot fall through a roof while working in early 1990s left him with another \$3,000 hospital bill he couldn't pay, and a heart attack in 1995 generated a \$25,000 bill to St. John's Hospital [in Springfield, IL].

He thinks the hospital forgave most of the bill.

Fearing another big bill, [Terry] decided not to seek medical care in 1996, when he fell off another roof. "I just laid in bed until the pain went away, and I went back to work," Broida said.

Spinal stenosis almost crippled him until his primary care doctor at [a local community health center] referred him for emergency surgery in 2007.

The surgery worked, but the surgeon was from a local clinic which did not offer discounted rates to patients, such as they offer to major health insurance companies. The doctor bill alone for his emergency surgery was \$40,000. Broida said, "There's no way in hell I can pay \$40,000."

At one time, he said, he earned \$50,000 a year. He said he now makes about \$18,000 while recovering from surgery.

He went on to talk about the fact that he had heart problems that may have been complicated by dental problems. He cannot afford regular dental

care, obviously. He basically said he is for a universal system of health care. He would like the Federal Government to establish a public option to compete against private insurance companies so people like him could afford insurance.

He said in this article:

"Businesses exist to make a profit," he said. "Government exists to provide a service."

Asked whether the debate about reform makes him hopeful, he said powerful lobbying interests will be a barrier to major decisions by congressional lawmakers.

"I'm not holding my breath," he said. "It's all about the Benjamins. If they listen to the money we're screwed."

Terry Broida, Springfield, IL, one of 47 million uninsured Americans who are all over our country. They got up and went to work this morning at their small businesses and working for other people. They made the bed in your motel room last night. They are going to take the dishes off the table when you finish with your breakfast. They are the folks who are watching your kids at daycare. They are the ones who are watching your mom in the nursing home. And they are the ones who do not have health insurance.

What kind of a country are we if we can ignore the obvious—47 million uninsured Americans. When people come to the floor and rail about health care reform and talk about socialism, they are talking about whether we as a nation can reach out and provide for those who go to work and do not have the protection and security of health insurance. I do not call that socialism. It is fundamental Americanism and fairness. It is what has defined us as a country for so long.

It has been almost 80 or 90 years now since we decided that if you make more money in America, you will pay more in taxes than someone who makes less. Socialism? I don't think so. I think it is fairness, and that is what we are getting down to in this debate.

Tonight the President of the United States will speak to us, not far from here, across the Rotunda. I am not sure exactly what he is going to say, but I know one thing for sure, he is not giving up on his promise to America to make a difference when it comes to health care. This President understands it is once in a political lifetime that you can change this country for the better.

He also understands there are powerful forces against him, people who are making a fortune off the current system who do not want anyone to rock the boat. Oh, they are not going to say that. They are going to come up with some of the things Senator REID referred to earlier—the great lies about death panels and cutting off people when they need chemotherapy late in their life. They are going to peddle those lies and try to mislead and distort the debate. But I don't think they will succeed because I believe the American people understand that the best thing for us to do is not go through shoving and shouting at town

meetings but sit down and have an honest debate and answer questions honestly, not the kind of distortion and lies we have seen.

For Terry Broida, \$80,000 in debt to the hospitals and doctors in my hometown, he will go to work tomorrow in his little business and try to keep it going. He will see his own medical condition deteriorate. I wonder if, on the floor of the Senate and the House of Representatives, there will be anybody listening to his story and deciding that America can do better.

We are the fortunate few on the floor of the Senate. We have the best health insurance in America. Every American deserves that kind of health insurance. We have an opportunity once every year to pick from private health insurance plans, the ones that are right for our family. If we pick a big plan, we pay more out of our payroll deduction. If we pick a smaller plan, we pay less. But we have that right, that choice, that security, and peace of mind to know our families are going to be protected.

Many of the same Senators who come to the floor and to their town meetings to rail about public options and public-administered health care plans happen to belong to one right here in the Senate. Interesting, isn't it? Terrible for everybody else but perfect for them and their families.

I think the American people can see through that. They understand that, at the end of the day, we can improve this system and make it better and fair. They understand if they have health insurance they want to keep, it is going to be their right under any change of the law. If they have a doctor they trust, they can stay with that doctor. That is going to be protected.

But if they are similar to Terry and have no health insurance or they have health insurance which is terrible, we want to give them the same choice Members of Congress have: to pick the health insurance that is right for them, and for those in lower income categories, to give them a helping hand to pay for that health insurance premium. That is only right, and it is only fair.

We want to make sure these health insurance companies do not continue to rip off people. Two out of three people who file for bankruptcy in America today do so because of medical bills they cannot pay, just like Terry. Two out of three file for bankruptcy because of medical bills. You know what, 78 percent of them, more than three-fourths of those filing for bankruptcy because of medical bills have health insurance. It is no good. It wasn't there when they needed it. The company denied their benefits. The company refused to pay, and they were stuck, losing everything—their life savings, things they had saved for the future, gone.

We cannot allow this to continue. We cannot allow the radical voice we have heard over the last several weeks distorting the facts about this debate to

prevail. This is a time for us to stand and do the right thing for this country and bring coverage to those today in America who do not have the most basic security we all need—the security of knowing that when you wake up in the morning, you are not one accident or one diagnosis away from being wiped out financially.

For 47 million people, that is the reality of life in America. The President tonight will challenge us to change it. We have to have the political courage to do it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN. Mr. President, I applaud the remarks of my friend from Illinois and his leadership on health care issues. He is one of the people in this institution—and I wish there were more—who went home and listened to people and came to the floor of the Senate to talk about the stories of people because that is why we are here. He represents them very well. That is why he supports this health care plan by the President. That is why he supports the public option and coverage for all—prevention and wellness and all that is in this legislation—insurance company reform that matters.

I thank my friend from Illinois.

Mr. President, tonight President Obama addresses the Nation, just down the hall, in a joint session of Congress, an historic night. A President has not addressed a joint session of Congress, other than a State of the Union Address which comes at the beginning of every year, since President Bush did it right after September 11. We know how important this is.

President Obama is stepping up and going to be more specific and more forceful and help to set aside and answer all the distortions the Senator from Oregon, the Presiding Officer, and I and others heard at our meetings in our States in August, when we were home talking to people about this health care legislation.

I went to the most conservative part of my State, Cincinnati, and did my first large townhall meeting. Mr. President, 1,500 people showed up; 1,000 of them generally were supportive of this health care bill with a public option. About 500 were opposed.

Several people stood and some argued that they did not like it. They called it socialism. They talked about death panels, and they talked about illegal immigrants, none of which are in the bill, of course. They have been misled, in large part, by insurance company interests in this city that have done all they could to propagate this misinformation all over the country.

The CEO of Aetna was paid \$24 million last year. The CEO of CIGNA and so many of these other companies makes tens of millions of dollars a year. That is just their top executives. Obviously, other executives make millions of dollars a year, while too often they deny a person coverage because of

a preexisting condition or they put an annual or lifetime cap on an insurance policy that makes you understand that if you get really sick, your policy was not nearly as good as you thought it was because they canceled your insurance or plans tend to discriminate on gender, geography, disability, and age, in many cases.

This legislation we will bring to the floor that was passed out of the committee on which the Presiding Officer sits, the Health, Education, Labor, and Pensions Committee, and passed three committees in the House of Representatives, will say you can keep the insurance you have, but we will build consumer protections around that insurance so insurance companies cannot cut you off, cannot deny you care, cannot cancel your insurance policy, cannot do—the technical term they use is “rescission”—when they find all kinds of reasons to cancel you.

I wish to talk a little bit about this townhall meeting in Cincinnati in the most conservative part of the State where people said: Are you sure you want to go there? Because there is all kinds of misinformation, all kinds of anger and disagreement with the bill. I found that was true only in a minority of people who showed up.

It was a huge crowd we had at the University of Cincinnati. One woman particularly got my attention, a young woman named Rachel, 17 years old. There were three high schools—Wyoming High School, which is in a suburb of Cincinnati, and another couple schools that were also there. This 17-year-old girl said—her name is Rachel—she said: My father’s side of the family has the breast cancer gene, the gene that often indicates a high likelihood of breast cancer in the next generation of women. She said: My mother has had some autoimmune diseases in her family.

She said: I go to the doctor every year. I am very healthy. She looked great. She was outspoken and friendly. She said: I go in once a year. I have a physical. I am fine. I have never had any illness of any consequence. My parents’ insurance company told me because of my parents’ illnesses or just my parents’ condition—not even illness at this point—I was told by my parents’ insurance company that I would not be able to get insurance because I have a preexisting condition. She has never been sick, but she has been told by the insurance company that she would not get any insurance.

What kind of behavior is this? Insurance companies are going to do what they are going to do. Their bottom line is to try to figure out how they can bring in the most revenue possible and how to pay out the fewest dollars as possible. The way you do that is to deny care. I understand that is their business model. I don’t blame them for that. I don’t hate the insurance companies. I understand we need rules that insurance companies cannot do that. There is no reason the law should allow

this insurance company to deny Rachel, from Wyoming High School in a suburb of Cincinnati, her care.

Then I did other meetings around Ohio in Cambridge, in eastern Ohio, a small town. Mark, from Cambridge, discussed how businesses are struggling with crushing premiums and copays that take money away from company earnings and employee salaries. He learned, as a small business owner, health insurance reform—our bill—will provide tax credits to buy coverage for employees and, as we talked earlier, will prevent insurers from dramatically increasing premiums if an employee gets sick.

Imagine you have a business in Eugene, OR, or there is a business in my State in Akron or Zanesville or Lima. It is a small company that has 25 employees, and two of these employees get a serious form of cancer which costs them—they all have insurance through their employer—tens of thousands, maybe hundreds of thousands of dollars. The insurance company will do one of two things. They will either jack up premiums so high that the small business may not be able to afford the premiums and will have to lay off people or cancel the insurance or the insurance company will cancel their insurance. Either way, that will not work for their employees who did nothing wrong.

One of the things this legislation does is give those small businesses a tax credit so they, in fact, can insure their employees and make a financial go of it. It allows the small businessperson to take his whole business and all his employees into this exchange where they will get a choice of insurance companies. They could go with Aetna, CIGNA or United Health. They could go with a not-for-profit mutual company called Ohio Mutual. They could go with a public option. They have a choice. That is the point of a public option—to give a whole array of choices and at the same time have insurance reform so those companies can no longer cut off people because of a preexisting condition or deny care for a whole host of reasons. And the public option will help us enforce that by giving people that option where they simply would not cheat and would not deny coverage like that.

Another young man at one of our meetings in Columbus—Brenton, a recent college graduate—talked about how the excitement of graduating turned into anxiety knowing that he is one illness away from towering medical bills and even unemployment. Brenton, like millions of other recent college graduates and young adults, will benefit from low-cost plans and longer periods to stay on their parents’ plans. I can’t count the number of young people—21, 22, and 23 years old—who don’t have insurance because when they graduated college, left home, or whatever, in their early twenties, their coverage was canceled. They could no longer be part of their parents’ insur-

ance plan. Under this legislation, every person is allowed to stay—if the parents want them and the children want to—on their parents’ plan until the age of 26, an age when young people begin to get better employment that can also lead to coverage.

Jane from Cambridge—eastern Ohio—discussed how her retirement security is being shattered by ballooning out-of-pocket costs and outrageous premium hikes. She will benefit from health insurance reform that roots out waste, fraud, and abuse to preserve the long-term sustainability of Medicare. She will also get assistance under our core medical bill, closing the doughnut hole, if she had the Medicaid prescription drug coverage. This doughnut hole has swallowed up so many people who have been buried in huge costs for their prescription drugs because of the way the Medicare bill was written 5 years ago.

You may remember back in those days—and we don’t operate that way anymore—the drug and insurance companies sat down with President Bush and wrote the Medicare privatization bill. It was written for the drug companies; written for the insurance companies. They benefitted most from it. It created this huge doughnut hole where senior citizens have huge out-of-pocket costs they have to bear. This legislation begins to close that doughnut hole so that would not be the case.

Mr. President, it is clear that as many of us—the Senator from Illinois and the Presiding Officer from Colorado—went around our States in the last month and listened to people—such as the young college student who lost insurance; or Rachel, the young woman in Cincinnati who might have a preexisting condition, even though she had not been sick a day in her life or been diagnosed with any preexisting condition; or the small businessperson and fellow named Mr. Fisher in Cincinnati who told us how he has covered his employees for 26 years and how every year it gets harder and harder, to the point now where he has had some serious illnesses in his company of 40 or 50 or 60 people, if I can recall, and he simply can’t continue to cover all of them—every one of these individuals has a specific problem. Many of them are happy with the insurance they have, if they have it, but many of them know the anxiety of what might happen with a preexisting condition or what might happen to them or their employees. Insurance is good only when it always works. That is what this bill does.

Insurance companies will have to do what they promise, not in the fine print but what they promise. This legislation goes in that direction.

We look forward to hearing the President tonight as he leads us on this very important issue. This will be perhaps the most important vote in the next couple of months that any of us cast, at least on a domestic issue—or maybe the most important vote in our lives

outside of voting on the Iraq war 6 or 7 years ago. But this is probably the most important vote we will cast in our careers.

We have moved intelligently. I think we have moved cautiously. We are ready to move this bill forward, get it to the President's desk by the end of the year. It is going to make a difference in the lives of tens of millions of people in the country.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Illinois.

Mr. DURBIN. Mr. President, I see the Senator from Florida is on the Senate floor, so at this point I ask unanimous consent to reserve the remainder of the time on the majority side and yield to the Senator from Florida who will be recognized in morning business on the other side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida.

FAREWELL TO THE SENATE

Mr. MARTINEZ. I thank the Senator from Illinois for his kindness and appreciate the opportunity to proceed with my final speech on the floor of the Senate, which is a unique moment in time for sure.

The opportunity to serve in the Senate is really the culmination of what has to be an unlikely journey from the place of my birth in a small city in Cuba to having journeyed to the United States and having had the incredible opportunity to be in the Halls of the most cherished institution of democracy anywhere in the world. It has been, indeed, a privilege and an unlikely journey, as I say.

I am really very grateful to the people of Florida for having given me the opportunity to represent them in the Senate, and I think of my time in the Senate as a culmination of my time in public service, the close of a fulfilling chapter in my own version of the American dream.

Having lived through the onset of tyranny in one country and played a part in the proud democratic traditions of another, I leave here today with a tremendous sense of gratitude for the opportunity to give back to the Nation I love—the Nation not of my birth but the Nation of my choice, which is a significant difference. It is a great nation with a proud tradition throughout its history of welcoming immigrants to this country and, in addition to welcoming, it has given us the opportunity to do great things for all who are a part of this country.

So that is why I consider serving my community, my State, and our Nation for the past 12 years a great privilege. It was a desire to give back, to make a contribution to this Nation that propelled me to enter a life of public service. As a mayor and Cabinet Secretary, and as a Senator, preserving opportunities for others to receive their own claim to the American dream has always been a mission for me.

I have worked during all phases of my public life with a sincere desire to make a difference, and today I prepare to return home knowing that I have done my best to advance the things that make our Nation great, prosperous, and free. We truly live in the greatest Nation in the history of the world, and throughout my life in public service I have been humbled to play a proud role in this democratic history of our Nation.

As mayor of Orange County, it was a real pleasure and privilege to lead the community that had done so much for me and for my family when we first arrived in this country. Then to have the opportunity to lead them as mayor was indeed a rare treat and a wonderful opportunity. We carried out an aggressive agenda and tried to do the that which would better the lives of everybody who lived in Orange County, and I am proud of some of the many things we accomplished there.

Upon my service as mayor, I received a call from then-President-elect George W. Bush to serve my adopted Nation as the first Cuban American to serve in the Cabinet of a President, which was, again, a rare privilege and a wonderful opportunity. The call to serve as HUD Secretary was unexpected and not only a source of pride for me and my family but especially for the entirety of the Cuban American community. I will always be grateful to President Bush for giving me such a historic opportunity.

My time of serving on the Cabinet was punctuated by the terrorist attacks of September 11, 2001. These were sobering events. These were events that turned the focus of the Nation from a fairly carefree time dealing largely with domestic issues to a focus on the reality of what had occurred in New York and Pennsylvania and right here not far from this Capitol. It was part of my job as HUD Secretary to work on the reconstruction of Lower Manhattan. That and a number of other things were added as responsibilities for those of us in the administration at that time. Forevermore I will remember those days as having been a very significant part of my life in public service.

There is no question that it was a privilege to serve the President, but there is no greater honor than to have the people of Florida send me to Washington to serve them as a Member of the Senate. Aside from the debates and the speeches and all the work that goes into turning ideas into law, one of the most rewarding experiences has been helping Floridians resolve issues they have in their everyday lives.

In the short time I have been here, my office has assisted more than 36,000 Florida families through casework and written correspondence and countless more efforts. We made tremendous progress on many of the issues that face our State, including efforts to develop our natural energy resources while protecting the environment, seeking to modernize our military

through increased shipbuilding and ensuring we meet the Navy's goal of strategic dispersal—very important to our country but also to Florida—and working to protect our Nation's home buyers from bad loans, bad investments, and predatory lending practices.

It has also been rewarding to know our work can often impact the lives of those living outside our borders fighting for freedom and those things which we hold dear. I brought to my work a belief that it is always necessary to provide a voice for those who are silenced for attempting to advance the cause of freedom.

Having lived under Cuba's repressive dictatorship, I have always recognized the struggle of those who fight for freedom. That has always been, and will continue to be, a lifelong passion. I have taken every opportunity to recognize those engaged in Cuba's peaceful civic struggle for democratic change and those who stand up for their human rights. There are names such as Dr. Oscar Elias Biscet, Antunez, the Damas de Blanco—the "Ladies in White"—and also the victims of the Black Spring government crackdowns. It is my fervent hope that one day in the not too distant future the people in Cuba will live in freedom with dignity and hope for a better tomorrow. Freedom is their God-given right.

Even though I will no longer hold public office, I will devote myself to seeing the day when the people of Cuba can live in freedom. The preservation of all freedoms, whether they be in Cuba or around the world, call us to stand up wherever and whenever it is threatened.

One series of events will stand out in my mind as evidence of the power of an individual. A constituent of mine—a woman by the name of Cuc Foshee was falsely imprisoned in Ho Chi Minh's prison while she was visiting her family in Vietnam. This was a lady who fled Vietnam and who lived in Florida. She went back to Vietnam for a family wedding, and while she was there her views about the government of Vietnam were clear and well-known, so she was, for no particular reason, thrown in jail in Vietnam. When this matter came to my attention, she had been in detention for over a year. She was denied any of the basic rights that we understand and know. She had no opportunity to have contact with home, and she had no real hearing and no fair trial. Yet she was still in prison.

One of the wonderful opportunities I have had in my time here was to work for her release. It so happened that, working with President Bush and then-Secretary of State Rice, we had before the Senate the Vietnamese Free Trade Agreement. President Bush was planning a visit to Vietnam upon the completion of that agreement. So utilizing the resources all of us have in the Senate to ensure the consideration of that free-trade agreement was somehow connected to the freedom of this innocent woman, I was able to work with

Secretary Rice, leading our State Department at that time, as well as our President, to ensure that Cuc Foshee was freed.

I have never been more proud than the day we were able to get a phone call that she was on her way to San Francisco, and then have a wonderful reunion with her and her family in Orlando, FL. It is something I will never forget.

We did also strive mightily in this body to seek a solution to immigration reform, something I felt very strongly about. And being the only immigrant in this body, I believed I was dutybound to try to advance that cause. I am proud to say our efforts for immigration reform gave me the opportunity to work very closely with Senator Ted Kennedy, whom we are also honoring today, with nearly a half century of service in the Senate.

I can recall reminiscing with him one day near his desk. He came to the Senate in 1962. That was the same year I came here from Cuba. It was also immediately after we had a very serious confrontation involving Cuba—the Cuban missile crisis. I remember discussing with him how his family will be tied to that period of time, to the history of Cuba, and how deeply that had touched my life as well. In addition to the many opportunities to reminisce about things such as that with him, I hold dear the opportunity to have sat at a table and negotiated with him what I thought would have been a very good immigration reform package—a bill which I believed would be good for our country and good for many people in our country.

We didn't always agree. We didn't always have the same point of view. But we always found a way to get along and be very civil about our differences, and I admired greatly his ability to put differences aside and his desire to find consensus. What was most telling about working with Senator Kennedy is that he was committed to reaching an outcome. He wanted a solution, which then meant—and this might be a lesson for current issues today—that he could put aside the whole banana in order to get what he could.

I believe in working with him and then some other colleagues who have become such good and dear friends, such as Senator GRAHAM and Senator MCCAIN and many others; Senator KYL, who made an effort to get this legislation done—I must say I leave with a sense of regret that is not completed, but I do know that is an issue that will have to be addressed at some point in the future.

I would also quote from President Reagan on that issue. He talked about the idea that America remains a beacon of freedom to the world, when he spoke about the “shining city on the hill.”

In his farewell address to our Nation, he touched on the idea that the contributions of all individuals are what make our Nation great. He said:

If there had to be city walls, the walls had doors, and the doors were open to anyone with the will and the heart to get here.

I believe those words to be as true today as the day he said them. I do hope, in the not too distant future, that Congress will address itself to this very important issue.

Whether it is immigration, budgets or Supreme Court Justices, I will also miss the debates. I thank my fellow Senators for their collegiality and their friendship. I know these friendships are going to be the hardest thing to leave here—on both sides of the aisle. I must say I have been very touched by the warm and gracious phone calls and other expressions I have received from my colleagues, as I say, on both sides of the aisle. It makes me feel good about my relationship with all of you, and I hope it will be a relationship that will continue.

I wish to especially take a moment to thank Senator MCCONNELL, Senator KYL, Senator ALEXANDER and the other members of our leadership team for their kindness and willingness to work with me and give me opportunities to participate in our great debates. I also wish to thank Senator REID and Senator DURBIN for their friendship and their willingness to work with me as well.

I have had a very special and close working relationship with my colleague from Florida, Senator BILL NELSON. We have known each other for long time, long before we came to the Senate. It has been a real privilege and pleasure to work with him. We worked together well enough to give Florida an excellent team here, and I am pleased to not only have had this fine working relationship with him but also that our staffs have worked together well. I thank his Chief of Staff, Pete Mitchell, and others in his office for the wonderful way in which they worked with us.

All of you have extended great kindness to Kitty and to me. I hope we will have an opportunity to see you in Florida, where we will continue to make our home. I wish to especially recognize some people in my staff who have made my office go. As all of you know, we rely on these folks to make us look good at times and always be dedicated to us. My State director has been Kevin Doyle, who has done a magnificent job; senior director Kate Bush; my communications director, Ken Lundberg; legislative director, Michael Zehr; my executive assistant, Terry Couch, who has been bouncing with me from mayor to Secretary to Senator, and I daresay may even continue to hang around with me in some way; my chief of staff and longtime friend Tom Weinberg, I thank him very especially. He worked with me as county administrator and then came to join me here.

There are a few folks who were on my staff initially but have now moved on: my first chief of staff, John Little; Kerry Feehery; and my former State director, Matthew Hunter, were also

very important in my work, and I appreciate them very much.

I have to say one of the most singular honors I have had in my service has been to work with the men and women who serve in our Armed Forces and to get to know them—whether it is people in their leadership such as General Petraeus, who now is a Floridian in the Central Command in Tampa, or some Floridians serving in the National Guard, having lunch with them in Kabul or Baghdad or other places and here in Washington or around the world. They are an amazing group of people. They have my respect and my deep-felt gratitude for the work they do as they serve our Nation in foreign, distant places—and their families who, with them, are part of serving as well.

While saying thank-yous, I also would like to say a thank you to my wife Kitty, who has been a wonderful partner and friend in my life of public service, as she has been in all phases of my life. I promise you, if it were not for Kitty, I would not have done half of what I have done in life so I am eternally grateful to the good Lord for the blessing of having a wonderful life companion.

I wish to tell you all in George LeMieux you will have a very fine person. I hope you will give him the same warm welcome you gave to me and will be willing to work with him. I think he will serve the people of Florida well. I wish to extend a warm welcome to George LeMieux as he joins this wonderful body.

I am humbled by the trust the people in Florida placed in me. It has not been easy to make a decision to move on, but it is a decision I have made and I do it with a heavy heart.

I also particularly wish to address myself to the Cuban-American community throughout our country but especially in Florida, who have had such great pride in me, who have put so much of their faith and hopes in my public life. I simply wish to say to them: me hicieron suyos y creyeron en mi. Compartimos el orgullo en lo que somos y lo que hemos logrado. Su apoyo entusiasta ha tocado mi corazón, y atesoraré estas memorias para siempre, which means simply that I am appreciative of the pride we share together and what we have accomplished. Your enthusiastic support has touched my heart and I will always carry that with me.

My time of service is only a fraction of the nearly two and a half centuries that have passed since our Founders charted our course as a free people, but the opportunity for someone such as me to serve speaks volumes about the promise they made and one our Nation continues to keep, even to this day.

I wish to close with a quote from Jose Marti, a Cuban patriot, a hero of mine and to all those who strive to further the cause of freedom. He said:

Liberty is the essence of life. Whatever is done without it is imperfect.

With that, I think I have tried to enjoy the fruits of this liberty that this

country has to offer, but I have also tried to extend it to others in every way that I could. I am immensely grateful for the opportunity to have served in this body. I am humbled by this moment, and I am grateful to my colleagues for your friendship and support.

I yield the floor.

Mr. KYL. Mr. President, as Senator MARTINEZ knows, the minority leader of the Senate could not be here this morning. I made some brief remarks yesterday, but let me say, just kicking off some comments I know others of my colleagues want to make, that in addition to the other attributes that Senator MARTINEZ has brought to the Senate representing the people Florida, his personality, his engaging wit, and his love of people, his spirit, his friendliness, and his genuineness, all have been appreciated by all of us, I know, very much. So it is even more difficult for us to see him leave because, in addition to being a good colleague and a great Senator, he has been a wonderful friend.

I think all of us appreciate that quality of genuineness, which is not always the order of the day when it comes to people in politics. With Kitty and MEL MARTINEZ, it is. We appreciate and love them very much and we will miss them.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

TRIBUTE TO SENATOR MEL MARTINEZ

Mr. DURBIN. Mr. President, I wish to say a few words about my friendship and my admiration for the retiring Senator from the State of Florida. I didn't know Senator MARTINEZ before he came to the Senate. I think the first time I had an insight into who he was and what he brought to the Senate was at a Prayer Breakfast, when Senator MARTINEZ explained to a number of us how he happened to be an American. He was one of the fortunate few who escaped from Cuba under the tyranny of the Castro regime and was given a chance to come to Florida. He told me and others how difficult it was, struggling with a language he didn't know. He explained that one of the real saviors for him was the fact that he was a good athlete so he was able to play many sports, make many friends, and learn English in the process. He became not only an integral part of that community in Florida but an integral part of America's political future.

In his story of growing up in Florida, his family—his wife Kitty and his children—mean the world to him. When I heard he was retiring, I called from Illinois to reach him and wish him the best. I asked, as everyone would: Why? He said: It is all about my family.

I wish to tell the Senator I salute him for that. It takes an extraordinary amount of courage for a person to give up the adulation and the heady atmosphere of the Senate, to remember what is most important in their lives.

I also thank him for his extraordinary courage and helpfulness on so many issues, particularly when it came to issues of immigration. I know Senator MARTINEZ feels this personally. This is something that he has been through himself and he knows so many others alike who are looking for that chance to prove to America that they can make a contribution.

Senator MARTINEZ has been an outspoken supporter of the DREAM Act, which was an opportunity for younger people to have their chance in America. I thank the Senator for that. I know it was not easy because there are many critics, as the Senator you told me, who would come forward and tell him what a bad idea it was. But the Senator's courage in standing for that is an indication of the kind of person he is.

Florida is going to lose a great Senator in MEL MARTINEZ. America is going to lose an important voice in the Senate. But I don't think we have heard the last of MEL MARTINEZ. I think his contribution, whether as a citizen or some other walk of life in public service, is in the future.

I am honored to count you as a friend and colleague in the Senate. I wish you and your family the very best.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I often think how the best stories in the Senate are not the political stories. We can all recount them—Senator INOUE's bravery in World War II, leading to a Congressional Medal of Honor; the former majority leader, Bill Frist, performing open heart surgery on General Petraeus when he was accidentally shot in Fort Campbell; Ben Nighthorse Campbell on the Olympic judo team; JIM BUNNING in the Hall of Fame; JIM INHOFE circling the world in an airplane the way Wiley Post did; Ted Stevens flying the first cargo plane into Beijing in 1944 at the end of World War II; and then after the elections of 2004, we had Ken Salazar from Colorado, 15th-generation American, whose family came to this country so early; we had Barack Obama with his incredible story; and then we had MEL MARTINEZ in the same year.

Despite the emotion of all those stories, the story of MEL MARTINEZ stands out to me. As the Senator from Illinois said, imagine growing up in Cuba—a good life. Not a rich life, but a good life—so well recounted in this book, "A Sense Of Belonging," that Senator MARTINEZ wrote. Suddenly the Castro regime comes, it is 1958, and one day your parents put you on an airplane and send you to Miami, not knowing whether they will ever see you again. Then foster homes, then bringing your parents over, going to Florida State, meeting Kitty, becoming the first Hispanic lawyer, I guess, in Orange County, and then the mayor and then a Cabinet member, then Senator, then Republican National Committee chairman—what a terrific story, so well told in this book.

One thing about our country that is unique is we believe anything is possible. The rest of the world looks at us and thinks that we Americans are very naive, but constantly we prove that anything is possible, over and over again—often with the election of a President from unusual circumstances, as we just had. But the story of MEL MARTINEZ, his escape from Cuba's communism, his coming from that, speaking no English, to what he has already accomplished, and now moving on to yet another career, this one in private life, is an inspiration for our country. He has enriched this body. He says in his book:

My journey has taught me that it is not an empty cliché that this country is a land where dreams can and do come true.

His life shows that. We have enjoyed his friendship. We appreciate his example for the country, and we wish him and Kitty well for the next chapter in their lives.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I join my colleagues in congratulating my friend from Florida for his service to our country. He has served in so many different ways as has already been noted. But he is truly an example of the American success story, someone who came here, established himself, and has risen to the very highest, I guess you would call it, echelons of this country in terms of public service and his contributions to the private economy in this country. So it is with great regret that we say goodbye to him as a Senator but continue to maintain the strong friendships we have built and developed during his service here.

They say that someone is measured not by the days in their life but by the life in their days. While Senator MARTINEZ has maybe not served here as long as some other Senators—he and I came into this Senate together back in 2005—he may not be measured by his days of life in the Senate, but he is certainly measured by the life of his days in the Senate because he has added vitally to the debate here. He is an incredibly thoughtful Senator, someone from whom I have to say I have learned a lot—not just in our personal friendship but professionally—because he brings so many insights and such a thoughtful way in the way he looks at issues—domestic issues, foreign policy issues. I have learned a lot about Cuba. I have learned a lot about Latin America.

I have learned a lot about the Hispanic community in this country. And those are insights and contributions that he has made that no one else could make. It is very rare, indeed, to have someone of his experience and life experience and his quality to serve in the Senate and be able to rub shoulders and learn every single day from those experiences.

I congratulate Senator MARTINEZ and his family. As he said, like myself and many others of us, MEL married over

his head. He has a wonderful wife and family. And I hope that now, when he is not a Member of the Senate, we will get to see a little bit more of him in the State of South Dakota, because his son John married a South Dakota girl. I have been trying to hunt pheasants. He has made trips up there, but it is always a little bit later in the season when that time of the year comes around, and the climate tends to change in South Dakota. But I hope that now that he has a little bit more time to enjoy those types of things, we will get that chance.

I want to express my great appreciation to the Senator from Florida for an extraordinary run here in the Senate. He truly is the kind of person where what you see is what you get. That is rare in politics today—genuine, thoughtful, sincere, kind, generous, the kind of person who serves whom I want to see more of in public life.

It has been a pleasure and an honor to have had the opportunity to serve with him in the Senate and to call him a colleague. But it is even a greater privilege and honor and opportunity to have been able to call him my friend.

So, MEL, best wishes. Whatever you do, you are going to do well. We are proud of you. And thank you for your great contributions to our country. God bless you.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. This is the time in a person's career you are supposed to lay it on thick. But there is no need to do that in MEL's case. I think everybody here speaking on both sides of the aisle is trying to say thank you for your friendship, and there are a million ways to say it. To Kitty, again, thank you for being part of our lives here. We are going to continue this relationship.

I think all of us have got stories about MEL. I first heard about MEL by reputation. He was a Republican trial lawyer. That intrigued me. There are not many of us. We can meet in a phone booth. I got to know MEL during his campaign and did some events for him. I think that experience of representing people in court made him a good Senator because he understands that there are two sides of every story, and sometimes a person needs the best advocate they can get, even though their cause may not be so popular at the moment.

But I got to know MEL during the immigration debate. That is a hell of a way to meet someone. You will learn quickly when you are talking about politics at that level, that emotional, and MEL was going to be part of that debate whether he wanted to or not because of who he was. You could not talk about immigration and not think about MEL MARTINEZ. He was the first one to show up and he was the last one to leave, and we will get that bill passed one day. It will be a tribute to MEL and Senator Kennedy that the guts of the bill will be the solution that will be embraced down the road.

That was tough politics. We would reminisce at night. And SAXBY was involved. We would meet every morning in the room over there, the President's Room, with Senator Kennedy and Senator McCAIN, trying to figure out where we were based on what happened the night before. Usually we had lost ground, but we kept plugging. But a lot of stories were told about what was going on in MEL's life.

There is a lot of hatred out there, quite frankly. There are a lot of people who should be upset about the immigration system not working and broken borders and legitimately concerned about the solution we were offering. But there were some people who were, quite frankly, hateful. I think MEL took the brunt of that more than anyone else. It did not get a lot of publicity, and probably it should not. But I know what he and Kitty went through to try to fix a broken immigration system. I will be forever grateful for their effort, because it was personally very difficult.

When MEL left a repressive place, he came to a hopeful country, and during that debate he never lost sight of what America is all about. America will never be defined by the people who hate. America will always be defined by people who love and care. I have never met two people who love and care more than Kitty and MEL. You will be missed.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I too join my colleagues in recognizing MEL MARTINEZ and his great contribution to this body and his friendship. I think most of those things have been said.

One of the things I learned from a leader in the Senator's State was a saying that he gave to me that: We get into trouble when we look at people as problems and not as people. I have thought about that for a long time, because you can go back in our history, and generally when we have looked at people as problems and not people, that is when we have gotten into trouble. When you look at various situations we have had, and even the immigration debate would be one: Well, this is a problem. No, this is a person. Or you can look at our debate on abortion in this country and say: Well, we have got a problem here. No, we have a person here.

The consistency of what I have seen in MEL's policy position has been very much, no, this is a person. It is not just a person, this is a great person, and not just a great person, this is an unusual individual. He celebrates that with everyone. That is a beautiful thing to do and it is a beautiful thing to have, and it is a beautiful thing to see, because then that carries over into his friendships, so whenever he is talking with someone else, it may be a colleague or another individual, normally you are sitting there and you are going: Okay, I need to get something done through

this person. But I do not usually find that in a conversation with MEL. Normally what I find is: Well, yes, I need to get something done, but what I am interested in is you and what you are thinking and who you are. And this is not an opportunity for me to get something, this is an opportunity for me to celebrate another beautiful soul who is standing right there and staring at me and talking to me, and I have this unique opportunity to engage them.

How much better we all are when we look at people as people and not as problems or as opportunities or as obstacles to get through. That is where I find what he embodies does in this way he works. I am going to miss you, MEL. We are going to miss you an awful lot. We appreciate you. I appreciate the lessons you have taught me by the way you live and by the way you serve. God bless you.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I speak with a good degree of regret, because he knows the heartfelt sentiments I am going to express, because I have tried for now the better part of 3 months to talk him out of this particular day. I did not want him to resign.

It has been good for Florida the way the two of us have worked together professionally, because it is built on a personal friendship that goes back over 30 years. There was not a day we were in session here that MEL and I did not talk.

Of course, this floor of the Senate is the place that you can get away from the other distractions, and, in fact, can come together and have those conversations you want. And that was so important in us looking out for the interests of Florida.

So it is with a great deal of regret that this day has come. I think it is important that the two Senators from a State get along, and that is particularly true of two Senators who happen to be from different parties.

It is my hope that the kind of relationship that we had both privately and publicly as the two Senators from Florida sends a message to our people that you can transcend partisan differences in order to get things done. I believe that is the relationship we have had now going on in the Senate for a little over 4½ years. I only wish that relationship were going to continue for another year and a half, to the remainder of Senator MARTINEZ's term. But for personal reasons he has made this decision.

It is incumbent upon me as the senior Senator of Florida and the newly appointed Senator to have the same kind of relationship for the good of our country, for the good of our State, to transcend political differences, to have a good personal relationship so we can get work done in a bipartisan way. I intend to do that. I assume that the new Senator will do likewise. Let me say that a lot of you do not know, with regard to Senator MARTINEZ, that 30—

now going on 31, 32 years ago when we were a lot younger, he was already back then a very prominent trial lawyer. I was a pup State legislator trying to run in a congressional district that included the east coast of Florida and the interior, including Orlando. MEL was one of those high profile, very respected attorneys in Central Florida. And lo and behold, MEL and his wife Kitty, as I campaigned for that congressional seat in 1978, went out and went door to door for me. We have kept up that relationship over the years.

So it has been my privilege to have had that personal relationship turn into the professional relationship as colleagues in the Senate.

I say to MEL MARTINEZ and to Kitty, God speed.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, this is one of those times that none of us in the Senate looks particularly forward to—when we have to come and speak about a dear friend who is leaving the Senate. But I am excited for MEL and Kitty in a number of ways and very appreciative of the great relationship, No. 1, that we have made from a personal and collegial standpoint.

I am very appreciative of the great work MEL MARTINEZ has provided to our country over the last several years. Our friend LAMAR ALEXANDER, who spoke a little bit earlier, often talks and has got me talking back home, particularly to young people, about what it means to be an American.

MEL MARTINEZ has a greater appreciation about what it means to be an American than anyone in this body because of the fact that he is the only immigrant who is a Member of the Senate. I know how hard he worked to become a citizen, and that he has a great appreciation for what it means to be an American.

What a great story it is, MEL, of you dodging bullets in Cuba, escaping communism and ultimately coming to the United States, being separated from your parents, being somewhat lost in a strange land you knew something about but did not know any people.

As a 16-year-old young man, thrust into that situation, most of us would panic to some extent. MEL never did. And through the raising in orphanages and foster homes, and ultimately being reunited with his parents after his brother Ralph came over here, and being reunited with him before he was reunited with his parents, it is such a great personal story, and such a touching story, No. 1.

But all of that served to develop a foundation in MEL MARTINEZ that America has been the beneficiary of, and certainly those of us in this body who have come to know MEL and Kitty are the beneficiaries of. I guess the ironic thing is when you read MEL's book, "A Sense of Belonging"—which I would commend to everybody who is listening out there today; what a great book; it is a short read, but you will

have a lot of fun reading it and it will be of great interest to you—what you realize is when MEL got here, there were several things that allowed him to transition into American society.

First of all, he was a bright young man. He did not know the English language when he came here, but he committed to learn it, and he did learn it. Secondly, he was a very affable person back then, just as he is now. He made friends very easily, and that helped him make that transition. Thirdly, he was a good athlete, maybe even a great athlete. In fact, if he could have hit the curve ball he might be representing the Florida Marlins today instead of the State of Florida. But it is a great way to look at the history of America when we look at the history of MEL MARTINEZ and his transition all the way from rural Cuba to the Senate.

But I guess the most important thing I could say about him is what has already been alluded to by the assistant majority leader; that is, MEL came to the Senate for all the right reasons. He came into public service for all the right reasons. He is leaving for all the right reasons. I know because of the many conversations he and I have had about our families what a dedicated husband he is, what a dedicated father he is. He has seen his two older children, Lauren and Jack, come up and become very successful in their own right. Now he has Andrew. Andrew is a 15-year-old young man who is growing up in Orlando and is doing the things all young men do. Unfortunately, his dad is gone during the week and is home during the weekends, and that is the time when young men like to be with their friends. MEL is missing a lot of that. That is the reason he is going back home, and that is the reason all of us can stand here and say: Wow, I wish I had the courage to do that.

I had a very similar experience during my days in the House. When I ran for the House in 1994, my son was a senior in high school. He played football on what ultimately became the State championship football team. There was no question from my campaign staff as to where I was going to be on Friday night. I was there to see my son. MEL is missing the experience of seeing Andrew play on Thursday nights because he is here doing what he was elected to do; that is, serve the people of Florida. He is going to now have the opportunity to experience with Andrew the same sorts of things he did with Lauren and Jack. For that, we can say great things about his service to our country, his service as mayor of Orlando or as Secretary of HUD, or his service in the Senate. But his service to his family is ultimately what is important, and, wow, what a public servant he is to his family.

So to him and his wife Kitty we say we thank you for the great service you have provided. We thank you for the great friendships you have provided to all of us as Members of this body. Whatever road you ultimately travel

down in the days ahead, we know you are going to continue to be a success. We know you are going to continue to serve our country in your own special way. But, most importantly, you are going to serve our God and you are going to serve your family.

So, MEL, thanks for everything you have done. Thanks for your friendship. God be with you and Godspeed.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I think you know I spend very little time talking on the Senate floor, and I plan to keep it that way. But I do want to spend a moment paying tribute to my great friend, MEL MARTINEZ. I have had the privilege of sitting beside him on the Banking Committee. We commiserate about many things that happen in this body.

I love working with MEL MARTINEZ, and I am going to miss him. I consider MEL to be the epitome of decency in this body. I think he is a person who truly wants to do what is best for this country. I have seen him many times tormented over decisions we all make, which are very difficult to decide from time to time: What is best for our country over the long term? I value that in him so much.

I think this body will be diminished with him leaving. Having people like MEL, who, again, have such a sense of decency—which is, as Senator CHAMBLISS mentioned, one of the reasons he will be departing soon—will be a loss for this body.

I have not met anybody here who I think is a finer individual, nor anybody who I will miss more than Senator MEL MARTINEZ. So I am happy for Kitty. I am happy for his family. I am sorry for us. But I am glad I have served in the Senate with somebody I consider to be such an outstanding person as MEL.

So, MEL, thank you. Thank you for the many confidential conversations we have had through the years, the frankness with which we have been able to talk about so many things.

Each of us brings something to this body that is unique. I think that is why it functions the way it does. I think your insights into our relationships with the countries of Latin America, to many of the things that were happening there from the inside because of so many of the relationships you have helped all of us make decisions that are more sound.

So that peace will go with you as you leave. Surely somebody else over time will help fill in that vacuum, but I value the many things you have shared with me that have helped me to think in a more thoughtful manner, and I look forward to talking to you in the years ahead about what is happening in your life. I thank you for what you have done in mine.

I thank the Chair.

Mr. HATCH. Mr. President, I rise today to give tribute to my colleague and friend, Senator MEL MARTINEZ. During his time in the Senate, MEL has

served the State of Florida and our country well.

Overcoming great odds, MEL and his life's journey is an inspiration to all. At age 15, he fled his native Cuba as part of a Catholic humanitarian effort. Alone, and speaking virtually no English, MEL was placed in temporary youth facilities. Later, he lived with two foster families, for whom he has great appreciation and affection. In 1966, he was happily reunited with his own family members in Florida.

These experiences strengthened MEL and shaped his views. He went on to earn graduate and law degrees from Florida State University and practice law for 25 years before serving as Secretary of Housing and Urban Development and then joining us here in the United States Senate.

During his tenure, I appreciated MEL's leadership, particularly working on the U.S. Senate Republican Conference Task Force on Hispanic Affairs—a task force I formed in 1987. I have long felt that we should not try to put this vital and growing segment of our population in a box because they care about the same things we all do—having a safe nation, strong families, a good education for all our children, and good jobs that provide well. At the same time, I recognized that Hispanics and Latinos bring unique and important perspectives to the issues we face in Congress.

MEL worked to advance the mission of the task force to promote greater participation in the democratic process, to create more job opportunities, ensure better access to health care, and educate our children.

While there is much talk on both sides of the aisle of strategy and outreach to try to “woo” Hispanics and Latinos, we should actively listen to their concerns and encourage their participation. That is true of all segments of our population. That is what I have tried to do and that is what MEL has done, too. I understand we have MEL's firm commitment to continue this important work.

Our colleague from Florida has taken strong positions on a number of issues that have come before this body. MEL has supported prodemocracy movements in Cuba while urging that its dictatorship of abuse and misery is not legitimized by our government.

As a member of the Armed Services Committee, MEL has been a strong supporter of our war on terror, especially as our brave troops combat terrorism overseas for the safety of our Nation.

MEL has supported a reasonable and rational approach to ensuring our Nation's energy security. He has helped to highlight our Nation's lack of action to increase our production of nuclear energy—our Nation's largest sources of green, clean electricity. He recognizes that our domestic electricity supply must be based upon a major source of green baseload power, and that nuclear power holds the most potential to ensure that the American economy is

fueled by an abundant, cheap, and clean source of energy.

MEL has worked with us on health care reform. This is not a Republican or Democrat issue—it is an American issue which needs to be addressed in a bipartisan and fiscally responsible manner.

Our colleague has worked to defeat card check because it reduces employees' right to a free and private election to choose if they want to unionize.

MEL has sought workable reforms to our system of immigration. He spoke out against the negative rhetoric that divided and polarized. He will be missed in this body as the immigration debate moves forward.

I know my friend is looking forward to writing the new chapter in the book of his life. I thank him for his service to our country and wish him well.

Mr. MCCONNELL. Mr. President, we have had a chance today to recognize our colleague, Senator MEL MARTINEZ, who, sadly for most of us, is leaving the Senate. Today will be his last day. He had an opportunity to address the Senate this morning and give some final thoughts. I would like to take a few moments to give my final thoughts about Senator MARTINEZ. I expect to see him many times in the future as a private citizen, but my thoughts about him and his contribution here and his life story.

Obviously, all of us have a story to tell, the story of a journey to this place. But in the case of Senator MARTINEZ, the journey certainly has more twists and turns than most.

MEL MARTINEZ first came to this country when he was 15. A political exile, he spoke no English, and did not know when—or if—he would ever see his family again. His journey from that point to now is proof of the boundless promise that exists in America.

More than 50 years ago in a small town in Cuba, an 11-year-old MEL MARTINEZ comforted his little brother as they lay on the bedroom floor while gunfire erupted in the streets. It was Fidel Castro's takeover, and life changed very quickly for the Martinez family and every Cuban.

When MEL's parents overheard Cuban militiamen threatening to kill their son for wearing a religious symbol, they had had enough. Through a humanitarian effort sponsored by the Catholic Church, MEL was sent to America to find a better life.

Eagerly embracing his adopted hometown of Orlando, Florida, soon MEL came to feel part of America. He mastered English and earned both his bachelor's and law degrees from Florida State University.

And four long years after leaving Cuba, he was reunited with his parents in Florida after they too escaped Castro's regime—and they were so proud to see the brave young man their boy had become.

Because of this long separation from his parents, I can understand now when MEL says it is the tug of family ties

that calls him back home to Florida. But those of us who had the pleasure of working with him in Washington are sorry to see him go.

In the Senate, MEL made his mark as a leading voice for greater democratic freedoms in Cuba. He has fought to strengthen Social Security and to eliminate fraud in Medicare and Medicaid.

He has given hope to millions of families by working to increase funding for research to cure Alzheimer's. And he has stood for America's defense in a dangerous world, and for the troops that so bravely take up the fight to defend us.

For 3 years as the Secretary of Housing and Urban Development, Senator MARTINEZ worked to increase home ownership. After the terrorist attacks of 9/11, his agency was charged with directing funds to rebuild lower Manhattan. He fulfilled his duties even as he, along with all of us, reeled at the senseless deaths of 3,000 innocents.

And as the cochair of the President's Commission for the Assistance to a Free Cuba, he played a leading role in the administration's efforts to bring freedom to the land of his birth.

While in Washington, MEL forged many friendships as well. I first got to know MEL during his days as a Cabinet secretary. Elaine and I certainly enjoyed the company of MEL and Kitty.

My wife Elaine and MEL had one thing in common. I used to pose the following quiz to people: Who were the only Cabinet Secretaries who never missed a State of the Union? As everyone knows, it is typically somebody in the line of succession who misses the Cabinet meeting because the entire government is up here on one night. MEL and Elaine never missed a Cabinet meeting because they were the only two members of the Cabinet who were not born in the United States and therefore were not eligible to assume the Presidency if an emergency required that.

We came to understand MEL's connection to his adopted hometown of Orlando, where for 25 years he worked as a successful lawyer. We learned how his election as chairman of Orange County—a job analogous to a mayor, and in one of Florida's largest counties—started a second career in public service to the country that had given him so much.

Now MEL will return to Florida, and I don't know what his future may hold. But I do know that he'll accomplish anything he sets his mind to. The incredible journey he has taken, ever since he flew on a DC-6 from Havana to Miami, is proof of that. MEL's life shows us that in America, any dream is possible.

MEL, it has been an honor serving with you, and it has been a pleasure for Elaine and I to get to know you and Kitty through the years. Whenever you may return to Washington next, please remember you will always have plenty of friends in the U.S. Senate.

Ms. COLLINS. Mr. President, I rise today to bid farewell and to express my gratitude to Senator MEL MARTINEZ as he retires from service in the U.S. Senate. During his time here, he established an admirable reputation for hard work, dedication to his State and our Nation, and a commitment to principles.

I have had the privilege of working with Senator MARTINEZ as a member of the Armed Services Committee and its Seapower Subcommittee. In addition, we worked together on the Special Committee on Aging, where he has served as ranking member.

Working with Senator MARTINEZ has always been rewarding. This has been especially true on the Armed Services Committee, where he brings to bear on defense issues both detailed knowledge and long-range vision. On the Seapower Subcommittee, he has been a strong ally in keeping our Navy pre-eminent and has been a highly effective advocate for continuing the DDG-1000 program, the next generation of destroyers.

Senator MARTINEZ's work on the Special Committee on Aging continued his long record of shaping policies important to seniors in Florida and throughout America. From local government to his service as Secretary of Housing and Urban Development and in the Senate, he has been a strong voice for ensuring that all Americans live longer, healthier, and more productive lives.

But the greatest legacy MEL MARTINEZ leaves the Senate is his inspiring life story. Born in Cuba, he arrived in America at age 15. He earned his undergraduate and law degrees from Florida State University, and went on to practice law for 25 years. He demonstrates the highest qualities of our nation of immigrants, of the opportunities America provides, and of the character and determination of those who come to our shores. His desire to continue to work for expanded freedoms to the people of Cuba exemplifies his character and principles. I join my colleagues in wishing him and his family well, and in looking forward to many more contributions to the public good from this man of many gifts and accomplishments.

Mr. McCAIN. Mr. President, today I rise to recognize and thank my colleague and friend from Florida, MEL MARTINEZ, for his service to this country and to wish him luck in the years to come. I am proud and humbled to have had the chance to work with MEL over the last few years on some of the most difficult and trying issues of our time and I will miss his honesty, heart and dedication when he leaves the Senate this week.

While many of my Senate colleagues are familiar with MEL's inspiring personal story I feel that it is important for the American people to know that MEL MARTINEZ's life has personified the American dream and teaches us what we can all accomplish through

hard work, a love of God and country and true dedication to a higher cause. MEL came to the U.S. in the 1960s as a young Cuban immigrant and became the first Cuban-American to serve in a Presidential Cabinet, as Secretary of Housing and Urban Development, and then the first Cuban-American U.S. Senator.

As a freshman Senator, MEL didn't shy away from the tough issues—he did not sit back and let others tackle the tough, controversial tasks—he dove in head first. Personally, the most memorable example of MEL's courageous work is his support of comprehensive immigration reform.

The 2006 and 2007 immigration debates were difficult times in the U.S. Senate. We had both political parties and an American public divided on an issue that I still believe will define the future of our country for generations to come. For many, it would have been tempting to sit on the sidelines, take the safe votes, keep your head down and just wait for this one to pass, but not MEL MARTINEZ. He took his strong personal convictions and put them in to action. We spent many hours together, working in a bipartisan fashion to try to reach an agreement that could be acceptable to both sides of the aisle and ensure the security of our Nation. Every day, MEL MARTINEZ was in the trenches, on the floor, working to improve the bill, working to reach a bipartisan compromise and working for a better future for our country and our children.

I also had the pleasure of traveling with MEL to the Republic of Georgia where he met with Georgian leaders and spoke openly about the importance of United States support for freedom in all countries, both those distant and close to our shores. MEL spoke with conviction due to his early childhood spent in a country controlled by a repressive dictator.

Many in this Chamber will fondly recall MEL's leadership in the Senate and his work for the State of Florida. I will remember my friend, his courageous leadership on the tough issues and his willingness to put the future of our Nation before his own self interest.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

TRAVEL PROMOTION ACT OF 2009

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1023, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1023) to establish a nonprofit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

Pending:

Reid (for Dorgan/Rockefeller) amendment No. 1347, of a perfecting nature.

Reid amendment No. 1348 (to amendment No. 1347), to change the enactment date.

Reid amendment No. 1349 (to the language proposed to be stricken by amendment No. 1347), to change the enactment date.

Reid amendment No. 1350 (to amendment No. 1349), of a perfecting nature.

The PRESIDING OFFICER (Mr. CASEY). The Senator from North Dakota.

Mr. DORGAN. Mr. President, this legislation is now in the 30 hours postcloture period. We had a cloture vote late yesterday afternoon, and I believe the 30 hours postcloture will expire sometime later this afternoon, at 4 o'clock or 4:30 or so.

Let me again explain what we are trying to do in this legislation. This is reasonably simple. In all of the partisan dust that is created in this country, I think this is one of the few pieces of legislation that has broad bipartisan support. We have, I believe, 53 cosponsors for this bill—Republicans and Democrats—and the proposition is very simple.

First of all, we have lost a lot of jobs in this country. We are in the deepest recession since the Great Depression, and a whole lot of folks have lost their jobs. This is a bill to try to create more jobs. But it is a bill that especially addresses a problem that has been created in the last 8 or 9 years.

Since the year 2000, here are a couple numbers. Since the year 2000, there are 56 million more people living on this planet who are taking international trips. Let me say that again. This is a big planet with billions of people living on it. By the way, half of them have never made a phone call. Half live on less than \$2 a day. But on this big planet there are people who travel internationally, and there are 56 million more international travelers right now than there were 9 years ago. But there are 633,000 fewer international travelers visiting the United States than visited our country 9 years ago.

Why is that the case? And why is it important? Well, it is important for a number of reasons. It is important because international travelers—I am talking about overseas travelers—on average spend about \$4,500 per person per trip. Their travel supports a lot of jobs in the tourism industry. It supports jobs in every State in our country. So it is important for that reason—it creates jobs.

But it is important for another reason as well. When people come here from other parts of the world and see America and experience the culture and the character of our country, they leave, almost inevitably, with a very positive impression of this country of ours.

So for two reasons this is important. We have fewer international visitors—633,000 fewer—per year than we had 9 years ago, even at a time when 56 million more people are traveling around the globe for overseas visits.

I described yesterday what other countries are doing. Other countries

are saying: We understand that international travel and tourism creates jobs. So other countries are reaching out with promotions. Japan, Italy, France, India, England—you name it—they all have aggressive promotions around the world, to say: Come to our country. Come see the Eiffel Tower. See the wonders of France. See the beauty of Ireland. Come to India and experience the interesting culture of India. All of these countries are doing very aggressive international promotion for the international traveler, to say: Come to our country.

Something happened in the year 2001. Obviously, on 9/11 we had a terrorist attack—a devastating terrorist attack. As a result of that, our country tightened up on visas. We made it more difficult to come to our country. At the same time as we tightened up on visas, those who did want to come often had to wait for long periods of time, and they waited in long lines in order to get a visa. Then with respect to the Iraq war and other policies, people became upset with our country. So the result has been a substantial decrease in international travelers coming to our country.

The purpose of this legislation is very simple. It is called the Travel Promotion Act of 2009, but it establishes a public sector/private sector partnership to begin promoting international travel again to the United States of America.

This is one of the few pieces of legislation that actually saves the government money. The Congressional Budget Office scores it as a \$425 million in reduction in the Federal budget deficit over the coming 10 years. So this is not something that expands the deficit. This reduces the Federal budget deficit—that's No. 1. No. 2, it is bipartisan. A fairly large number of Democrats and Republicans have joined together to say: We want to do this. The vote on the cloture motion yesterday was 80–19. No. 3, organizations such as the U.S. Chamber of Commerce and others have weighed in saying this is very important for us to do. Other countries are engaged in this kind of promotion for their countries and we need to do it for ours.

So I, along with my colleagues, have authored this legislation. In the previous Congress, as chairman of the subcommittee that deals with these tourism issues, I authored the legislation. My colleagues, Senator ENSIGN, Senator KLOBUCHAR, Senator REID, and many others, Republicans and Democrats, have joined in the legislation that would create an opportunity for this country to compete internationally for international tourism and travel.

Mr. President, we will, I think, for the next 5 or 6 hours, stand at parade rest listening to people talk about what they want to talk about on the floor of the Senate, and it is a procedure that is a bit Byzantine. Most people would not understand the procedure.

On something as noncontroversial as this, as widely supported by Republicans and Democrats, something that actually reduces the Federal budget deficit and extends our ability to create jobs in this country, we got 80 Senators to vote for cloture, which meant we had to file a cloture motion. That meant 2 days intervened because it takes 2 days to have a cloture motion ripen. Then we got cloture with 80 votes. Now we stand at parade rest until sometime around 4:30 this afternoon because 30 hours—if the minority insists—30 hours has to expire. At the end of 30 hours postcloture, then we will, presumably, have a vote on the legislation.

I am pleased to work with my colleagues, Republicans and Democrats. This legislation is the right thing to do right now. At a time when this is an increasingly smaller planet, an increasingly smaller world in which we live, I think it is important for our country to reach out to the rest of the world. Doing so is in our self-interest because it creates jobs and expands our economy. But it is also in our self-interest because what we have created in this country is quite extraordinary.

This is not a circumstance where we would promote travel to America for one destination. It is travel to America to see all of this great country in its grandeur. There is so much to see and experience here, and we know from polls that have been done with international travelers that when people come to this country and travel here and experience what exists in our country and understand the character and the culture of our country, they leave with an unbelievably positive attitude about the United States. That is an awfully good thing, it seems to me.

So, again, this is a bipartisan bill that will save the Federal Government money; reduce the Federal budget deficit; combine the best ideas of Republicans and Democrats; and had 80 votes for cloture. I hope we have at least that on final passage. And perhaps we will start off this work period of September and October on a pretty positive note, stepping forward together to say, Let's do something that strengthens our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, the United States is a very popular tourist destination. According to the Department of Commerce, foreign travel here reached record highs in the year 2008—an increase of 16 percent over the previous record set in 2007. So our tourism industry is booming. People from all over the world want to visit our cities and see our sights. Almost every State and community has tourism promotion programs that are very robust which help to accommodate that desire for foreign travelers to come here. So I am a bit baffled by the legislation that is pending before us.

The Tourism Protection Act, in my view, is both unnecessary and the

wrong approach to attracting visitors from abroad. The bill would create yet another government-affiliated office of tourism. Why do we need that? The Department of Commerce already has a tourism office and private sector businesses and other entities already have the demonstrated capability to promote tourism. According to the companies and lobbyists who are pushing this bill, they already are. So why spend almost \$100 million a year for a new and unnecessary Federal entity to market and research travel and tourism? Research tourism? What is there to research? I wonder if this is one of the reasons why the American people have a lot of questions about the capability of their representatives here in Washington to do the right thing.

The bill would impose a new \$10 fee on foreign visitors. Now there is a way to attract more visitors: Charge them for coming here. Maybe we need that research after all. Of course, imposing a new user fee or tax on nearly every foreign visitor is hardly a route to promoting new tourism. Obviously, we should avoid creating impediments to tourism if your first goal is to attract more tourists. The tax actually could hinder visits by families. For those families who do visit, every dollar they have to spend paying the Federal Government is one less dollar they can spend on American businesses, on our local communities, on the restaurants and shops and hotels and cab rides, and so on. The \$10 fee may not sound like much, but for a family of five, that is fifty bucks to promote tourism.

We all agree that tourism boosts our economy in numerous ways and is vital to our economic recovery. Nobody has to lecture me about tourism. My State of Arizona relies a great deal on tourism for our economy, and it is a wonderful destination place for folks to visit. I don't think we need—the Federal Government—to take another bite out of our tourism dollars.

I am also concerned about the inevitable retaliatory effect of this legislation. Senator DEMINT wrote an op-ed in the Washington Post on Monday and pointed out that the European Union and other governments have said that if we impose a tax on foreign visitors, they will follow suit and impose a reciprocal tax on American visitors to their countries. That is not a very good idea either, is it? Do we want to pass legislation that will lead to new travel fees on Americans?

Instead of creating an additional government tourism office, I think we should work to fund the actual Federal responsibilities we have that relate to visitors coming to our country such as upgrading or adding infrastructure at our ports and making visa service improvements. There are always improvements we can make in this regard. The easier we can make it for tourists to come here, the more likely they will come.

So if we want to spend \$100 million, for example, to make it more attractive for tourists to enter the United

States, there are plenty of ways to do it that relate directly to our responsibilities. We don't have to create another redundant office of tourism and charge the tourists to fund it.

At a time when much of the world is experiencing economic hardship, we should support policies that make tourism in the United States more attractive, not more costly. That is why I believe this legislation is misguided, unnecessary and, in the end, harmful.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, perhaps while my colleague is on the floor, I think it would be useful to at least discuss a couple of things that are apparently in disagreement.

The issue of a \$10 fee that could be used in a public and private sector partnership, again, supported by the Chamber of Commerce and all of the organizations that want to support this country as a destination for international tourism—let me put on the board a chart that shows the fees our U.S. travelers currently pay to visit the visa waiver countries. They charge us fees. We are talking about a \$10 fee to people from these countries—\$10. Here is what we are charged if we go to France: a \$51 fee, Americans going to France. We don't propose that here. We can see that in Spain, \$14; the Czech Republic, \$27. They are going to retaliate? They already charge the American traveler a fee when we come and go, and we are talking about a \$10 fee that would allow our country to promote our country as a destination just as their countries are doing. We are not even in the competition.

The thing I wanted to ask my colleague about is, he talked about international tourism. I wonder if we disagree on this: There is a very big difference between the classification of international tourists and overseas travelers, travelers from foreign countries abroad. International tourists include Mexico and Canada—and by the way, the research that the Senator seems to diminish tells us a lot about this information. On average, a visitor from Mexico and Canada to the United States on a trip is going to spend around \$900. On average, a visitor to this country from a foreign country overseas is going to spend about \$4,500, a pretty big difference in terms of visiting Arizona or North Dakota and spending that kind of money.

But I wonder if we have a disagreement with this: All of the data tells us that in the last 9 years, global travel has increased by 56 million more people moving around the globe doing international tourism travel, and that during the same time, the United States has actually had 633,000 fewer overseas visitors than 9 years ago. Do we disagree on that? Because my colleague from Arizona seemed to suggest that everything is at a record high. That is not the case. It is not the case. Overseas travel from people coming to this country is down. It is down at a time

when overseas travel is booming all around the rest of the world and we have over a half a million people a year fewer coming to this country. Do we disagree on that?

Mr. KYL. Mr. President, I say to my colleague two things. First, the statistics I quoted were for the last 2 years, 2007 and 2008. I don't have the statistics for I believe he said 10 years ago.

Mr. DORGAN. I am also talking about a different classification. I am talking about overseas travel. The statistics my colleague quoted I believe are statistics that include Mexican and Canadian travel to the United States. Obviously those are contiguous countries. We have a lot of people moving in and out. But I am talking about overseas travel. The official numbers on overseas travel I believe are that we have 633,000 fewer people coming to this country from overseas for tourism than existed 9 years ago. Do you subscribe to that?

Mr. KYL. Mr. President, I say to my colleague I was not specifically referring to Canada and Mexico. I didn't even mention those two countries by name. I would be happy to get the source of the statistical information I presented, provide that to my colleague so we can make a comparison.

The other point I would make with regard to fees, I am not doing anything except reporting the news, which is that countries abroad say if we propose this fee, they will reciprocate. The fact that some of them already impose a fee may mean they are going to increase their fee, and that is obviously not a good thing. It seems to me any fee that any of the countries imposes gets us into a little bit of a bidding war. Are we going to try to attract tourism from other countries by raising fees on the tourists who come here? I don't think that is a very good policy. If those countries want to have a fee, I don't think it is very smart for them to have it, but I can't affect that, except by trying to ensure that they don't have a reason to reciprocate against the United States if we impose a fee.

Mr. DORGAN. Mr. President, I would simply say, it is not a matter of reciprocating against us; they already impose these fees on American travelers. Our determination to impose a minor fee—\$10 for an international traveler from a visa waiver country when they use the ESTA system once every two years, not every visit—it seems to me to suggest is much less than other countries charge US travelers. And the Senator described an op-ed piece by my colleague Senator DEMINT which, in my judgment, is full of misinformation, full of it.

By the way, I am sending the Washington Post a response to it today. But, look: International travel. My friend from Arizona talked about research. The Commerce Department research shows that in the first quarter of this year, there was a 10-percent decrease in international travel to this country. That is the official data from the Com-

merce Department. So it is not the case that tourism is at a record high, that we are setting all of these records; and it is the case, in my judgment, based on empirical data and research, that we have far fewer overseas visitors coming to this country now than we did 9 years ago.

I am telling my colleague something that relates, in my judgment, to substantial lost opportunity for a number of reasons: jobs we should have that we don't have; and second, an awfully good impression about this great country of ours by people who come here and visit it.

I think my colleague will agree with me that post 9/11, there were a lot of things done that suggested to people around the world that it is going to take you a while to get to the United States because you are not very welcome there. It is going to take a long time to get a visa. You are going to wait a long time.

By the way, I have something I wanted to show my colleague. This is all 2008 material, by the way, but there were headlines such as these: The Sydney Morning Herald, Sydney, Australia: "Coming to America Isn't Easy." The Guardian, United Kingdom: "America: More Hassle Than It's Worth?" The Sunday Times in London: "Travel to America? No Thanks."

There is something missing here that we ought to be concerned about because my friend from Arizona represents a State that has a lot of tourism and a lot of jobs related to tourism. Virtually every State in this country will benefit from being able to promote America's grandeur and opportunity for people to come here and travel here, and we are not even in the game.

Mr. KYL. Mr. President, if I could interrupt my colleague for 1 moment to make a quick point and then I will have to leave the floor. I think the headlines my colleague reads are an important part of this debate. That is why I made the point that if we are going to concentrate on trying to attract more people to our shores, there are a lot of things we can do to take the hassle out of traveling that do directly relate to our responsibilities at our ports of entry, our visa system, and other things we can do to take that hassle out of traveling to the United States that are our responsibility and that we should do. I would put those responsibilities ahead of fancy brochures and advertising campaigns to try to tell people it could be nice to come to the United States when there are other ways we can make our shores more attractive to them.

So as I promised my colleague, I will get the source of the information I quoted with regard to the statistical information demonstrating more travel in the last few years and then we can have a further conversation about that.

Mr. DORGAN. Mr. President, I respect my colleague's views. I would only say this: The evidence is clear and

it is not debatable that fewer people are coming to this country from overseas than did 9 years ago. In my judgment, we ought to be concerned about that and do something about that by encouraging them. Yes, let's deal with the wait times on visas. We are working on that and we have made some progress on that. But it is also the case that if while India and France and Japan and China and others are engaged in very substantial promotional campaigns that say "come to our country; come and see what we have," and if while they are doing that with aggressive promotion we are sitting back and saying, "Well, we are not going to say anything much; we don't have a promotional campaign encouraging people to come to America," in my judgment, we lose that opportunity.

Advertising works; I don't care whether it is a television commercial or a promotion. All I am saying is don't diminish that, because promoting travel to the United States can work, but deciding we are not going to promote anything I know does not work. In fact, in this past decade, we have been in a circumstance where after 9/11, it was pretty clear that we were going to make it much more difficult for people to come to this country, and did. Then we went through a period of the Iraq war and other things when a lot of people were pretty upset, so we saw a very substantial reduction in the amount of tourism coming to this country from overseas.

Again, I am knowledgeable about the op-ed piece that was written in the Washington Post described by my colleague.

I am just telling you that there will be a response to that because much of that had no basis in fact. So all I hope is that the 80 Senators who supported this yesterday will continue to support the notion of creating jobs in this country, on a bipartisan basis, with a piece of legislation that actually reduces the Federal budget deficit. What a novel thing that is.

Again, I have respect for those who disagree, but I don't want there to be disagreement about the facts. We do research in the Commerce Department on who is coming to our country and how many. That is valuable research. Let's take advantage of that and understand what it says.

Overseas travel across the planet is up, up, up, way up, and to this country, it is down. There is something wrong with that, something unhealthy about it. We can change that. That is what this legislation is. It is an attempt to change it.

Let me quote Mark Twain. I probably should do this every time I speak on the floor because I am always trying to sell something. In this case, it is bipartisan legislation that I think advantages this country.

I will say this again. Mark Twain was asked once if he would engage in a debate being scheduled. He answered, "Yes, as long as I can take the nega-

tive side." When asked why would he take the negative side when he didn't even know the subject matter, he said, "The negative side will take no preparation."

I understand it is easier to write a big-old op-ed whacking away at things than it is to construct something that has merit and will advance this country's interests. I believe this bill has merit, and so do the 79 other Senators who supported this legislation yesterday. Later this afternoon, I look forward to passing this legislation through the full Senate.

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. BURRIS. 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. BURRIS. Mr. President, I wish to speak on the issue of travel that is before the Senate this morning.

We live in a world divided. International tension, mistrust, even wars too often separate nation from nation. But every 2 years, 10,000 athletes from more than 200 countries come together to celebrate the human spirit. They meet in competition, arriving on the world stage from all five inhabited continents.

Each of these five continents is represented by a single color circle, a ring entwined with four others to form the familiar symbol worn by every Olympic athlete.

The Olympic and Paralympic Games are a powerful force for world unity and a boon to any city that hosts them. In 2016, the summer games will bring millions of dollars and international spotlight to one of four world cities. Selected by the U.S. Olympic Committee from a broad field of candidate cities, Chicago is one of only four finalists for the 2016 Olympics, along with Madrid, Rio de Janeiro, and Tokyo. The International Olympic Committee will make their final selection in October. That is in the coming month. We must work hard to bring the Olympics back to the United States of America.

There is no greater honor than representing your country on the world stage. I am convinced there is no greater world city than Chicago.

As President Obama and I both can attest, Chicago is a diverse and inclusive city. Situated on the banks of beautiful Lake Michigan, it is the jewel of the Midwest. Chicago has always been a global leader in culture, architecture, commerce, sports, and even cuisine, if you like a good meal.

The Olympic spirit is alive and well in Chicago. The Chicago 2016 Committee recognized the importance of the games and renewing old friendships around the world, as well as establishing new ones. This ideal—and the value of "friendship through sport"—is

at the heart of the city's Olympic bid. It is a beautiful city, and I am proud to call it home. It showcases much of what makes this country so great. That is why it is an ideal site for the Olympic and Paralympic Games.

For athletes, world-class training facilities and event locations would be very close together, allowing for convenience and ease.

For visitors, outstanding public transportation and modern infrastructure would make all events readily accessible and easy to attend.

For residents of the city and people across the United States, Chicago would shine on the world stage and millions of dollars would pour in from across the globe.

Especially if we pass S. 1023, promoting travel to the United States and relaying better information to visitors, Chicago will be the clear choice of the International Olympic Committee in October.

This important legislation, known as the Travel Promotion Act of 2009, would create a not-for-profit corporation, as well as a government Office of Travel Promotion. These organizations would work together to encourage business, leisure, and scholarly travel to the United States, restoring important components of our struggling economy.

Travel and tourism, which generates as much as \$1.3 trillion in the United States every year, have been on the decline since 2001, although those same industries have grown in many other countries. We must act swiftly to protect the 8.3 million American jobs that are directly related to travel and tourism. This means welcoming more overseas visitors each year—visitors who already pour \$142 billion into the United States on an annual basis. An increase in international tourism would increase the profile of Chicago's Olympic bid.

The 2016 Olympics, in turn, would generate even more international tourism in Illinois and across the country. S. 1023 would help this massive influx of visitors travel to the United States with ease. This would create jobs, increase tax revenue, and build stronger relationships across the globe.

There are few international spectacles as singular and as inspiring as the Olympic and Paralympic Games. There are very few of those. A force for unity in a world divided, these competitions have the power to bring us together as one people, celebrating the human spirit with one voice.

I urge my colleagues to join Senator DORGAN and Senator ENSIGN in supporting S. 1023. I thank Leader REID for his leadership on this important issue.

This legislation would help to bring visitors from all over the world to the United States, and it would help bring the 2016 Olympic games to Chicago, IL.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Mr. President, I rise today to talk about the bill Senator DORGAN and I have sponsored, the Travel Promotion Act of 2009, an important piece of legislation to create jobs in the United States.

My home State of Nevada is No. 2 now in unemployment. Clark County, which is where Las Vegas is located, has one of the highest unemployment rates of any county in the United States, over 14 percent now.

Jobs are something we desperately need in my home State of Nevada and obviously across the United States. Tourism, when you package it all together, is the No. 1 industry in the United States. We are one of the countries in the world that does not sell itself to the rest of the world for people to come. It seems to make sense to me that if a company advertises to bring people in, if convention authorities around this country advertise for people to come in, it would make sense for the United States of America, as a country, to advertise to bring people to the United States. As a benefit to that, everywhere in the United States can benefit.

If we are advertising to come see Yosemite or the Grand Canyon or the incredible beaches we have on our east and west coasts, or the incredible changes we see in the Northeast, or places such as Lake Tahoe in my home State that we share with California, or Hawaii or the vastness of Alaska, wherever we are advertising, the incredible cities we have such as New York, Las Vegas, with culture, cuisine, and entertainment, or the history we have in Washington, DC, or the fabulous places in cities such as Chicago, when we advertise those cities, if somebody comes from overseas to visit the United States, there are many other places they will visit along the way within the United States. It will not be just one location where foreign travelers will come here to visit. There will be a ripple effect.

For instance, if you are visiting the Grand Canyon, my home city of Las Vegas is the gateway to the Grand Canyon. Even though it is located in Arizona, most people go through the Grand Canyon to go to Las Vegas. If you go to Yosemite, you can go through San Francisco and the whole wine country and take a trip up through there.

The one thing we know about overseas travelers is when they come to the United States, they spend about \$4,500. Mr. President, \$4,500 is a lot of money to kick into our economy. That money creates jobs. Those jobs that are created have a ripple effect with other jobs being created. Somebody who is employed in the tourism industry,

whether it is a theme park, a restaurant, or a hotel, has to buy other products. They have to visit the dentist. A lot of them have animals and visit their local veterinarians. They buy houses which supports the construction industry. There are ripple effects. So when we are creating a job in the tourism industry, we are creating other jobs outside the tourism industry.

The nice thing about the Travel Promotion Act Senator DORGAN and I have proposed is that this bill will create jobs without adding to the deficit. In fact, it will raise money for the Treasury. It will actually have a positive effect on the deficit. Of the concerns I heard when I was home over August, that is one of the biggest concerns people have—the amount of government spending.

The way we do this is two things are taken into account. Right now countries that have a visa waiver program, we will charge those visitors, instead of \$131 that it takes on average to have a visa, we are only going to charge them \$10. But that \$10 fee will go into paying for this Travel Promotion Act for us to be able to advertise. That money will be matched by the private sector. This will be run by the private sector, not by the government. So we will have experts who understand marketing who will be able to sell our country.

Mr. President, this is a job-producing bill. It is going to be something that benefits all across America, and it is going to do it without hurting the deficit. It is exactly the kind of legislation we need right now. Oh, by the way, Americans are calling for us to be bipartisan, and this is a bipartisan bill.

Senator DORGAN and I and many other people have worked on this legislation. I thank the majority leader, Senator REID, from my home State, for bringing this legislation to the floor and really pushing for it. Obviously, it is important to our State because we have a tourism-driven economy in our State, but it is important to the entire country. It is not just a Nevada-specific bill; this is important to the entire country.

I have a few charts here to show some of what we have seen from other countries.

After 9/11, we made some changes in our immigration laws and things like that, and these are some of the headlines from around the world. This one says: "Coming to America isn't easy." Another one: "America—more hassle than it's worth?" In London: "Travel to America? No thanks." There is a perception out there that folks aren't welcome from overseas ever since 9/11. Part of the money that is going to be spent in this bill is going to say that America has the welcome mat out. We want folks to come and experience America. We want not only their tourist dollars, but we want them to come to experience America because we know from studies that anyone who comes to America has a more positive

view of America, and America needs friends in the world today. We need more people thinking good things about America instead of bad things. Instead of those who want to create harm, we want to create good will, and the more visitors we get coming to the United States, the more good will we can create in the world.

What this next chart shows is that there have been 58 million new visitors—international or overseas travelers. Unfortunately, we haven't gotten our share of those since the year 2000. That means there was \$182 billion in lost visitor spending and almost \$30 billion in tax revenues for the United States. That is not local tax revenue, that is just Federal tax revenues. Almost 250,000 fewer jobs have been created because we lost these visitors. So there is a travel gap between 2001 and 2008. This is the actual arrivals. This is what would have happened if we could have captured a small percentage of the new international travelers who are out there.

Some have argued that the European Union will counter if we put a fee on travelers coming to the United States, that they will put a fee on folks going to their countries. Well, guess what, they already have those fees, as a matter of fact, everything from the Czech Republic charging \$27, to Denmark, \$61, up to the UK charging \$100.

By the way, this is the amount of money they spend on advertising in their countries—anywhere from \$8 million to \$89 million—and they get a return on their investment. They get a return because they know if they advertise folks will actually come.

Folks have talked about this being a cost to the government. There is no cost to this bill. It actually raises money. It actually is not a cost to the taxpayer. There is \$425 million in deficit reduction over the next 10 years, with as much as \$4 billion minimum in new economic stimulus per year. Next, there is \$321 million in new Federal tax revenue per year and about 40,000 new U.S. jobs in the first year alone. Those are jobs we can definitely use in the United States.

This chart shows the return on investment. Entry/departure fee from Spain, \$14. They spent \$120 million in 2005. They had an increase in international arrivals by 20 percent going into their country. The UK spent \$90 million and had an increase of 26 percent. You can see down the line that there is a return on investment. That is what we are saying here in using a public-private partnership. Let's have a return. Let's actually attract people to the United States.

I would make the argument that the United States has more incredible places to see than any other country in the world. We have a great product to sell, we just have to sell it. We actually have to tell people why to come to the United States, show them the incredible places.

These are just a few of the ads we have seen around the world.

This is one from India. "One special reason to visit India in 2009," it says. "Any time is a good time to visit the Land of Taj, but there is no time like now."

This is one of the many from Australia. I think all of us have seen ads about Australia. "Arrived with a thousand things on our minds; departed without a care in the world." Another from Australia which obviously features the great diving they have. Just the visual image makes you say: I think I would like to go there. I think I would like to experience that on my next vacation.

This is Ireland, a nice simple map of Ireland talking about all the various things they have, from golf and the St. Patrick's center to other places to visit in Ireland. It gives a nice visual image.

Well, there are not only brochures but television advertising, the Internet, and all kinds of ways to get into a person's mind about why they would want to come and visit someplace, and all we are saying is we need to do this for the United States. There are so many incredible places we have here to visit that selling is not going to be the problem, it is just going to be making the effort.

So, Mr. President, I believe this is legislation that is worth doing. Some folks have come down here to say we don't need to do this because we already have a lot of travelers coming to the United States as it is. International travel to the United States, they say, is up. Well, the problem is, when you measure international travel coming from Mexico and Canada, that may be up, but they only spend about \$900 each visit when they come here. Overseas travelers spend about \$4,500 each visit when they come here, and that travel is down in the United States. It is down significantly compared to the rest of the world. So this is legislation that we need to go after those overseas travelers who have money to spend. This is something that can benefit States all across America. It will benefit the Federal Treasury, and it will create jobs.

There are a lot of good things about this legislation, and I think that is why you will see a good, strong bipartisan vote when the final vote tally is taken about 4:30 today.

So I would encourage people to take a good, hard look at this. At a time when we need jobs—jobs, jobs, jobs—this is a bill that can help deliver some of those jobs.

RECESS

Mr. ENSIGN. Mr. President, I ask unanimous consent that we recess until 2:15 p.m. as under the previous order.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:24 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARDIN).

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. 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. COBURN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Oklahoma is recognized.

TRAVEL PROMOTIONS ACT OF 2009—Continued

Mr. COBURN. Mr. President, we are going through a travel and tourism bill. I know my leader is coming to say some words on the Senate floor, but I had a couple questions the authors of the bill have not answered satisfactorily. One is they create a new corporation for travel promotion and they create a new travel and advisory board, but there is already a travel and advisory board within the Commerce Department. There is nothing in this bill that eliminates this duplicative function that is already there. If, in fact, the intent of the bill is to promote, as they say it is, travel and tourism, one of the things we do not want to do is have duplicative agencies doing exactly the same thing, wasting the taxpayers' money. It is about \$67 million that will go down the drain if, in fact, we do not eliminate the duplicative section of this bill.

The second point I would make is you are going to spend \$12 million a year just on this one advisory board. The third point I will make refers to a letter from the European Union noticing that the visa fees we plan on placing with this bill will cause a negative reaction from them and a reciprocal institution of visa fees through the European Union.

I make those points and hope the authors of the bill will answer, for the American people, the \$67 million waste in this bill that is going to occur if they do not eliminate programs that are already out there for which they are creating duplicate agencies.

I yield the floor and ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 18, 2009.

Hon. HILLARY RODHAM CLINTON,
Secretary of State, Department of State, Washington, DC.

DEAR MADAM SECRETARY, As you are most certainly aware, the U.S. Travel Promotion Act is currently under consideration in Congress (S.1023). On 16 June 2009, the Senate voted 90:3 for the bill to proceed and a final vote is expected any day now. If this bill were to enter into force, DHS would be required to ask travellers to the U.S. upon their application for an Electronic (System for) Travel Authorization (ESTA) to pay at least \$10 which would be used to finance a

Travel Promotion Fund as well as the operational costs of ESTA.

We are concerned that this draft legislation is not compatible with our common goal to facilitate transatlantic trade and travel. We believe it would constitute a step backwards in our joint endeavour to ease transatlantic mobility. This fee is likely to discourage the use of ESTA well in advance of travel, thereby undermining the security objectives of the system. Moreover, it risks being perceived as a visa fee in disguise and would lead to calls for the European Commission to re-examine the issue of whether the ESTA is tantamount to a visa or not, with potentially negative implications on reciprocal visa-free travel between the EU and the U.S. Besides, taxing foreign travellers to promote tourism seems peculiar and public perceptions might lead to less, not more travel to the U.S.

We understand that the Administration also has concerns with this bill. We would therefore urge you to make your formal position known to Congress, so as to avoid the passing of legislation which may unnecessarily deter legitimate transatlantic travel for business and tourism.

We thank you for your consideration and look forward to further strengthening transatlantic relations in the years to come.

Sincerely,

PETR KOLÁŘ,
Ambassador, Czech Republic.

JOHN BRUTON,
Ambassador, European Commission.

PONTUS F JÄRBORG,
Chargé d'Affaires a.i., Sweden.

Mr. COBURN. I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. COBURN. I will.

The PRESIDING OFFICER. The Republican leader is recognized.

PRESIDENTIAL ADDRESS

Mr. McCONNELL. Mr. President, as we all know, the President will be here tonight, and he will get a warm reception, as Presidents always do when they address the Nation from the Capitol. It is a short trip from 1600 Pennsylvania Avenue, but it is always meaningful whenever a President from either political party speaks to a joint session. So we welcome him.

He picked a good topic. Americans are extremely skeptical about the health care proposals the administration and Democrats in Congress have been talking about over the past several months. And they are understandably baffled by some of the arguments that have been used to promote them.

Americans don't understand how a massive expansion of government will lower costs, as the administration claims. They don't understand how \$500 billion in cuts to Medicare won't affect the millions of seniors who depend on it. Americans don't understand how they'll be able to keep the health plans they have if government is allowed to undermine the private market. And they don't understand why the administration doesn't seem to be listening to these and many other concerns.

Americans want specifics. They want solid assurances about what health care reform would mean for themselves and for their families and, just as importantly, what it won't mean. Americans have been clear about what they don't want to see in health care reform. Now they want the administration to be clear with them.

One thing that is already apparent in this debate is that the problem isn't the administration's sales pitch. The problem is what they are selling. Americans are rightly concerned about a rush to hike taxes on small businesses, cut seniors' Medicare benefits, and add trillions of dollars in more government spending and debt. For months, the President and Democrats in Congress have been describing their plans for reform. The status quo is unacceptable. But if August showed us anything, it is that so are the alternatives that the administration and Democrats in Congress have proposed.

Tonight, the President has an opportunity to reframe the debate, but only if he recognizes that the Democrats' original plan for health care reform doesn't wash with the American people. When it comes to health care, Americans don't want government to tear down the house we have. They want it to repair the one we have. That means sensible, step-by-step reforms, not more trillion dollar grand schemes. It means preserving what people like about our health care system, not destroying it all at once or starving it over time.

A government takeover on the installment plan—or a “trigger” as some are calling it—is still a government takeover. It is a bad idea now. It will be a bad idea whenever the trigger kicks in. Proponents of a trigger say that it might not be needed. But you can be sure of this: if Democrats are in charge, they will pull the trigger at some point. Let's be honest. Letting Democrats decide whether to pull the trigger on government-run health care is like asking the pitcher, not the umpire, to call the balls and strikes.

Proponents of a trigger also say that Republicans approved one for the Medicare drug benefit. What they don't say is that ours was designed to ensure competition, not to stifle it. That trigger would have prohibited the government from being a fallback plan. This trigger would make the government the regulator, the payer, and a competitor, and put the taxpayer on the hook for its cost. Don't be fooled: proponents of government-run health care realized last month that “government plan” had become a dirty word, so they latched onto a new way to describe the same thing: a trigger. Americans aren't confused by the Democrats' reform proposal. They are not asking for a new sales pitch. How many ways do they need to say it: Americans oppose a government takeover of health care, regardless of what it is called.

Over the past several weeks, I have visited with doctors, nurses, seniors,

hospital workers, small businessmen and women, and countless others citizens across Kentucky and throughout the country—none of whom would call our current health care system perfect. But all of them are worried about so-called reforms that would undermine the things they like about the American health care system.

People are concerned about a proposal that would raid Medicare rather than strengthening and preserving it. Most of the Democratic proposals we have seen would increase taxes on small businesses. People don't understand why the administration would even entertain the idea of raising taxes on the businesses that create jobs in a country that has already lost millions of jobs since January.

Every Democratic proposal we have seen expands Medicaid, a program that is administered by the Federal Government but largely paid for by the States. Republican and Democratic Governors cannot believe the administration is proposing a massive new expenditure at a moment when many of these States cannot even pay the bills they already have.

Many of these States are struggling just to survive in the current economy, and yet Democratic lawmakers in Washington want to spend billions to expand Medicaid and then send the bill to the States. No wonder so many Americans think lawmakers in Washington are totally and completely out of touch.

Most States are constitutionally required to have a balanced budget. This means if the Federal Government forces them to increase spending on Medicaid, they will have no choice but to either cut services or raise taxes. That means Americans would be hit twice, first by the taxes on small business, then by the higher taxes from State government, all from massive overhauls they do not want.

People do not want risky, sweeping changes that increase the national debt and do not solve the problems we have. That is why I have been calling instead for commonsense reforms that build on the current system, for things such as ending junk lawsuits on doctors and hospitals that drive up health care costs, lowering the costs for individual consumers by equalizing the tax treatment for individuals and businesses, and incentivizing healthy living to prevent diseases and to treat problems early.

For years, Republicans have sought reforms that would increase access to care, reforms that had the strong support of the American people, whether it was proposing to let small businesses pool their resources together to get the same competitive rates as big businesses or by establishing health savings accounts that give people greater control over their care and their dollars. For years, we have pushed for medical liability reform and called on Congress to strengthen Medicare and Medicaid by fixing these necessary but financially strapped programs.

Most Democrats have resisted most of these incremental changes, hoping the day would come when they could create a whole new dramatic scheme from the ground up under government control. This summer they actually tried to do that, and the American people told them to try again. Their message has been loud and it has been clear: No more spending money we do not have on programs we do not need. No more debt. No more government expansion. And no government takeover of health care.

Americans do not want us to walk off the field. They want us to recommit ourselves to the reforms they want. If Democrats agree, we will be their partners. If they resist the pleas of the American people to start over, we will not. All of us have heard a lot from the American people last month. Now is the time to show we were listening.

I yield the floor.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MARTINEZ. 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 Florida is recognized.

TRAVEL PROMOTION ACT OF 2009— Continued

Mr. MARTINEZ. I feel appreciative for all of the kind comments on the floor today, especially the latest from the Republican leader.

I want to take a moment to speak about the item we will be voting on this afternoon. It may be my last vote, and one which is an issue I have been working on since I was mayor in Orange County, FL, a tourism destination in this tourism and travel promotion bill.

Florida is a global tourist destination, as we all know, and tourism in Florida has suffered as so many other sectors of our economy have, including a 10-percent drop in the first quarter of 2009 in travelers to Florida.

Florida continues to have 10.7 percent unemployment. Tourism bookings at places such as Walt Disney World are down 7 percent over the last year, all of which suggests that in order for us to move beyond this recessionary period and the 10.7 unemployment we see in Florida, it is incumbent upon us to do two things: No. 1 is quit blacklisting destinations such as Florida, Orlando, Miami, Las Vegas, by the government and others. It ought to be okay to travel to these great destinations.

But the second would be to move and pass this travel and tourism bill, the Trade Promotion Act, which would establish an independent nonprofit corporation for U.S. travel promotion, governed by an 11-member board of individuals appointed by the Secretary of Commerce.

It would be funded not by taxpayers but instead through the user fees paid by foreign tourists and in-kind contributions by corporate partners. It is something that is absolutely needed. Foreign tourism is a huge source of revenues to States such as Florida and the leader's State of Nevada. It is something that I think is long overdue. So passing this bill today will be a great accomplishment for our Nation, and it will be a tremendous boon to a tourism economy that is reeling in these recessionary times. It will make me awfully happy that this will be something I can sort of button up my Senate career with, a good bill for Florida and a good bill for the people of Florida today unemployed in the tourism industry.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

TRIBUTE TO SENATOR MEL MARTINEZ

Mr. REID. Before my friend leaves the floor, I was planning to come later with some prepared remarks, but let me speak from my heart about the Senator from Florida.

I have some affinity for the Senator from Florida because we were both trial lawyers. We have been to court, we have voir dired juries, we have argued cases to juries. We were both trial lawyers. I feel that as a badge of honor. Some people denigrate trial lawyers. But I feel that the people whom I have tried to help over the years were people who deserved to be helped.

My friend from Florida was the president of the State trial lawyers in Florida. He has a tremendously sound reputation as a trial lawyer, somebody who took good cases, worked them hard, judges liked him, and his opponents liked him, which speaks well of this man.

But my feelings about Senator MARTINEZ go deeper than that. I have had the good fortune of being able to attend our prayer breakfasts on occasion here. I try to get to them as often as I can, every Wednesday morning when we are in session, at 8 o'clock.

I have heard my friend from Florida talk about his upbringing, his faith. He is a devout Catholic. He is proud of that. He is very proud of his heritage, Cuban American, versus the difficulties that have been caused by the tyrannical government of Fidel Castro.

I also am impressed with Senator MARTINEZ as a result of his family ties. He speaks so highly of his relationship with his lovely wife. I have had the opportunity to know his family. On rare occasions he came and asked me if there was a way I could help him with a family member, recognizing the kind of person he is and the family associations that he has.

The people of the State of Florida are losing a good Senator, a good man. I will miss MEL MARTINEZ.

ORDER FOR RECESS

Mr. REID. Mr. President, I ask unanimous consent that today the Senate recess from 3 to 4 p.m. in order for Members to participate in the 9/11 remembrance ceremony in Statuary Hall.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the time from 4 to 4:45 p.m. today be divided as follows: 22½ minutes to be divided equally between Senators DORGAN and the Republican leader or his designee, for debate with the respect to S. 1023, and that upon the use of that time, the Senate proceed to executive session to consider the nomination of Cass Sunstein, and that the remaining 22½ minutes until 4:45 be equally divided and controlled between Senator LIEBERMAN and the Republican leader or his designee; that at 4:45 p.m. the Senate resume legislative session and all postcloture time having expired, all amendments be withdrawn except the Dorgan amendment No. 1347, and that amendment No. 1347 then be agreed to and the motion to reconsider be considered made and laid on the table; that the bill, as amended, be read a third time and the Senate then proceed to vote on passage of S. 1023, as amended; that upon passage of S. 1023, as amended, the Senate then resume executive session and vote on the motion to invoke cloture on the nomination of Cass Sunstein.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll of the Senate.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAVEL PROMOTION ACT OF 2009—Continued

Mr. KYL. Mr. President, I hoped that my colleague from North Dakota might be here, and perhaps we will still get together before the debate concludes on the tourism bill. But I think we were two ships passing in the night earlier today. He was quoting statistics that had to do with individual people. I was quoting statistics that had to do with monetary receipts. We were both getting at the problem of whether tourism was up or down, and I told him I would get the source of my statistics and we could reengage in that debate.

The primary point the Senator from North Dakota was making was that from his statistics, relating to the number of people, tourism was down. I had asserted that based upon Com-

merce Department statistics tourism receipts were very much up. So let me quote the statistics from the Office of Travel and Tourism Industries at the Commerce Department for 2008. I quote:

Total travel receipts reached unprecedented levels in 2008, with a record-breaking \$142.1 billion on travel to, and tourism-related activities, within the United States—an increase of 16 percent over the previous record set in 2007.

That is what I had quoted earlier today.

The Senator from North Dakota said: Well, my statistics show that tourism is down. I think he was quoting numbers of tourists. I do not know whether that discrepancy is real. I do not question his statistics, but I did want to verify mine come from the Department of Commerce. Presumably they are valid.

He had also raised a question as to whether that includes travel from Mexico and Canada. My understanding is, yes, this statistic does include receipts for travel and tourism for all travelers to the United States, which would include Mexico and Canada.

Also, according to a press release and information that was gathered by the Senate Republican policy committee, the Commerce Department's Office of Travel and Tourism Industries also issued a travel forecast in May of 2009 that foreign travel will reach a record high of 64 million travelers to the United States by the year 2013. Again, that includes travel from all countries, which would include Mexico and Canada.

The Commerce Department also estimates that travel to the United States by visitors from countries other than Mexico and Canada should rebound by 2012. The point is that through a series of situations, including, primarily economic conditions, there has been a lower level of travel after 2008 by overseas travelers.

This Commerce Department forecast also said, as I said earlier today, it is important to continue to work on those initiatives which will facilitate visits by overseas travelers, including adequate infrastructure of ports of entry, visa services, and funding to make the online registration requirements for foreign visitors truly easy and operational.

My point earlier today was that rather than charging \$10 a visa for foreign travelers to come here to encourage more foreign tourism, which seemed to me to be rather counterproductive, and since there is plenty of travel promotion activity by the Department of Commerce, by States, by localities—you can hardly turn on the TV without seeing some community or State advertising, promoting tourism within its area—that what we should be doing is devoting any resources we have available for this purpose to improving the infrastructure at our ports of entry, our visa requirements, and other travel accommodations for those visitors who

do come here so it is easier to come here.

I would note I just read a story in the Arizona papers today that talked about the passport requirements from Mexico and Canada. They have been in effect for Mexico, but they are newly instituted with respect to Canada. As a result, theme parks in New York State, for example, had noted their activity from Canada was down somewhat. They attributed it to soggy weather, the state of the economy, and the additional passport requirement. I am sure all of these are factors.

So I suspect the statistics my colleague from North Dakota was citing were accurate statistics, as were, obviously, the ones I cited from the Department of Commerce.

The bottom line point I was trying to make is that we have a lot of people who come to this country. We make a lot of money from them. We want to encourage that, to be sure. But I did not think we were encouraging it when we put a \$10 fee on every visa for foreign tourists, and that we might want to—if we had that money available, or if we wanted to attract more visitors, the better way to do it would be to make our ports of entry and the other facilities by which people access entry to the United States more accommodating to them. Those were reasons I believed made this legislation unnecessary and unwise.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. KYL. Mr. President, we can proceed to the recess.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess until 4 p.m., pursuant to the previous order.

Thereupon, the Senate, at 2:59 p.m., recessed until 4 p.m. and reassembled when called to order by the Presiding Officer (Mr. BURRIS).

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum and ask that the time that expires be equally charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. I thank the Chair.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAVEL PROMOTION ACT OF 2009— Continued

Mr. DORGAN. Mr. President, my understanding is that there is some time divided on the issue of the vote on the Travel Promotion Act, and let me take as much time as I may consume of that time.

Earlier today, Senator KYL and I had a discussion on the floor about some statistics and numbers about tourism and travel. I don't want him to try to win a debate we are not having because there ought not to be a difference with respect to a set of facts. So let me just recite the facts.

I said this morning that on this big-old planet of ours, people are traveling more. That is a fact. Tens of millions of people are traveling around the world for international tourism purposes, and that is very beneficial to the areas where they arrive and do their touring. On average, an overseas traveler who comes to the United States spends \$4,500. It is a very lucrative market to try to attract tourists from overseas to come to our country.

The dilemma is this: While more people are traveling all around the globe, and while Japan and Europe, while India and South America and many other countries and continents are aggressively advertising, asking people to come to their country, promoting their country's interests—I have mentioned France, Italy, Germany, India, China, and so on—all of them engaged in travel promotion saying: Come to our country, enjoy our country, come and see our country, travel to our country. It is a relentless bit of promotion by other countries, and they are very successful.

The fact is, more people have been traveling around the globe in international tourism, but we have had a reduction of 633,000 people coming to this country as compared to 9 years ago. Go back to the year 2000 and take a look at how many overseas travelers came to this country to see America and then fast forward to 2009. There are over half a million fewer people coming to our country.

This legislation we are going to vote on is very simple. It says: Let's have a private-public sector partnership that promotes America as a destination for international tourism.

In our earlier discussion, Senator KYL said we should be dealing with the entry process that many have complained about. The fact is, we are dealing with that. I have held hearings on that. We have substantially changed the waiting time for trying to get a visa to come to the United States. Yes, there were long lines, long waits, and much of that has been solved and reduced substantially. In fact, the State Department says that 90 percent of the consular posts have visa wait times of less than 30 days for students and business travelers, just as an example. We are making progress in those areas.

But we should not, in my judgment, allow this issue of promotion of foreign

and international travel be the province of other countries and not us. We ought to be involved. We ought to say to people: You are welcome to come to this country. I showed some of the newspaper reports in recent years that suggest to people: You are not welcome in America. Travel to America? No thanks. Too much of a hassle. In fact, after the terrible tragedy of 9/11/2001, we were not encouraging people to come to this country at all. In fact, we were suggesting that we were worried about people coming into this country. We wanted to make sure we were not allowing terrorists in, so we didn't exactly have the welcome mat out.

This legislation now, 8 years later, says: Let's put the welcome mat out to say, you know what, you want to compete for international tourism? So do we. You want to go see the Eiffel Tower? Well, that is fine. How about coming to see the Empire State Building, Theodore Roosevelt National Park, Old Faithful, Yellowstone, Las Vegas, the Pembina Gorge. How about coming to America to understand the culture of America, the values, the character of America.

One of the things we understand is that when people come here to travel across the United States, they leave, having traveled in this country, with an unbelievably good impression about what America is. We know that because there has been a great deal of polling to understand it. So in addition to creating a very substantial number of jobs at a time when people have lost their jobs—and by the way, tourism and promotion of tourism, especially with overseas travelers who spend a lot of money when they come to this country, promotes a substantial number of jobs. In addition to that, it promotes dramatic good will all around the world about this country of ours.

So this legislation is very simple. It is bipartisan at a time when not very much is bipartisan. It actually saves money. At a time when there is concern about spending money, this reduces the budget deficit. It doesn't increase it; this actually reduces the budget deficit. At the same time, it will create hundreds of thousands of new jobs. So how about that—a piece of legislation that is bipartisan, with Republicans and Democrats cosponsoring it and bringing it to the floor, it saves money rather than adds to the budget deficit, and it produces hundreds of thousands of jobs going forward. It seems to me this makes good sense for this Congress.

I am expecting this afternoon—with the help of my colleagues Senator ENSIGN, Senator KLOBUCHAR, Senator REID, and so many others who have worked on this legislation, I am hoping we will get a very strong vote, get it to the House of Representatives, and get it signed by the President so we can put a lot of people to work in this country as well as incentivize people to come to this country to see what it is about, and that is an awfully good thing, in my judgment.

Let me yield the floor and reserve the remainder of the time. I think the Senator from Nevada wishes to speak.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, I wish to make a few concluding remarks on the Travel Promotion Act.

First, I thank my colleague from North Dakota, Senator DORGAN. He and I have worked very closely, along with our staffs, who have put a lot of work into this piece of legislation that we believe is a very good for our country. It does several things. First of all, by its very nature, it is a bipartisan bill, which doesn't happen around here very often anymore. The second thing is it creates jobs. The most important thing we need to do in this country right now is to create jobs. My home State of Nevada is No. 2 in unemployment rate in the United States. We desperately need jobs. We are very dependent on tourism. This bill will help create tourism-type jobs. It will create tourism-type job for States throughout the United States. When people come to our country to visit, they may come to one State primarily, but they usually stop in several other States along the way.

We are in a situation where the No. 1 industry in America, the tourism industry, has been dramatically impacted by the downturn in the economy. Tourism not only affects the people in that industry, but it affects people in all kinds of other industries that are related to it. So when you create a tourism job, you are creating jobs down the line. You are creating construction jobs, you are creating jobs when they have to go see the dentist or the local health care provider or go to the grocery store or wherever else they are going and using the money they earn to spend in the economy.

Other countries around the world spend money to attract people to their countries. What we are saying with this bill is, let's advertise the United States and let's use those dollars in a way that creates jobs here in America. We know we have a great product to sell. When you have a great product to sell—the United States of America—it makes sense to sell it. It makes sense. The Presiding Officer is the Senator from Illinois, home to one of the great cities in America—Chicago. It is a great product to sell. I am from Las Vegas—a great product to sell. Our national parks are incredible products to sell. Our beaches; when the colors are changing in the Northeast—there are so many amazing places to see in America that it is a very easy product to sell. Right now, we are just not selling it.

All of the other countries are advertising. We think about the times we have seen Australia advertise or other countries advertise because they want Americans to go visit their country. We want other citizens to come to America. Not only does it create jobs, but it also creates a lot of good will around the world. As my colleague,

Senator DORGAN, pointed out, when people come here to the United States, they leave with a more favorable impression. Well, not a lot of people have a favorable impression of the United States these days, so we want more and more people coming here visiting, learning, seeing our sights, and interacting with our people. We are good people, and we like other people around the world. I believe this bill is going to improve the image of America around the world by the people who come visit here.

Let me just conclude with this: We have a bipartisan bill that creates jobs, that doesn't hurt the deficit. This is the kind of legislation we need to pass here in the U.S. Senate, especially in these economic times when people are worried about skyrocketing deficits and debt. We have other pieces of legislation that are important to work on, but right now there is no question but to take the time out we are taking to pass a piece of legislation that we know will create jobs. This is the right thing to do.

I am proud to be associated with this legislation, and I thank the majority leader, Senator REID, for bringing it to the floor. I thank all of those who have worked on it but primarily my cosponsor and coauthor of the bill, Senator DORGAN, for his great work and great leadership on this bill.

Mr. President, I yield the floor.

Mr. DORGAN. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 14 minutes 25 seconds remaining.

Mr. DORGAN. Mr. President, let me just observe, my colleague from Nevada probably knows there are some who have raised the question of a \$10 fee that will be assessed travelers who are coming into this country, and they have said: What an awful thing to do. They say that a \$10 fee could be onerous, burdensome, and other countries may retaliate.

This is a fee with respect to people who are coming to this country from countries participating in the Visa Waiver Program. I showed this morning that virtually all of the countries in the Visa Waiver Program charge a much higher fee to an American traveler who goes to their country. We are not suggesting a fee that should in any way deter somebody from coming to our country.

Mr. President, \$10 is not a significant amount of money for somebody engaged in international travel. And it's a one time fee on the use of the Electronic System for Travel Authorization—ESTA—program, which lasts for two years. This isn't even \$10 each trip—someone could travel many times in those two years. And what we are doing with that fee is raising the funds to engage in a promotion program to promote America, our country.

My colleague from Nevada, Senator ENSIGN, this morning said that advertising works, but most advertising with respect to travel and tourism and

promotion in this country is in promotion of a specific company, or perhaps a town. But there is no advertising or promotion on the part of this country to say to people around the world that you are welcome to come to this country. We want you to come to America. Experience the culture and character of this great country of ours.

That is what this travel promotion program is about. It is a public sector, but mostly private sector program, the funding from which will come in part from a \$10 fee from people coming from countries that impose a much higher assessment on Americans when we go to those countries, and in part on contributions from the private sector.

I also make the point that the U.S. Chamber of Commerce has issued a letter of very strong support, believing this is a very pro-business proposal that will create jobs in our country. My hope is we will get a very strong vote on it today.

I yield the floor.

UNDER SECRETARY FOR TRAVEL PROMOTION

Mrs. SHAHEEN. Mr. President, I appreciate Senator INOUE and Senator DORGAN's leadership on promoting tourism to the United States. Thanks to their commitment, the Senate is on the verge of passing legislation that is critical to our economy. Although it provides almost 8 million American jobs, travel and tourism have not received the prioritization in our government that they merit. I am pleased that we are creating an Office of Travel Promotion and hope in the future we will take a step further and elevate the role of tourism promotion at the Department of Commerce. Other governments around the world have tourism departments headed by Cabinet-level officials. This stature gives them the clout to advocate for pro-tourism, pro-economy policies, and cut through the redtape to implement those policies.

Tourism is vitally important to New Hampshire. Last year, tourism in New Hampshire supported approximately 67,000 direct full-time and part-time jobs. I know from my own experience that having a high-level travel promotion authority produces results. When I was Governor, I elevated our State's Office of Travel and Tourism within our State government because I recognized the importance of promoting the travel industry and ensuring that we have a strong advocate for traveler-friendly policies in our State government.

Under the guidance of this high-level division, the travel economy in New Hampshire has increased substantially since 2001. Despite a nationwide lull in tourism, spending by travelers to New Hampshire has increased over 33 percent, creating over a billion dollars more in economic growth. State revenues from travel have increased by over \$100 million, providing an important boost to our budget.

I believe we should replicate New Hampshire's success in promoting tourism at the national level. This is why I support the creation of an Under Secretary for Travel Promotion.

Mr. INOUE. I appreciate the Senator's kind words for me. I wish to express my agreement with her on the creation of an Under Secretary position in the Department of Commerce who oversees the tourism industry. I have advocated for the Under Secretary position in the past, and continue to support its creation for the reasons you described.

The State of Hawaii's economy relies heavily on travel and tourism, and welcomes visitors from across this great Nation and from around the world. International travelers to the United States generate a tremendous amount of economic activity. The Department of Commerce found that in 2008, total U.S. international travel receipts were \$142 billion. International tourism provided support for over 800,000 U.S. jobs, \$30 billion in payroll, and \$17 billion in tax revenue. The economic benefit of this industry should be represented, and requires policy-related coordination. An Under Secretary would provide that voice. This is especially true when the U.S. engages in international negotiations around travel and tourism policy. It is important that the United States is represented by an appropriately ranked official, with the same authority as his or her counterparts.

Mrs. SHAHEEN. My friend from Hawaii makes an excellent point. Although the bill does not include an Under Secretary, I believe it is important for the Secretaries of Departments of Commerce, State, and Homeland Security to ensure that the United States is represented internationally to discuss travel and tourism policy issues. In particular, these Departments should work to remove barriers to travel, expand market access for tourism industries, and promote tourism to the U.S. Does my colleague agree with me on this point?

Mr. INOUE. I do. I look forward to working with the Senator on this issue in the future, and with Senator BINGAMAN who has also been a strong advocate for this issue.

Mr. BINGAMAN. I thank Senators INOUE and SHAHEEN. I appreciate both of their support for having an Under Secretary of Commerce lead tourism policy for the United States. As it is for your States, and as it is for the Nation as whole, tourism is an important part of New Mexico's economy. Tourism-related businesses in my State make up eight percent of New Mexico's economy. These businesses employ over 80,000 New Mexicans. My State is fortunate to have a Cabinet-level official in charge of tourism, and has been well-served Secretary Cerletti, New Mexico's secretary of tourism.

I am pleased to support the bill before us today, for it begins to fill a longstanding void in our economic policy. I think we could do more, however.

Tourism, especially international tourism, is an underappreciated economic engine for our country. When international visitors come here, economists say that the United States is exporting tourism: it counts as an export because it generates revenue here in the United States. The \$142 billion that international visitors spent here in 2008 helped lower our trade deficit, which I know many people are concerned about. To put that \$142 billion in perspective, if we consider international visitors as a single export market, it would be the United States's third largest export market, behind Canada and Mexico, but ahead of China. Exports to China generated \$70 billion of revenue for American businesses last year, less than half of the revenue generated by international visitors to the United States. The more we can attract visitors to the United States, the less money we send abroad. The more we can promote tourism to the United States, the more jobs we will create here for Americans, jobs that by necessity cannot be relocated overseas.

To do this, we need the right personnel in place to lead our tourism policy, and I believe an Under Secretary of Commerce would be best suited to do so for the reasons my colleagues have mentioned. Pro-tourism, pro-economy policies can easily be forgotten in top-level discussions within the administration if there is not someone with the clout to effectively advocate for them. Likewise, in international negotiations over travel policies, just as in negotiations about other aspects of international trade, the United States needs to be represented by someone of equal rank to his or her counterparts.

I thank both of my colleagues and look forward to working on this issue with them in the future.

Mrs. SHAHEEN. I thank again Senators INOUE and BINGAMAN.

Mr. INOUE. Mr. President, I am pleased to be joined by my colleagues in support of S. 1023, the Travel Promotion Act of 2009, which is now being considered by the full Senate.

The Travel Promotion Act of 2009 will allow the United States to remain competitive as a welcoming destination for foreign travelers. Our ability to explain the processes and changes made by the United States to gain entry for travel will help to ease fears about the entry process. The proposed nonprofit, independent corporation charged with this responsibility will be able to conduct the necessary outreach and promote tourism in a way that the tourism industry cannot. In addition, an Office of Travel Promotion will be able to work with the Department of State and the Department of Homeland Security to improve the entry process.

Promoting the United States as an attractive tourist destination for both leisure and business with international visitors is of the utmost importance to the many States that house destination resorts. Consider the experience of my own home State of Hawaii. Ha-

wai's economy relies on tourism and travelers. Visitors from around the world come to see our islands' natural beauty and experience the spirit of "Aloha." Our Nation's hospitality industry suffered a severe setback following the events of September 11, 2001, and travel from abroad to the United States has fallen dramatically. The industry continues to struggle during these difficult economic times coupled with fears about a pandemic influenza.

Hawaii's experience is not unique. The hospitality industry nationwide has faced similar challenges, and the economic effects have rippled through the Nation to impact all of our citizens. The State of Hawaii's visitor statistics reflect the downward trend, which accelerated during last year's increase in the cost of oil. Compared to the first 7 months in 2008, visitors to the islands for the same period this year fell by 8.1 percent. Nationwide, the number of international visitors through the first two quarters of 2009 fell by 10.3 percent as compared to the same period during 2008.

Both developing countries and industrialized economies around the world have ministers and offices that promote travel to their respective countries. However, the United States does not have an office that promotes travel and tourism abroad. This legislation is an important first step in the right direction. Establishing an Office of Travel Promotion will help to attract foreign travelers to the United States. This will not only sustain our tourism based industries, it reinforces business relationships and promotes a better understanding between Americans and our friends abroad. Interacting with the American people is a valuable tool at our disposal to dispel international travelers of misconceptions they may have about our country. Approximately 74 percent of visitors have a more favorable opinion of the United States after visiting our country.

The economic activity generated by international travel and its promotion should be approached in the same manner we foster other industries equally important to jobs and the economy. The Travel Promotion Act of 2009 is vital to our travel and tourism industries' ability to compete globally and to restore confidence in the image of the United States as a country that is committed to welcoming our friends from abroad. I urge my colleagues to support this measure and help us ensure that international business and leisure travel to the United States is given all of the tools necessary to succeed.

Mr. AKAKA. Mr. President, I rise today in support of the Travel Promotion Act of 2009. I would like to commend Senator DORGAN for introducing this important legislation as well as Majority Leader REID, Senator INOUE and other colleagues who have helped craft this measure to promote foreign travel and tourism to the United States.

Tourism is crucial to the economy of our Nation. Many jobs are created in the retail and wholesale sectors as a direct result of the industry. These jobs are in addition to employment opportunities offered by hotel, travel, restaurant, and leisure businesses. My home State of Hawaii is especially dependent on tourism. It is Hawaii's No. 1 economic-growth asset.

Hawaii is severely vulnerable to international events and fluctuations in the global economy. After 9/11, in the last quarter of 2001 and the first quarter of 2002, Hawaii's international visitors decreased by 35.4 and 20.3 percent, respectively. Similarly, as the economy spiraled downward in September 2008, Hawaii's international visitors decreased by 4.6 and 5.1 percent in the last quarter of 2008 and the first quarter of 2009. Our State welcomes many visitors from Asia, in particular Japan, whose economy is projected to decline by 5.9 percent in 2009.

Waikiki, a destination for visitors from all across the globe, accounted for about 8 percent of Hawaii's gross State product, 10 percent of civilian jobs, and 12 percent of tax revenues in 2002, according to the Hawaii Department of Business, Economic Development, and Tourism, DBEDT. The department reported that for the month of July 2009, tourist expenditures decreased by 12.4 percent, or \$126.7 million, compared to the prior year.

Hawaii public and private sector leaders have been proactive in marketing Hawaii as the destination of choice for visitors throughout the world. The Hawaii State government commits millions of dollars of public funds to market, advertise, and promote Hawaii. However, this is not enough. We need to apply economies of scale and work to market the United States as a destination as other countries already do. While many governments have increased its international visitor market share by promoting their tourism industry, our country primarily relies on States to promote themselves. We have not realized the fullest potential of our promotional dollars. We need to maximize the effectiveness of our resources in an effort to attract more international visitors to enjoy the beauty and richness of our country.

The Travel Promotion Act of 2009 will help accomplish this goal. This bill would establish a Corporation for Travel Promotion as a nonprofit corporation, to create a nationally coordinated travel program. The program would be charged to encourage travel to the United States and will promote our Nation as a visitor destination. It will create jobs and stimulate the economy. I urge my colleagues to support the Travel Promotion Act of 2009.

Mr. LIEBERMAN. Mr. President, I rise today to raise some concerns that I have with the Travel Promotion Act and to suggest some modifications to it that I feel may be necessary to ensure our security at the Nation's ports of

entry. While I support the majority leader's efforts to promote travel to the United States, I believe that there are some security-related issues with the Travel Promotion Act that need to be addressed. I realize that, in order to move this bill, there won't be any amendments offered on the floor of the Senate. Nevertheless, I feel it is important to have a frank discussion about the potential unintended consequences that portions of this bill might have for our Nation's security. Because it is a good step forward, I plan to support this bill today. But I will continue to pursue legislative options to ensure that some of these peripheral issues are addressed.

Allow me to provide some background. In the 110th Congress, the Senate Committee on Homeland Security and Governmental Affairs created the Electronic System of Travel Authorization known as ESTA, within the Department of Homeland Security, DHS, as part of the Implementing the Recommendations of the 9/11 Commission Act of 2007. The electronic system was developed to address our main concerns about the Visa Waiver Program, VWP; namely, that the first time Customs and Border Protection, CBP, encounters many travelers from visa waiver countries is when they land at a U.S. airport—far too late to prevent a terrorist incident in flight.

The idea behind ESTA was to register travelers coming to America electronically before they leave their home countries. That way we would be able to detect potential terrorists attempting to enter the U.S. from VWP countries—like Richard Wright, “the shoe bomber”—before they actually board an airplane bound for the U.S.

The 9/11 Commission Act also authorizes, but does not require, the collection of a fee to pay for the administration of the system. To date, DHS has elected not to impose a fee because of concerns about the adverse reaction ESTA requirements have generated in Europe. Indeed, the lack of a fee was one of the key reasons that the European Union ruled that ESTA was not a visa, and decided not to impose a visa requirement on U.S. travelers.

The Travel Promotion Act, however, requires DHS to impose a minimum fee of \$10 per travel authorization to be used for a Travel Promotion Fund. We should expect the European Union—EU—and other VWP nations to impose a similar fee on U.S. travelers in the future. Additionally, because citizens of the EU do not use credit cards online as often as Americans, it will be challenging for DHS to set up the infrastructure to collect this fee in a way that facilitates travel.

Given these realities, I am concerned that the bill gives DHS no funding to set up the infrastructure that would be needed to collect this fee. DHS, therefore, would have to divert funds away from homeland security programs to pay for setting up and collecting this travel promotion fee. Promoting travel

to the United States is surely a worthy cause, but we should make sure that the Department has the resources to administer it, so that it does not come at the expense of other programs that keep Americans safe.

There is a simple way to address this problem. According to the Congressional Budget Office, the \$10 fee would generate \$180 million a year. The bill caps the funding that would be used for promoting travel at \$100 million. This means that the fee could generate excess funding of as much as \$80 million a year. The bill does not give any of this excess funding to DHS for implementing the ESTA system and the fee mandated by the legislation. Instead, it would actually require DHS to pay out of its own pocket the costs of implementing the fee. We should make sure that any excess funding is made available to DHS in order to ensure that funding is not diverted from important security programs to implement this fee.

S. 1023 also seeks to give the Director of Travel Promotion in the Department of Commerce authority over CBP functions by requiring that he “ensure that arriving international visitors are generally welcomed with accurate information and in an inviting manner” and that he “enhance the entry and departure experience for international visitors.” The CBP port of entry is a unique security environment over which DHS, not the Department of Commerce, has and should continue to have ultimate jurisdiction.

Prior to 9/11, consular officers often faced pressure to adjudicate visa applications more quickly even though some applications may have been incomplete. CBP Officers at ports of entry should not have to face similar pressures to speed up the processing of incoming travelers at the expense of security considerations. In order to ensure that there is no confusion, we should clarify that the role of the Director of Travel Promotion at the Nation's ports of entry is strictly advisory, and that the Secretary of Homeland Security shall have control over the processes through which travelers are admitted into the United States.

Lastly, S. 1023 would establish a Travel Promotion Corporation charged, in part, with disseminating information about our Nation's visa and entry requirements through a Web site and through promotional campaigns abroad.

This is a worthy endeavor, and these campaigns surely will help to educate foreign travelers about the steps they need to take before travelling to the United States. As, chairman of the Senate Committee on Homeland Security and Governmental Affairs, I understand that our visa and entry requirements can be very confusing. And the last thing we want is for a publicly funded entity to use taxpayer dollars to disseminate inaccurate information.

I believe that the Travel Promotion Corporation should be required to submit the information it plans to disseminate for a factual review by the Departments of Homeland Security and State. The Homeland Security and State Departments would have absolutely no editorial role in the types of campaigns the Corporation develops. To avoid unnecessary delays, DHS and State should then be required to return their comments to the Corporation within 10 business days.

I believe that the bill we are currently considering is important, and that its goal of promoting travel to the U.S. is laudable, especially when travel and tourism to our country are so important to our economy. I will vote for it today. Moving forward, however, I believe that we must ensure that the bill is implemented in a way that does not adversely impact the security of our Nation, by ensuring that it does not force DHS to rob Peter to pay Paul. I understand that, in order to get this bill passed today, amendments cannot be offered on the floor. I want to reiterate, however, that I plan on pursuing these objectives in future legislation. I think we can achieve the dual goals of promoting travel to our country and enhancing security—I look forward to working with the majority leader and other supporters of this legislation going forward.

Mr. LEVIN. Mr. President, I am proud to be a cosponsor of S. 1023, the Travel Promotion Act of 2009, and I will vote for the bill on final passage. At a time when we are facing a severe economic downturn and the worst recession in a generation we need to look for creative ways to create jobs and generate revenue that can provide benefits across our urban areas, cities, towns, and rural countryside.

It is therefore timely that the Senate is considering a bill aimed at promoting travel and tourism in the United States. Tourism is a multibillion-dollar industry, and promoting travel to the United States will help stimulate our economy. The people in my home State of Michigan understand the important economic contributions of tourism. In fact, tourism is one of the three largest industries in Michigan along with manufacturing and agriculture.

According to the U.S. Travel Association, in 2007 the travel industry supported 148,700 jobs with a payroll of \$3.5 billion in Michigan. Nationally the Senate Travel Promotion Act is expected to create 40,000 new jobs in the first year.

Tourism is a successful industry in Michigan because we have so much to offer visitors. In 1831, the great chronicler of early America and one of our Nation's first tourists, Alexis de Tocqueville, explored the Great Lakes. When he saw Lake Huron, he described it as "Not grand in poetry only; it's the most extraordinary spectacle that I have seen in my life."

Indeed, Michigan has the world's longest freshwater coastline. Michigan

has beautiful beaches and cherry orchards, maritime museums and shipwreck-diving preserves. We even have some of the world's highest freshwater sand dunes and the only national freshwater marine sanctuary, the Thunder Bay National Marine Sanctuary at Alpena.

There are over 11,000 inland lakes in Michigan, and we have the second highest number of recreational boats. Michigan also offers plentiful wilderness experiences at national parks and trails: Isle Royale National Park, Keweenaw National Historic Park, Sleeping Bear Dunes and Pictured Rocks National Lakeshore and the North Country Scenic Trail. Our State has nearly 4 million acres of State forest land, 2.7 million acres of national forest land and some 230 campgrounds. And Michigan has thousands of miles of hiking, biking, cross-country skiing and snowmobiling trails. With so many inviting tourist destinations in Michigan it is no wonder Michigan stands to benefit from the increased travel that will result from the enactment of the Travel Promotion Act.

This bipartisan legislation aims to reverse the decline in overseas visitors to the United States since 9/11 by establishing a nationally coordinated public-private partnership, similar to what exists in many other countries, to increase international travelers to the United States.

At no cost to the taxpayer the legislation would establish the Corporation for Travel Promotion, an independent, nonprofit corporation governed by an 11-member board of directors appointed by the Secretary of Commerce. It also would create an Office of Travel Promotion in the Department of Commerce to develop programs to increase the number of international visitors in the United States. It is paid for by a public-private matching program, the Travel Promotion Fund. Federal contributions will be financed by a required \$10 fee paid by foreign travelers from visa waiver countries and collected via the electronic system for travel authorization.

As the tourism season ramps up in Michigan, we must do everything we can to take advantage of our State's natural beauty and recreation opportunities to grow this critical sector of our economy.

Mr. CARDIN. Mr. President, I support S. 1023 and its objectives. Indeed, I am a cosponsor. I submit these comments regarding the bill's provisions to help our Nation's many small businesses. I filed an amendment, S. Amdt. 1320, to ensure that at least one member of the Travel Promotion Board would have appropriate expertise regarding small business concerns and the retail sector. I am joined in this effort by Senators LANDRIEU and SNOWE, the chairman and ranking member of the Small Business and Entrepreneurship Committee, who have cosponsored the amendment.

I am disappointed that we are unable to get consent to lay the pending

amendment aside for the purpose of considering other amendments, such as the one I have filed. This amendment would not change the number of board members; it would only require that one person have appropriate expertise and experience with small business and in the retail sector. This will ensure that at least one member will represent the interests of small business concerns as that term is defined by the Small Business Act, 15 U.S.C. 632, and generally used by the Small Business Administration.

When I entered the Senate in 2007, I asked to serve on the Small Business Committee because I fully appreciate how critical small businesses are to our economic recovery and strength, to building America's future, and to helping the United States compete in today's global marketplace. I think that promoting the United States as a tourist destination to foreigners increases our economic viability and the image of the United States abroad. Visitors to our country get a better picture of the United States, which shapes their perception of our country and its people. It is vital that the perspectives of small business owners be represented because they employ more than half of all private sector employees and make up 99 percent of the Nation's 29 million businesses.

While I regret that we are unable to consider my amendment, I hope that my recommendations will be considered as the legislative process continues.

Mr. DORGAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. 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. DORGAN. Mr. President, I ask unanimous consent that the time during the quorum call be divided equally between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. 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. DURBIN. 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. DURBIN. Mr. President, pending before the Senate is the Travel Promotion Act of 2009, which we have worked on for a long time. Travel and tourism are critical to the economic health of America, as well as our home State of Illinois. It is the sixth most popular State in the Nation among overseas tourists. Tourism adds \$2.1 billion to our State and local tax coffers and supports more than 300,000 jobs

EXECUTIVE SESSION

each year in the State. That is why we need this bill. Promoting tourism, bringing in travelers to visit Illinois and the Nation creates job opportunities, tax revenues and, frankly, gives us a chance to show off a great nation.

I could go through the long list of wonderful things to see in Illinois—and it is long—but trust me, it is a story that can be told in virtually every State in the Nation, and certainly here in our capital.

There are those who argue about the \$10 promotion fee, which is a small price to pay to promote people coming from overseas, who will spend much more than that to visit our country and join in the wonderful opportunities we have to offer.

As we come to a conclusion on the bill, I want to spend a moment to acknowledge the work of the majority leader, HARRY REID, who worked tirelessly with Senators DORGAN and ENSIGN. He was an early and strong supporter of the Travel Promotion Act, recognizing how important travel is to the United States and to our economy. He worked hard to make sure there was a place on the crowded legislative calendar for us to take up this bill.

Travel and tourism are a major industry in Senator REID's home State of Nevada, and enacting this legislation will save and create thousands of jobs in Nevada and help generate millions of dollars in revenue and tax receipts. Senator REID has been committed to this legislation since it was introduced, and he will shepherd this legislation to the President's desk. With his leadership, we have another chance to move this bill on the floor of the Senate. We failed to reach cloture in June, and some people gave up, but HARRY REID never gave up. He worked with the sponsors to move this forward. He recognizes that the travel sector is a major driver in economic growth in Nevada and across America. He found a way to rescue this bill, bring it back to life, and bring it up for today's vote. For his vision, his tenacity, and his leadership, we all owe a great debt of gratitude to Senator HARRY REID of Nevada.

This Travel Promotion Act is a major part of his work in the Senate, not only to help America, but his home State of Nevada.

I yield the floor, suggest the absence of a quorum, and I ask that the time be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF CASS R. SUNSTEIN TO BE ADMINISTRATOR OF THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, as chairman of the Committee on Homeland Security and Governmental Affairs, I am pleased to both express my unqualified support for the nomination of Cass Sunstein to lead the Office of Information and Regulatory Affairs, which is known in government circles as OIRA, and also to favorably report the nomination out from our Homeland Security Committee.

This nomination was considered and reported out by the committee on May 20. That was almost 3½ months ago. But unfortunately, Professor Sunstein's nomination has been the subject of unnecessary holds and delays. This is an important position that needs to be filled.

I thank Majority Leader REID for bringing this important nomination to a vote. Obviously, there was a filibuster, and we will now need to invoke cloture so Professor Sunstein can get on with the important job that President Obama has nominated him to do for our country and each one of us.

OIRA is one of those governmental agencies that has a low public profile but exerts high influence over the workings of government and therefore the daily lives of most Americans.

In Congress, we pass laws that express our values, that draw lines between what is right and wrong, what is desirable and undesirable for our society. But because we cannot ever foresee every permutation of the law or its effect, we must leave many of the details to the executive branch and its regulatory actions or implementation of the laws we pass.

For over a quarter of a century now, Presidents of the United States have asked OIRA to help oversee and coordinate this critical regulatory process. Thus, OIRA has a huge impact on the widest range of problems, as wide as the purview of our government itself, including the health and safety of every American and the health and stability of the American economy.

In Professor Cass Sunstein, the President has found someone with exceptional qualifications and talent, capable of leading OIRA in a positive direction to fulfill Congress's intention in the adoption of laws.

When he began teaching at Harvard Law School in 2008, after a distinguished career teaching and residing in the city of Chicago, which is ably represented by the occupant of the chair, his new employers at Harvard announced that they had secured for their faculty "the preeminent legal

scholar of our time, the most wide-ranging, the most prolific, the most cited, and the most influential." As a graduate of Yale Law School, I was initially quite suspect of those superlatives. The truth is that those words of Elena Kagan, then dean of Harvard, now Solicitor General of the United States, are validated by the extraordinary record of Professor Cass Sunstein. He has taught and written about many subjects, including particularly regulation, the management of risk, and, in fact, OIRA itself.

Our committee conducted a thorough review of Professor Sunstein's writings and his background, and he has met individually with me, Senator COLLINS, our ranking member, and most other members of the committee. We held a confirmation hearing on this nomination on May 12 of this year, at which the members of our committee thoroughly questioned Professor Sunstein about his views on several important matters. And I believe he responded directly, sincerely, and addressed each of the members' concerns.

For example, I wanted to be sure his previous advocacy for a rigorous implementation of cost-benefit analysis to regulations did not mean that OIRA under his leadership would interfere with the agency's issuing of regulations necessary to protect public health and safety. Professor Sunstein convinced me in his answer that he would diligently support the purposes of laws to protect public health and safety as adopted by Congress and signed by the President.

Because Professor Sunstein is brilliant, creative, and prolific, he has written some things that are unconventional and, for some, controversial. I believe when asked about each of those matters he answered sincerely and fully and reassuringly.

For example, hunters were concerned about Professor Sunstein's views on gun rights. He made very clear he believes the second amendment creates an individual right to possess guns for hunting and self-defense. To farmers and others concerned with his previous writings and comments on cruelty to animals, Professor Sunstein has said he would take no steps to promote litigation on behalf of animals, which some concluded was his position based on a provocative article he wrote, and that he has no plans, certainly, to regulate animal husbandry.

So this is a bright, thoughtful, creative man who, as a professor, has written some provocative, unconventional ideas. I suppose if one wanted to take advantage of them for one's own purposes, to politicize, in some sense, or ideologize, in some sense, this nomination, one might seize on those. But at bottom, this is a person extraordinarily well qualified for this position.

I will say he has been endorsed by the American Farm Bureau Federation, insofar as concerns of the agricultural community are concerned. He met with them, and he answered their questions. They said:

. . . we hope the Senate can take up this nomination in the near future and all Senators will vote to confirm him in this post.

Professor Sunstein has also won the public endorsement of a variety of groups, including the U.S. Chamber of Commerce and the National Association of Manufacturers which has concluded, based on his writings and their meetings with him, that he will be fair and not antibusiness, anti-economic growth in this important position.

As for myself, after meeting with this distinguished, thoughtful, and very gentlemanly individual, listening to him at our hearings, seeing how he has responded thoroughly and forthrightly to those who have approached him with their concerns, I am convinced Professor Sunstein has superior qualifications for this office and a strong commitment, if concerned, to guide OIRA in conformity with the law and the public interest above all. That is why I urge my colleagues to support cloture and to support this nomination.

Mr. President, I am pleased to see the senior Senator from Minnesota. I yield to her at this time.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to talk about Cass Sunstein and his qualifications to be Administrator of the Office of Information and Regulatory Affairs. I thank Senator LIEBERMAN for his leadership. I am going to try not to say the word "OIRA" in my remarks because it is a very difficult agency, and no one is quite sure what it does. But I can tell you it does something very important, which is to cut through the redtape for citizens and to try to get some sensible rules for this country.

How do I know Cass Sunstein? Back in the 1980s I was privileged to have him as my law professor at the University of Chicago. I took his administrative law class, and he was also my adviser on the law review.

His career as a legal scholar was just beginning to take off, but he was already making a very strong impression as a teacher. I think many of my fellow classmates believed he was, in fact, their favorite teacher.

When we first saw Cass Sunstein in class, he looked like a boy in a man's suit. He was so thin but with such enthusiasm. These were the days before white boards, and he would always get a lot of white chalk on his black suits, which he seemed oblivious to, but he was far from an absent-minded professor. He would race along a mile a minute in his lecture, a fountain with a never-ending stream of ideas. He was never boring, which is a tough standard for law students.

Today Professor Sunstein is one of the Nation's most thoughtful and respected legal scholars with a distinguished record of accomplishments. He is a graduate of Harvard Law School, a law clerk to Supreme Court Justice Thurgood Marshall, a professor at the

University of Chicago for 27 years, the author and coauthor of more than 15 books and hundreds of scholarly articles.

By a large margin, Cass Sunstein is the most cited scholar on any law faculty in the United States of America. One envious observer said:

If you look at what he's written and done, he should be 900 years old.

What are the concerns of his academic work? The overriding concern is we have smart, science-based, cost-effective policies to protect public health and safety, to promote energy security, and to strengthen our economy and financial system.

In a recent book Professor Sunstein coauthored called "Nudge," he wrote that by knowing how people think, we can design rules and policies that make it easier for Americans to choose what is best for themselves and their families. In other words, Cass Sunstein believes the best types of rules and regulations are the ones that encourage American consumers and businesses to make good decisions without demanding that they do so.

I thought a lot about his work when Congress debated the first-time home buyers tax credit which helped spur home sales after months of decline again. Again, if you shape policies and programs that are easy to understand, that provide incentives, that give Americans control over their fate, you get the right results.

That is why it is so important we confirm Cass Sunstein to this critical post. His pragmatic, sensible approach to policy and regulation will help make our Federal agencies work smarter and ensure that our government works better for our citizens and for our businesses.

It is no surprise to me, as Senator LIEBERMAN just discussed, the kind of support that Cass Sunstein has gathered. The Wall Street Journal editorial board has been positive about his nomination. You have heard the support from the U.S. Chamber of Commerce, the National Association of Manufacturers, the American Farm Bureau Federation, 13 Nobel Prize winners, and C. Boyden Gray, who served as White House Counsel under both Presidents Bush.

While all these individuals and organizations are supportive, what they say about Cass Sunstein is what I have always known about him. He is a pragmatist. He cares about ideas, but ultimately he cares about the right results.

I have heard time and time again from the people in my State office about the redtape and regulations citizens run into on an everyday basis with the U.S. Government. It is time to put someone in this job who actually sees that connection, is able to connect human behavior with what those rules are, and make those rules make some sense. He has the intellect, the ability, and the force to get this done, and I am proud to support his nomination.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, first, I thank Senator KLOBUCHAR for those very thoughtful and, I thought, compelling words in support of Professor Sunstein's nomination. They were both thoughtful and personal, and that matters a lot. I thank her for taking the time to come and speak on this important nomination.

I thought it might be helpful if I read from a few of the letters of endorsement of Professor Sunstein because this is one of those nominations that I think has become unnecessarily controversial. A rule I have always tried to apply—I think I have done it pretty well over the years, playing it uniformly—is when, as a Senator, we exercise our authority to advise and consent, the judgment for us to make is not whether we would have nominated that person to that office but whether on due consideration we conclude that nominee is within an acceptable range and capable of fulfilling that job. That is quite a different situation.

One might agree or disagree, let's put it that way, with Professor Sunstein on one or another thing he has written in a remarkably productive, prolific career, but one would have to decide if he is unqualified for this position, not just that he wouldn't be your first choice but seems to be he is unqualified or there is a level of risk in fulfilling it that even if he was qualified, one would vote against it.

I want to reassure my colleagues. I mentioned the American Farm Bureau Federation because there had been concern in the Agriculture Committee. I read a letter from Bob Stallman, president of the American Farm Bureau Federation:

Like others in the agriculture community, we were concerned about reports related to Mr. Sunstein's views on animal rights and the impact that could occur should such views be reflected in Federal regulations. We have, however, had the opportunity to discuss this subject in person with Mr. Sunstein. He has been candid, forthright and very open about how he views his role in OIRA. He has shared his perspective on the issues in question and stressed that he would not use his position to undermine further law or further policies inconsistent with congressional directives.

I quoted in my opening statement of the president of the American Farm Bureau Federation:

. . . we hope the Senate can take up this nomination in the near future and that all Senators will vote to confirm him in this post.

Second, a very different association and important one in our country is the Chamber of Commerce of the United States of America, and in a letter from R. Bruce Josten, the first paragraph says:

The U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations—

He says about the nominee—

Over the course of an impressive career as a legal academic, Professor Sunstein has made important contributions in such diverse areas as environmental law, behavioral economics, and consumer safety. Through his work, he has improved our understanding of the law and public policy in a continuing effort to improve the ability of government to beneficially impact the lives of its citizens.

As OIRA Administrator, Professor Sunstein is almost certain to apply a thoughtful approach to regulatory oversight and review. His extensive writings and teachings provide a useful blueprint of his pragmatic approach to regulation, including his continued defense of cost-benefit analysis as a tool for developing rational regulation. His approach is not influenced by an ideological predisposition.

I repeat, from Bruce Josten, executive VP of the Chamber of Commerce:

His approach is not influenced by an ideological predisposition—to the contrary, his writings show a strong commitment to a balanced review that is biased neither in favor of nor against regulation.

By all accounts, Professor Sunstein is a man of personal integrity and formidable intellectual prowess, and the Chamber applauds his willingness to suspend an exceptional academic career in order to serve his country.

Mr. Josten concludes by saying:

The Chamber urges you to expeditiously confirm Professor Sunstein as Administrator of OIRA.

I need not tell my colleagues in the Senate that the Chamber of Commerce is a probusiness group, and if they believed Cass Sunstein as OIRA Administrator would harm business entrepreneurship, economic growth, and the free market in our country, they would say so, loudly and clearly. But they did not say so. They did not just remain silent. The Chamber of Commerce of the United States said Cass Sunstein is qualified by his writings, he is fair, and they urge us to confirm this nomination.

I have a similar letter from the National Association of Manufacturers, Rosario Palmieri, vice president of NAM, writing to Senator COLLINS and me:

. . . I am writing to offer our support for the confirmation of Cass Sunstein to be Administrator of the Office of Information & Regulatory Affairs in the Office of Management & Budget. . . .

The NAM [National Association of Manufacturers] has supported nominees to OIRA under both Republican and Democratic presidents. The office plays a crucial role in agency prioritization, paperwork reduction, and regulatory review. Cass Sunstein, in particular, is deserving of confirmation because of his keen intellect, expertise in the fields—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LIEBERMAN. I thank the Chair.

The bottom line is that Professor Sunstein is supported by many groups, including those who some might think would have opposed him. I hope my colleagues will support this nomination in the vote to come and on final passage.

I thank the Chair, and I yield the floor.

Ms. COLLINS. Mr. President, I rise to discuss the nomination of Professor Cass Sunstein to be Administrator of the Office of Information and Regulatory Affairs, OIRA.

Professor Sunstein's nomination has been endorsed by a number of groups, including the Farm Bureau, the Chamber of Commerce, and the National Association of Manufacturers.

I will ask consent to have letters of support from these organizations printed in the RECORD following my remarks.

While many people outside of Washington have never heard of this office, it can have an enormous influence on our everyday lives. Through the process of regulatory review, OIRA—as it is known in Washington—plays an integral role in the rulemaking process. The office advises agencies as rules are developed and then reviews the methodologies used to develop and justify these rules.

Professor Sunstein has extensively studied government regulation and the various methods that can be used to evaluate regulatory effectiveness. During his confirmation hearings, I noted several core principles that seem to underpin Professor Sunstein's work.

He advocates greater transparency in the regulatory process. One of his recommendations is that agencies be required to better justify decisions to regulate, particularly when the costs of regulations appear to exceed the benefits. That makes sense to me.

Professor Sunstein strongly supports the use of cost-benefit analysis as a tool for evaluating regulation. At the same time, he recognizes that such analysis has limitations when it comes to considering intangible costs and benefits.

Recently, Professor Sunstein has proposed an alternative to more draconian "command-and-control" regulation. In his book "Nudge," he makes a compelling case for regulation that does not dictate actions but instead encourages certain behavior without limiting personal freedoms. This "nudging" can promote societal goals without depriving individuals or organizations of other choices.

As with many nominees who make the transition from academia to government service, Professor Sunstein will find that as he steps from the world of theory into the realm of practice, not every idea discussed in the classroom can be easily converted into government policy—nor should it be. During his confirmation hearing, Professor Sunstein and I discussed several provocative statements he has made in the course of his career, statements that are troubling on their face.

I was deeply concerned, for example, by his past comment that hunting

should be banned. When I questioned Professor Sunstein on this statement, he responded as follows:

Hunters are among the strongest environmentalists and conservationists in the United States. And it would be preposterous for anyone in a position like mine to take steps to affect their rights or their interests.

In a July 14, 2009, letter to Senator CHAMBLISS, Professor Sunstein promised to respect second amendment rights if confirmed as OIRA Administrator. Professor Sunstein explained:

I strongly believe that the Second Amendment creates an individual right to possess and use guns for purposes of both hunting and self-defense. I agree with the Supreme Court's decision in the Heller case, clearly recognizing the individual right to have guns for hunting and self-defense. If confirmed, I would respect the Second Amendment and the individual right that it recognizes.

I was also concerned by several law review articles in which Professor Sunstein made the bizarre statement that animals be given standing to sue in court—allowing "representatives" to sue on an animal's behalf. In response to questions on this subject during his confirmation hearing, Professor Sunstein clarified that he was suggesting this as a means by which existing animal cruelty laws could be enforced by civil suits. In a letter to me on this issue, Professor Sunstein further stated:

I have no personal plans to regulate farm animal husbandry in any way. If confirmed, and if the Department of Agriculture were to propose any regulations in that domain, I would work with the Department to ensure that any proposed regulations follow the law and fit with the priorities of the President—and that they take full account of the pressing needs of America's farmers and ranchers and the countless consumers who benefit, every day, from their remarkable efforts.

I will consent to have Professor Sunstein's letter printed in the RECORD following my remarks.

I know that a number of my colleagues have shared these concerns or raised other concerns based on Professor Sunstein's extensive bibliography. I understand that Professor Sunstein has made himself available to meet with Senators to discuss those concerns and has in some cases provided written clarifications of his positions. I expect that when confirmed as OIRA Administrator, he will continue to be as accessible and responsive to this Congress.

On balance, I support Professor Cass Sunstein as Administrator of the Office of Information and Regulatory Affairs.

Mr. President, I ask unanimous consent to have letters of support and Professor Sunstein's letter, to which I referred, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, June 23, 2009.

Hon. HARRY REID,
*Majority Leader, U.S. Senate,
Washington, DC.*

Hon. MITCH MCCONNELL,
*Republican Leader, U.S. Senate,
Washington, DC.*

Hon. JOSEPH LIEBERMAN,
*Chairman, Committee on Homeland Security
and Government Affairs, U.S. Senate,
Washington, DC.*

Hon. SUSAN COLLINS,
*Ranking Member, Committee on Homeland Security
and Government Affairs, U.S. Senate,
Washington, DC.*

DEAR LEADERS REID AND MCCONNELL,
CHAIRMAN LIEBERMAN AND RANKING MEMBER
COLLINS: The U.S. Chamber of Commerce,
the world's largest business federation representing
more than three million businesses and organizations
of every size, sector, and region, urges you to confirm
Professor Cass Sunstein as Administrator of the Office
of Information and Regulatory Affairs (OIRA) within
the Office of Management and Budget.

Over the course of an impressive career as a legal
academic, Professor Sunstein has made important
contributions in such diverse areas as environmental
law, behavioral economics, and consumer safety. Through
his work, he has improved our understanding of the
law and public policy in a continuing effort to
improve the ability of government to beneficially
impact the lives of its citizens.

As OIRA Administrator, Professor Sunstein is
almost certain to apply a thoughtful approach to
regulatory oversight and review. His extensive
writings and teachings provide a useful blueprint
of his pragmatic approach to regulation, including
his continued defense of cost-benefit analysis as a
tool for developing rational regulation. His approach
is not influenced by an ideological predisposition—
to the contrary, his writings show a strong
commitment to a balanced review that is biased
neither in favor of nor against regulation.

By all accounts, Professor Sunstein is a man of
personal integrity and formidable intellectual
prowess, and the Chamber applauds his willingness
to suspend an exceptional academic career in order
to serve his country. The Chamber urges you to
expeditiously confirm Professor Sunstein as
Administrator of OIRA.

Sincerely,

R. BRUCE JOSTEN,
*Executive Vice President,
Government Affairs.*

NATIONAL ASSOCIATION
OF MANUFACTURERS,
Washington, DC, June 22, 2009.

Hon. JOSEPH LIEBERMAN,
*Chairman, Senate Committee on Homeland Security
and Government Affairs, Dirksen Building,
Washington, DC.*

Hon. SUSAN COLLINS,
*Ranking Member, Senate Committee on Homeland
Security and Government Affairs,
Dirksen Building, Washington, DC.*

DEAR CHAIRMAN LIEBERMAN AND RANKING
MEMBER COLLINS: On behalf of the National
Association of Manufacturers (NAM) and the millions
of Americans our members employ, I am writing to
offer our support for the confirmation of Cass
Sunstein to be Administrator of the Office of
Information & Regulatory Affairs (OIRA) in the
Office of Management & Budget. Thank you for
the swift work of your Committee to report
Professor Sunstein favorably to the full Senate.

The NAM has supported nominees to OIRA under
both Republican and Democratic presi-

dents. The office plays a crucial role in agency
prioritization, paperwork reduction, and
regulatory review. President Obama said that
the office offers a "dispassionate and analytical
'second opinion' on agency actions." We believe
that function is especially crucial during the
economic crisis we face and to preserve high
wage jobs from being lost due to unnecessary or
thoughtless government action.

Cass Sunstein, in particular, is deserving of
confirmation because of his keen intellect,
expertise in the fields of administrative and
environmental law, and his commitment to fair
and reasoned deliberation of issues that will
come before him. Under an Administrator
Sunstein, all sides will be given a fair hearing
and a real opportunity to impact the final
analysis of an issue.

We stand ready to assist in ensuring
confirmation by the full Senate of Cass
Sunstein.

Sincerely,

ROSARIO PALMIERI,
*Vice President,
Infrastructure, Legal & Regulatory Policy.*

AMERICAN FARM
BUREAU FEDERATION,
Washington, DC, September 1, 2009.

TO ALL U.S. SENATORS

DEAR SENATOR: Earlier this year, the Senate
received the nomination of Cass Sunstein to
serve as administrator of the Office of
Information and Regulatory Affairs (OIRA) within
the Office of Management and Budget. This
office plays a vital role in determining the
final disposition of regulations, in particular
environmental and natural resource proposals
that have a direct impact on the agricultural
community. Accordingly, Farm Bureau has a
strong interest in the individual that will fill
the role of administrator of that office.

Like others in the agricultural community,
we were concerned about reports related to
Mr. Sunstein's views on animal rights and the
impact that could occur should such views be
reflected in federal regulations. We have,
however, had the opportunity to discuss this
subject in person with Mr. Sunstein. He has
been candid, forthright and very open about
how he views his role in OIRA. He has shared
his perspective on the issues in question and
stressed that he would not use his position to
undermine federal law or further policies
inconsistent with congressional directives.

Based on our discussions with Mr. Sunstein,
Farm Bureau has no objection to his
confirmation to the position of administrator
of OIRA and we hope the Senate can take up
this nomination in the near future and that
all senators will vote to confirm him to this
post.

Sincerely,

BOB STALLMAN,
*President,
American Farm Bureau Federation.*

MAY 20, 2009.

Hon. SUSAN COLLINS,
*Ranking Member, Committee on Homeland Security
and Governmental Affairs, U.S. Senate,
Washington, DC.*

DEAR SENATOR COLLINS: Thank you for your
support and the work of your staff throughout
the confirmation process. I am honored by the
Committee's vote today and the opportunity to
serve the Nation as the Administrator of the
Office of Information and Regulatory Affairs.

I understand that a question may have
arisen recently about my views on the
regulation of farming and farm animals. I have
no personal plans to regulate farm animal
husbandry in any way. If confirmed, and if the
Department of Agriculture were to pro-

pose any regulations in that domain, I would
work with the Department to ensure that any
proposed regulations follow the law and fit with
the priorities of the President—and that they
take full account of the pressing needs of
America's farmers and ranchers and the
countless consumers who benefit, every day,
from their remarkable efforts. The focus of
my academic work on animal welfare is not
regulation of agriculture, but existing state
anticruelty laws (over which OIRA has no
authority). My work as Administrator, if I
am confirmed, would reflect the law and the
President's priorities.

Thank you again for your support throughout
this process.

Sincerely,

CASS R. SUNSTEIN.

Mr. BUNNING. Mr. President, I rise today to
speak on the nomination of Mr. Cass Sunstein
to the Office of Management and Budget's
Office of Information and Regulatory Affairs,
OIRA. Most Americans have never heard of
OIRA, but it has great influence on the daily
lives of all Americans. OIRA is responsible for
the execution of a wide range of government
policies and regulations with its oversight of
the executive branch rulemaking. In other
words, the OIRA can heavily influence or
change the intended purpose of any regulatory
proposal. Therefore, it is important for the
head of OIRA to be a rational thinker who has
every American's best interest at heart.

After reviewing Mr. Sunstein's opinions and
past comments, it is very clear that his views
are far outside of the mainstream. For
example, Mr. Sunstein believes that animals
should be given the same rights as humans. In
2004, he wrote, "We could even grant animals
a right to bring suit without insisting that
animals are persons, or that they are not
property." According to Mr. Sunstein's logic,
your dog could sue you for putting its collar on
a little too tight. Furthermore, Mr. Sunstein
is against hunting and compares it to the "mass
extermination of human beings." Whether it is
for population control or for food consumption,
hunting plays a vital role in the lives of many
Americans, especially in Kentucky. It is
irresponsible for Mr. Sunstein to compare a
person who kills a deer which can provide food
for his or her family for several weeks, to the
likes of Stalin. He has also been very hostile
to second amendment rights and has publicly
stated his resistance to an individual's right to
keep and bear arms.

Any regulation that comes out of the
Department of Agriculture could negatively
impact farmers across the Nation if Mr.
Sunstein is the person responsible for
implementing that regulation. Livestock
farmers across Kentucky could potentially be
forced out of business if Cass Sunstein had
his way. Additionally, vague rulemaking by
the Bureau of Alcohol, Tobacco, Firearms,
and Explosives could result in Mr. Sunstein
filling in the gaps to push his and the
President's radical agenda. There are plenty
of other qualified people whom President

Obama could have chosen for this very significant position. I cannot support this nomination, and I urge my colleagues to vote against this nomination.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

TRAVEL PROMOTION ACT OF 2009— Continued

The PRESIDING OFFICER. All committee amendments except the Dorgan amendment, No. 1347, are withdrawn. The question is on agreeing to the amendment.

The amendment (No. 1347) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. DORGAN. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. DORGAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The question is, Shall the bill pass, as amended?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 19, as follows:

[Rollcall Vote No. 272 Leg.]

YEAS—79

Akaka	Feinstein	Murray
Alexander	Franken	Nelson (NE)
Barraso	Gillibrand	Nelson (FL)
Baucus	Graham	Pryor
Bayh	Hagan	Reed
Begich	Harkin	Reid
Bennet	Hatch	Rockefeller
Bennett	Inouye	Sanders
Bingaman	Isakson	Schumer
Bond	Johanns	Shaheen
Boxer	Johnson	Shelby
Brown	Kaufman	Snowe
Burr	Kerry	Specter
Byrd	Klobuchar	Stabenow
Cantwell	Kohl	Tester
Cardin	Lautenberg	Thune
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Cochran	Lieberman	Vitter
Collins	Lincoln	Voivovich
Conrad	Lugar	Warner
Dodd	Martinez	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wicker
Ensign	Merkley	Wyden
Enzi	Mikulski	
Feingold	Murkowski	

NAYS—19

Brownback	Corker	Gregg
Bunning	Cornyn	Hutchison
Burr	Crapo	Inhofe
Chambliss	DeMint	
Coburn	Grassley	

Kyl	McConnell	Roberts
McCain	Risch	Sessions

NOT VOTING—1

Landrieu

The bill (S. 1023), as amended, was passed, as follows.

S. 1023

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Travel Promotion Act of 2009”.

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

Sec. 1. Short title; table of contents.
Sec. 2. The Corporation for Travel Promotion.
Sec. 3. Accountability measures.
Sec. 4. Matching public and private funding.
Sec. 5. Travel promotion fund fees.
Sec. 6. Assessment authority.
Sec. 7. Office of Travel Promotion.
Sec. 8. Research program.

SEC. 2. THE CORPORATION FOR TRAVEL PROMOTION.

(a) ESTABLISHMENT.—The Corporation for Travel Promotion is established as a nonprofit corporation. The Corporation shall not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29–1001 et seq.), to the extent that such provisions are consistent with this section, and shall have the powers conferred upon a nonprofit corporation by that Act to carry out its purposes and activities.

(b) BOARD OF DIRECTORS.—

(1) IN GENERAL.—The Corporation shall have a board of directors of 11 members with knowledge of international travel promotion and marketing, broadly representing various regions of the United States, who are United States citizens. Members of the board shall be appointed by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State), as follows:

(A) 1 shall have appropriate expertise and experience in the hotel accommodations sector;

(B) 1 shall have appropriate expertise and experience in the restaurant sector;

(C) 1 shall have appropriate expertise and experience in the small business or retail sector or in associations representing that sector;

(D) 1 shall have appropriate expertise and experience in the travel distribution services sector;

(E) 1 shall have appropriate expertise and experience in the attractions or recreations sector;

(F) 1 shall have appropriate expertise and experience as officials of a city convention and visitors’ bureau;

(G) 2 shall have appropriate expertise and experience as officials of a State tourism office;

(H) 1 shall have appropriate expertise and experience in the passenger air sector;

(I) 1 shall have appropriate expertise and experience in immigration law and policy, including visa requirements and United States entry procedures; and

(J) 1 shall have appropriate expertise in the intercity passenger railroad business.

(2) INCORPORATION.—The members of the initial board of directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29–301.01 et seq.).

(3) TERM OF OFFICE.—The term of office of each member of the board appointed by the Secretary shall be 3 years, except that, of the members first appointed—

(A) 3 shall be appointed for terms of 1 year;

(B) 4 shall be appointed for terms of 2 years; and

(C) 4 shall be appointed for terms of 3 years.

(4) REMOVAL FOR CAUSE.—The Secretary of Commerce may remove any member of the board for good cause.

(5) VACANCIES.—Any vacancy in the board shall not affect its power, but shall be filled in the manner required by this section. Any member whose term has expired may serve until the member’s successor has taken office, or until the end of the calendar year in which the member’s term has expired, whichever is earlier. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which that member’s predecessor was appointed shall be appointed for the remainder of the predecessor’s term. No member of the board shall be eligible to serve more than 2 consecutive full 3-year terms.

(6) ELECTION OF CHAIRMAN AND VICE CHAIRMAN.—Members of the board shall annually elect one of the members to be Chairman and elect 1 or 2 of the members as Vice Chairman or Vice Chairmen.

(7) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding any provision of law to the contrary, no member of the board may be considered to be a Federal employee of the United States by virtue of his or her service as a member of the board.

(8) COMPENSATION; EXPENSES.—No member shall receive any compensation from the Federal government for serving on the Board. Each member of the Board shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5, United States Code.

(c) OFFICERS AND EMPLOYEES.—

(1) IN GENERAL.—The Corporation shall have an executive director and such other officers as may be named and appointed by the board for terms and at rates of compensation fixed by the board. No individual other than a citizen of the United States may be an officer of the Corporation. The Corporation may hire and fix the compensation of such employees as may be necessary to carry out its purposes. No officer or employee of the Corporation may receive any salary or other compensation (except for compensation for services on boards of directors of other organizations that do not receive funds from the Corporation, on committees of such boards, and in similar activities for such organizations) from any sources other than the Corporation for services rendered during the period of his or her employment by the Corporation. Service by any officer on boards of directors of other organizations, on committees of such boards, and in similar activities for such organizations shall be subject to annual advance approval by the board and subject to the provisions of the Corporation’s Statement of Ethical Conduct. All officers and employees shall serve at the pleasure of the board.

(2) NONPOLITICAL NATURE OF APPOINTMENT.—No political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, or employees of the Corporation.

(d) NONPROFIT AND NONPOLITICAL NATURE OF CORPORATION.—

(1) STOCK.—The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

(2) **PROFIT.**—No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

(3) **POLITICS.**—The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

(4) **SENSE OF CONGRESS REGARDING LOBBYING ACTIVITIES.**—It is the sense of Congress that the Corporation should not engage in lobbying activities (as defined in section 3(7) of the Lobbying Disclosure Act of 1995 (5 U.S.C. 1602(7)).

(e) **DUTIES AND POWERS.**—

(1) **IN GENERAL.**—The Corporation shall develop and execute a plan—

(A) to provide useful information to foreign tourists, business people, students, scholars, scientists, and others interested in traveling to the United States, including the distribution of material provided by the Federal government concerning entry requirements, required documentation, fees, processes, and information concerning declared public health emergencies, to prospective travelers, travel agents, tour operators, meeting planners, foreign governments, travel media and other international stakeholders;

(B) to identify, counter, and correct misperceptions regarding United States entry policies around the world;

(C) to maximize the economic and diplomatic benefits of travel to the United States by promoting the United States of America to world travelers through the use of, but not limited to, all forms of advertising, outreach to trade shows, and other appropriate promotional activities;

(D) to ensure that international travel benefits all States and the District of Columbia and to identify opportunities and strategies to promote tourism to rural and urban areas equally, including areas not traditionally visited by international travelers; and

(E) to give priority to the Corporation's efforts with respect to countries and populations most likely to travel to the United States.

(2) **SPECIFIC POWERS.**—In order to carry out the purposes of this section, the Corporation may—

(A) obtain grants from and make contracts with individuals and private companies, State, and Federal agencies, organizations, and institutions;

(B) hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out its purposes; and

(C) take such other actions as may be necessary to accomplish the purposes set forth in this section.

(3) **PUBLIC OUTREACH AND INFORMATION.**—The Corporation shall develop and maintain a publicly accessible website.

(f) **OPEN MEETINGS.**—Meetings of the board of directors of the Corporation, including any committee of the board, shall be open to the public. The board may, by majority vote, close any such meeting only for the time necessary to preserve the confidentiality of commercial or financial information that is privileged or confidential, to discuss personnel matters, or to discuss legal matters affecting the Corporation, including pending or potential litigation.

(g) **MAJOR CAMPAIGNS.**—The board may not authorize the Corporation to obligate or expend more than \$25,000,000 on any advertising campaign, promotion, or related effort unless—

(1) the obligation or expenditure is approved by an affirmative vote of at least $\frac{2}{3}$ of the members of the board present at the meeting;

(2) at least 6 members of the board are present at the meeting at which it is approved; and

(3) each member of the board has been given at least 3 days advance notice of the meeting at which the vote is to be taken and the matters to be voted upon at that meeting.

(h) **FISCAL ACCOUNTABILITY.**—

(1) **FISCAL YEAR.**—The Corporation shall establish as its fiscal year the 12-month period beginning on October 1.

(2) **BUDGET.**—The Corporation shall adopt a budget for each fiscal year.

(3) **ANNUAL AUDITS.**—The Corporation shall engage an independent accounting firm to conduct an annual financial audit of the Corporation's operations and shall publish the results of the audit. The Comptroller General of the United States may review any audit of a financial statement conducted under this subsection by an independent accounting firm and may audit the Corporation's operations at the discretion of the Comptroller General. The Comptroller General and the Congress shall have full and complete access to the books and records of the Corporation.

(4) **PROGRAM AUDITS.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall conduct a review of the programmatic activities of the Corporation for Travel Promotion. This report shall be provided to appropriate congressional committees.

SEC. 3. ACCOUNTABILITY MEASURES.

(a) **OBJECTIVES.**—The Board shall establish annual objectives for the Corporation for each fiscal year subject to approval by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State). The Corporation shall establish a marketing plan for each fiscal year not less than 60 days before the beginning of that year and provide a copy of the plan, and any revisions thereof, to the Secretary.

(b) **BUDGET.**—The board shall transmit a copy of the Corporation's budget for the forthcoming fiscal year to the Secretary not less than 60 days before the beginning of each fiscal year, together with an explanation of any expenditure provided for by the budget in excess of \$5,000,000 for the fiscal year. The Corporation shall make a copy of the budget and the explanation available to the public and shall provide public access to the budget and explanation on the Corporation's website.

(c) **ANNUAL REPORT TO CONGRESS.**—The Corporation shall submit an annual report for the preceding fiscal year to the Secretary of Commerce for transmittal to the Congress on or before the 15th day of May of each year. The report shall include—

(1) a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this Act;

(2) a comprehensive and detailed inventory of amounts obligated or expended by the Corporation during the preceding fiscal year;

(3) a detailed description of each in-kind contribution, its fair market value, the individual or organization responsible for contributing, its specific use, and a justification for its use within the context of the Corporation's mission;

(4) an objective and quantifiable measurement of its progress, on an objective-by-objective basis, in meeting the objectives established by the board;

(5) an explanation of the reason for any failure to achieve an objective established by the board and any revisions or alterations to the Corporation's objectives under subsection (a);

(6) a comprehensive and detailed report of the Corporation's operations and activities to promote tourism in rural and urban areas; and

(7) such recommendations as the Corporation deems appropriate.

(d) **LIMITATION ON USE OF FUNDS.**—Amounts deposited in the Fund may not be used for any purpose inconsistent with carrying out the objectives, budget, and report described in this section.

SEC. 4. MATCHING PUBLIC AND PRIVATE FUNDING.

(a) **ESTABLISHMENT OF TRAVEL PROMOTION FUND.**—There is hereby established in the Treasury a fund which shall be known as the Travel Promotion Fund.

(b) **FUNDING.**—

(1) **START-UP EXPENSES.**—For fiscal year 2010, the Secretary of the Treasury shall make available to the Corporation such sums as may be necessary, but not to exceed \$10,000,000, from amounts deposited in the general fund of the Treasury from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) to cover the Corporation's initial expenses and activities under this Act. Transfers shall be made at least quarterly, beginning on October 1, 2009, on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

(2) **SUBSEQUENT YEARS.**—For each of fiscal years 2011 through 2014, from amounts deposited in the general fund of the Treasury during the preceding fiscal year from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)), the Secretary of the Treasury shall transfer not more than \$100,000,000 to the Fund, which shall be made available to the Corporation, subject to subsection (c) of this section, to carry out its functions under this Act. Transfers shall be made at least quarterly on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

(c) **MATCHING REQUIREMENT.**—

(1) **IN GENERAL.**—No amounts may be made available to the Corporation under this section after fiscal year 2010, except to the extent that—

(A) for fiscal year 2011, the Corporation provides matching amounts from non-Federal sources equal in the aggregate to 50 percent or more of the amount transferred to the Fund under subsection (b); and

(B) for any fiscal year after fiscal year 2011, the Corporation provides matching amounts from non-Federal sources equal in the aggregate to 100 percent of the amount transferred to the Fund under subsection (b) for the fiscal year.

(2) **GOODS AND SERVICES.**—For the purpose of determining the amount received from non-Federal sources by the Corporation, other than money—

(A) the fair market value of goods and services (including advertising) contributed to the Corporation for use under this Act may be included in the determination; but

(B) the fair market value of such goods and services may not account for more than 80 percent of the matching requirement under paragraph (1) for the Corporation in any fiscal year.

(3) **RIGHT OF REFUSAL.**—The Corporation may decline to accept any contribution in-kind that it determines to be inappropriate, not useful, or commercially worthless.

(4) **LIMITATION.**—The Corporation may not obligate or expend funds in excess of the

total amount received by the Corporation for a fiscal year from Federal and non-Federal sources.

(d) CARRYFORWARD.—

(1) FEDERAL FUNDS.—Amounts transferred to the Fund under subsection (b)(2) shall remain available until expended.

(2) MATCHING FUNDS.—Any amount received by the Corporation from non-Federal sources in fiscal year 2010, 2011, 2012, 2013, or 2014 that cannot be used to meet the matching requirement under subsection (c)(1) for the fiscal year in which amount was collected may be carried forward and treated as having been received in the succeeding fiscal year for purposes of meeting the matching requirement of subsection (c)(1) in such succeeding fiscal year.

SEC. 5. TRAVEL PROMOTION FUND FEES.

Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended to read as follows:

“(B) FEES.—

“(i) IN GENERAL.—No later than September 30, 2009, the Secretary of Homeland Security shall establish a fee for the use of the System and begin assessment and collection of that fee. The initial fee shall be the sum of—

“(I) \$10 per travel authorization; and

“(II) an amount that will at least ensure recovery of the full costs of providing and administering the System, as determined by the Secretary.

“(iii) DISPOSITION OF AMOUNTS COLLECTED.—Amounts collected under clause (i)(I) shall be credited to the Travel Promotion Fund established by section 4 of the Travel Promotion Act of 2009. Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

“(iii) SUNSET OF TRAVEL PROMOTION FUND FEE.—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.”

SEC. 6. ASSESSMENT AUTHORITY.

(a) IN GENERAL.—Except as otherwise provided in this section, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in section 2(b)(1)(C) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for verifying, implementing, and collecting the assessment authorized by this section.

(b) INITIAL ASSESSMENT LIMITED.—The Corporation may establish the initial assessment after the date of enactment of the Travel and Tourism Promotion Act at no greater, in the aggregate, than \$20,000,000.

(c) REFERENDA.—

(1) IN GENERAL.—The Corporation may not impose an annual assessment unless—

(A) the Corporation submits the proposed annual assessment to members of the industry in a referendum; and

(B) the assessment is approved by a majority of those voting in the referendum.

(2) PROCEDURAL REQUIREMENTS.—In conducting a referendum under this subsection, the Corporation shall—

(A) provide written or electronic notice not less than 60 days before the date of the referendum;

(B) describe the proposed assessment or increase and explain the reasons for the referendum in the notice; and

(C) determine the results of the referendum on the basis of weighted voting apportioned according to each business entity's relative share of the aggregate annual United States international travel and tourism revenue for the industry per business entity, treating all related entities as a single entity.

(d) COLLECTION.—

(1) IN GENERAL.—The Corporation shall establish a means of collecting the assessment that it finds to be efficient and effective. The Corporation may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Corporation any amount assessed by the Corporation under this Act.

(2) ENFORCEMENT.—The Corporation may bring suit in Federal court to compel compliance with an assessment levied by the Corporation under this Act.

(e) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds collected through assessments, and any other funds received by the Corporation, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

SEC. 7. OFFICE OF TRAVEL PROMOTION.

Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.) is amended by inserting after section 201 the following:

“SEC. 202. OFFICE OF TRAVEL PROMOTION.

“(a) OFFICE ESTABLISHED.—There is established within the Department of Commerce an office to be known as the Office of Travel Promotion.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The Office shall be headed by a Director who shall be appointed by the Secretary.

“(2) QUALIFICATIONS.—The Director shall be a citizen of the United States and have experience in a field directly related to the promotion of travel to and within the United States.

“(3) DUTIES.—The Director shall be responsible for ensuring the office is carrying out its functions effectively and shall report to the Secretary.

“(c) FUNCTIONS.—The Office shall—

“(1) serve as liaison to the Corporation for Travel Promotion established by section 2 of the Travel Promotion Act of 2009 and support and encourage the development of programs to increase the number of international visitors to the United States for business, leisure, educational, medical, exchange, and other purposes;

“(2) work with the Corporation, the Secretary of State and the Secretary of Homeland Security—

“(A) to disseminate information more effectively to potential international visitors about documentation and procedures required for admission to the United States as a visitor;

“(B) to ensure that arriving international visitors are generally welcomed with accurate information and in an inviting manner;

“(C) to collect accurate data on the total number of international visitors that visit each State; and

“(D) enhance the entry and departure experience for international visitors through the use of advertising, signage, and customer service; and

“(3) support State, regional, and private sector initiatives to promote travel to and within the United States.

“(d) REPORTS TO CONGRESS.—Within a year after the date of enactment of the Travel Promotion Act of 2009, and periodically thereafter as appropriate, the Secretary shall transmit a report to the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on Homeland Security and Governmental Affairs, the Senate Committee on Foreign Relations, the

House of Representatives Committee on Energy and Commerce, the House of Representatives Committee on Homeland Security, and the House of Representatives Committee on Foreign Affairs describing the Office's work with the Corporation, the Secretary of State and the Secretary of Homeland Security to carry out subsection (c)(2).”

SEC. 8. RESEARCH PROGRAM.

Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.), as amended by section 7, is further amended by inserting after section 202 the following:

“SEC. 203. RESEARCH PROGRAM.

“(a) IN GENERAL.—The Office of Travel and Tourism Industries shall expand and continue its research and development activities in connection with the promotion of international travel to the United States, including—

“(1) expanding access to the official Mexican travel surveys data to provide the States with traveler characteristics and visitation estimates for targeted marketing programs;

“(2) expanding the number of inbound air travelers sampled by the Commerce Department's Survey of International Travelers to reach a 1 percent sample size and revising the design and format of questionnaires to accommodate a new survey instrument, improve response rates to at least double the number of States and cities with reliable international visitor estimates and improve market coverage;

“(3) developing estimates of international travel exports (expenditures) on a State-by-State basis to enable each State to compare its comparative position to national totals and other States;

“(4) evaluate the success of the Corporation in achieving its objectives and carrying out the purposes of the Travel Promotion Act of 2009; and

“(5) research to support the annual reports required by section 202(d) of this Act.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce for fiscal years 2010 through 2014 such sums as may be necessary to carry out this section.”

EXECUTIVE SESSION

CASS R. SUNSTEIN TO BE ADMINISTRATOR OF THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Cass R. Sunstein, of Massachusetts, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Harry Reid, Joseph I. Lieberman, Mark Udall, Patrick J. Leahy, Daniel K. Akaka, Richard Durbin, Sherrod Brown, Patty Murray, Jeanne Shaheen, John F. Kerry, Robert Menendez, Jack Reed, Mark Begich, Tom Harkin, Sheldon Whitehouse, Ron Wyden, Kirsten E. Gillibrand.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Cass R. Sunstein, of Massachusetts, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 63, nays 35, as follows:

[Rollcall Vote No. 273 Ex.]

YEAS—63

Akaka	Feinstein	Merkley
Baucus	Franken	Mikulski
Bayh	Gillibrand	Murray
Begich	Gregg	Nelson (NE)
Bennet	Hagan	Nelson (FL)
Bennett	Harkin	Reed
Bingaman	Hatch	Reid
Boxer	Inouye	Rockefeller
Brown	Johnson	Sanders
Burris	Kaufman	Schumer
Byrd	Kerry	Shaheen
Cantwell	Klobuchar	Snowe
Cardin	Kohl	Specter
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Collins	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Dodd	Lieberman	Voinovich
Dorgan	Lugar	Warner
Durbin	McCaskill	Whitehouse
Feingold	Menendez	Wyden

NAYS—35

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Bond	Enzi	Pryor
Brownback	Graham	Risch
Bunning	Grassley	Roberts
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Corker	Kyl	Webb
Cornyn	Lincoln	Wicker
Crapo	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 35. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

LETTER OF RESIGNATION

The Chair lays before the Senate the letter of resignation of Senator MEL MARTINEZ of Florida.

Without objection, the letter is deemed read and spread upon the Journal.

The letter follows.

U.S. SENATE,

Washington, DC, September 2, 2009.

Hon. JOSEPH R. BIDEN, JR.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: I hereby give notice that I will retire from the Office of United States Senator for the State of Florida. I, therefore, tender my resignation effective at 5:00 p.m. on September 9, 2009.

Sincerely,

MEL MARTINEZ.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Mr. President, there is not a quorum call, is there?

The PRESIDING OFFICER. There is not.

TRIBUTE TO CHRISTINE SPICER

Mr. KAUFMAN. Mr. President, I rise once again to speak about one of our

Nation's great Federal employees. All of us here, along with our colleagues in the House, have returned from a busy work period. I know we, like all Americans, appreciate the extra day off we had on Monday to rest and recharge, to spend time with family, and to enjoy a barbecue. It is important, though, not to lose sight of what Labor Day represents.

America was founded on the belief that if you work hard, you can achieve your dream. When American workers set themselves to a task, no challenge is too great.

Since the 19th century, Labor Day has served as an opportunity to appreciate those who have made our economy the strongest in the world. Even with the challenges we face on Wall Street and on Main Street, I remain confident in our economy precisely because of our great workers.

American workers built the canals and railroads that fueled the westward expansion of our early years. They labored in those first industrial factories, weaving textiles, smelting iron, and manufacturing new products. Our workers electrified America's cities and made possible our soaring skylines.

Whenever they were called upon to serve, they laid down their tools and took up arms to defend liberty at home and overseas.

Today, our workers produce microchips, complex machine parts, and quality products sold in markets worldwide. I know that American workers will continue to excel as we transition to a green economy.

The history of labor in our country can be told through the stories of Americans who have worked hard because they dream of providing a decent life for themselves and their families.

The great labor leader Samuel Gompers, when asked what motivated American workers to organize for better pay and conditions, said:

We want more schoolhouses and less jails; more books and less arsenals; more learning and less vice; . . . in fact, more of the opportunities to cultivate our better natures.

It took American workers many decades to win fair wages and safe working conditions. Today, the dedicated employees of the Department of Labor continue to ensure that American workers are safe, treated fairly, and have access to employment opportunities. This also includes a commitment to protecting workers' hard-won benefits.

The men and women of the Department's Plan Benefits Security Division engage in legal proceedings to make certain that employees' rights under retirement income security legislation are upheld. It is a busy office, and its attorneys and staff work on behalf of our Nation's labor force and retirees.

On July 4, 2006, Christine Spicer, who had worked as a secretary in the division for 25 years, suffered a debilitating stroke. It left her hearing and sight impaired and unable to walk. Unable to perform the office tasks she had done

for a quarter of a century, Christine could have chosen to retire on disability.

However, she was determined to return to work and keep serving the public. Christine engaged in a difficult course of physical, speech, and occupational therapy. She returned to work in 2007, and now serves as the lead secretary for the division chief—a job entailing great responsibility.

Despite lingering problems with speech and difficulty walking, Christine oversees the division's payroll system, personnel paperwork, and a number of special assignments in addition to her secretarial role. She has been cited by her colleagues as disciplined and cheerful, and she is truly one of the Labor Department's unsung heroes.

The employees of the Department of Labor continually serve American workers by safeguarding their right to a living wage and providing what our dear friend, the late Senator Ted Kennedy, called "hope that the price of their employment" is not "an unsafe workplace and a death at an earlier age."

I call on my colleagues and on all Americans to join me in honoring Christine Spicer and all of the outstanding public servants at our Department of Labor.

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

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I rise today to express my strong support for the nomination of Cass Sunstein from Chicago, IL, to be Administrator of the Office of Management and Budget, Office of Information and Regulatory Affairs. It is a long title. But this office is critically important. It is the gateway for all the major Federal regulatory proposals that protect public health and the environment.

The Administrator needs a demonstrated record of impartiality and openness. President Obama has made it clear that objective science will guide his administration in their Federal rules and regulations.

Cass Sunstein is one of the Nation's most respected legal scholars who has shown a commitment to objective, evidence-based regulation. Cass Sunstein is a friend, he is a well-respected legal scholar, and he has taken insightful approaches to analyzing public policy. He has often proposed insightful ways to protect the public welfare, the environment, and worker safety.

Until he was nominated by President Obama, he served as the Felix Frankfurter professor of law at Harvard University, where his research spanned administrative and constitutional law, behavioral economics, environmental law, and labor law. I know him best from the 27 years he served as a member of the faculty of the University of Chicago Law School, where he taught one of my sitting colleagues, Senator AMY KLOBUCHAR, the senior Senator from Minnesota, and was a teaching colleague of the President of the United States.

He has also served as attorney-adviser in the Office of Legal Counsel to the U.S. Department of Justice, law clerked for Justice Benjamin Kaplan of the Supreme Court of Massachusetts, and clerked for Supreme Court Justice Thurgood Marshall. His academic credentials are the best.

His nomination has been endorsed by many groups and many Nobel Prize winners and many former OIRA Administrators. His professional record indicates he would use his knowledge and experience to develop and implement smart, objective Federal policies and regulations.

I am going to support him enthusiastically. I believe he will be honest in dealing with this critical office, an office which is often hidden from the public sight because it deals in the world of rules and regulations but one which can have a great impact on the future of this Nation. President Obama has chosen well. I hope the Senate will endorse his choice.

THE ECONOMY

Mr. President, all of us understand we are in the midst of a recession. It has been known as the Great Recession, not as bad as the Great Depression, thank the Lord, but certainly not your average run-of-the-mill economic downturn.

Last week, the Labor Department reported that the unemployment rate has reached 9.7 percent, the highest we have had in 25 years. I remember the last time it was even higher because that was the year 1982 when I was elected to Congress and the economy of my State was in terrible shape. The unemployment rate in Decatur, IL, where I was a candidate for Congress, was over 20 percent, and many communities had the same experience. I certainly hope this situation does not deteriorate to that level. There is evidence it is starting to turn for the better. But 216,000 Americans lost jobs last month, which brings the total number of jobs lost since this recession started in December of 2007 to 7 million Americans. Economists do not expect the job situation to stabilize until next year. So this Labor Day was not a great day of celebration for working Americans worried about their jobs and worried about their income.

There is some hope that the economy is starting to turn. The administration expects to report this week that the stimulus bill, which we enacted earlier

this year, will have created or saved 750,000 jobs in just a few months. That is one reason the number of jobs lost in July was not as bad as other months. Mr. President, \$300 billion of the stimulus money has been obligated or distributed through tax relief directly to working families. Those who come to the floor opposed to the President's stimulus bill are opposing his proposal which gave tax relief to working families. And \$160 billion of that has already been spent, and more to follow, giving those families a fighting chance to deal with the expenses of daily life.

In addition, the success of the recent Cash for Clunkers Program is expected to create or save 42,000 jobs over the second half of this year. We know this in Illinois because last week while I was home, while some of the political observers were criticizing cash for clunkers, the Chrysler plant in Belvidere, IL, announced it was going to bring back 850 employees and put them to work because the stock and inventory of Chrysler products had been depleted by this program. So don't tell me cash for clunkers did not breathe some life back into the automobile industry. There are 850 workers in Belvidere, IL, who could tell you just the opposite.

Unfortunately, many sparks of economic regeneration are still being overwhelmed by the mutating disease at the center of our economic ills. If you remember, this recession really started in the housing market, and unfortunately it continues to grow there.

As I pointed out many times in this Chamber, the economic crisis that began in the housing market is not going to get better and is not going to change until the housing markets in America stabilize. Families who are afraid they are going to lose their homes to foreclosure will not buy things they need. When families do not buy things, companies do not make things and people are laid off. It is just that basic. Since 12 million people could lose their homes to foreclosure during this recession, there are a lot of people who could end up losing jobs, stop purchasing, creating even a deeper recession.

Here is the tough part of where we are right now. It is now because people are losing their jobs that they are losing their homes. It is a vicious cycle. According to the Mortgage Bankers Association, 6 million loans were either past due or in foreclosure in the second quarter, the highest level ever recorded in the United States of America. Nearly one in eight borrowers is behind or in foreclosure, and well over half of these households in trouble are solid, sound borrowers. In Illinois, 14 percent—one out of seven mortgages is in trouble since the second quarter of this year. And the scary part: we have not peaked yet when it comes to the foreclosure crisis. The reason? Millions of families are now underwater, meaning they owe more to the bank than their home's value.

The best predictor of whether a house could fall into foreclosure is whether the homeowner has positive equity. Homeowners with a financial stake in keeping a home are far more likely to save it. The bad news, according to Deutsche Bank, is 14 million homeowners—over one-fourth of home borrowers in America—have negative equity; that is, over one-fourth of all home borrowers are underwater with negative equity, and 25 million homeowners, half of them, will be underwater when the prices stabilize in the first quarter of 2011. Home equity fell \$5.9 trillion between 2005 and the end of 2008, likely to fall even further in 2009. These families are at serious risk of foreclosure. This is not a crisis that we pass through. Sadly, it is a crisis we are living through and entering into a new phase.

One more problem: A new wave of mortgages is coming up later this year. These mortgages are facing a reset. They are called option arms. They are soon going to dwarf subprime loans in size. These loans allowed the borrowers to pick what they wanted to pay each month, even if they wanted to pay less than the principal amount owed. Forget the interest. Under these terms you didn't even have to keep up with the principal payments. Of course, you have to catch up when the initial reset hits.

Fitch Ratings estimates \$134 billion in option arms will reset in the next 2 years, even as unemployment remains high. What began as a risky subprime mortgage crisis has now morphed into a solid prime mortgage and crazy option-arm crisis. What began as an underwriting problem is now an income problem. What began as a rate reset challenge is now also a negative equity nightmare.

If we want to turn this economy around, we must attack this problem with everything we have. Imagine this financial sector which dreamed up these ways of financing homes—luring people into homes that were way beyond them, now facing a recession and foreclosures on those same loans and mortgages—has now refused to cooperate in dealing with this issue. They have washed their hands of it. They have made their money and now they want to walk away from it.

Sadly, what we are doing now in this country isn't enough. Two years after the cruelly named Hope Now Alliance was launched by then-Secretary of the Treasury and the big banks, the response to this crisis is awful. As Congress has looked on with a hands-off attitude, millions of our constituents have been thrown out on the street by the same banks that drove us into this economic ditch. I give credit to the Obama administration for creating a targeted program called the Home Affordable Modification Program which, if implemented aggressively, could save at least some of the families at risk. But even this modest effort has been stymied by the absolute failure of

the banks to aggressively implement it.

Under this program the banks get paid—bribed really—with several thousand dollars for every mortgage they modify to keep families in their homes. Let me tell you what the data released by the Treasury Department this week tells us about this program which gave money to banks to renegotiate mortgages. Only 125,000 modifications under this program were started last month by the mortgage servicers, even though nearly 3 million homeowners were eligible for these modifications.

Let me do the math—125,000 out of 3 million. If I understand that correctly, we are dealing roughly with 1/24th of those who were eligible for modification who actually got help. That is about 4 percent.

Bank of America has started modifications with just 7 percent of their homeowners that were eligible; Wells Fargo, only 11 percent; American Home Mortgage Servicing has nearly 100,000 troubled borrowers eligible for mortgage modification offers yet less than 1 percent of these borrowers have even received an offer.

The situation is deplorable. If the banks don't start offering money and modifications to these families, perhaps Congress needs to make the banks some offers they can't refuse. We have tried this voluntary approach for too long and it has failed. The banks are not voluntarily going to step up to this responsibility of negotiating and renegotiating a mortgage so people can stay in their homes. Maybe we should fine banks for not following the administration's plan rules. Maybe we should provide matching funds for States and municipalities that decide to require mandatory face-to-face arbitration between a bank and a homeowner before a bank can ask for a foreclosure. Maybe we should ensure families have the right to rent their home after a bank takes it over until the home can be sold. And maybe we should look again to changing the Bankruptcy Code to allow judges to help families save their primary loans.

This is called cram-down by its critics, but it is a basic change in bankruptcy law, which I have brought to the floor of the Senate twice and lost. I lost because the banks said: Don't worry about it, we are going to take care of this. They are not. The situation is getting worse by the day.

Last week I was in Chicago and went to an area known as Marquette Park on the south side of the city. I have been visiting that neighborhood for years. It has changed a lot. Originally it was an area where many Lithuanian Americans settled. My mother was an immigrant from Lithuania, and I used to take her there when she was alive. We would go to the bakeries and restaurants, and it was a wonderful neighborhood. It has changed many times. It is now primarily a Black and Hispanic neighborhood. As you visit some of the folks who have lived in that neighbor-

hood for 10, 15, 20 years now, you see a lot of proud homeowners.

I met a family—a man who said he had been in his home 19 years. Obviously, he was retired. His wife was there. They had a well kept, neat yard. I talked to him about his street because right across the street from him was an eyesore that no one would want to wake up to every morning. It was a brand-new home built and abandoned about 2 years ago. It had been boarded up and vandalized. They had ripped out all the copper plumbing and anything they could take out of it. It was a home that, sadly, had become a haven for homeless people and vagrants, drug activity, and gangs. Welcome to my neighborhood.

I thought about this poor man, who had devoted his whole life to his little home that he loved, and that he and his wife were keeping so neat, now had to look across the street to that mess every morning for 2 straight years. It wasn't the only home on the block. Three doors down there was another one, all boarded up and falling apart; a few doors down the other direction, exactly the same thing.

I went through this area with a community group called SWOP—Southwest Organizing Project. They work with a lot of churches and individuals trying to keep people in their homes. I asked: What is the problem? Well, they said, we have some major banks that are holding these mortgages in foreclosure and won't lift a finger.

Deutsch Bank, you hear about Deutsch Bank. Don't they sponsor tennis or golf or something? I can't keep up with their image building. But I can tell you they are not building their image in this neighborhood in Chicago. They are nowhere to be found. They are not even talking to these people about their homes.

U.S. Bank out of Minnesota, another situation, similar situation. We don't have buy-in by these banks to help these families. They would much rather let these homes go into foreclosure—bank ownership, as they call it—and sit there rotting, destroying these good neighborhoods in the city of Chicago, bringing down the value of the homes around them, creating crime havens for those who use these abandoned homes. They are nowhere to be found.

What is the answer, Mr. President? The answer is we have asked these banks and many others to volunteer to solve the problem. Guess what. There aren't enough hands going up, not enough banks volunteering. A few of them are starting to try, and I want to give credit to Bank of America, which is working with SWOP and others to try to renegotiate mortgages, but it is still a halfhearted effort. They could do a lot more.

I could go through the long list of banks, including banks that I have worked with in the past and thought pretty highly of. They aren't getting involved. There is no reason for them to because our government and our

Congress tell them they do not have to, and they do not. Well, that has to change.

All told, I hope this economy recovers quickly and that Americans can get back to work. I don't think it is going to happen until the housing market stabilizes. If the banks will not help us get that done on their own, it is time to consider something radical—a change in the law. Where would be a good place to start with the change in the law? How about the Senate? How about the Senate making the Bankruptcy Code so that a judge can say to that bank owning that home: Incidentally, the last stop in bankruptcy is my courtroom. If you don't sit down and negotiate with that homeowner, who still has a job and still can make a payment, this court is going to impose new terms in terms of principal and interest.

Does that sound like a radical idea? It is not radical if you are talking about a second home because the bankruptcy court can already do that. It is not radical if you are talking about a vacation home because a bankruptcy court can already do it. But under our law they cannot touch that primary residence. It is a bad idea, and as a result the banks and their lobbyists have prevailed twice on the floor of the Senate. They rolled over this effort to reform, and they sit there and watch America's neighborhoods, America's communities, America's towns and cities deteriorating before our eyes.

Well, the lesson is clear for the Obama administration, for Secretary Geithner, and others. Waiting for these banks to act voluntarily, to show good faith in dealing with our foreclosure crisis is not paying off. It is time for the Senate to step forward, show its own leadership when it comes to dealing with this national housing crisis.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING THE SECRETARY OF STATE

Mr. FEINGOLD. Mr. President, I commend Secretary Clinton on her visit to Africa last month. Over 11 days, Secretary Clinton traveled to several of the most influential countries on the continent and directly addressed some of the most sensitive and critical issues facing them and their neighbors. It was one of the most, if not the most, ambitious trips by a Secretary of State to sub-Saharan Africa in U.S. history. This trip, combined with President Obama's visit earlier

this year to Ghana, sends a strong signal that the administration is committed to making Africa not only a priority, but also an integral part of overall U.S. foreign policy. The challenge going forward is to sustain a high level of engagement with each of the countries that Secretary Clinton visited and back up that engagement with resources that can make a tangible difference.

On her first stop in Kenya, I am glad that Secretary Clinton took a strong stand against extrajudicial killings, corruption, and the continued failure to prosecute those most responsible for violence after the December 2007 election. As Secretary Clinton said, these conditions are holding Kenya back from realizing its potential. Worse yet, if these conditions persist, we could see a renewal of violence, especially in the run-up to Kenya's next elections set for 2012. Together with other international partners, we need to keep pressing Kenya's leaders to deliver on the reforms they have pledged, beginning with reform of the police and judiciary. At the same time, we should prepare targeted assistance that can be provided as soon as initial steps are taken toward those reforms. The United States and Kenya have longstanding and historic ties, and we need to help Kenyans get through this difficult period.

While in Nairobi, I am also pleased that Secretary Clinton focused on the dangerous situation in neighboring Somalia and met with President Sheikh Sharif of Somalia's beleaguered Transitional Federal Government, the TFG. I have long urged the Obama administration to engage with Sharif at a high level and I am glad that the administration is finally doing this, as well as taking seriously the threat posed by al Shebaab, an extremist group with ties to alQaida. However, going forward, we cannot repeat the mistake of focusing too narrowly on short-term gains in Somalia without a long-term strategy. As we help the TFG combat insurgents, we simultaneously need to help it to advance political reconciliation and deliver critically needed basic services. The TFG's ultimate success rests on whether it can establish a viable government that is perceived as legitimate and inclusive, representative of and responsive to the Somali people.

Secretary Clinton traveled next to South Africa. Over recent years, our relationship with South Africa has cooled considerably, undermining our ability to coordinate and work together on issues of mutual interest. Yet I believe there is an opportunity now to reverse that trend with our new administration and South Africa's new administration under President Jacob Zuma. I am pleased that Secretary Clinton seized upon that opportunity with her visit, committing to deepening and broadening our bilateral relationship in a range of areas from HIV prevention to nuclear nonproliferation to climate change. Moreover, she talked with South Africa about how we

can better coordinate our efforts to address regional challenges, beginning with the situation in Zimbabwe. We need to institutionalize such coordination, while continuing to encourage South Africa to be a leader in human rights and peacebuilding on the continent.

Secretary Clinton's next stop was Angola, a country that is quickly becoming an economic powerhouse and regional leader. As Angola continues to rebuild from decades of civil war, there is a new openness to engaging with the United States, especially as the government seeks to diversify their economy. I am pleased that Secretary Clinton seized upon this potential by visiting Angola and committed to a "comprehensive strategic partnership." She agreed to expand our engagement not only in the areas of trade and agriculture, but also in health, education and governance. Governance is particularly important because while Angola has taken some positive steps to increase transparency and efficiency, there is still a long way to go. To that end, I am especially glad that Secretary Clinton spoke to the Angolan National Assembly about its role in demanding accountability and transparency, and standing against corruption and abuses of power. We need to continue to engage on these issues and encourage Angola's democratization process.

Secretary Clinton next traveled to the Democratic Republic of Congo, with a visit to the eastern city of Goma. I applaud her for choosing to focus on the crisis in the eastern Congo, which has gone neglected for too long despite its unrivaled human toll and the unspeakable levels of sexual violence. Secretary Clinton committed to new efforts to help prevent and respond to the high levels of gender and sexual violence, while also recognizing the need to address the root causes of Congo's crisis, including the exploitation of natural resources by armed groups. Taking action to address those underlying causes is difficult, but essential. Senators Brownback, Durbin and I have introduced legislation that would commit the United States to do more on conflict minerals, and I look forward to working with the administration in this regard. I also look forward to working with the administration to help bring an end to the increasing violence by the Lord's Resistance Army in northeastern Congo.

Following Congo, Secretary Clinton's next stop was Nigeria—a critically important country in sub-Saharan Africa and a strategic partner and major source of oil imports to the United States. I continue to be very concerned about the direction in which Nigeria is heading, especially with regards to corruption and the rule of law. I am glad that Secretary Clinton touched on these issues, and we must continue to press for meaningful reforms to enhance government transparency, accountability and the independence of

the election commission. In addition, I am pleased that Secretary Clinton discussed the unresolved crisis in the Niger Delta and pledged to review how we might better assist the government's efforts to promote stability there. I look forward to working with her as well in that regard. However, to be successful, the Nigerian government must expand its current amnesty offer to a broader peace process that includes measures to address the marginalization and underdevelopment of the region.

Secretary Clinton traveled then to Liberia, a country with which we have historic ties. Secretary Clinton was right to highlight the progress that Liberia has made since its civil war, while also speaking frankly about the challenges that the country continues to face. I am glad that she chose to speak at the Liberian National Police Academy and pledged new funds for police training. While great strides have been made in reforming Liberia's military, there is still great need to improve the capacity and professionalism of its police force. In addition, Secretary Clinton focused on corruption and spoke directly about this in a speech to the National Legislature. We need to continue to work with all parts of the Liberian government to guard against corruption and other abuses, both in their democratic process and in its management of the country's rich natural resources, especially timber.

Finally, Secretary Clinton visited Cape Verde, a country that has made great progress in terms of both economic growth and democratization. Cape Verde provided a perfect backdrop to reiterate the two major themes of her trip: first, that America believes in Africa's promise, and second, that Africa's future is ultimately in the hands of Africans. Secretary Clinton delivered these messages powerfully and I believe they can be the foundation for a new era of U.S. engagement and partnerships with Africa. The challenge going forward is to give substance to these words and the commitments that were made throughout Secretary Clinton's trip. I look forward to working with her and the administration to do this. It will not be easy and it will require sustained engagement, greater diplomatic capacity, and new targeted resources. But if we get this right, I strongly believe the benefits for Americans and Africans can be immense in terms of our security and prosperity.

FETAL ALCOHOL SPECTRUM DISORDER

Ms. MURKOWSKI. Mr. President, I rise today to honor this Wednesday, September 9, National Fetal Alcohol Spectrum Disorders Day which recognizes those individuals born with a continuum of serious, life-long disorders caused by prenatal exposure to alcohol, which include fetal alcohol syndrome, alcohol-related neurodevelopmental disorders, and alcohol-related birth defects.

Studies show that 50 percent of pregnancies in the United States are unplanned and many women consume alcohol before they realize they are pregnant, resulting in 40,000 children every year being born with fetal alcohol spectrum disorders and subject to a lifetime of cognitive and behavioral impairments. Tragically, Alaska has the highest rate of fetal alcohol spectrum disorders in the Nation. Among Alaskan Native communities, the rate is 15 times higher than non-Native areas in the State. Prenatal alcohol exposure can result in low IQ and difficulties with learning, memory, attention, and problem-solving as well as impairment of mental health and social interactions. Prenatal alcohol exposure can also result in growth retardation, birth defects involving the heart, kidney, vision and hearing, and a characteristic pattern of facial abnormalities. The lifetime health costs for an individual with fetal alcohol syndrome are estimated at \$1.4 million for medical care and treatment interventions. In the United States, approximately \$9.7 billion is spent annually for individuals afflicted with FASD, according to government reports.

There is a great need for research, surveillance, prevention, treatment, and support services for individuals with fetal alcohol spectrum disorders and their families. It is for these reasons that I rise today to dedicate this Wednesday, September 9 as National Fetal Alcohol Spectrum Disorders Day. All Americans are encouraged to promote awareness of the effects of prenatal exposure to alcohol; to increase compassion for individuals affected by prenatal exposure to alcohol; to minimize further effects of prenatal exposure to alcohol; and most importantly to bring greater awareness to a disease that is 100 percent preventable!

On behalf of the millions of individuals suffering from the lasting and detrimental effects of fetal alcohol spectrum disorders and advocates for eliminating FASD, I encourage all Americans to observe a moment of reflection on the ninth hour of September 9, to remember that during the 9 months of pregnancy a woman should not consume any alcohol.

Mr. JOHNSON. Mr. President, today I rise to recognize September 9, 2009, as National Fetal Alcohol Spectrum Disorders Awareness Day. Fetal Alcohol Spectrum Disorders, FASD, is an umbrella term describing the varied range of alcohol-related birth defects that may result from the use of alcohol during pregnancy. The effects of this disorder may be mental, behavioral, and/or involve learning disabilities. FASD is the leading known cause of preventable cognitive impairment in America. It is estimated FASD affects 1 in 100 live births each year.

I have great concern about the impact in South Dakota and across the country of FASD. We must move past the stigma of this devastating disease to truly help those and their families

who are affected by FASD get the health, education, counseling and support services they need and deserve. We must also address the tragedy of FASD at the source, by increasing awareness that any amount of alcohol during pregnancy can have heartbreaking, lifelong effects. We must work to ensure this is understood by all women of childbearing age and that treatment and counseling services are available for these women.

One of the most distressing facts regarding FASD is that it is entirely preventable. I have joined several of my colleagues in the Senate to introduce a resolution designating September 9, 2009, as National FASD Awareness Day. It is my hope these efforts progress toward global awareness of FASD and an end to this destructive disease.

ADDITIONAL STATEMENTS

50TH ANNIVERSARY OF NASCOE

• Mr. ALEXANDER. Mr. President, this year the National Association of Farm Service Agency County Office Employees, NASCOE, is celebrating its 50th anniversary. NASCOE was founded in Memphis, TN, in 1959 in an effort to provide a nationwide association through which county committee employees of the Agricultural Stabilization and Conservation Service, ASCS, could render better service to American agriculture by having a national network for the exchange of ideas and information and to facilitate closer cooperation in working toward solution of mutual problems.

In the USDA Reorganization Act of 1994, Congress combined the ASCS, the Federal Crop Insurance Corporation, and the agricultural lending programs of the Farmers Home Administration into a single Farm Service Agency. Today, NASCOE continues to represent the county office employees of the "new" FSA. In Tennessee last year, 250 NASCOE employees provided valuable assistance to 90,000 producers through a wide range of Federal programs from conservation to price support and helped them cope in times of emergency and disaster.

I think we can all recognize the value of the local Farm Service Agency office to farmers and ranchers, and I commend NASCOE on its dedication to FSA county employees and the farmers they serve. I congratulate NASCOE on its 50th anniversary and hope that they will continue to assist in conserving and improving our Nation's natural resources and agriculture industry. •

REMEMBERING JUDGE ROBERT M. TAKASUGI

• Mrs. BOXER. Mr. President, I take this opportunity to honor the life of Judge Robert M. Takasugi, the first Japanese American appointed to the Federal bench. Judge Takasugi passed away on August 7, 2009, at the age of 78.

Robert Takasugi was born in Tacoma, WA, on September 12, 1930, to Japanese parents who had immigrated to the United States in search of a better life. His family moved to Los Angeles in 1942 in the wake of anti-Japanese sentiment following the Pearl Harbor attack. That same year, Robert and his parents were sent to an internment camp at Tule Lake, CA, 3 of 130,000 Japanese Americans who were interned during the war. In the years since, Judge Takasugi often called the experience "an education to be fair."

After being released from the internment camp in 1945, Robert returned to Los Angeles where he resumed his studies and graduated from Belmont High School. He went on to earn a bachelor's degree from UCLA in 1953. Robert was then drafted into the U.S. Army during the Korean War, where he served as a criminal investigator. Upon discharge, he went on to earn a law degree from USC in 1959 with the aid of the G.I. bill.

After graduating from USC, Robert joined his only Latino classmate, future Superior Court Judge Carlos Velarde, and together they opened a law practice in East Los Angeles. The firm represented many indigent minorities, including arrestees from the 1965 Watts riots, East Los Angeles riots, and other civil rights demonstrators in the 1960s.

Robert's first judicial appointment, by then-Governor Ronald Reagan, landed him on the Los Angeles Municipal Court in 1973. Two years later, then-Governor Jerry Brown promoted him to the Los Angeles County Superior Court and in 1976, Judge Takasugi became the first Japanese American to be appointed to the Federal bench after being named by President Gerald Ford.

Throughout his career, Judge Takasugi was known for his fairness and compassion. In his spare time, he served as a mentor to thousands of young lawyers. He founded a free bar review course, which he taught from his living room for many years, for students who were having trouble passing the bar exam. In 1999, the Robert M. Takasugi Public Interest Fellowship was created by his colleague to honor Judge Takasugi and ensure that his courage and vision of equal justice are carried out by generations to come.

Judge Takasugi was a trailblazer for Asian Americans in the field of law. His dedication to justice and equality was evident in everything that he did throughout his 36-year judicial career on the Federal bench. His many years of service to the City and County of Los Angeles, to the State of California, and to our Nation will not be forgotten.

Judge Takasugi is survived by his wife Dorothy; his son Jon; his daughter Lesli; and his two grandchildren. I extend my deepest sympathies to his family.

Whether he was fighting for our country or fighting for integrity and equality under the law, Judge Robert

Takasugi was undeterred in his efforts to make America a better place to live. He will be missed by all who knew him. We take comfort in knowing that future generations will benefit from his passion and dedication to justice.●

75TH ANNIVERSARY OF THE SAN FRANCISCO VA MEDICAL CENTER

● Mrs. BOXER. Mr. President, I ask my colleagues to join me today in honoring the San Francisco VA Medical Center, SFVAMC, on the occasion of its 75th anniversary. Since its official dedication on November 11, 1934, the SFVAMC has been honoring America's veterans by providing them with accessible, quality health care. Today the center provides state-of-the-art medical, neurological, surgical, and psychiatric care for the more than 310,000 veterans living in northern California.

Were it not for the leadership and persistence of Congresswoman Florence P. Kahn, the SFVAMC might never have come to be. Congresswoman Kahn was the first Jewish woman to serve in the U.S. Congress, and the fifth woman ever to serve in Congress. She was also the first woman to serve on the House Military Affairs Committee. In 1930, Congresswoman Kahn made an appeal to the Federal Board of Hospitalization—the precursor to the Veterans Administration—to build a veterans hospital in San Francisco. At the time, the only facility for veterans in California was in Los Angeles. Congresswoman Kahn recognized that veterans in the northern part of the state were in dire need of services, and worked tirelessly to garner support for building a medical center in San Francisco. I would like to acknowledge and honor the work of Congresswoman Kahn, as her efforts have ultimately improved the lives of countless American veterans.

Today the SFVAMC serves veterans in Marin, Napa, Sonoma, Lake, Mendocino, Humboldt, San Mateo, and San Francisco counties. The center operates five community-based outpatient clinics that provide primary and mental health care. These clinics offer a variety of services, including those that place veterans in supportive housing, provide case management, and offer individual and vocational counseling.

In addition to providing direct care, the SFVAMC hosts some of the largest funded research programs in the Veterans Health Administration. The Center for Imaging of Neurodegenerative Diseases, for example, works to develop treatments to prevent the development and slow the progression of neurodegenerative diseases such as Alzheimer's, Parkinson's, vascular dementia, post traumatic stress disorder, Gulf War illness, depression, and other conditions associated with nerve loss in the brain.

Thanks to the Center for Imaging Neurodegenerative Diseases, the SFVAMC's three Medical Science Re-

search Enhancement Award Programs, and partners such as the Veterans Health Research Institute, the SFVAMC is at the forefront of medical research and is working to extend and improve the lives of veterans across the country.

I applaud the staff and volunteers at the SFVAMC for the tremendous service they have provided to our veterans since 1934, and offer my best wishes for many more successful years of delivering care and advancing medical research. Please join me in celebrating the 75th Anniversary of the SFVAMC.●

REMEMBERING KENNETH BACON

● Mr. KERRY. Mr. President, as an accomplished journalist who served as spokesman for two Secretaries of Defense, Ken Bacon crafted a unique and forceful voice.

Then, as President of Refugees International, he lent that voice to those who needed it most.

When he died last month, the powerful and the destitute alike lost a trusted and beloved friend.

Ken Bacon was famously bespectacled, bow-tied, warm and whip-smart. He was someone who commanded your respect and won your affection in equal measure.

As a young intern, Bacon launched his journalistic career with a front-page Wall Street Journal story about a new car repair system that one mechanic had called "the greatest thing since girls." In the decades that followed, he went on to cover the Federal Reserve, the Securities and Exchange Commission and the Pentagon. Bacon was also a talented editor who never stopped writing on a dazzlingly wide array of topics, from banking reform to a crack addict's rehabilitation. In the last months of his life, he also wrote movingly and pointedly about health care reform and his struggles with the melanoma that eventually took his life.

Bacon's conscientious work earned the admiration of those he reported on. Defense Secretary William Perry finally convinced him to work from the other side of the podium. Bacon was unfailingly well-prepared, using the same skills that made him a standout reporter to anticipate reporters' questions and offer satisfyingly detailed answers.

He excelled as a spokesman because he never lost his respect for his former colleagues or for the truth. When things got tough, he did not revert to hollow spin or talking points designed to misdirect. He was not interested in "gotcha games." Ken Bacon became a Pentagon spokesman because he believed he had an obligation to inform the public, and he took that duty seriously.

It was as Pentagon spokesman that Ken first encountered the problem that would become his defining passion and the capstone on his life's work. In 1999, he visited a refugee camp during a trip

to the Balkans with Defense Secretary William Cohen. What he saw changed the last decade of his life—not to mention the lives of the countless refugees he helped.

Ken Bacon was transformed by the plight of those who had lost their homes to war. When he left the Pentagon, he became President of Refugees International in 2001.

Beneath his intellectual demeanor, Ken Bacon always had a sweet side. He fought for people displaced from their homes by war, civil conflict, famine, and drought. This mission gave Bacon's life new meaning, and it gave the refugee community a very powerful champion.

Ken Bacon's stellar reputation, his influence in a city that depends on known commodities, and his Pentagon credentials proved to be enormously helpful in calling attention to the plight of the powerless—including the humanitarian advocates who struggled to be heard in official Washington. Bacon's name and his voice lent legitimacy to causes too easily overlooked by those accustomed to defining America's mission abroad based on a very narrow definition of our security and our interests. Ken understood that our shared humanity belonged at the very center of that conversation—and he used his unique talents and energy to ensure that it was.

He saw the impressive effort to care for European refugees in the former Yugoslavia, and he wanted to ensure that it became the rule worldwide—not the exception. Ken visited refugee camps in forgotten corners of the world, from Cambodia to Colombia. He wanted to make sure that no refugee—anywhere slipped through the cracks.

Ken Bacon was tireless. Essays, speeches, press conferences, advocacy he threw himself into his work and refugees everywhere benefitted.

Ken's newsroom training and strategic thinking often put him ahead of the curve. He sounded an early alarm about the genocide in Darfur. He was also a forceful champion for Iraqi refugees—first decrying our neglect, and then urging on our actions as the State Department's funding for Iraqi refugees increased tenfold between 2006 and 2008.

Our sympathies are with Darcy, Ken's wife of 43 years; with his daughters Sarah and Katherine, to whom he was absolutely devoted, and with his father, brother and two grandchildren. Ken Bacon gave voice to the voiceless. All who were fortunate enough to know him will miss him greatly. Many who never met him have benefitted from his work, and many more will continue to do so.

Recently, Ken and his wife Darcy raised the seed money for a new Refugees International center to address "the needs of the tens of millions expected to be displaced by climate change." The Ken and Darcy Bacon Center for the Study of Climate Displacement will undoubtedly be a valuable voice in raising attention to what

is poised to become a staggering refugee crisis in the years to come. We only wish that Ken were still with us to help us meet this new challenge.

In newsrooms and humanitarian organizations, in windswept tent cities forgotten by most but never forsaken by Ken, an exceptional, exemplary life is being retold, mourned, and celebrated.●

CONGRATULATING MARK DAVIS

● Mr. LIEBERMAN. Mr. President, I would like to offer my sincere congratulations to Mr. Mark Davis of Granby, CT, for his 25 years of service in television news on WTNH Channel 8 in Connecticut. Mark has been “on the air” throughout our State in a variety of capacities over the years, and we honor him today for his generous spirit and his impeccable commitment to impartial and informative journalism.

With more than 35 years of broadcasting experience, Mark has taken an evenhanded approach to the news that he delivers with the kind of “plain talk” that engages a broad audience across our State. Mark made his first splash in Connecticut with his acclaimed radio show “Dial Mark Davis” and later as the host of Connecticut’s first morning news show, “Good Morning Connecticut.” He has been awarded several Emmys throughout his career and each stands as a testament to his talent and hard work.

Mark has said one of his favorite quotes of all time comes from U.S. Supreme Court Justice, Oliver Wendell Holmes, who said that so much in life is more nuanced than it seems because it is “determined by the majority and subject to change.” This attitude captures, in many ways, what makes Mark’s reporting fresh and relevant: though we live in a world where constant and often polarized judgments are made, in the end, nearly everyone and everything is subject to change. Mark’s careful and nuanced presentation of the news reminds us of this important lesson.

Mark Davis is a fairminded and evenhanded journalist. That is one big reason why Connecticut citizens have named him the best television reporter in the State, according to Connecticut Magazine. Mark understands, as the best journalists do, that to be a journalist is to bear witness, and that is no easy task.

Mark has a special place in the hearts and minds of Connecticut citizens. He performs an essential service that is essential to our democratic and liberal society. I am proud to have worked with Mark over the years, to have shared many of the big moments of my career with him, and now to thank and honor him for his continued service to Connecticut.●

REMEMBERING DAVID A. BAKER

● Mrs. SHAHEEN. Mr. President, I wish to express my sympathy over the

loss of Newton, NH, Deputy Fire Chief David A. Baker. Following more than five decades of distinguished public service, Deputy Baker lost his battle with cancer.

Deputy Baker exemplified a life lived for others. His devotion to the greater Newton community could be seen following the crippling ice storm of December 2008. Despite suffering from severe pain caused by his yet to be discovered cancer, Deputy Baker was instrumental in coordinating efforts to help his community respond and recover from this major natural disaster.

Deputy Baker’s service can be neither overstated nor limited to his work with the Newton Fire Department. During the summer, Deputy Baker, who also owned a successful tree service business, would close his business to help fight wildfires across the United States and Canada in his capacity as a western wildland firefighter. Additionally, he served his State and country as a member of the National Guard in his younger days.

Deputy Baker was always eager to share his loves of fire service and forestry with others. He would often sacrifice his own time for the benefit of others. You could often find him helping students study for an exam or teaching a class on fire attack. Deputy Baker’s role as a mentor was something he held in high esteem, and by the number of firefighters and uniformed personnel who attended his funeral, it is clear that others also had a great deal of respect for what he accomplished.

New Hampshire is proud of citizens such as Deputy Chief David Baker, and his countless actions are worthy of this distinction. He will be missed dearly by all those who knew him, and his generosity will be missed by all.

I ask my colleagues to join me and all Americans in honoring Newton, NH, Deputy Fire Chief David A. Baker.●

REMEMBERING SEPTEMBER 11, 2001

● Mr. ROCKEFELLER. Mr. President, 8 years since one of the most devastating attacks in our Nation’s history, we still feel the pain and horror of that terrible day. We will never forget the nearly 3,000 lives lost on September 11, 2001, innocent victims of a heinous and cowardly terrorist attack on our country. We will be forever grateful to the countless first responders and fire fighters who courageously risked their lives to save so many.

In the wake of such a horrific tragedy, we came together to share our loss and seek a greater purpose. Our Nation was founded on the most enduring values of freedom, liberty, and opportunity that have made us resilient during even the greatest trials. We must continue to call on that great strength today, even as we continue to grieve for those we lost.

In West Virginia, we remember Dr. Paul Ambrose of Barboursville and Mary Lou Hague of Parkersburg. Their

lives were taken too soon and their families remain in our hearts and prayers forever. I know that not even time can lessen the emptiness and pain they must feel.

For them, and so many others—parents and children, brothers, sisters, and friends, loved ones who died so needlessly—we pledge to keep our people safe, make our country stronger than ever before, and honor their memories always.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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 and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

PRESIDENT’S ADDRESS DELIVERED TO A JOINT SESSION OF CONGRESS ON SEPTEMBER 9, 2009 RELATIVE TO HEALTH CARE LEGISLATION—PM29

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was which was ordered to lie on the table:

To the Congress of the United States:

When I spoke here last winter, this Nation was facing the worst economic crisis since the Great Depression. We were losing an average of 700,000 jobs per month. Credit was frozen. And our financial system was on the verge of collapse.

As any American who is still looking for work or a way to pay their bills will tell you, we are by no means out of the woods. A full and vibrant recovery is many months away. And I will not let up until those Americans who seek jobs can find them; until those businesses that seek capital and credit can thrive; until all responsible homeowners can stay in their homes. That is our ultimate goal. But thanks to the bold and decisive action we have taken since January, I can stand here with confidence and say that we have pulled this economy back from the brink.

I want to thank the members of this body for your efforts and your support in these last several months, and especially those who have taken the difficult votes that have put us on a path to recovery. I also want to thank the American people for their patience and resolve during this trying time for our Nation.

But we did not come here just to clean up crises. We came to build a future. So tonight, I return to speak to

all of you about an issue that is central to that future—and that is the issue of health care.

I am not the first President to take up this cause, but I am determined to be the last. It has now been nearly a century since Theodore Roosevelt first called for health care reform. And ever since, nearly every President and Congress, whether Democrat or Republican, has attempted to meet this challenge in some way. A bill for comprehensive health reform was first introduced by John Dingell Sr. in 1943. Sixty-five years later, his son continues to introduce that same bill at the beginning of each session.

Our collective failure to meet this challenge—year after year, decade after decade—has led us to a breaking point. Everyone understands the extraordinary hardships that are placed on the uninsured, who live every day just one accident or illness away from bankruptcy. These are not primarily people on welfare. These are middle-class Americans. Some can't get insurance on the job. Others are self-employed, and can't afford it, since buying insurance on your own costs you three times as much as the coverage you get from your employer. Many other Americans who are willing and able to pay are still denied insurance due to previous illnesses or conditions that insurance companies decide are too risky or expensive to cover.

We are the only advanced democracy on Earth—the only wealthy nation—that allows such hardships for millions of its people. There are now more than 30 million American citizens who cannot get coverage. In just a 2-year period, one in every three Americans goes without health care coverage at some point. And every day, 14,000 Americans lose their coverage. In other words, it can happen to anyone.

But the problem that plagues the health care system is not just a problem of the uninsured. Those who do have insurance have never had less security and stability than they do today. More and more Americans worry that if you move, lose your job, or change your job, you'll lose your health insurance too. More and more Americans pay their premiums, only to discover that their insurance company has dropped their coverage when they get sick, or won't pay the full cost of care. It happens every day.

One man from Illinois lost his coverage in the middle of chemotherapy because his insurer found that he hadn't reported gallstones that he didn't even know about. They delayed his treatment, and he died because of it. Another woman from Texas was about to get a double mastectomy when her insurance company canceled her policy because she forgot to declare a case of acne. By the time she had her insurance reinstated, her breast cancer more than doubled in size. That is heart-breaking, it is wrong, and no one should be treated that way in the United States of America.

Then there's the problem of rising costs. We spend one-and-a-half times more per person on health care than any other country, but we aren't any healthier for it. This is one of the reasons that insurance premiums have gone up three times faster than wages. It's why so many employers—especially small businesses—are forcing their employees to pay more for insurance, or are dropping their coverage entirely. It's why so many aspiring entrepreneurs cannot afford to open a business in the first place, and why American businesses that compete internationally—like our automakers—are at a huge disadvantage. And it's why those of us with health insurance are also paying a hidden and growing tax for those without it—about \$1000 per year that pays for somebody else's emergency room and charitable care.

Finally, our health care system is placing an unsustainable burden on taxpayers. When health care costs grow at the rate they have, it puts greater pressure on programs like Medicare and Medicaid. If we do nothing to slow these skyrocketing costs, we will eventually be spending more on Medicare and Medicaid than every other government program combined. Put simply, our health care problem is our deficit problem. Nothing else even comes close.

These are the facts. Nobody disputes them. We know we must reform this system. The question is how.

There are those on the left who believe that the only way to fix the system is through a single-payer system like Canada's, where we would severely restrict the private insurance market and have the government provide coverage for everyone. On the right, there are those who argue that we should end the employer-based system and leave individuals to buy health insurance on their own.

I have to say that there are arguments to be made for both approaches. But either one would represent a radical shift that would disrupt the health care most people currently have. Since health care represents one-sixth of our economy, I believe it makes more sense to build on what works and fix what doesn't, rather than try to build an entirely new system from scratch. And that is precisely what those of you in Congress have tried to do over the past several months.

During that time, we have seen Washington at its best and its worst.

We have seen many in this chamber work tirelessly for the better part of this year to offer thoughtful ideas about how to achieve reform. Of the five committees asked to develop bills, four have completed their work, and the Senate Finance Committee announced today that it will move forward next week. That has never happened before. Our overall efforts have been supported by an unprecedented coalition of doctors and nurses; hospitals, seniors' groups and even drug companies—many of whom opposed re-

form in the past. And there is agreement in this chamber on about 80 percent of what needs to be done, putting us closer to the goal of reform than we have ever been.

But what we have also seen in these last months is the same partisan spectacle that only hardens the disdain many Americans have toward their own government. Instead of honest debate, we have seen scare tactics. Some have dug into unyielding ideological camps that offer no hope of compromise. Too many have used this as an opportunity to score short-term political points, even if it robs the country of our opportunity to solve a long-term challenge. And out of this blizzard of charges and counter-charges, confusion has reigned.

Well the time for bickering is over. The time for games has passed. Now is the season for action. Now is when we must bring the best ideas of both parties together and show the American people that we can still do what we were sent here to do. Now is the time to deliver on health care.

The plan I'm announcing tonight would meet three basic goals:

It will provide more security and stability to those who have health insurance. It will provide insurance to those who don't. And it will slow the growth of health care costs for our families, our businesses, and our government. It's a plan that asks everyone to take responsibility for meeting this challenge—not just government and insurance companies, but employers and individuals. And it's a plan that incorporates ideas from Senators and Congressmen; from Democrats and Republicans—and yes, from some of my opponents in both the primary and general election.

Here are the details that every American needs to know about this plan:

First, if you are among the hundreds of millions of Americans who already have health insurance through your job, Medicare, Medicaid, or the VA, nothing in this plan will require you or your employer to change the coverage or the doctor you have. Let me repeat this: nothing in our plan requires you to change what you have.

What this plan will do is to make the insurance you have work better for you. Under this plan, it will be against the law for insurance companies to deny you coverage because of a pre-existing condition. As soon as I sign this bill, it will be against the law for insurance companies to drop your coverage when you get sick or water it down when you need it most. They will no longer be able to place some arbitrary cap on the amount of coverage you can receive in a given year or a lifetime. We will place a limit on how much you can be charged for out-of-pocket expenses, because in the United States of America, no one should go broke because they get sick. And insurance companies will be required to cover, with no extra charge, routine checkups and preventive care, like mammograms

and colonoscopies—because there's no reason we shouldn't be catching diseases like breast cancer and colon cancer before they get worse. That makes sense, it saves money, and it saves lives.

That's what Americans who have health insurance can expect from this plan—more security and stability.

Now, if you're one of the tens of millions of Americans who don't currently have health insurance, the second part of this plan will finally offer you quality, affordable choices. If you lose your job or change your job, you will be able to get coverage. If you strike out on your own and start a small business, you will be able to get coverage. We will do this by creating a new insurance exchange—a marketplace where individuals and small businesses will be able to shop for health insurance at competitive prices. Insurance companies will have an incentive to participate in this exchange because it lets them compete for millions of new customers. As one big group, these customers will have greater leverage to bargain with the insurance companies for better prices and quality coverage. This is how large companies and government employees get affordable insurance. It's how everyone in this Congress gets affordable insurance. And it's time to give every American the same opportunity that we've given ourselves.

For those individuals and small businesses who still cannot afford the lower-priced insurance available in the exchange, we will provide tax credits, the size of which will be based on your need. And all insurance companies that want access to this new marketplace will have to abide by the consumer protections I already mentioned. This exchange will take effect in 4 years, which will give us time to do it right. In the meantime, for those Americans who can't get insurance today because they have pre-existing medical conditions, we will immediately offer low-cost coverage that will protect you against financial ruin if you become seriously ill. This was a good idea when Senator JOHN MCCAIN proposed it in the campaign, it's a good idea now, and we should embrace it.

Now, even if we provide these affordable options, there may be those—particularly the young and healthy—who still want to take the risk and go without coverage. There may still be companies that refuse to do right by their workers. The problem is, such irresponsible behavior costs all the rest of us money. If there are affordable options and people still don't sign up for health insurance, it means we pay for those people's expensive emergency room visits. If some businesses don't provide workers health care, it forces the rest of us to pick up the tab when their workers get sick, and gives those businesses an unfair advantage over their competitors. And unless everybody does their part, many of the insurance reforms we seek—especially requiring

insurance companies to cover pre-existing conditions—just can't be achieved.

That's why under my plan, individuals will be required to carry basic health insurance—just as most States require you to carry auto insurance. Likewise, businesses will be required to either offer their workers health care, or chip in to help cover the cost of their workers. There will be a hardship waiver for those individuals who still cannot afford coverage, and 95% of all small businesses, because of their size and narrow profit margin, would be exempt from these requirements. But we cannot have large businesses and individuals who can afford coverage game the system by avoiding responsibility to themselves or their employees. Improving our health care system only works if everybody does their part.

While there remain some significant details to be ironed out, I believe a broad consensus exists for the aspects of the plan I just outlined: consumer protections for those with insurance, an exchange that allows individuals and small businesses to purchase affordable coverage, and a requirement that people who can afford insurance get insurance.

And I have no doubt that these reforms would greatly benefit Americans from all walks of life, as well as the economy as a whole. Still, given all the misinformation that's been spread over the past few months, I realize that many Americans have grown nervous about reform. So tonight I'd like to address some of the key controversies that are still out there.

Some of people's concerns have grown out of bogus claims spread by those whose only agenda is to kill reform at any cost. The best example is the claim, made not just by radio and cable talk show hosts, but prominent politicians, that we plan to set up panels of bureaucrats with the power to kill off senior citizens. Such a charge would be laughable if it weren't so cynical and irresponsible. It is a lie, plain and simple.

There are also those who claim that our reform effort will insure illegal immigrants. This, too, is false—the reforms I'm proposing would not apply to those who are here illegally. And one more misunderstanding I want to clear up—under our plan, no Federal dollars will be used to fund abortions, and Federal conscience laws will remain in place.

My health care proposal has also been attacked by some who oppose reform as a "government takeover" of the entire health care system. As proof, critics point to a provision in our plan that allows the uninsured and small businesses to choose a publicly-sponsored insurance option, administered by the government just like Medicaid or Medicare.

So let me set the record straight. My guiding principle is, and always has been, that consumers do better when there is choice and competition. Unfor-

tunately, in 34 States, 75% of the insurance market is controlled by five or fewer companies. In Alabama, almost 90% is controlled by just one company. Without competition, the price of insurance goes up and the quality goes down. And it makes it easier for insurance companies to treat their customers badly—by cherry-picking the healthiest individuals and trying to drop the sickest; by overcharging small businesses who have no leverage; and by jacking up rates.

Insurance executives don't do this because they are bad people. They do it because it's profitable. As one former insurance executive testified before Congress, insurance companies are not only encouraged to find reasons to drop the seriously ill; they are rewarded for it. All of this is in service of meeting what this former executive called "Wall Street's relentless profit expectations."

Now, I have no interest in putting insurance companies out of business. They provide a legitimate service, and employ a lot of our friends and neighbors. I just want to hold them accountable. The insurance reforms that I've already mentioned would do just that. But an additional step we can take to keep insurance companies honest is by making a not-for-profit public option available in the insurance exchange. Let me be clear—it would only be an option for those who don't have insurance. No one would be forced to choose it, and it would not impact those of you who already have insurance. In fact, based on Congressional Budget Office estimates, we believe that less than 5% of Americans would sign up.

Despite all this, the insurance companies and their allies don't like this idea. They argue that these private companies can't fairly compete with the government. And they'd be right if taxpayers were subsidizing this public insurance option. But they won't be. I have insisted that like any private insurance company, the public insurance option would have to be self-sufficient and rely on the premiums it collects. But by avoiding some of the overhead that gets eaten up at private companies by profits, excessive administrative costs, and executive salaries, it could provide a good deal for consumers. It would also keep pressure on private insurers to keep their policies affordable and treat their customers better, the same way public colleges and universities provide additional choice and competition to students without in any way inhibiting a vibrant system of private colleges and universities.

It's worth noting that a strong majority of Americans still favor a public insurance option of the sort I've proposed tonight. But its impact shouldn't be exaggerated—by the left, the right, or the media. It is only one part of my plan, and should not be used as a handy excuse for the usual Washington ideological battles. To my progressive friends, I would remind you that for

decades, the driving idea behind reform has been to end insurance company abuses and make coverage affordable for those without it. The public option is only a means to that end—and we should remain open to other ideas that accomplish our ultimate goal. And to my Republican friends, I say that rather than making wild claims about a government takeover of health care, we should work together to address any legitimate concerns you may have.

For example, some have suggested that the public option go into effect only in those markets where insurance companies are not providing affordable policies. Others propose a co-op or another non-profit entity to administer the plan. These are all constructive ideas worth exploring. But I will not back down on the basic principle that if Americans can't find affordable coverage, we will provide you with a choice. And I will make sure that no government bureaucrat or insurance company bureaucrat gets between you and the care that you need.

Finally, let me discuss an issue that is a great concern to me, to members of this chamber, and to the public—and that is how we pay for this plan.

Here's what you need to know. First, I will not sign a plan that adds one dime to our deficits—either now or in the future. Period. And to prove that I'm serious, there will be a provision in this plan that requires us to come forward with more spending cuts if the savings we promised don't materialize. Part of the reason I faced a trillion dollar deficit when I walked in the door of the White House is because too many initiatives over the last decade were not paid for—from the Iraq War to tax breaks for the wealthy. I will not make that same mistake with health care.

Second, we've estimated that most of this plan can be paid for by finding savings within the existing health care system—a system that is currently full of waste and abuse. Right now, too much of the hard-earned savings and tax dollars we spend on health care doesn't make us healthier. That's not my judgment—it's the judgment of medical professionals across this country. And this is also true when it comes to Medicare and Medicaid.

In fact, I want to speak directly to America's seniors for a moment, because Medicare is another issue that's been subjected to demagoguery and distortion during the course of this debate.

More than 4 decades ago, this Nation stood up for the principle that after a lifetime of hard work, our seniors should not be left to struggle with a pile of medical bills in their later years. That is how Medicare was born. And it remains a sacred trust that must be passed down from one generation to the next. That is why not a dollar of the Medicare trust fund will be used to pay for this plan.

The only thing this plan would eliminate is the hundreds of billions of dollars in waste and fraud, as well as un-

warranted subsidies in Medicare that go to insurance companies—subsidies that do everything to pad their profits and nothing to improve your care. And we will also create an independent commission of doctors and medical experts charged with identifying more waste in the years ahead.

These steps will ensure that you—America's seniors—get the benefits you've been promised. They will ensure that Medicare is there for future generations. And we can use some of the savings to fill the gap in coverage that forces too many seniors to pay thousands of dollars a year out of their own pocket for prescription drugs. That's what this plan will do for you. So don't pay attention to those scary stories about how your benefits will be cut—especially since some of the same folks who are spreading these tall tales have fought against Medicare in the past, and just this year supported a budget that would have essentially turned Medicare into a privatized voucher program. That will never happen on my watch. I will protect Medicare.

Now, because Medicare is such a big part of the health care system, making the program more efficient can help usher in changes in the way we deliver health care that can reduce costs for everybody. We have long known that some places, like the Intermountain Healthcare in Utah or the Geisinger Health System in rural Pennsylvania, offer high-quality care at costs below average. The commission can help encourage the adoption of these common-sense best practices by doctors and medical professionals throughout the system—everything from reducing hospital infection rates to encouraging better coordination between teams of doctors.

Reducing the waste and inefficiency in Medicare and Medicaid will pay for most of this plan. Much of the rest would be paid for with revenues from the very same drug and insurance companies that stand to benefit from tens of millions of new customers. This reform will charge insurance companies a fee for their most expensive policies, which will encourage them to provide greater value for the money—an idea which has the support of Democratic and Republican experts. And according to these same experts, this modest change could help hold down the cost of health care for all of us in the long-run.

Finally, many in this chamber—particularly on the Republican side of the aisle—have long insisted that reforming our medical malpractice laws can help bring down the cost of health care. I don't believe malpractice reform is a silver bullet, but I have talked to enough doctors to know that defensive medicine may be contributing to unnecessary costs. So I am proposing that we move forward on a range of ideas about how to put patient safety first and let doctors focus on practicing medicine. I know that the Bush Administration considered authorizing dem-

onstrations projects in individual States to test these issues. It's a good idea, and I am directing my Secretary of Health and Human Services to move forward on this initiative today.

Add it all up, and the plan I'm proposing will cost around \$900 billion over 10 years—less than we have spent on the Iraq and Afghanistan wars, and less than the tax cuts for the wealthiest few Americans that Congress passed at the beginning of the previous administration. Most of these costs will be paid for with money already being spent—but spent badly—in the existing health care system. The plan will not add to our deficit. The middle-class will realize greater security, not higher taxes. And if we are able to slow the growth of health care costs by just one-tenth of one percent each year, it will actually reduce the deficit by \$4 trillion over the long term.

This is the plan I'm proposing. It's a plan that incorporates ideas from many of the people in this room tonight—Democrats and Republicans. And I will continue to seek common ground in the weeks ahead. If you come to me with a serious set of proposals, I will be there to listen. My door is always open.

But know this: I will not waste time with those who have made the calculation that it's better politics to kill this plan than improve it. I will not stand by while the special interests use the same old tactics to keep things exactly the way they are. If you misrepresent what's in the plan, we will call you out. And I will not accept the status quo as a solution. Not this time. Not now.

Everyone in this room knows what will happen if we do nothing. Our deficit will grow. More families will go bankrupt. More businesses will close. More Americans will lose their coverage when they are sick and need it most. And more will die as a result. We know these things to be true.

That is why we cannot fail. Because there are too many Americans counting on us to succeed—the ones who suffer silently, and the ones who shared their stories with us at town hall meetings, in emails, and in letters.

I received one of those letters a few days ago. It was from our beloved friend and colleague, Ted Kennedy. He had written it back in May, shortly after he was told that his illness was terminal. He asked that it be delivered upon his death.

In it, he spoke about what a happy time his last months were, thanks to the love and support of family and friends, his wife, Vicki, and his children, who are here tonight. And he expressed confidence that this would be the year that health care reform—"that great unfinished business of our society," he called it—would finally pass. He repeated the truth that health care is decisive for our future prosperity, but he also reminded me that "it concerns more than material things." "What we face," he wrote, "is above all a moral issue; at stake are

not just the details of policy, but fundamental principles of social justice and the character of our country.”

I’ve thought about that phrase quite a bit in recent days—the character of our country. One of the unique and wonderful things about America has always been our self-reliance, our rugged individualism, our fierce defense of freedom, and our healthy skepticism of government. And figuring out the appropriate size and role of government has always been a source of rigorous and sometimes angry debate.

For some of Ted Kennedy’s critics, his brand of liberalism represented an affront to American liberty. In their mind, his passion for universal health care was nothing more than a passion for big government.

But those of us who know Teddy and worked with him here—people of both parties—know that what drove him was something more. His friend, ORRIN HATCH, knows that. They worked together to provide children with health insurance. His friend JOHN MCCAIN knows that. They worked together on a Patient’s Bill of Rights. His friend CHUCK GRASSLEY knows that. They worked together to provide health care to children with disabilities.

On issues like these, Ted Kennedy’s passion was born not of some rigid ideology, but of his own experience. It was the experience of having two children stricken with cancer. He never forgot the sheer terror and helplessness that any parent feels when a child is badly sick; and he was able to imagine what it must be like for those without insurance; what it would be like to have to say to a wife or a child or an aging parent—there is something that could make you better, but I just can’t afford it.

That large-heartedness—that concern and regard for the plight of others—is not a partisan feeling. It is not a Republican or a Democratic feeling. It, too, is part of the American character. Our ability to stand in other people’s shoes. A recognition that we are all in this together; that when fortune turns against one of us, others are there to lend a helping hand. A belief that in this country, hard work and responsibility should be rewarded by some measure of security and fair play; and an acknowledgement that sometimes government has to step in to help deliver on that promise.

This has always been the history of our progress. In 1935, when over half of our seniors could not support themselves and millions had seen their savings wiped away, there were those who argued that Social Security would lead to socialism. But the men and women of Congress stood fast, and we are all the better for it. In 1965, when some argued that Medicare represented a government takeover of health care, members of Congress, Democrats and Republicans, did not back down. They joined together so that all of us could enter our golden years with some basic peace of mind.

You see, our predecessors understood that government could not, and should not, solve every problem. They understood that there are instances when the gains in security from government action are not worth the added constraints on our freedom. But they also understood that the danger of too much government is matched by the perils of too little; that without the leavening hand of wise policy, markets can crash, monopolies can stifle competition, and the vulnerable can be exploited. And they knew that when any government measure, no matter how carefully crafted or beneficial, is subject to scorn; when any efforts to help people in need are attacked as un-American; when facts and reason are thrown overboard and only timidity passes for wisdom, and we can no longer even engage in a civil conversation with each other over the things that truly matter—that at that point we don’t merely lose our capacity to solve big challenges. We lose something essential about ourselves.

What was true then remains true today. I understand how difficult this health care debate has been. I know that many in this country are deeply skeptical that government is looking out for them. I understand that the politically safe move would be to kick the can further down the road—to defer reform one more year, or one more election, or one more term.

But that’s not what the moment calls for. That’s not what we came here to do. We did not come to fear the future. We came here to shape it. I still believe we can act even when it’s hard. I still believe we can replace acrimony with civility, and gridlock with progress. I still believe we can do great things, and that here and now we will meet history’s test.

Because that is who we are. That is our calling. That is our character. Thank you, God Bless You, and may God Bless the United States of America.

BARACK OBAMA.

THE WHITE HOUSE, September 9, 2009.

MESSAGE FROM THE HOUSE

At 2:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that it has passed the following joint resolution, without amendment:

S. J. Res. 9. Joint resolution providing for the appointment of France A. Córdova as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 310. An act to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

H.R. 1043. An act to provide for a land exchange involving certain National Forest

System lands in the Mendocino National Forest in the State of California, and for other purposes.

H.R. 1287. An act to authorize the Secretary of the Interior to enter into a partnership with the Porter County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes.

H.R. 1345. An act to amend title 5, United States Code, to eliminate the discriminatory treatment of the District of Columbia under the provisions of law commonly referred to as the “Hatch Act”.

H.R. 1858. An act to provide for a boundary adjustment and land conveyances involving Roosevelt National Forest, Colorado, to correct the effects of an erroneous land survey that resulted in approximately 7 acres of the Crystal Lakes Subdivision, Ninth Filing, encroaching on National Forest System land, and for other purposes.

H.R. 2004. An act to designate the facility of the United States Postal Service located at 4282 Beach Street in Akron, Michigan, as the “Akron Veterans Memorial Post Office”.

H.R. 2760. An act to designate the facility of the United States Postal Service located at 1615 North Wilcox Avenue in Los Angeles, California, as the “Johnny Grant Hollywood Post Office Building.”

The message further announced that pursuant to section 112 of the Clean Air Act (42 U.S.C. 7412), and the order of the House of January 6, 2009, the Speaker appoints the following members on the part of the House of Representatives to the Board of Directors of the National Urban Air Toxics Research Center: Mrs. Herminia Palacio, M.D., M.P.H., of Bellaire, Texas and Mr. John Walke of Washington, D.C.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 310. An act to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1043. An act to provide for a land exchange involving certain National Forest System lands in the Mendocino National Forest in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1287. An act to authorize the Secretary of the Interior to enter into a partnership with the Porter County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1345. An act to amend title 5, United States Code, to eliminate the discriminatory treatment of the District of Columbia under the provisions of law commonly referred to as the “Hatch Act”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1858. An act to provide for a boundary adjustment and land conveyances involving Roosevelt National Forest, Colorado, to correct the effects of an erroneous land survey that resulted in approximately 7 acres of the Crystal Lakes Subdivision, Ninth Filing, encroaching on National Forest System land,

and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2004. An act to designate the facility of the United States Postal Service located at 4282 Beach Street in Akron, Michigan, as the "Akron Veterans Memorial Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2760. An act to designate the facility of the United States Postal Service located at 1615 North Wilcox Avenue in Los Angeles, California, as the "Johnny Grant Hollywood Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Armed Services, and referred as indicated:

S. 1599. A bill to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws; to the Committee on the Judiciary.

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-2747. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Columbia; to the Committee on Foreign Relations.

EC-2748. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2009-0096—2009-0106); to the Committee on Foreign Relations.

EC-2749. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Operation of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act 2008 Annual Report to Congress"; to the Committee on Foreign Relations.

EC-2750. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware for the design, manufacture, and delivery of the QuetzSat-1 Commercial Communication Satellite for the United Kingdom in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2751. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including technical data, and defense services for the manufacture and overhaul of hydraulic steering systems for X300 transmissions of ground vehicles for the United Kingdom in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2752. A communication from the Assistant Secretary, Bureau of Legislative Affairs,

Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed transfer of major defense equipment with an original acquisition value of more than \$14,000,000 for New Zealand; to the Committee on Foreign Relations.

EC-2753. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed permanent export license for the export of defense articles and technical data related to the sale of 394 Colt Infantry Automatic Rifles for use by the Mexican Navy in the amount of \$1,000,000 or more; to the Committee on Foreign Relations.

EC-2754. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware to support the Proton launch of the NSS-14 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2755. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and defense articles to Thailand related to the sale of three S-92A helicopters to the Royal Thai Air Force in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2756. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the transfer of technical data, defense services, and hardware to Japan to support the manufacture of Chukar II and Chukar III Aerial Target Systems for the Ministry of Defense of Japan in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2757. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed transfer of technical data, defense services, and defense articles for the sale of four C-27J Spartan Aircraft from Alenia Aeronautica S.p.A. to the Kingdom of Morocco in the amount of \$50,000,000; to the Committee on Foreign Relations.

EC-2758. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles and defense services for the manufacture of Power Amplifier Modules and High Voltage Power Supplies for the AN/TPQ-36 and AN/TPQ-37 Firefinder Radars, and the AN/MPQ-64 Sentinel Radar for end use by the U.S. Government in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2759. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and defense articles related to the Laser Based Directional Infrared Countermeasures System for end-use by the United Kingdom in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2760. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles and defense services for the manufacture of Tomahawk Cruise Missile Subassemblies for end-use by the U.S. Navy in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2761. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware to support the Proton launch of the ViaSat-1 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2762. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware related to the delivery and support of five Sentinel Radars and two Sentry Command and Control Systems for end-use by the Mexican Navy in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2763. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed transfer of technical data, defense services, and defense articles related to the sale of seven C-27J Spartan Aircraft from Alenia Aeronautica S.p.A. to the Government of Romania in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2764. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Foreign Officials: Definition of Immediate Family Members, As Amended" ((22 CFR Part 41)(Public Notice: 6676)) as received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2009; to the Committee on Foreign Relations.

EC-2765. A communication from the Acting General Counsel, Peace Corps, transmitting, pursuant to law, the report of the confirmation of a nomination in the position of Director of the Peace Corps; to the Committee on Foreign Relations.

EC-2766. A communication from the Secretary General of the Inter-Parliamentary Union, transmitting, an agenda for Parliamentary Briefings and Hearings at the 64th Session of the United Nations General Assembly; to the Committee on Foreign Relations.

EC-2767. A communication from the Secretary General of the Inter-Parliamentary Union, transmitting, a request for participation in a study on parliamentary oversight; to the Committee on Foreign Relations.

EC-2768. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 005-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-2769. A communication from the Acting Assistant Secretary, Bureau of Political-

Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 046-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-2770. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 052-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-2771. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 065-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-2772. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 070-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-2773. A communication from the Program Analyst, Office of Managing Director-Financial Operations, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Report and Order. In the Matter of Assessment of Regulatory Fees for Fiscal Year 2009" (FCC 09-62; 09-65)(MD Docket No. 09-65) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2774. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Pilot, Flight Instructor, Ground Instructor, and Pilot School Certification Rules (Part 61)" ((FAA-2006-26661-8/20-21)(RIN2120-AI86)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2775. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146-100A and 146-200A Series Airplanes" ((RIN2120-AA64)(7-30/7-29/0432/NM-168)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2776. A communication from the Program Analyst, Federal Aviation Administra-

tion, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120, -120ER, -120FC, -120QC, and -120RT Airplanes" ((RIN2120-AA64)(7-30/7-29/1005/NM-119)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2777. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-300 Series Airplanes" ((RIN2120-AA64)(7-30/7-29/0211/NM-028)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2778. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt & Whitney Canada (PWC) PW206A, PW206B, PW206B2, PW206C, PW206E, PW207C, PW207D, and PW207E Turbohaft Engines; Correction" ((RIN2120-AA64)(7-30/7-27/0219/NE-46)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2779. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Series Airplanes" ((RIN2120-AA64)(8-17/8-18/0004/NM-160)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2780. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146-RJ Airplanes" ((RIN2120-AA64)(8-17/8-18/0532/NM-124)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2781. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab AB, Saab Aerosystems Model SAAB 340A (SAAB/SF340A) and SAAB 340B Airplanes" ((RIN2120-AA64)(8-17/8-18/0447/NM-172)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2782. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes" ((RIN2120-AA64)(8-17/8-18/1143/NM-136)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2783. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulf-

stream Model G-IV, GIV-X, and GV-SP Series Airplanes and Model GV Airplanes" ((RIN2120-AA64)(8-13/8-11/0683/NM-129)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2784. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Short Brothers Model SD3-60 Airplanes" ((RIN2120-AA64)(8-13/8-12/0464/NM-189)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2785. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes" ((RIN2120-AA64)(8-3/8-5/0463/NM-065)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2786. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Fokker Model F.27 Mark 050 Airplanes" ((RIN2120-AA64)(8-3/8-5/0691/NM-061)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2787. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes" ((RIN2120-AA64)(8-3/8-5/1213/NM-092)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2788. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 767 Airplanes" ((RIN2120-AA64)(8-3/8-5/39173/NM-283)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2789. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200 and 3101, and Jetstream Model 3201 Airplanes" ((RIN2120-AA64)(8-3/8-5/0168/SW-33)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2790. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Limited Model PC-7 Airplanes" ((RIN2120-AA64)(8-6/8-5/0509/CE-029)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2791. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Teledyne Continental Motors (TCM) IO-520, TSIO-520, and IO-550 Series Reciprocating Engines with Superior Air Parts, Inc. (SAP) Cylinder Assemblies Installed" ((RIN2120-AA64)(8-6/8-5/0051/NE-37)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2792. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Model 427 Helicopters" ((RIN2120-AA64)(8-6/8-3/0227/SW-65)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2793. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SOCAT Model TBM 700 Airplanes" ((RIN2120-AA64)(8-3/8-5/25234/CE-064)) as received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2794. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Amendment No. 3335" ((RIN2120-AA65)(8-17/8-18/30682/3335)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2795. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Amendment No. 3334" ((RIN2120-AA65)(8-17/8-18/30681/3334)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2796. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Amendment No. 3332" ((RIN2120-AA65)(8-13/8-13/30678/3332)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2797. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Amendment No. 3333" ((RIN2120-AA65)(8-13/8-13/30679/3333)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2798. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled "Part 95 Instrument Flight Rules (215); Amendment No. 482" ((RIN2120-AA63)(8-13/8-12/30680/482)) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2799. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Controls, Telltales and Indicators" (RIN2127-AK04) as received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1308. A bill to reauthorize the Maritime Administration, and for other purposes (Rept. No. 111—73).

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. NELSON of Nebraska (for himself, Mr. DURBIN, Mr. KERRY, Mrs. GILLIBRAND, and Mr. BURRIS):

S. 1655. A bill to authorize the Secretary of Education to award grants for the support of full-service community schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. VOINOVICH, Mr. LEVIN, and Ms. KLOBUCHAR):

S. 1656. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of S corporations for purposes of election of the alternative tax on qualifying shipping activities, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 1657. A bill to amend the Internal Revenue Code of 1986 to modify the exception from the 10 percent penalty for early withdrawals from government plans for qualified public safety employees; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEVIN:

S. Res. 256. A resolution recognizing the importance of "National Drug Facts Chat Day" on November 10, 2009; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. Res. 257. A resolution to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 211

At the request of Mr. NELSON of Florida, his name was added as a cosponsor

of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 354

At the request of Mr. WEBB, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 354, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 369

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 369, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 422

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 422, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 439

At the request of Mr. INOUE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 439, a bill to provide for and promote the economic development of Indian tribes by furnishing the necessary capital, financial services, and technical assistance to Indian-owned business enterprises, to stimulate the development of the private sector of Indian tribal economies, and for other purposes.

S. 453

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 453, a bill to authorize the Secretary of Housing and Urban Development to make grants and offer technical assistance to local governments and others to design and implement innovative policies, programs, and projects that address widespread property vacancy and abandonment, and for other purposes.

S. 492

At the request of Mr. JOHNSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 492, a bill to amend the Social Security Act and the Internal Revenue Code of 1986 to exempt certain employment as a member of a local governing board, commission, or committee from social security tax coverage.

S. 512

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 512, a bill to amend chapter 1 of title 9, United States Code with respect to arbitration.

S. 548

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 548, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal energy efficiency resource standard for retail electricity and natural gas distributors, and for other purposes.

S. 565

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 565, a bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes.

S. 604

At the request of Mr. SANDERS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 604, a bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes.

S. 657

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 657, a bill to provide for media coverage of Federal court proceedings.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 731

At the request of Mr. NELSON of Nebraska, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 731, a bill to amend title 10, United States Code, to provide for continuity of TRICARE Standard coverage for certain members of the Retired Reserve.

S. 755

At the request of Mrs. BOXER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 755, a bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer.

S. 779

At the request of Mr. LAUTENBERG, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 779, a bill to amend titles 23 and 49, United States Code, to modify provisions relating to the length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes.

S. 819

At the request of Mr. DURBIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 819, a bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families.

S. 832

At the request of Mr. NELSON of Florida, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 832, a bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

S. 850

At the request of Mr. KERRY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 931

At the request of Mr. FEINGOLD, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 931, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 971

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 971, a bill to implement a pilot program to establish truck parking facilities.

S. 987

At the request of Mr. DURBIN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1076

At the request of Mr. MENENDEZ, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Trans-

portation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1171

At the request of Mr. PRYOR, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1171, a bill to amend title XVIII of the Social Security Act to restore State authority to waive the 35-mile rule for designating critical access hospitals under the Medicare Program.

S. 1204

At the request of Mrs. MURRAY, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1204, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1273

At the request of Mr. DORGAN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 1273, 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. 1295

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1295, a bill to amend title XVIII of the Social Security Act to cover transitional care services to improve the quality and cost effectiveness of care under the Medicare program.

S. 1329

At the request of Mr. KOHL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1329, a bill to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs.

S. 1339

At the request of Mrs. HAGAN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1339, a bill to provide for financial literacy education.

S. 1422

At the request of Mrs. MURRAY, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1422, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 1517

At the request of Ms. MURKOWSKI, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Alabama

(Mr. SESSIONS) were added as cosponsors of S. 1517, a bill to enhance domestic energy security by increasing production from fossil-based resources in the outer Continental Shelf in an economically and environmentally responsible manner.

S. 1518

At the request of Mr. BARR, the names of the Senator from Illinois (Mr. BURRIS) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1518, a bill to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune.

S. 1524

At the request of Mr. KERRY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1524, a bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes.

S. 1542

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1542, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 1593

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1593, a bill to authorize the establishment of a Social Investment and Economic Development for the Americas Fund to reduce poverty, expand the middle class, and foster increased economic opportunity in that region, to promote engagement on the use of renewable fuel sources and on climate change in the Americas, and for other purposes.

S. 1595

At the request of Mr. MERKLEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1595, a bill to amend the Truth in Lending Act to prohibit the distribution of any check or other negotiable instrument as part of a solicitation by a creditor for an extension of credit, to limit the liability of consumers in conjunction with such solicitations, and for other purposes.

S. 1652

At the request of Mr. HARKIN, the names of the Senator from Maine (Ms. COLLINS), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. RES. 231

At the request of Mr. BENNETT, the name of the Senator from Mississippi

(Mr. COCHRAN) was added as a cosponsor of S. Res. 231, a resolution expressing the sense of the Senate that any health care reform proposal should slow the long-term growth of health costs and reduce the growth rate of Federal health care spending.

S. RES. 245

At the request of Mr. SCHUMER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Res. 245, a resolution recognizing September 11 as a "National Day of Service and Remembrance".

S. RES. 254

At the request of Mrs. GILLIBRAND, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 254, a resolution honoring, commemorating, and celebrating the historic ties of the United States and the Netherlands on the quadricentennial celebration of the discovery of the Hudson River, and recognizing the settlement and enduring values of New Netherland, which continue to influence American society.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 256—RECOGNIZING THE IMPORTANCE OF "NATIONAL DRUG FACTS CHAT DAY" ON NOVEMBER 10, 2009

Mr. LEVIN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 256

Whereas the National Institute on Drug Abuse created "National Drug Facts Chat Day" to provide the opportunity for school-aged youth and teachers in classrooms across the United States to ask questions of the Nation's leading experts in the field of drug abuse and addiction;

Whereas on October 12, 2007, the first annual Drug Facts Chat Day yielded over 35,000 questions from school-aged youth across the United States, providing accurate information on drug abuse and addiction;

Whereas the National Survey on Drug Use and Health indicated that, in 2007, nearly 8 percent of youth in the United States between 12 and 17 years of age met diagnostic criteria for abuse or dependence (addiction) to illegal drugs or alcohol;

Whereas the Monitoring the Future Study has yielded encouraging news of generally declining past-month illicit drug use rates for school-aged youth, noting a 24 percent decline from 2001 to 2008 by students in the 8th, 10th, and 12th grades combined;

Whereas declines in youth cigarette smoking, now at its lowest rate since the Monitoring the Future Survey began collecting data in 1975, will translate into fewer deaths associated with the myriad medical consequences of smoking;

Whereas while progress continues to be made, troubling trends still abound, including widespread abuse of prescription drugs among youth in the United States;

Whereas research shows that as the perceived risks associated with drugs increases, the abuse of such drugs decreases;

Whereas youth often get information about drugs, drug abuse, and addiction from unreliable and inaccurate sources; and

Whereas "National Drug Facts Chat Day" is on November 10, 2009: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of "National Drug Facts Chat Day"; and

(2) urges teachers, schools, and students to participate by submitting questions and using the information provided to increase their understanding of the science of drug abuse and addiction among school-aged youth.

Mr. LEVIN. Mr. President, the National Drug Facts Chat Day was designed by the National Institute on Drug Abuse of the National Institute of Health, NIDA, to provide the opportunity for school-aged youth and teachers in classrooms across the U.S. to ask questions of the Nation's leading experts in the field of drug abuse and addiction.

One of the many activities on this occasion involves students and teachers interacting with professionals, including exchanging questions with them on the issues of illicit drug use, tobacco use, and prescription drug abuse, the latter of which has become a significant problem among our Nation's teens. NIDA hopes that "the anonymous nature of the Internet will encourage youths to ask what is truly on their minds.

Now in its third year, there are expected to be thousands of questions from every region of the country received and answered, yielding an enlightening glimpse into students' misconceptions about drug use. Students and teachers hunger for straightforward, scientific information on drug abuse and addiction. Drug Facts Chat Day, recognized on November 10, 2009, will provide them with timely, straightforward facts.

I urge my colleagues in the Senate to join me in supporting recognition of this innovative and worthwhile program by adopting this resolution. I am very pleased that Representative PATRICK KENNEDY is simultaneously introducing a companion resolution in the House. As we are all aware, Representative KENNEDY has been a passionate leader in increasing the understanding of the science of drug abuse and addiction among school-aged youth.

SENATE RESOLUTION 257—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED ELEVENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 257

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY: Mrs. Lincoln (Chairman), Mr. Harkin, Mr. Leahy, Mr. Conrad, Mr. Baucus, Ms. Stabenow, Mr. Nelson (Nebraska), Mr. Brown, Mr. Casey, Ms. Klobuchar, Mr. Bennet, Mrs. Gillibrand.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS: Mr. Harkin (Chairman), Mr. Dodd, Ms. Mikulski, Mr. Bingaman, Mrs. Murray, Mr. Reed, Mr. Sanders, Mr. Brown, Mr. Casey, Mrs. Hagan, Mr. Merkley, Mr. Franken, Majority Leader designee.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, September 10, 2009, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a business meeting on S. 797, a bill to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes; S. 313, a bill to resolve water rights claims of the White Mountain Apache Tribe in the State of Arizona, and for other purposes; S. 375, a bill to authorize the Crow Tribe of Indians water rights settlement, and for other purposes; S. 965, a bill to approve the Taos Pueblo Indian Water Rights Settlement Agreement, and for other purposes; S. 1105, a bill to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to develop water infrastructure in the Rio Grande Basin, and to approve the settlement of the water rights claims of the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque; and S. 1388, a bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes, to be followed immediately by a hearing to examine S. 1635, 7th Generation Promise: Indian Youth Suicide Prevention Act of 2009.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, September 9, 2009, at 10 a.m. in room 216 of the Hart Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee of Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 9, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 9, 2009, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Strengthening Forensic Science in the United States."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 9, 2009, at 2:30 p.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

AWARDING A GOLD MEDAL TO ARNOLD PALMER

Mr. DURBIN. Mr. President, I ask unanimous consent the Banking Committee be discharged from further consideration of H.R. 1243 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1243) to provide for the award of a gold medal on behalf of Congress to Arnold Palmer in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, without any intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1243) was ordered to a third reading, was read the third time, and passed.

MAKING MAJORITY PARTY COMMITTEE ASSIGNMENTS

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 257, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 257) to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid on the table without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 257) was agreed to, as follows:

S. RES. 257

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY: Mrs. Lincoln (Chairman), Mr. Harkin, Mr. Leahy, Mr. Conrad, Mr. Baucus, Mr. Stabenow, Mr. Nelson (Nebraska), Mr. Brown, Mr. Casey, Ms. Klobuchar, Mr. Bennet, Mrs. Gillibrand.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS: Mr. Harkin (Chairman), Mr. Dodd, Ms. Mikulski, Mr. Bingaman, Mrs. Murray, Mr. Reed, Mr. Sanders, Mr. Brown, Mr. Casey, Mrs. Hagan, Mr. Merkley, Mr. Franken, Majority Leader designee.

DISCHARGE AND REFERRAL—S.

1599

Mr. DURBIN. Mr. President, I ask unanimous consent the Armed Services Committee be discharged from further consideration of S. 1599 and the bill be referred to the Committee on the Judiciary.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY

Mr. DURBIN. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on September 9, 2009, by the President of the United States:

Protocol Amending the Tax Convention with France (Treaty Document No. 111-4).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to its ratification, the Protocol Amending the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 31, 1994, as Amended by the Protocol signed on December 8, 2004, signed January 13, 2009, at Paris, together with a related Memorandum of Understanding, signed

January 13, 2009 (the "proposed Protocol"). I also transmit for the information of the Senate the report of the Department of State, which includes an overview of the proposed Protocol.

The proposed Protocol provides for the elimination of withholding taxes on certain cross-border direct dividend payments and on cross-border royalty payments.

The proposed Protocol also provides for mandatory arbitration of cases that the competent authorities of the countries have been unable to resolve after a reasonable period of time. The proposed Protocol contains a comprehensive provision designed to prevent "treaty shopping," which is the inappropriate use of a tax treaty by third-country residents. It provides for the exchange of information between tax authorities of the two countries to facilitate the administration of each country's tax laws.

I recommend that the Senate give early and favorable consideration to the proposed Protocol and give its advice and consent to ratification.

BARACK OBAMA.

THE WHITE HOUSE, September 9, 2009.

APPOINTMENT CORRECTION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Record reflect that the appointment of GEN Michael Hayden to the Public Interest Declassification Board made during the adjournment of the Senate was made by the Republican leader rather than the majority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS AND ORDERS FOR THURSDAY, SEPTEMBER 10, 2009

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate recess until 7:30 p.m. tonight; that at 7:40 p.m. the Senate proceed as a body to the Hall of the House of Representatives for a joint session to hear the President of the United States; that at the close of the joint session, the Senate adjourn until 9:30 a.m. tomorrow, Thursday, September 10; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business until 12:30 p.m., with the time equally divided and controlled between the two leaders or their designees; that following morning business the Senate proceed to executive session to resume consideration of Calendar No. 167, the nomination of Cass Sunstein; further, I ask that the time during any adjournment, recess or period of morning business count against the postcloture time.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, the time during morning business tomorrow will be dedicated for Senators to pay tribute to the late Senator Edward Kennedy.

Senators will be notified when the vote on the confirmation of the Sunstein nomination is scheduled. If all time is used, the vote would occur around 11:30 p.m. tomorrow night.

Finally, as a reminder to all Senators, at 2:45 p.m. tomorrow, George LeMieux will be sworn in as a Senator from the State of Florida.

RECESS

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 6:43 p.m., recessed until 7:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

Mrs. SHAHEEN. 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. NELSON of Nebraska. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. Doc. No. 111-62)

The PRESIDING OFFICER. Under the previous order, the Senate will proceed as a body to the Hall of the House of Representatives to receive a message from the President of the United States.

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, Drew Willison, the Secretary of the Senate, Nancy Erickson, and the Vice President of the United States, JOSEPH R. BIDEN, Jr., proceeded to the Hall of the House of Representatives to hear the address by the President of the United States, Barack H. Obama.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress is printed in the proceedings of the House of Representatives in today's RECORD.)

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 9:07 p.m., the Senate adjourned until Thursday, September 10, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) STEVEN E. DAY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RALPH J. JODICE II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIAM J. REW

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHRISTOPHER D. MILLER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. BENJAMIN C. FREAKLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN D. GARDNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. FRANK G. HELMICK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK P. HERTLING

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL ROBIN B. AKIN
 COLONEL ROBERT P. ASHLEY, JR.
 COLONEL JEFFREY L. BANNISTER
 COLONEL JOSEPH L. BASS
 COLONEL LEWIS M. BOONE
 COLONEL CLARENCE K. K. CHINN
 COLONEL KENNETH R. DAHL
 COLONEL GORDON B. DAVIS, JR.
 COLONEL SCOTT F. DONAHUE
 COLONEL EDWARD F. DORMAN III
 COLONEL RANDAL A. DRAGON
 COLONEL BILLY D. FARRIS II
 COLONEL TERRY L. FERRELL
 COLONEL PAUL E. FUNK II
 COLONEL RICKY D. GIBBS
 COLONEL HAROLD J. GREENE
 COLONEL CHRISTOPHER K. HAAS
 COLONEL WILLIAM C. HIX
 COLONEL STEPHEN B. LEISENRICH
 COLONEL STEPHEN R. LYONS
 COLONEL JONATHAN A. MADDOX
 COLONEL MARK A. MCALISTER
 COLONEL JOHN J. MCGUINNESS
 COLONEL MICHAEL K. NAGATA
 COLONEL BRYAN R. OWENS
 COLONEL JAMES R. PASQUARETTE
 COLONEL VICTOR PETRENKO
 COLONEL AUNDRE F. FIGGEE
 COLONEL JOHN S. REGAN
 COLONEL BRYAN T. ROBERTS
 COLONEL JOHN G. ROSSI
 COLONEL WILLIAM J. SCOTT
 COLONEL THOMAS C. SEAMANDS
 COLONEL CHARLES L. TAYLOR
 COLONEL KELLY J. THOMAS
 COLONEL STEPHEN M. TWITTY
 COLONEL JEFFERY L. UNDERHILL
 COLONEL DARRELL K. WILLIAMS
 COLONEL PETER B. ZWACK

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. FRANK A. PANTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A

POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS D. WALDHAUSER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. CHARLES A. RAINEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JONATHAN W. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DAVID W. TITLEY

EXTENSIONS OF REMARKS

HONORING PHYLLIS ELLMAN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. WOOLSEY. Madam Speaker, I rise today to honor Phyllis Ellman, who died on June 2 at the age of 86. An activist in Marin and Sonoma Counties for more than 40 years, Phyllis was a leader who cared deeply about her community, its people and the environment.

The oldest of four children born in 1923 in Des Moines, Iowa, Phyllis had deep roots in America as one of her ancestors was the military secretary to Gen. George Washington. Phyllis joined the U.S. Army during World War II, and after her honorable discharge, she earned a BS in biology at Kansas State University. She earned a master's degree in biochemistry at Washington State College, where she also met her future husband, George. Six months later they married and moved to Pasadena, California, where Phyllis taught at Cal Tech while George completed his PhD.

In 1958 the Ellmans moved to Tiburon, Marin County, where Phyllis became an avid hiker. She developed a passion for wildflowers and was expert in identifying the unique flowers of the Tiburon hills earning the moniker, "Mother Botany." A member of the California Native Plant Society, she wrote two booklets on the local flora of Ring Mountain.

Always an activist, she pushed for the creation of the Tiburon Bike Path, was appointed to the Tiburon Parks and Recreation Commission in 1973, helped launch the first South of the Knoll playground in Richardson Bay Lineal Park, and with Marilyn Knight, Phyllis established the Belvedere Tiburon Child Care Center, the first such center on the peninsula.

It is Ring Mountain for which she is fondly remembered as being the catalyst saving it from development. Walkers can now hike to the top of Ring Mountain on the Phyllis Ellman Trail which honors her years of public service and devotion to her community.

In 1980 the Ellmans moved to Glen Ellen, Sonoma County, where Phyllis was a dedicated docent at the Bouverie Preserve. She also sang with the Quercus Quire, a group she helped start who performs for elementary school audiences, singing about environmental issues to about 2,000 children each year.

Phyllis leaves her husband of 60 years, George Eliman of Glen Ellen, who is a former Tiburon mayor and town councilmember. Devoted to her family, she also leaves a daughter, brother, two sisters, and seven nieces and nephews.

Madam Speaker, Phyllis Eliman will be missed by so many who shared in her work and passions. An activist in the best sense, she was a valued member of the Marin and Sonoma communities. Her friendship and bright spirit will be missed by all who had the opportunity to know her.

EARMARK DECLARATION

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. LINDER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding funding that I requested as part of H.R. 3183, the Energy and Water Development and Related Agencies Appropriations Act, 2010.

Requesting Member: Representative JOHN LINDER

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: U.S. Army Corps of Engineers Construction General

Legal Name of Requesting Entity: U.S. Army Corps of Engineers, Savannah District
Address of Requesting Entity: 100 W. Oglethorpe Avenue, Savannah, GA 31401

Description of Request: This project proposes to deepen the Savannah River Federal navigation channel an additional 6 feet, allowing the Georgia Ports Authority to more efficiently serve the demands of U.S. commerce; remain a valuable asset to the marine transportation system; and handle the currently constrained vessels calling the port, and allow for larger vessels expected to call the port following the Panama Canal expansion. \$1.3 million of the funds are critical for the completion of ongoing environmental studies in order to move to the construction phase. General construction funding of \$33.7 million is necessary to continue the initial construction phase of the Savannah Harbor Expansion Project. The expansion will allow the Port of Savannah to accommodate larger ships and provide the economic stimulus that new, larger ships currently bring rival East Coast ports in New York and Norfolk, Virginia.

CONGRATULATING THE AMERICAN COUNCIL OF ENGINEERING COMPANIES

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of H. Res. 447 to congratulate the American Council of Engineering Companies for its dedicated service to America's engineering industry and to celebrate its 100th anniversary this year.

As a strong supporter of the engineering industry and someone who recognizes the vital work that engineers and related professionals perform, I believe it is of the utmost importance to honor the American Council of Engineering Companies for its role in supporting the engineering industry. With more than

5,500 firms throughout the country, this Council has grown from a small group of engineers to an incredibly influential federation of 51 state and regional councils that represent a large cross-section of America's engineering industry. Through its help, America has some of the best engineering structures in the world that allow us to drink fresh water, travel efficiently, and lead an all-around healthier and happier lifestyle.

I ask my fellow colleagues to join me today and support H. Res. 447 to honor the American Council of Engineering Companies for their 100 years of service. Truly, we have all benefitted immensely from the council's efforts and dedication to improving the lives of every American citizen, and I extend my deepest thanks and appreciation for their hard work.

EARMARK DECLARATION

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. BROWN of South Carolina. Madam Speaker, I submit the following:

Requesting Member: HENRY E. BROWN, JR.
Bill Number: H.R. 3326, Department of Defense Appropriations Act, 2010

Account: RDTE, Army
Legal Name of Requesting Entity: ALS TDI
Address of Requesting Entity: 215 First Street, Cambridge, MA 02142

Description of Project: Continued support of its cutting edge fast track drug discovery & translational research program and to support clinical trials of effective drugs. (1) Identify physiological pathways and molecules in animal models of disease progression. Compare animal gene expression (transcriptome) to that of humans by employing the largest database ever compiled of animal and ALS patient samples. (2) Operate large scale validation program, using profiling technologies, to modulate gene expression in those genes determined to be candidates for disease effect. (3) Create a comprehensive translational medicine initiative to identify biomarkers for disease staging and prognosis, and drug efficacy and patient response.

Requesting Member: HENRY E. BROWN, JR.
Bill Number: H.R. 3326, Department of Defense Appropriations Act, 2010

Account: RDTE, Army
Legal Name of Requesting Entity: South Carolina Research Authority
Address of Requesting Entity: 5300 International Boulevard, Charleston, SC 29418

Description of Project: Once fully configured, the Army expects a 5x-10x reduction in delivery times for poured metal part base shapes using TacFab versus conventional procurement processes. Given the Army's considerable interest in and support for the TacFab program to date, it is essential that the program be expeditiously completed to deliver the critical support the warfighters are seeking.

• 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.

This final increment being requested in FY 2010 will result in a mobile, rapidly deployable asset, both in theater and within the U.S. in support of RESET operations. This program will cut costs and improve efficiency, cutting waiting time for parts from weeks or months to only 24 hours.

Requesting Member: HENRY E. BROWN, Jr.

Bill Number: H.R. 3326, Department of Defense Appropriations Act, 2010

Account: RDTE, Army

Legal Name of Requesting Entity: South Carolina Research Authority

Address of Requesting Entity: 5300 International Boulevard, Charleston, SC 29418

Description of Project: This project will have an important impact on the Army as it will contribute greatly to the military efforts our troops are currently engaged in around the world and here at home. HIPER will implement a program which ensures the provision of the best and safest weaponry to the warfighter and in the quickest and most efficient way, by replacing parts and resetting weapons more quickly and at reduced cost. This will help keep our troops safe and fully equipped with the optimum defense mechanisms they need to effectively complete their missions, while using cutting-edge technology to reduce costs and lower wait times. To achieve this goal we will be relying on industrial and government partners in numerous states, resulting in employment sustained and created via manufacturing and research requirements.

IN RECOGNITION OF THE DEDICATION OF A NEW SERVICE AND WORSHIP CENTER AT PINE TERRACE BAPTIST CHURCH

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize the dedication of a new worship center at Pine Terrace Baptist Church in Milton, Florida. Pine Terrace Baptist has long been a positive force in Northwest Florida, and I am proud of their tremendous contributions to the community.

Pine Terrace Baptist Church began as a mission of another Milton church, Ferris Hill Baptist. In March of 1970, church members of Ferris Hill Baptist set out to create a mission northwest of Milton, and on July 5, 1972, several church families met at a congregant's home. 42 people were present at the first meeting, and continued to meet at members' homes until the church's first building was completed. The first worship service was held in the new building on May 13, 1973, and the mission was officially constituted as Pine Terrace Baptist Church on August 19, 1973 with 48 members.

Since 1973, Pine Terrace has grown to over 1,600 members. A fellowship hall was added in 1976, a children's wing was built in 1978, and a new sanctuary was constructed in 1984. Today the church owns close to 19 acres of land. Seven pastors have served at Pine Terrace since its foundation, and current Pastor Dr. Michael Wiggins has served since 1987. This year the church celebrates the opening of a new worship and service center which will also house administrative facilities and the

music suite. The construction of this new building can be traced directly back to the passion of the congregation and its leaders. The church's motto encompasses what all Americans should strive to achieve: "Loving God. Loving People. Serving the World."

Madam Speaker, on behalf of the United States Congress, I am privileged to honor Pine Terrace Baptist Church upon the dedication of their new worship center. My wife Vicki and I wish the best for continued growth and service to Pastor Wiggins and the entire church family.

EARMARK DECLARATION

HON. DENNY REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. REHBERG. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326—Department of Defense Appropriations Act, 2010:

Requesting Member: Representative DENNY REHBERG

Bill Number: H.R. 3326

Account: 10 0602303A Missile Technology

Name and Address: MSE Technology Applications, Inc. of 200 Technology Way, Butte, MT 59701

Description: \$4,000,000 in funding will be used to develop the wind tunnel technology required to test and evaluate a new generation of missiles, space access vehicles, and high-speed aircraft utilizing ramjet and scramjet propulsion technology.

Requesting Member: Representative DENNY REHBERG

Bill Number: H.R. 3326

Account: 11 0602204F Aerospace Sensors

Name and Address: MSE Technology Applications, Inc. of 200 Technology Way, Butte, MT 59701

Description: \$2,000,000 in funding will be used to develop a ground sensor system, Watchkeeper, which offers unattended use for months at a time, high resolution night/day imaging and global wireless data transfer to command authority.

Requesting Member: Representative DENNY REHBERG

Bill Number: H.R. 3326

Account: 171 0204571N Consolidated Training Systems Development

Name and Address: Advanced Acoustic Concepts of 920 Technology Blvd., Suite C, Bozeman, MT 59718.

Description: \$3,000,000 in funding will be used to increase operator proficiencies by integrating the current Oceanographic and Atmospheric Master Library (OAML) Navy-standard coremodels, algorithms and data bases into a processing efficient Ocean Model for effective high fidelity simulated sonar training.

Requesting Member: Representative DENNY REHBERG

Bill Number: H.R. 3326

Account: 04 Administration and Servicewide Activities DoD Human Resources Activity

Name and Address: University of Montana of University Hall 116, Missoula, MT 59812.

Description: \$2,000,000 in funding will be used to expand training capacity in critical lan-

guages and cultures to supplement DoD and related federal programs that are now operating at or beyond capacity.

RECOGNIZING THE ACCOMPLISHMENTS OF JUNIOR ACHIEVEMENT OF THE MISSISSIPPI RIVER VALLEY

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. AKIN. Madam Speaker, I rise today to recognize the accomplishments of Junior Achievement of Mississippi River Valley. In particular, I would like to congratulate the organization's President, Lori Jacob, for winning JA Worldwide's 2009 Karl Flemke Pioneer Achievement Award. This award recognizes significant achievements and contributions of new Junior Achievement USA Member Presidents.

Junior Achievement is the world's largest organization dedicated to teaching students in Kindergarten through 12th grade about the importance of economics, entrepreneurship, and financial literacy. The organization reaches over 9 million students around the world each year, with over 130 local offices in the United States and operations in over 110 countries worldwide. One of the things that makes JA so unique is its use of adult volunteers to bring business to life for students. In the U.S. alone, young people in more than 188,000 classrooms benefit annually from these positive role models.

Ms. Jacob is clearly deserving of receiving this year's Flemke Award.

She began her career with Junior Achievement in 1987, serving in many roles within the Marketing, Education, Development, and Operation departments until she assumed her current position in 2007. Under her leadership, the area reached 127,000 students in over 700 schools this year, on a \$2.7 million budget, making Junior Achievement of Mississippi Valley one of the organization's largest operations in the United States. Ms. Jacobs led the area to become a national two-time winner of JA's most prestigious funding award—the MetLife Entrepreneurial Award. She has been a champion in creating more awareness of JA, and has a volunteer board of directors composed of over 60 leaders of the St. Louis community.

In this current economic climate, teaching students the importance of economics and financial literacy is of the utmost importance, and I congratulate Ms. Jacobs and Junior Achievement of the Mississippi River Valley for their efforts throughout the St. Louis metropolitan area.

HONORING THE SERVICE AND SACRIFICE OF U.S. ARMY 1ST SERGEANT JOSE SAN NICOLAS CRISOSTOMO

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. BORDALLO. Madam Speaker, I rise today to honor the service and sacrifice of

United States Army 1st Sergeant Jose San Nicolas Crisostomo. 1st SGT Crisostomo, originally from the village of Inarajan, Guam, was assigned to International Security Assistance Force in Kabul, Afghanistan. 1st SGT Crisostomo passed away on August 18, 2009 while on duty in Afghanistan. He was 59 years old and the oldest servicemember to perish in Afghanistan.

1st SGT Crisostomo was born on August 29, 1949 to Joaquin and Joaquina Crisostomo and lived a life of honor, service, and dedication to preserving his culture. Known to his friends and family as "Joe" or "Uncle Sinbad," 1st SGT Crisostomo is remembered for his altruism, patriotism, and vibrant personality. He was active in promoting the Chamorro culture and was a founder and former president of "Grupun Minagof," an organization established to help Guamanians living in Washington state. His leadership and dedication to his community and his family will remain an enduring legacy.

A longtime member of the U.S. Army, 1st SGT Crisostomo re-enlisted in 2008 after previously serving for 24 years, which included tours of duty in the Vietnam War and the first Gulf War. 1st SGT Crisostomo was a two-time recipient of the Bronze Star for combat valor and received the Purple Heart for wounds sustained in combat. He was also awarded the Kuwait Liberation Medal in 1991.

I join our community in mourning the loss of 1st SGT Crisostomo and in offering condolences to his wife, Patricia Leon Guerrero Crisostomo; his children, Tricia Renee, Jeffrey Joe ("Jay"), and Dominic Jay; his 10 grandchildren and to his many family and friends. 1st SGT Crisostomo served with honor and distinction, like the many sons and daughters of Guam who served before him, and he gave the ultimate sacrifice in defense of our country.

God bless the family and friends of 1st Sergeant Jose San Nicolas Crisostomo, God bless our men and women in uniform protecting our country, God bless Guam, and God bless the United States of America.

CITY OF DUNEDIN, FLORIDA, RECOGNIZED AS A COMMUNITY FOR A LIFETIME

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. YOUNG of Florida. Madam Speaker, The city of Dunedin, Florida, that I have the privilege to represent has been honored with a "Communities for a Lifetime Award" by the Florida Department of Elder Affairs.

The award is given to communities that demonstrate successful best practices that foster community initiatives to address the benefits and challenges of an increasing elder population.

A total of 105 Florida towns and cities participate in the Communities for a Lifetime Initiative and Dunedin was the very first city to sign up for the program.

One of the major initiatives for which Dunedin was honored was a 2008 project between the city and Mease Hospital to turn a vacant building into an adult day care center where family caregivers can receive valuable respite

care so they can continue caring for their aging loved ones.

This is the second time Dunedin has been honored by the program. Two years ago, the city received a Continual Progress Award for creating a Lifetime Bureau.

Madam Speaker, Dunedin is an outstanding place to live, to work, to play, and to retire. This latest recognition is not only a reflection of the work of the Mayor and City Commissioners, but of the entire community which makes Dunedin such a welcoming place for residents of all ages.

EARMARK DECLARATION

HON. DENNY REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. REHBERG. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3170, FY2010 Financial Services and General Government Appropriations Bill.

Requesting Member: Representative REHBERG

Bill Number: H.R. 3170

Account: Small Business Administration—Salaries and Expenses

Requesting Entity: Montana State University, HTAP: High-Technology Assistance Program

Description: \$133,000 in federal funds will enable Montana State University to assist Montana's high-technology businesses in adopting micro and nanotechnologies as a means to improving their products and increasing competitiveness in the high-tech market.

Requesting Member: Representative REHBERG

Bill Number: H.R. 3170

Account: Small Business Administration—Salaries and Expenses

Requesting Entity: Montana World Trade Center

Description: The Montana World Trade Center has a long and successful history of export and trade assistance. \$134,000 will go toward assisting "new to export" Montana businesses in marketing and selling their products and services globally.

Requesting Member: Representative REHBERG

Bill Number: H.R. 3170

Account: Small Business Administration—Salaries and Expenses

Requesting Entity: TechRanch at Montana State University

Description: The TechRanch at Montana State University is a cohesive center that will provide comprehensive business development services and business support services to high-tech Montana companies. \$133,000 will help maintain their goal of attracting technology businesses to the State.

RECOGNIZING THE CONTRIBUTIONS OF WOMEN TO THE LABOR MOVEMENT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. KILDEE. Madam Speaker, I rise today to recognize the achievements of women in the labor and social movements. The UAW held a ceremony this past Labor Day in Flint Michigan to honor the contributions of women in labor, civil rights, the military, women's rights, and the political arena.

From the 300 women that came together in Seneca Falls, New York, in 1848, to promote women's rights and suffrage, women have banded together to improve our country. Jane Addams, "the mother of social work," worked with the labor movement in Chicago to eliminate poverty, and advance the living conditions of workers. From her work at Hull-House in Chicago, Jane Addams became a moving force in the passage in the first Federal child labor law passed in 1916.

Women have played a pivotal role in the organization and development of every social movement of the past century, including the labor movement. In my hometown of Flint, the Women's Auxiliary provided support for the families of the sit-down strikers. The Women's Emergency Brigade was on the front lines as the police attempted to stop the union. Since the formation of the UAW, women have toiled side by side with men in the factories and have taken their place at the bargaining table.

The labor movement had one of its greatest advocates in Frances Perkins. She was the first female Secretary of Labor and was the first female member of a President's Cabinet. During her younger days she lived at Hull-House and embraced the concept of unionism but it was witnessing firsthand the Triangle Shirtwaist Company fire in 1911 that cemented her commitment to the workers of our country. As the architect of Franklin Delano Roosevelt's New Deal, her vision of a better life for all cannot be underestimated. She was at the center of the 15 major pieces of legislation passed during the first 100 days of Roosevelt's Administration. She conceived the Social Security Act of 1935, the most important piece of social legislation in U.S. history, and the Fair Labor Standards Act of 1938 and shepherded them through Congress until they were enacted into law. Social Security, unemployment compensation, minimum wage, maximum work hours and the right to collective bargaining are just part of her legacy to the American people.

Madam Speaker, today the number of women registered to vote exceeds the number of registered men by 8.3 million. Women make up 14 percent of active duty military personnel, and two-thirds of all new union members in the United States are women. Women have organized, financed, marched, volunteered, worked and are still working to fulfill the dreams of those 300 women that came together in 1848 and because of their efforts we all live in a better world.

HONORING CHIEF MAURICE L.
KEMP

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. MEEK of Florida. Madam Speaker, I am pleased to recognize and honor Chief Maurice L. Kemp, the first African-American Fire-Rescue Chief in the city of Miami's history. This outstanding public servant has worked with the City of Miami Fire Department for 24 years and has held the positions of lieutenant, captain, assistant fire chief, and deputy fire chief.

Chief Kemp received a bachelor of science degree in biology from Allen University in Columbia, South Carolina and a master's degree in public administration from Nova Southeastern University.

As Deputy Fire Chief since 1999, Chief Kemp has overseen the technical, management, support, communication, and emergency management services, as well as developed and managed budget and legislative functions. In 2006, he was appointed the Program Chief and Task Force Leader for the United States Department of Homeland Security, FEMA Urban Search and Rescue.

Moreover, Chief Kemp has received accolades throughout his career including the Dr. A. Mancebo Memorial Award and recognition from the 5000 Role Models of South Florida.

Since 1735, professional and volunteer firefighters have been an invaluable facet of our communities, towns, and cities. Through the City of Miami's mission to "serve the citizens of Miami in a professional manner by providing rapid emergency response and other services to save lives and protect property" and their motto, "Excellence through Service," I commend the tremendous bravery of Miami's firefighters and am proud to honor each one today on the Floor of the House. Ever vigilant, this Nation's firefighters respond quickly to emergencies of all kinds and protect and save lives each and every day. From the earliest days of Benjamin Franklin's Union Fire Company to the famous fire departments of New York City, Chicago, and Boston, every fire station in this country has a proud history and tradition of distinguished service.

Today, men such as Chief Kemp along with over one million firefighters answer the call of duty and perform extraordinary acts of selflessness and valor without hesitation.

Madam Speaker and my colleagues, I ask that you join me and the public safety community in this remarkable show of solidarity. Chief Kemp is an outstanding American worthy of our collective honor and appreciation. It is with deep respect and admiration that I commend Chief Kemp, and thank the men and women in the fire service field that dedicate to the selfless protection of others stand together in the face of adversity, bonded by sacrifice and a sense of duty.

WELCOME HOME IN HONOR OF A
AMERICAN HERO CAPT SCOTT
SPEICHER THE UNITED STATES
NAVY

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I have come here today to honor a fallen hero who, after 18 years, has finally been reunited with his family. Captain Speicher was a man of great distinction who gave the ultimate sacrifice so that others might know a more peaceful world. The following poem from Capitol Guide Albert Carey Caswell reflects on his final journey home.

WELCOME HOME

Welcome Home!

Scott, may your sacred body rest!

America's Finest, of all Sons, but one of her very best!

How over the years, have so have so our tears . . . have so run!

And all of those sleepless nights, keeping hope alive . . . as we have all so done!

As your beautiful Children, have so missed you my Son!

And your Wonderful Wife, with hope burning bright . . . how the tears begun!

And your Mom and Dad, praying from evening to morning sun . . .

But, it's over now . . . we can rest!

But, oh how so bittersweet . . . this answer, this emptiness . . . Thy Will Be Done! For you were and will always be, one of America's best!

Welcome Home, Our Most Heroic One!

For you are now, One of America's Chosen Sons . . .

Sons of Freedom and Peace, who defend us with but only their beliefs!

'Oh how so Magnificent, are but all of these . . . such splendid ones!

Just moments, are all that we so have . . .

To make a difference, to heart's grab!

To change the world!

To go off so valiantly, with but out flags unfurled . . .

It's been eighteen long . . . long years!

With all of that heartache, and all of those most swollen tears . . .

Still, in all our pain . . . there are so many families, who will never know . . .

Will never know, but where there loved ones so remain . . .

Bless you, our Fine Son!

And your family, for our country . . . for what you have all so done!

For your last flight Scott, was not over Iraq! But, up to our Lord . . . as straight up to Heaven as was that!

For Scott now, now are an Angel with wings . . .

In the Army of our Lord, of all things!

And on the day you arrived, could you not hear our Lord and his Angels cry!

Scott, Welcome Home!

In honor of a real American Hero, Navy Captain Scott Speicher and his family . . .

may they find peace . . .

SPECIAL TRIBUTE TO BLIND
LEMON JEFFERSON AND THE
BLIND LEMON BLUES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. RANGEL. Madam Speaker, as the famed York Theatre Company of New York celebrates its 40th anniversary, today I rise to recognize their newest musical genius, "Blind Lemon Blues" and to pay tribute to the Legendary Father of the Texas Blues, "Blind" Lemon Jefferson.

Blind Lemon Blues celebrates the legacy of Blind Lemon Jefferson and his profound influence upon the development of American popular music. Blind Lemon Blues is set in New York City in 1948 at the last recording session of the legendary Huddie Ledbetter, better known as Lead Belly, and combines elements of traditional blues, gospel, rhythm and blues, soul, doo-wop, and rap to evoke the enduring legacy of Blind Lemon and his contemporaries, Blind Willie Johnson, Lillian Glinn, Hattie Hudson, Bobbie Cadillac, Lillian Miller and Lead Belly himself.

"Blind" Lemon Jefferson was one of the most popular blues singers of the 1920s, and has been titled "Father of the Texas Blues." Jefferson's singing and self-accompaniment were distinctive as a result of his high-pitched voice and originality on the guitar. He used Dallas as a base to launch an extraordinary blues career, during which he made over 80 recordings of his intricate melodic rhythms and influenced countless artists, including B.B. King. Other later blues and rock and roll musicians attempted to imitate both his songs and his musical style.

Often heralded as one of the most influential bluesmen of all time, "Blind" Lemon Jefferson was born blind near Couchman, Texas, in Freestone County, near present-day Wortham, Texas, in September 1893. Jefferson was one of eight children born to sharecroppers Alex and Clarissa Jefferson. Jefferson began playing the guitar in his early teens, and soon after he began performing at picnics and parties. He also became a street musician, playing in east Texas towns in front of barbershops and on corners.

In the early 1920s, Jefferson traveled to Dallas, where he met Huddie "Leadbelly" Leadbetter and established the blues scene in Dallas' Deep Ellum district. Five years later, he was on the road of instant success. Between the years of 1925 and 1929, Jefferson made over 80 recordings for Paramount Records and became the first commercially successful male black artist. Some of his most notable recordings are "Black Snake Moan," "Boll Weevil Blues," "Matchbox Blues," and the song that would become his trademark, "See That My Grave Is Kept Clean."

Jefferson died from mysterious circumstances on the streets of Chicago on December 22, 1929, and was buried in the old Wortham Negro Cemetery. His grave was unmarked until 1967, when a Texas state historical marker was dedicated to him. He was inducted in the Blues Foundation's Hall of Fame in 1980. In 1997 the town of Wortham began a blues festival named for the singer, and a new granite headstone was placed at his gravesite—a fitting tribute to the man who

sang “. . . Lord, there’s just one favor I ask of you, see that my grave is kept clean.” In 2007 the name of the cemetery was changed to Blind Lemon Memorial Cemetery.

So Madam Speaker, I ask that you and my distinguished colleagues join me in recognizing the good work of Director and Choreographer Akin Babatunde and Producer Alan Govenar for such a magnificent rendition of the life of Blind Lemon Jefferson and those Blind Lemon Blues.

HONORING THE FLINT CENTRAL
HIGH SCHOOL CLASS OF 1959

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. KILDEE. Madam Speaker, I would like to recognize the Flint Central High School Class of 1959 as they celebrate their 50th Class Reunion. A party was held in my hometown of Flint, Michigan, on September 4 in honor of this milestone. I am proud to say that I was their teacher.

Over 1,000 students graduated from Flint Central High School in 1959 and their senior year was highlighted by outstanding academic and athletic programs. The football team won the State Championship, the cross-country team won the State Championship, the basketball team won the Regional Championship, and the track team won the State Championship.

The Class of 1959 boasted six Valedictorians. Many students accepted college scholarships and military academy appointments. Over 350 students participated in the 33rd Annual Kaleidoscope and the theatrical production that year was “A Connecticut Yankee in King Arthur’s Court.”

The graduates spanned all walks of life and went on to careers in law, research, education, medicine, the fine arts and manufacturing. The surviving 700 classmates live in almost every state in the United States. Members of the Class of 1959 spread out over the globe and currently can be found in Scotland, Japan, and Mexico.

Madam Speaker, I ask the House of Representatives to join me in commending the achievements of the Flint Central High School Class of 1959. As their former teacher, I take deep pride in helping to shape the minds and abilities of these graduates and I congratulate them on their talents, accomplishments, and triumphs.

CONGRATULATING TED AND VEE
STUBAN ON THEIR 60TH WED-
DING ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Mr. and Mrs. Ted Stuban of Berwick, Luzerne County, Pennsylvania, on the occasion of their 60th wedding anniversary that was celebrated on September 3.

Throughout their remarkable lives, Ted and Vee Stuban have exemplified what it means to be personal and community role models.

As lifelong residents of northeastern Pennsylvania, Ted was associated with the excavation business and the Pennsylvania Department of Transportation before starting an auction business which he and Vee operated for about 25 years.

Ted was also deeply involved in his community, initially as a member of the Berwick Council, then as mayor of Briar Creek and, later, as a member of the Pennsylvania General Assembly as State Representative of the 109th District for eight successive terms, from 1976 to 1992.

In his capacity as State Representative, Ted was instrumental in crafting legislation and serving constituents in a manner that earned him much respect among his colleagues in Harrisburg and among the thousands of citizens in his district whom he represented so well.

Ted was also deeply involved in civic activities over the years. He was a member of the West End Fire Company, the Knights of Columbus, the Bloomsburg Elks Lodge, past president of the Columbia Montour Aging Board, the Columbia-Montour Visiting Nurses Association board of directors, the PPL Advisory Commission and Ss. Cyril and Methodius Ukrainian Catholic Church.

Vee Stuban is the former Charlotte Hetler, of Berwick. Formerly employed by the Wise Potato Chip Company in Berwick, Vee has been active in Democrat political circles for many years. She is a member of the Columbia County Democratic Women’s Club and the Columbia County Democratic Caucus. She has also been active over the years as a 4H leader and as a member of the Calvary United Methodist Church in Berwick.

Ted and Vee are the parents of a daughter, Mrs. Joseph R., Kathy, Duda.

Madam Speaker, please join me in congratulating Ted and Vee Stuban on this very special occasion. Not only has this remarkable couple contributed greatly to the quality of life in their community, but they have also been an inspiration to their peers and to future generations as they illustrated, through their actions as well as their words, how to live lives focused on community service to others as a means of deriving personal happiness and contentment.

JARED C. MONTI: AMERICAN HERO

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. FRANK of Massachusetts. Madam Speaker, the hardest part of our job is attending the funerals of those young men and women who have given their lives in the service of our country. Having voted to send American military forces into war in Afghanistan, I was profoundly moved—and troubled—when I attend the funeral of Sergeant Jared C. Monti of Raynham, Massachusetts, who lost his life in a brave effort to save a comrade in that country. These occasions are for us an important reminder that voting to send people to war is a last resort done only after the most thorough and thoughtful consideration, and

only when no alternative is consistent with our security.

But Madam Speaker, to talk about the difficulty of our jobs in the context of the death in battle of this brave young man is an example of grave disproportion. For me, this was a sad day. For the family of Jared Monti, it was part of a period of deep and enduring sadness, and of course with Sergeant Monti himself it was the ultimate tragedy—a promising young life lost.

Madam Speaker, in the Boston Globe for Sunday, September 6, Bryan Bender of the Globe staff wrote a moving, eloquent article about Sergeant Monti, describing the battle in which he was killed as he with no regard for his own safety tried to save a wounded comrade. Next week I will be at the White House when Sergeant Monti’s family receives the Medal of Honor that was posthumously awarded to him. Madam Speaker, as a tribute to an extraordinary young man, whose dedication to his comrades was unlimited, and as a reminder of what war really means to those who must fight it, I ask that Mr. Bender’s excellent, sad article be printed here.

[From the Boston Globe, Sept. 6, 2009]

HE COULD NOT LEAVE A COMRADE BEHIND

(By Bryan Bender)

The sound of feet shuffling in the woods, high on a ridge in remote Afghanistan, was the only warning that Sergeant Jared C. Monti and the 15 men under his command were about to be attacked. Before they could even react, they were bombarded with rocket-propelled grenades and machine-gun fire.

The ambush by mountain tribesmen allied with the Taliban came so suddenly and with such ferocity that some members of Monti’s unit “had their weapons literally shot out of their hands,” according to an Army report.

Monti, a 30-year-old staff sergeant from Raynham, shouted orders and radioed for support as he found cover behind some large rocks. An officer a few miles away asked whether he could pinpoint the enemy’s position.

“Sir, I can’t give you a better read or I’m gonna eat an RPG,” Monti replied.

But later, when one of his men was wounded and lying in the open, Monti braved intense fire to try to rescue him—not once, but three times. It cost him his life.

Three years later, after an Army review of Monti’s actions that day, President Obama will award him the Medal of Honor, the highest recognition for valor in the US military. When Monti’s parents, Paul and Janet, accept the award in a White House ceremony on Sept. 17, it will be only the sixth time the Medal of Honor has been awarded since Sept. 11, 2001, and the first time someone from Massachusetts has earned it since the Vietnam War.

Monti’s story reveals not just the courageous actions of a 12-year Army veteran. It also illustrates the extreme conditions of combat in Afghanistan, where increasing numbers of US forces are dying, and the sheer chaos of the war.

Everything went wrong for Monti and his patrol. The unit was left on that narrow ridge longer than intended, exposing it to a much larger enemy. And while Monti’s display of “extreme personal courage and extraordinary self-sacrifice,” as the Army described it, helped turn the tide, disaster struck again when the soldier Monti tried to save was killed in a freak accident while being airlifted out. Including Monti, four soldiers died.

“True valor is not defined so much by results,” an Army general wrote in recommending Monti for the medal, “as it is by

the depth of conviction that inspires its expression. On rare occasions, the actions of men are so extraordinary that the nobility rests, not in their outcome, but in the courage of their undertaking."

"HE WAS VERY HUMBLE"

When Charlie Witkus learned his buddy Jared had been killed, he organized a "Viking" funeral.

After his burial at the Massachusetts National Cemetery in Bourne, Monti's friends collected cards, letters, and other mementos of him and set them ablaze on a makeshift pyre floating on a Taunton pond.

It was a fitting tribute, Witkus felt, for a guy who once organized a "survival style" canoe trip down the Taunton River, with no food or water.

"I was devastated," said Witkus, who last spoke with his friend about three weeks before he died. "He was the most stand-up guy I ever knew."

Monti was born in Abington and grew up in Raynham, 35 miles south of Boston, the son of a schoolteacher and a nurse.

Stories of his generous spirit abound: As a youngster he made lunches for his brother and sister to help his mom get to nursing school on time. During his high school years, he once cut down a spruce tree in their yard to give to a single mother who could not afford a Christmas tree for her kids. He even collected enough money for gifts.

But he rarely took credit for his deeds, relatives and friends said. Only after he died did his father, Paul, find a 3-foot tall trophy Jared won in a weight-lifting championship.

"That is the way he was," said Paul Monti. "He was very humble. He believed in doing things for other people."

To honor his son's memory, Paul Monti has established an annual scholarship fund for a Raynham senior headed to college.

He also finds comfort driving Jared's pickup, still covered with stickers from his beloved 10th Mountain Division.

Jared set his sights on the military early, inspired by an uncle in the Navy. He joined the Massachusetts National Guard's delayed entry program in 11th grade at Bridgewater-Raynham Regional High School, attending weekend drills at the recruiting station in Taunton until he graduated.

"I wanted to be that same person," he later wrote of how the image of his uncle's crisp uniform captured his imagination.

A STEADY HAND

Monti was not a perfect soldier, but he proved that he could earn the trust and respect of those he led; he called them his "boys," and some of them called him "grandpa."

When he left for basic training in Missouri in 1993, barely 18 years old, he had never been out of Massachusetts. Army life was tough, he recalled, but he adjusted quickly and eventually decided to enlist full time. He was disappointed other soldiers didn't take it as seriously—a feeling he later expressed in his own words in a journal his family found on his computer after his death.

"I wanted to fight for my country at a time when everybody else was smoking weed and or just there to earn a couple of bucks toward college," he wrote.

He got into several bar fights, including with one of his sergeants in Kansas who ridiculed him by calling him "Rambo," and he did 14 days of hard labor for violating a weekend pass when he was stationed in South Korea in the 1990s. "I drank till there was no tomorrow," he wrote of the incident.

But as he rose through the enlisted ranks, his superiors quickly saw he had a steadiness and maturity that others didn't. Monti was one of the first enlisted soldiers in the 82nd Airborne Division selected to be trained to

call in air strikes on enemy positions, an enormous responsibility that brought the risk of civilian casualties.

"If a lot of guys were just sitting around, he was always willing to teach us something," recalled Sergeant Clifford Baird, who first met Monti, with his ever-present chewing tobacco tucked under his lip, when they were posted together at Fort Drum, N.Y. "He'd sit there and give us a class. He was very respected around here."

Monti also had a special bond with junior soldiers. While soldiers are required to shave every day, even in the field, Monti would let his beard grow and shave only before returning to base. The new guys loved that he would bend the rules like that.

And he was as loyal to his men as they were to him. He once gave up his leave to fill in for a soldier who hadn't seen his family in two years. When stationed at Fort Bragg in North Carolina, he gave his new kitchen set to a soldier whose kids were eating on the floor. When his girlfriend, Sherri, sent care packages with his favorite cigars, he would promptly hand them out to his unit.

"One of the things that sets him apart was that he had a great deal of compassion," said Lieutenant Colonel Jeffrey Abbott, the operations officer for Monti's squadron in Afghanistan.

A HEAVY BURDEN

He earned a chestful of medals, but Monti agonized over all the killing war required, his family said. He returned from Afghanistan in 2003 with a Bronze Star for valor, but his mother recalled: "He didn't like talking about it. Most of the time he just liked to be left alone. He'd say, 'Don't tell anybody I am here.' He wasn't proud of it."

When he was pressed about how he earned it, Janet Monti said, he'd finally blurt out something like, "I had to kill someone's brother, or father, or sister."

Monti described his private anxieties in an undated entry, titled "My story," that his father recently found on his personal computer. "We are not fighting in World War II," Monti wrote. "We don't have the ability to justify any means to our end. Wars of today are not black and white."

Monti's job to call in air strikes "weighed heavily on him," said Jon Krakauer, a mountaineer and author of the best-seller "Into Thin Air" who, while working on a book, spent nearly five weeks with Monti's unit.

"It was always this tough call," Krakauer said. "He was conservative about it."

Krakauer recalled a patrol with Monti when a Toyota Corolla came barreling down the road. Fearing the driver was a suicide bomber, a soldier prepared to open fire. But Monti stopped him just in time. It turned out the driver was just a local in a hurry.

"A split-second later it would have been really bad," said Krakauer.

It was Monti's humanity that also helped him get along especially well with the locals, Krakauer said. He was called on frequently to negotiate, through an interpreter, with tribal leaders, who liked him so much they gave him a Muslim name.

"He was only 30-years-old but he was an old soul," said Krakauer.

"WORST-CASE SCENARIO"

The nearly 300 members of the 3rd Squadron, 71st Calvary Regiment had a grueling mission; they lost an average of 15 to 20 percent of their body weight, pulling 16- to 18-hour days, seven days a week, often in 100-plus degree temperatures.

In one of the longest maneuvers in recent US military history, they trekked by Humvee along dirt paths and steep mountain passes from a US base in southern Afghanistan to remote Nuristan province in the northeast, about the distance between New York and Washington, D.C.

"We moved into unknown terrain," recalled Abbott, the squadron's operations officer, noting even the Soviet army did not venture there during its brutal occupation of Afghanistan in the 1980s.

"Sergeant Monti went out with reconnaissance teams to learn the people," he said, "to learn the populace, and to gain knowledge of a terrain that nobody had ever been employed in before."

Monti's last mission was to scout Taliban positions near infiltration routes from neighboring Pakistan—mainly goat trails thousands of feet up—and gather targeting data for a larger offensive, dubbed Operation Gowardesh after the nearby town, to take place a few days later.

On the evening of June 17, 2006, the patrol was ferried by helicopter a few miles from the town. To avoid detection and the sweltering heat, they moved mostly in the dark, using night-vision equipment to navigate the rugged terrain.

On June 20, they stopped on a narrow ridge overlooking the Gremen Valley, with steep inclines on both sides, that commanded a view of several enemy positions.

The 16 soldiers set up their observation post on a sloping patch of ground, about 165 feet long and 65 feet wide, with a tree line at the top end and a few large rocks, a portion of an old stone wall, and a few small trees at the lower end, according to the Army's recreation of the battle.

The next morning Monti was informed that the larger US assault would be delayed for three days—the helicopters and troops were needed elsewhere—leaving them low on food and water. The plan had been to use the cover of the US assault to resupply them by helicopter; now the resupply could expose them to the enemy.

At about 1:30 p.m., Monti took most of the patrol to meet a resupply helicopter about 500 feet away. A small group stayed behind. They soon spotted a local man down in the valley using military-style binoculars to look up toward their position before he picked up a satchel and disappeared.

"It was the worst-case scenario," said former Army Captain Ross A. Berkoff, the squadron's intelligence officer, who was monitoring the situation from about 6 miles away. "We stirred up a hornet's nest."

WELL-COORDINATED ATTACK

When the enemy fighters opened fire on the patrol just before nightfall, the two soldiers nearest the woods bolted down the slope to seek cover behind rocks.

Sergeant Patrick Lybert, 28, of Ladysmith, Wis., was crouched behind a low stone wall, in the best position to fire back. The others could barely raise their heads to aim.

The patrol faced between 60 and 80 fighters, most of them members of Hezb-e-Islami Gulbuddin, a local tribal militia aligned with the Taliban, according to Berkoff.

Monti calmly reported over the radio that the patrol was at risk of being overrun, according to officers in the operations center a few miles away. As shoulder-launched RPGs (rocket-propelled grenades) skipped off the rocks right above his head, he began plotting grid coordinates for another group of soldiers on another ridge to fire mortar shells at the advancing fighters.

Within minutes, Lybert, who had been holding off the enemy from behind the stone wall, slumped forward, blood coming out of his ears.

The tribal militia split into two groups to try to encircle the patrol. Soldiers who still had weapons passed them back and forth to the one in the best position to fire back.

The enemy "had one goal in mind," said Abbott, who was monitoring the battle from the command post. "To overrun and kill everybody in Monti's squad."

Monti saw a group of fighters closing in fast. When they came within 30 feet, he threw a grenade in their path. He then took a head count. Private Brian Bradbury, who had been near the tree line, was missing.

A DARK ENDING

Monti called out for him over the din of the battle. He called again. Finally, the 22-year-old from Lowville, N.Y., replied weakly that he was badly injured and couldn't move. He was lying about 30 feet away, where Monti couldn't see him, but directly in the enemy's sights.

Monti told Bradbury he was coming to get him. He handed off his radio, tightened the chin strap of his helmet, and ran out into the open. The woods, about 100 feet past Bradbury, immediately erupted with more gunfire and RPGs.

Moving low and fast, according to the testimony of his fellow soldiers, Monti got within less than a dozen feet of Bradbury before he had to dive behind the low stone wall where Lybert lay dead. After a brief pause, he made another attempt but the shooting was even more intense. He scrambled back behind the low wall.

He prepared to make another attempt to save Bradbury, this time asking some of his men to cover him with more gun fire trained on the woods. But as he lunged toward Bradbury the third time, an RPG exploded in his path.

The blast blew off his legs, but Monti struggled to get back to the stone wall, his men calling out in encouragement. With his last breaths, his soldiers later reported, Monti said he made his peace with God. And right before he died he asked them to tell his family he loved them.

As darkness fell over the valley, the mortar rounds Monti called for began to hit the enemy positions. US aircraft also dropped several bombs into the woods.

"Monti's selfless act of courage rallied the patrol to defeat the enemy attack," the Army concluded.

It was dark by the time Bradbury was pulled to safety and treated by the medic. A helicopter arrived but couldn't land because of the rough terrain. Staff Sergeant Heath Craig, 28, a medic from Severn, Md., was lowered to Bradbury, who had a team of doctors waiting to treat him back at the base. But as they were being hoisted up, the winch broke. Both fell to their deaths.

Berkoff remembered standing in front of the field hospital and thinking, "Could anything possibly go right today?"

Monti was posthumously promoted to sergeant first class.

As she prepares to accept the Medal of Honor from the president for her son's sacrifice, Janet Monti says she can't help but wonder what Jared would think about it. "He would say this medal isn't just for me. He would want to share this medal with everybody who died that day."

HONORING RICHARD KUCKENBECKER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Richard Kuckenbecker upon being named by the Madera District Chamber of Commerce as a 2009 Lifetime Achievement Award Honoree. Mr. Kuckenbecker will be recognized on Wednesday, August 26, 2009 at the Fifth An-

nual Lifetime Achievement Awards and Installation Dinner.

Richard Kuckenbecker was born in Sanger, California. At the age of five, he began to spend time in his father's business, Kuckenbecker Tractor Company. As a young man, he would assist by sweeping the floors, cleaning the lavatory and completing tasks that needed to be done around the shop. Upon graduating from high school, Mr. Kuckenbecker attended Fresno State, where he played baseball. Just shy of completing his Bachelor's Degree, he left school and returned to the family business. Mr. Kuckenbecker was twenty-one years old when he took over Kuckenbecker Tractor Company, he was the youngest tractor dealer in the nation. During college he met Lynn Bashian, and in May 1964 they were married and promptly moved to Madera from Fresno. Kuckenbecker Trucking Company has been in the family for sixty-five years. Since Mr. Kuckenbecker took the reigns the business has changed locations and expanded to include a dealership in Fresno in 1982.

Mr. Kuckenbecker has always been dedicated to his community. He is a founding member and President of the Madera County Ag Boosters, serves on the board of the California State University, Fresno Ag One. He is a member of the Far West Equipment Dealers Association, National Association of Farm Equipment Dealers, Ford Motor Company Dealer Council, Madera Historical Society. Mr. Kuckenbecker served as a judge for the Fresno Bee Excellence in Business award. He has also won the Madera District Fair Blue Ribbon award. For his civic duty, he served on the Madera Planning Commission. For all that he has done for the community, Mr. Kuckenbecker was selected as the first Madera District Chamber of Commerce Agribusiness Person of the Year. He has received the Fresno County Farm Bureau Distinguished Service award and the Fresno Bee Excellence in Business Award for Agriculture.

Mr. Kuckenbecker and his wife Lynn have three children and five grandchildren, with another grandchild on the way. He continues to own and operate Kuckenbecker Trucking Company in Madera and Fresno.

Madam Speaker, I rise today to commend and congratulate Richard Kuckenbecker upon being honored as the Madera Chamber of Commerce 2009 Lifetime Achievement Award. I invite my colleagues to join me in wishing Mr. Kuckenbecker many years of continued success.

RECOGNIZING THE CONTRIBUTIONS OF CHASE SIMMONS

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. HALL of Texas. Madam Speaker, I want to thank a member of my staff who is leaving us to move back to "our" home state of Texas. After earning a degree in Psychology from Texas A&M University, Chase Simmons came to Washington and spent the last 4 years here on Capitol Hill. He served as a Senior Staff Assistant for the Committee on Energy and Commerce and joined the Committee on Science and Technology in 2007 as

our Committee Clerk. Chase first came to Capitol Hill in 2005 serving as an intern in my office.

Chase has worked hard to help me serve the people of the 4th District of Texas and assisted the Members of Congress serving on the Committee on Science and Technology.

I thank him for his efforts and wish him well in the future.

AGAINST THE CONSOLIDATION OF THE OTEEN POST OFFICE IN ASHEVILLE, NORTH CAROLINA

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. SHULER. Madam Speaker, as the son of a rural postal carrier, I was raised with the United States Postal Service as an integral part of my community, my family, and my life. I grew up understanding the vital role a rural post office can play in terms of jobs, small businesses, and local economies. Today the Postal Service is in jeopardy. With increasing reliance on electronic communication, fewer and fewer citizens are using standard mail to send and receive correspondence.

To counter the reduction in usage and their enormous deficit, the United States Postal Service has been forced to implement difficult cost-cutting measures. Among these measures is the consolidation of numerous post office branches throughout the country. In my postal region alone, the Mid-Carolinas District, 6 of the 80 post offices that service the area have been closed in the past year. The Post Master General estimates that over the next year, approximately 300 post offices nationwide will be forced to shut their doors. This will result in job losses and reduced community access to postal services for individuals and businesses.

I am particularly concerned about the Oteen Post Office in Asheville, which is currently under review for consolidation in my district. There has been tremendous local resistance to the possible closing of the Oteen Post Office, especially because the facility is located directly across the street from the Charles George Veterans Affairs Medical Center. The VA hospital is reliant on the Oteen Post Office to meet the correspondence needs of its patients, as well as the critical administrative needs of the medical center staff. For example, the Oteen facility provides fee-based presorting services to 18 different departments of the VA hospital and early mail pick-up to expedite the delivery of vital medical paperwork. Should the facility close, employees of the VA hospital and citizens in the area would have to drive almost 14 miles roundtrip to access the nearest retail postal facility.

Furthermore, it is important to remember that many elderly and rural citizens, poor people and people without permanent residences rely solely on post office boxes to receive their mail. By closing the Oteen Post Office, as with many post offices around the country, we are complicating access to these post office boxes and putting further strain on our veterans, senior citizens, and those with limited means.

Consolidation of post offices is not the best solution to this crisis. In many instances, it is detrimental. Rather than shutting post office

doors, we should look at other streamlining solutions that are already being successfully implemented. We should explore proven solutions such as adjusting post office hours to reflect customer use, extending early retirement eligibility to USPS employees, and adjusting postal delivery routes to better reflect the diminished volume of mail.

Madam Speaker, we need to keep Oteen and post offices like it open. I strongly encourage my colleagues to consider alternatives to rural post office consolidation and job loss that will help streamline the efforts of the postal service, cut costs, and increase efficiency.

RECOGNIZING JOSH ECKHOFF

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mrs. EMERSON. Madam Speaker, I rise today to commend Josh Eckhoff to the U.S. House of Representatives and to recognize his tremendous contribution to our nation. Josh's story is a testament to his selflessness and an example of service every American citizen should take to heart.

After he graduated high school, Josh volunteered to join the Missouri National Guard. He was called to service in Iraq on two occasions. On his first deployment, Josh trained Iraqi soldiers to provide security for convoys tasked with transporting supplies. When he returned home, Josh enrolled in the University of Missouri at St. Louis. He was then deployed to New Orleans in the aftermath of Hurricane Katrina.

Then, in September of 2007, Josh was called to duty in Iraq again. This time his mission was clearing roads. He had been in Iraq for six months when an improvised explosive device exploded, causing him serious injury. After several surgeries, tremendous hardship, difficult rehabilitation and a long recovery, Josh is now back in St. Louis, where he will complete his degree.

He has received the Purple Heart and the Bronze Star for his courage, and he is a great example of perseverance to everyone in my home state of Missouri. He will be the Parade Marshall in the annual Cotton Carnival Parade in Sikeston, Missouri, on October 3 this fall. We will give him a hero's welcome in Southern Missouri, and I think it is highly appropriate that Josh Eckhoff receive the same recognition in this Congress for his many accomplishments, past, present and future.

RECOGNIZING ELOISE McCALL OF ZEPHYRHILLS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Eloise Enoyer McCall of Pasco County, Florida. In a couple of days, Eloise will do something that all of us strive to do, but that very few of us

will ever accomplish, celebrate her 100th birthday.

Born September 11, 1909 in South Sabius, New York, she now resides in Zephyrhills, Florida. Eloise was married for 53 blissful years to her late husband Carl McCall. Together they had three sons, Gerald, Leonard and Bernard.

For the past 27 years Eloise has been a member of the Zephyrhills tourist club where she still goes dancing every week.

Madam Speaker, I ask that you join me in honoring Eloise Enoyer McCall for reaching her 100th birthday. I hope we all have the good fortune to live as long as her.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF THE FIRST BAPTIST CHURCH OF BOLIVAR, MISSOURI

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. BLUNT. Madam Speaker, I rise today to honor the First Baptist Church in Bolivar, Missouri, which is celebrating its 150th anniversary of serving its community guided by the teachings of Jesus Christ. Starting with a charter group of seven believers in early September, 1859, today the First Baptist Church in Bolivar includes more than 1,500 members.

Its 150 year history has been marked by steady growth and renewed commitments of service to the community and members of its congregation. Today, First Baptist in Bolivar provides more than spiritual richness; it offers recreation, child care, educational and family support through an array of missions, programs and services all geared to serve God.

It started as a small charter group organized as the "United Baptist Church of Jesus Christ at Bolivar" and at its second meeting voted to build a house of worship—the first of what would be five structures. With unrest in the nation caused by events that would lead to civil war, the church treasury was empty in January, 1861. Three months later with the start of the Civil War, construction of the new church for its 17 worshipers was halted. The building was left unfinished and in debt.

The conclusion of the war left only four members of the original congregation living in Bolivar. It was 1866 when D.R. Murphy stepped into the leadership role at the struggling church. As pastor, Murphy took up the call to resume construction of the church building and mount a donated church bell in the new tower.

Two years later the church was still under construction, but the congregation decided to move their worship services from the courthouse to the new church in August, even before the walls were plastered. The building was painted with pews and kerosene lamps in place by the end of the year, and the Bolivar church began to grow.

The first organized choir could be heard in 1869 accompanied by organ music. And the size of the congregation underwent a dramatic increase when Southwest Baptist College was moved from Lebanon to Bolivar in 1880. A

month-long revival in January saw the congregation more than double, including the baptism of 28 people on February 8, 1880.

By 1888, the church's name had been changed to the First Baptist Church, and membership continued to increase as the town and nearby college grew in population. In 1897 an entirely new building, complete with baptistry and gravity furnace, was in place. It was wired for electricity in 1901. It was replaced in 1926 with larger quarters on the northern half of Block #32 as Sunday school enrollments and congregational growth demanded expanded educational quarters. Other expansions came in 1959 and in the early 1980s.

The character of the First Baptist Church in Bolivar has been shaped over the decades by its location in the bedrock center of the nation and its close relationship with Southwest Baptist University, where I had the privilege of serving as President before my tenure in Congress. Education and leadership have given the church a unique outlook on the world, its community and the good works it does in the Lord's name.

First Baptist is making plans for their 150th anniversary celebration events throughout the month of September. The anniversary theme is Celebrate God's Faithfulness—Yesterday, Today, Forever. As my former house of worship, I know the people of this congregation, their work ethic, their love of God and the strength of their faith as they serve their community and the world.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed recorded votes on the House floor on Tuesday, September 8, 2009.

Had I been present, I would have voted "no" on rollcall vote No. 687 (on motion to suspend the rules and agree to H.R. 324); "aye" on rollcall vote No. 688 (on motion to suspend the rules and agree to H.R. 310); "aye" on rollcall vote No. 689 (on motion to suspend the rules and agree to H.R. 3123).

EARMARK DECLARATION

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. LUCAS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2647, the National Defense Authorization Act for Fiscal Year 2010: This project, a SOCOM/Oklahoma State University collaboration, will perform testing, integration and commercialization of chemical, biological, radiological, nuclear and explosive (CBRNE) and command, control, communications, computers, intelligence surveillance, reconnaissance (C4ISR) sensor-related technologies.

IN HONOR OF CONGRESSMAN
WILLIE GATHREL "BILL" HEFNER

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. MURTHA. Madam Speaker, I rise today to recognize Willie Gathrel "Bill" Hefner. Bill was a unique Member of Congress and served with distinction as the Chair of the Military Construction Subcommittee for many years. Few Members could match his contribution to the defense of this country. He represented his congressional district well, but never lost sight of national goals, whether those dealt with education, law enforcement, or defense. Many times he would sit on the floor listening intently to debate and he became one of the best extemporaneous speakers that ever served in Congress. Madam Speaker, Bill Hefner was a good friend and an outstanding American.

CELEBRATING THE FRANKLIN
SCHOOL 100TH ANNIVERSARY

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. GARRETT of New Jersey. Madam Speaker, this evening, the Franklin School in Bergenfield will celebrate 100 years of exceptional education offered in New Jersey's 5th District. Erected in 1908, Franklin School arose to meet the need for a notable educational facility within this expanding community in Bergen County. Its humble beginnings were made up of a \$15,000 budget and only 10 students grades K–12. Since then, Franklin School has grown to a diverse group of 365 students from grades K–5 that captures the excellence of what Bergen County students have to offer. With a dedicated teaching staff, Franklin School has found new and exciting strategies for enabling its students to excel in all areas of their instruction. Their mission is to put children first and this directive has given incentive to provide the student body with the necessary tools and guidance to obtain success. With laptop labs to teach communication skills, learning centers to further judge and improve performance, and performance measures put in place to continually improve all educational offerings delivered to those who attend, Franklin School has established the gold standard in educational offerings.

The Franklin School is an exceptional educational facility that has nurtured and sent forth successful students for the past 100 years. I am proud of its accomplishments and expect great things from those who have been offered invaluable guidance from this notable school. Because of committed administrators and selfless teachers who have put their time and effort into the educational program offered to their students, Franklin School has made this community in my district a better place. I wish all the very best to the Franklin School and all its staff and students in their next 100 years to come.

EARMARK DECLARATION

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. MACK. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3293, The Departments of Labor, Health and Human Services, and Education Appropriations Act, 2010.

Project Name: FGCU Impact of Freshwater Flow into Coastal Waters—FGCU Coastal Watershed Institute

Requesting Member: Congressman CONNIE MACK

Bill Number: H.R. 3293, The Departments of Labor, Health and Human Services, and Education Appropriations Act, 2010.

Account: Higher Education (includes FIPSE)
Legal Name of Requesting Entity: Florida Gulf Coast University

Address of Requesting Entity: 10501 FGCU Blvd., South, Fort Myers, FL 33965

Description of Request/Justification of Federal Funding: \$350,000; Florida's coast is a principal economic driver attracting millions of tourists and thousands of residents to the coastal communities of Southwest Florida. Proper management of the freshwater that the coastal environment receives is critical to preventing toxic algal blooms and negative impacts on recreational and commercial fisheries. FGCU is requesting federal funding for their Coastal Watershed Institute to address the impacts associated with changes in the freshwater flows into the area. This project is geared to students learning about future management of our fragile ecosystems.

PERSONAL EXPLANATION

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mrs. MCCARTHY of New York. Madam Speaker, I am continuing to recover from back surgery. Yesterday, I missed 3 votes. Had I been present, I would have voted as follows.

Rollcall No. 687, on the Motion to Suspend the Rules and Pass H.R. 324, I would have voted "yea."

Rollcall No. 688, on the Motion to Suspend the Rules and Pass H.R. 310, I would have voted "yea."

Rollcall No. 689, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 3123, I would have voted "yea."

HONORING DONNA GARSKE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. WOOLSEY. Madam Speaker, it is with great pleasure that I rise today to recognize Donna Garske for her deep commitment to ending violence against women. Congratulations to Donna as she celebrates this mile-

stone of three decades of service to the Marin Abused Women's Services, and the survivors of domestic violence that the organization serves.

Through her leadership, Donna has raised awareness of the importance and prominence of domestic violence in Marin County and beyond. As a result of her devoted efforts, abused and battered women and girls have increased access to safety and justice.

The enthusiasm and passion she exhibits for her work is truly commendable. From her directorship of the Marin Abused Women's Services, to her service with the California Alliance Against Domestic Violence and her scholastic focus on abuse prevention, she has remained an influential and inspiring leader.

Donna's work on behalf of women knows no borders. With the Network of East/West Women, Donna creates dialogue with women in Eastern/Central Europe and the former Soviet Union about violence against women. Earlier in her career, Donna's passion and commitment took her to the Institute for the Study of Male Violence at Stirling University in Scotland where she studied violence issues.

Since her early work as a counselor at the Women's Transitional Living Center and board member of the National Coalition Against Domestic Violence, Donna's advocacy on behalf of women remains firm and strong.

Madam Speaker, Donna Garske's unstinting dedication to ending violence against women shows citizens in our community the power one person has to make an important difference. Over the years, it has truly been a pleasure for me to work with her. Thank you, Donna, and congratulations.

TRIBUTE TO HARRIET BUCY

HON. JOHN M. SPRATT, Jr.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. SPRATT. Madam Speaker, I want to call the attention of the House to the remarkable life and work of Harriet Bucz, because it is inspiring and a shining model of what citizenship in a democracy is all about.

When Harriet Bucz died on May 8, 2008, she left a void in her community. She was one of those rare individuals who seem to have more energy and enterprise than the rest of us. Only a week before her death, the City Council of Rock Hill recognized Harriet Bucz for her role in having Rock Hill selected among the one hundred best communities in America for young people. Accomplishments like these will last long after her.

Harriet Bucz was an artist and used her passion for art to teach it to others. Her spirit and ability as a teacher won her the notice of school district officials, and she was drafted for a succession of assignments. In each, it became clear that she had a gift for inspiring and managing others.

Harriet Bucz was a founder of the Rock Hill School District Foundation, and helped it build a network of support, and provide numerous teachers with thousands of dollars in scholarship grants. Like other institutions she created, it carries on.

Harriet Bucz started the Community and Leadership Support Program, better known as CLASP, and continued forging relationships

between schools and organizations in the community. Governor Riley's Education Improvement Act mandated more involvement between schools and community, without specifying how these relationships were to be created. Harriet Bucy built the model that worked, not only in Rock Hill but in other districts who came to see what Rock Hill had accomplished under her guidance.

I have attached a eulogy in tribute to Harriet Bucy published in the Herald, shortly after her death, and ask that it be printed after my statement, as a memorial to this woman "with an overarching ability of bringing people together."

[From the Herald, Sept. 9, 2009]

BUCY SERVED COMMUNITY

Harriet Bucy always contended that a community partnership was more than just a financial contribution. A real partnership involved families, business and industry, clubs, the faith community and organizations.

Bucy, who died Thursday at the age of 69, proved how important such a partnership could be during her 23 years as the Rock Hill school district's first community leadership director. That partnership has endured.

The Rock Hill school district was among the first in the state to fully embrace mandates in the 1984 Education Improvement Act to involve parents, businesses and the community more in schools. But the EIA did not provide a blueprint for how to do that and, when Bucy signed on, she practically had to invent her own job.

Fortunately, she was not at all reluctant to do that. One goal was to bring in donations, and she was particularly adept at the business end of the job, soliciting millions of dollars worth of donations and volunteer hours each year.

But she also had taught private art classes while her three sons were growing up and had taught art and history at Rawlinson Road Middle School from 1982 to 1985 when the school was a junior high school. So, she brought both a love of art and a passion for educating children to the job.

She worked with Rock Hill Clean & Green to create an environmental education and recycling program. She worked with what then was the Rock Hill Chamber of Commerce to sponsor an education initiative. She enlisted teachers and parents to create the Rock Hill Reads program.

Much of this came under the umbrella of CLASP, the district's Community Leadership and Support Program. Bucy also worked closely with the district's Dropout Prevention Network, New Teacher Institute and America's Promise project, and was active in civic work such as supporting the York County Museum.

Bucy soon was being consulted by other school districts in the state. Rock Hill's program became a model not only for school districts in the state but also nationwide.

Her overarching talent was an ability to bring together people from all parts of the community, from different backgrounds and different lifestyles, all for the purpose of furthering the quality of education. That good work has provided the foundation for programs that will continue to serve the needs of children for generations to come.

A grateful community joins her family and many friends in mourning her loss.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. WOOLSEY. Madam Speaker, on July 31, 2009, I was unavoidably detained and was unable to record my vote for rollcall No. 685. Had I been present I would have voted:

Rollcall No. 685: No—On Motion to Recommit with Instructions, Corporate and Financial Institution Compensation Fairness Act.

CORPORATE AND FINANCIAL INSTITUTION COMPENSATION FAIRNESS ACT OF 2009

SPEECH OF

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 31, 2009

Mr. BACHUS. Mr. Speaker, the following trade association letters are offered for the record in opposition to H.R. 3269 in order to supplement my remarks during debate:

JULY 30, 2009.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES

Re Opposition to H.R. 3269, Corporate and Financial Institutional Compensation Fairness Act of 2009.

The undersigned organizations strongly oppose H.R. 3269, the "Corporate and Financial Institution Compensation Fairness Act of 2009." We believe that the bill would result in substantial unintended consequences, especially the mandatory annual vote on pay requirement in section 2 and the precedent-setting authority granted to the federal government over executive and employee compensation in section 4. In sum, we believe the bill would result in a "one-size-fits-all" approach to compensation that would have substantial negative implications for proper functioning of the corporate governance process, responsible growth, and effective risk mitigation that, when coupled with other proposed legislation, would extend well beyond the financial services industry.

Each of our organizations fully supports effective measures to increase awareness and mitigation of excessive risk in compensation. We believe that the board of directors, acting through an independent compensation committee, should be responsible for setting compensation because it is so closely linked to business strategy and succession planning. While many have developed and circulated principles to improve compensation and corporate governance, companies across all industries are taking steps to reinforce their understanding of these issues and are taking action to revise practices that may encourage excessive risk taking. Many of these changes, such as majority voting for directors, independent compensation committees, advisory Say on Pay votes, eliminating staggered boards, have been occurring on a company by company basis for a long period of time, without government mandates.

GOVERNMENT CONTROL OVER COMPENSATION

We oppose Section 4 of the bill because it would give the bank regulatory agencies authority to set the structure and thus the amount of executive and employee compensation provided in the form of incentives.

While recognizing the federal government's role in ensuring the safety and soundness of our financial institutions, these provisions would effectively transfer authority for determining how a substantial part of compensation at these firms should be structured from the Board (for executives) and the company (for other employees) to a consortium of regulatory agencies. Our concerns include:

The adoption of a one-size-fit all approach, which does not accommodate a company-specific approach to pay. The financial industry is expansive, and an incentive structure that may be deemed risky at one organization may be perfectly acceptable at another, depending on the company's business strategy, the risk profile of the organization, and mitigating elements of the total pay program. The legislation instructs the agencies to take a one-size fits all approach by prohibiting pay structures that "could threaten the safety and soundness of covered financial institutions."

Even if a company-specific approach were taken, the federal government has neither the experience nor expertise to set executive compensation arrangements for a wide variety of financial institutions. The legislation will replace the informed judgment of the board of directors and compensation committee with the cursory knowledge of a federal regulator, eroding the authority of the board and its ability to closely tailor compensation to the company.

The Obama Administration did not ask for such expansive authority, no doubt a result of the interpretive and enforcement problems created by the poorly crafted executive compensation restrictions in the American Recovery and Reinvestment Act, which caused several companies to shift more pay to guaranteed salary, rather than reasonable performance-based incentives, in order to comply.

In addition, because our associations represent companies across a variety of industries, we are also extremely concerned that this model of pay regulation would expand to other industries or situations, further putting the federal government in control of pay decisions for private companies. This legislation would establish a form of compensation regulation for employees who interact with consumers. Rather than creating a new bureaucracy, we believe a more effective approach to regulating risk in incentives would be to establish a clear set of principles for mitigating risk against which the regulatory agencies could review pay arrangements.

A MANDATORY ANNUAL VOTE ON PAY

Beyond section 4 of the bill, we also oppose an annual mandatory shareholder vote on executive compensation because it does not achieve the ends sought by proponents, is not sought by a majority of shareholders, and would not improve clear communication between shareholders and the board. While we oppose the requirement embodied in H.R. 3269, there may be viable alternatives that were unable to be explored with the limited time frame taken by the House Financial Services Committee in considering this legislation.

The Board of Directors has a fiduciary duty for managing the company on behalf of all shareholders. The board's compensation committee is responsible for linking compensation incentives to confidential business strategy, aligning pay with the assessment of individual executive performance, and using long-term incentives to support the company's succession planning process. Annual say on pay votes would push compensation structures away from a company-specific approach to "cookie-cutter" arrangements designed to ensure a high vote total.

Despite the economic environment, shareholder resolutions seeking a say on pay have only received a majority support at roughly 30 percent of the companies at which they were offered in 2009. A 2008 independent study by a leading academic found that among large institutional investors, only 25 percent supported a shareholder vote.

An annual mandatory vote requirement in the United Kingdom has not reduced the overall level of compensation and has resulted in less of a link between pay and performance.

Congressional attempts to regulate amounts or structures of compensation have typically backfired—increasing compensation or changing practices in unforeseen ways contrary to the intent of the restrictions. One need look no further than the history of stock options as a case study of this premise. While we oppose H.R. 3269 in its current form, because the legislation has been available for only a short time, we believe that more time is warranted to give Congress and interested parties an opportunity to fully analyze and discuss the potential for harmful unintended consequences.

Thank you for your consideration of our views. We look forward to working with you on this and other legislation.

Sincerely,

Center for Executive Compensation, National Association of Manufacturers, Retail Industry Leaders Association, U.S. Chamber of Commerce.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, July 27, 2009.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

Hon. SPENCER BACHUS,
Ranking Member, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: The U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, believes that strong corporate governance is an important part of the foundation for a vibrant and growing economy. In February, the Chamber issued a Statement of Principles providing, among other things, that executive compensation should balance individual accomplishment, corporate performance, adherence to risk management, compliance with laws and regulations, and the creation of shareholder value. The complete Statement of Principles is attached. The Chamber opposes H.R. 3269, the "Corporate and Financial Institution Compensation Fairness Act of 2009," because it is inconsistent with these Principles.

Section 4 of H.R. 3269, particularly when read in conjunction with the compensation provisions proposed in H.R. 3126, the "Consumer Fairness Protection Agency Act of 2009," would establish direct government control and regulation of compensation for executives and workers alike. Employee compensation should be a decision by appropriate levels of management or the board of directors on a variety of factors such as merit, promotions, or cost of living increases. Furthermore, changes in corporate governance should occur through a dialogue between management, directors, and shareholders, as allowed by controlling state corporate law. The Chamber does not believe that the command and control regulatory scheme set forth in this legislation would lead to the economic growth and job creation that America desperately needs.

The Chamber is particularly concerned with a number of provisions in H.R. 3269 and offers the following recommendations:

1. This legislation would have federal agencies regulate the compensation of a vast number of employees of covered firms. Pursuant to H.R. 3269, financial services firms would be required to submit practices and plans for incentive compensation for employees to their appropriate regulator. The regulator would then have the authority to approve or disapprove such plan, as well as take action for violations. In many firms, because incentive compensation plans range from the CEO to the receptionist, these provisions would place the federal government in the position of regulating compensation for all, or a vast majority of, employees in a company. This would be particularly intrusive when coupled with the provisions of H.R. 3126 which would allow the proposed Consumer Financial Protection Agency to regulate the compensation of employees who interact with consumers, regardless of industry, such as real estate agents, or even cashiers who accept credit cards. Taken together, these two proposed bills constitute an unprecedented governmental intrusion into matters that have historically been addressed by private actors.

2. The "Say on Pay" provisions can be improved by making the votes triennial and providing for a 5-year opt-out if approved by a super-majority of shareholders. The Chamber believes that the "Say on Pay" provisions of H.R. 3269 can be improved. Currently, the bill requires an annual advisory vote at every company in the United States, regardless of size, industry, history, and governance. Rather, Congress should require such an advisory vote every three years, thereby tracking the typical life-span of an average executive compensation package. This change would give shareholders a more informed voice in the executive compensation policies of a company. The Chamber also believes that adding an opt-out provision is warranted. For example, if two-thirds of shareholders vote for a 5-year opt-out of "Say on Pay" votes, small and mid-size companies would be able to mitigate the undue costs and distractions associated with an annual vote.

3. Federal Law should not create a pre-emption if state corporate law contains mechanisms for independent compensation committees. State corporate law has fostered a diverse set of corporate governance structures that have allowed the American economy to be the richest and most productive in world history. While the governance structures of some financial services firms have been questioned, 97 percent of the more than 15,000 public companies in the United States have had nothing to do with the financial crisis. Accordingly, the Chamber believes that the legislation should not preempt state law.

The Chamber believes these recommendations would represent significant improvements to the bill and assist in providing strong corporate governance policies needed for a growing economy.

The Chamber also supports the Garrett substitute amendment to the bill, which would allow for improved Say on Pay and Independent Compensation Committee provisions, while stripping Section 4 of the bill. Finally, the Chamber supports the Garrett amendment to strike Section 4 of the bill, removing those provisions that would regulate incentive compensation practices.

The Chamber strongly supports corporate governance reforms in line with our Statement of Principles, but urges you to oppose H.R. 3269 because it is inconsistent with these Principles on corporate governance.

Sincerely,

R. BRUCE JOSTEN.

NATIONAL ASSOCIATION OF
FEDERAL CREDIT UNIONS,
Arlington, VA, July 28, 2009.

Re Comments on H.R. 3269 as pending in mark-up.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

Hon. SPENCER BACHUS,
Ranking Member, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS. Mr. Chairman, I am writing on behalf of the National Association of Federal Credit Unions (NAFCU), the only trade association that exclusively represents the interests of our nation's federal credit unions, in conjunction with H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009 as amended so far in mark-up.

NAFCU continues to oppose the bill, as amended, in its current form. While the adoption of the Hensarling amendment, exempting institutions under \$1 billion in assets from the scope of Section 4 of the legislation was a step in the right direction, we continue to urge the Committee to amend this legislation so that it does not apply to credit unions.

As not-for-profit, member-owned cooperatives, credit unions were not the cause of the current financial crisis. The success of the credit union industry in this regard can be attributed not only to its structure and nature, but to the fact that credit unions, unlike for-profit entities, are singularly focused on service to their members and do not chase stock returns. In fact, credit unions do not issue stock at all. Furthermore, they are governed by a volunteer board of credit union member directors that serve generally without remuneration and ultimately decide the compensation for key employees of the credit union. It is therefore critical that non-profits be treated differently than for-profit entities.

Quite frankly, those running for-profit entities, including community banks, have a profit motive that can open the door for abuse. In stark contrast, not-for-profit cooperatives quite simply have different motives, which substantially lessen the incentive for abuse.

NAFCU continues to believe that the inclusion of credit unions as covered institutions under Section 4 of the legislation and provisions requiring NCUA to prescribe joint regulations in conjunction with other regulators who supervise for-profit, stock-issuing entities, does not make sense. Simply stated, credit unions are not guided by the profit motive or stock price manipulation to which this legislation is aimed.

It is with that in mind that we continue to oppose the legislation in its current form and urge the Committee to amend Section 4 of H.R. 3269 to exempt credit unions from this legislation. Without a current amendment pending before the Committee to do this, we would support adoption of either the Neugebauer or Castle amendments to strike Section 4 of the bill. Conversely, if Section 4 is maintained by the Committee, we would urge further amending H.R. 3269 to exempt credit unions from Section 4 prior to consideration on the House floor. If one of these changes were to be made, NAFCU could support the legislation going forward.

NAFCU appreciates the opportunity to share our thoughts on this important topic and we look forward to working with you and your staff to address our concerns.

Should you have any questions or require any additional information please do not hesitate to contact me or Brad Thaler,

NAFCU's Director of Legislative Affairs.

Sincerely,

FRED R. BECKER, Jr.,
President/CEO.

—
CUNA,
Washington, DC, July 24, 2009.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

Hon. SPENCER BACHUS,
Ranking Member, Committee on Financial Services,
House of Representatives, Washington,
DC.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: On behalf of the Credit Union National Association (CUNA), I am writing regarding H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009. CUNA represents nearly 90 percent of America's 8,000 credit unions and their 92 million members.

We understand the concern some have regarding the effect compensation structures that encourage excessive risk-taking have on the safety of financial institutions and the economy. We applaud efforts to address these egregious practices. However, as the Committee prepares to consider H.R. 3269 next week, we encourage you to exclude credit unions from the scope of the bill. The credit union structure combined with strong compensation regulations already in place have resulted in credit unions being largely immune from both excessive and unsafe risk-taking and from the criticism assigned to for-profit financial services providers; thus, the inclusion of credit unions under H.R. 3269 is unwarranted.

As you know, credit unions are unique, member-owned, not-for-profit, financial cooperatives, and they simply do not have the same operational motives as for-profit depository institutions. As a result, credit unions are risk-averse institutions operating in the best interest of their members. Further, the compensation structure of credit unions is not only less aggressive than the for-profit financial institutions, it is also more modest. According to our most recent survey of our members, the median salary for a credit union CEO is approximately \$71,000; the average salary is approximately \$93,000.

The National Credit Union Administration Board (NCUA) already has compensation regulations in place that are designed to prevent the types of dangerous compensation structures that exist in other sectors. These include Section 701.21(c) of NCUA's Rules and Regulations, restricting compensation related to loans to members and lines of credit to members; Section 701.33, restricting compensation to credit union board members; and Section 712.8, restricting compensation to credit union employees or board members from credit union service organizations in which the credit union has an outstanding loan or investment.

We believe that H.R. 3269, if applied to credit unions, would at best be duplicative of current regulations and at worse could increase the cost and regulatory burden on a sector of the financial services industry that neither caused the economic crisis nor engaged in the type of compensation arrangements that this legislation seeks to address. Therefore, we cannot support this legislation in its current form and we would welcome the opportunity to work with you and others on the Financial Services Committee to amend the legislation to exclude credit unions.

On behalf of America's credit unions and their 92 million members, thank you very much for your consideration.

Sincerely,

DANIEL A. MICA,
President & CEO.

THE FINANCIAL
SERVICES ROUNDTABLE,
Washington, DC, July 23, 2009.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

Hon. SPENCER BACHUS,
Ranking Member, Committee on Financial Services,
House of Representatives, Washington,
DC.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: The House Financial Services Committee is scheduled to mark up H.R. 3269, the Corporate and Financial Institution Compensation Fairness Act of 2009, on Tuesday morning. The Financial Services Roundtable supports the spirit of this legislation, and the mutual goals of promoting corporate accountability and good governance practices; however, we must oppose H.R. 3269. Compensation programs are an important tool in the financial services industry used to recruit and retain skilled employees. These programs should be aligned with the overall safety and soundness of the organization as well as shareholder interest. The Roundtable supports and promotes such goals as outlined in our Principles on Executive Compensation (see attached).

We have serious concerns about H.R. 3269 as drafted, including the requirement for Federal regulators to determine the types of compensation structures that are appropriate for financial institutions. Decisions regarding incentive compensation programs should be designed uniquely by corporations and their compensation committees to account for respective shareholder interest; long term sustainable, firm-wide success; and the time horizon of risks. Federal regulators currently require disclosure on the details and types of executive compensation arrangements, and specific to financial institutions, require that such arrangements be consistent with safety and soundness guidelines. The Roundtable believes the existing authority currently being exercised by Federal regulators is appropriate and in line with protecting consumer and shareholder interests alike.

We appreciate your review and consideration of these concerns as the committee prepares to consider H.R. 3269. Please feel free to call on me if I can be of assistance or answer any questions.

Best Regards,

STEVE BARTLETT,
President and CEO.

—
CENTER ON EXECUTIVE
COMPENSATION,
Washington, DC, July 27, 2009.

Re H.R. 3269, Corporate and Financial Institutional Compensation Fairness Act of 2009.

Hon. BARNEY FRANK,
Chairman, House Financial Services Committee,
Rayburn House Office Building, Wash-
ington, DC.

Hon. SPENCER BACHUS,
Ranking Member, House Financial Services
Committee, Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: On behalf of the Center on Executive Compensation, I am writing to express the Center's opposition to H.R. 3269 because of the far-ranging effects it will have on the U.S. system of corporate governance and effective compensation policies. We are particularly concerned about the provisions of the bill that impose an annual mandatory vote on pay and direct the Federal government to prohibit compensation arrangements in the financial services industry.

As you know, the Center is a research and advocacy organization that seeks to provide

a reasoned perspective on executive compensation policy and practice issues from the viewpoint of the senior human resource officers of large companies. The Center's public policy positions are developed with the help of its Subscribers to ensure a practical view that is also informed by its principles. The Center believes that a Board-centric approach to developing and disclosing a clear link between pay and performance and for mitigating excessive risk in executive compensation plans is far preferable to having pay set by the Federal government.

Mandated Annual Vote On Pay Will Weaken Corporate Governance. The Center opposes mandated annual shareholder vote on executive compensation in Section 2 of the bill because it would encourage the adoption of "cookie cutter" pay arrangements rather than arrangements carefully tailored to the company and is not sought by a majority of shareholders. Specifically, a mandatory vote on pay:

Would Move the U.S. Toward a System of Governance by Referendum. Boards of Directors, acting through an independent compensation committee, discharge their fiduciary duty to manage executive compensation on behalf of *all shareholders* by tying the amount and form of compensation to confidential business strategy, evaluating individual executive performance and using pay levers to manage the company's succession planning process. A mandatory vote on pay seeks to substitute the judgment of the shareholders for the informed judgment of the Board and is likely to open the door to more shareholder votes on other issues, such as where to expand or research and development decisions.

Would Result in a Cookie-Cutter Approach to Pay. In order to have an informed view on pay, institutional investors and others faced with an annual nonbinding vote on pay would be required to analyze 30-50 pages of disclosure for thousands of companies. Many will rely instead on the recommendation of proxy advisory services, which have their own views of how pay should be structured. In order to ensure substantial support, compensation committees will adopt pay arrangements designed to get a high vote rather than be tailored to the company.

Fails to Recognize That a Majority of Shareholders Have Not Supported Shareholder Resolutions in 2009. Despite the current economic environment, shareholder resolutions asking companies to adopt an annual vote on pay have not received majority support on average, with only 30 percent of the votes receiving majority support.

Ignores Research Results That Show the Largest Institutional Investors Do Not Favor Say on Pay. A 2008 research study by Cornell University Professor Kevin Hallock of large institutional investors showed that 50 percent opposed say on pay while just 25 percent supported it. Responses such as the following were typical "It is not clear A, what we are voting on and B, what others are voting on. We can have a much more individual discussion and nuanced discussion" [with the Board].

Has Not Reduced Pay Levels in the UK An annual mandatory vote requirement in the United Kingdom has not reduced the overall level of compensation (the FTSE 100 experienced a 7% pay increase in 2008, while in the U.S., the S&P 500 experienced a 6.8 percent decline) and has resulted in less of a link between pay and performance.

Government Control Over Compensation Sets A Dangerous Precedent. The Center also opposes Section 4 of the legislation and believes it should be removed in favor of a principles-based approach to mitigating excessive risk in incentives. Section 4 would give the Federal banking regulatory agencies the extraordinary authority to prohibit pay structures and arrangements for executives and individuals as well as pass judgment on specific compensation arrangements. Because the impact of different pay structures will have different effects based on the risk profile of the organization, the time horizon of the products or services sold and other considerations, banning all pay structures across the entire industry is likely to have significant unintended consequences and sets a dangerous precedent for federal regulation of compensation in other contexts.

We are also concerned that the proposed disclosure will result in a one-size-fits-all approach to compensation. There are six regulators responsible for developing and implementing the prohibitions and acceptable practices required in the bill. So far, they have not been able to agree on their respective responsibilities under the forthcoming regulatory restructuring. With this in mind, it is likely that in order to come to agreement on the pay practices that should be banned, the regulators will need to adopt a standardized approach to acceptable executive compensation arrangements and therefore mute the ability of companies to set forth a reasoned and reasonable approach to pay for performance.

The Center fully supports the mitigation of risk in incentives, as articulated in the attached checklist for compensation committees. The Center believes that mitigating risk is a matter of balance on a number of fronts, including balance among the type of metrics measuring performance, balance between short- and long-term compensation and balance in ensuring incentives focus on the time horizon of risk. These are decisions best made by the Board Compensation Committee and disclosed in the annual proxy statement. As you know, the SEC is in the process of enhancing its disclosures of excessive risk in incentives for employees and executives that covers all employers.

Finally, it is worth noting that previous well-intended Congressional attempts to regulate amounts or structures of compensation have typically backfired—increasing compensation or changing practices in unforeseen ways contrary to the intent of the restrictions. A good example is the executive compensation restrictions included in the American Recovery and Reinvestment Act, which encourage greater salaries, rather than a careful pay for performance orientation. Because H.R. 3269 has been available for only one week, we believe that more time is warranted to give the Committee and interested parties an opportunity to fully analyze and discuss the potential for harmful unintended consequences.

Thank you for your consideration of our views. We look forward to working with you on this and other legislation.

Sincerely yours,

TIMOTHY J. BARTL,
Senior Vice President and General Counsel.

HONORING TOM AND DAVE
SCHOETTLE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Tom and

Dave Schoettler upon being named by the Madera District Chamber of Commerce as a 2009 Lifetime Achievement Award Honoree. They will be recognized on Wednesday, August 26, 2009 at the Fifth Annual Lifetime Achievement Awards and Installation Dinner.

Tom was born in Glendale, California and Dave was born in Fresno, California to Hal and Loretta Schoettler. They are two of six children; they were business partners, allies and friends. They both attended Madera High School and participated in athletics; Tom graduated in 1950 and Dave graduated in 1951.

During high school Tom began working for his father at Schoettler Tire; this is where he met his future wife, Ila. He joined the United States Navy after high school and was stationed at Camp Pendleton. Tom was recognized with the Honor Man of Unit Award while in the Navy. He served as a Dental Technician and considered a dental career; however when he exited the Navy, his father needed him at the store. Tom went back to work at Schoettler Tire and is still working there today.

After high school, Dave attended the University of California, Berkeley. He received a Bachelor's Degree in Business and was a member of the Reserve Officers' Training Corps. Dave married his wife, Dwyann and he entered the United States Air Force. He served as Captain of the B-47 Bomber squadron. Dave and Dwyann were stationed in Homestead, Florida. Upon fulfilling his duty with the Air Force, he returned to central California to own and operate a tire business in Coalinga and on the central coast.

In 1974 Tom and Dave became partners in Schoettler Tire of Madera. The business, currently in the third generation on family partnership, has changed locations a few times but it is still family owned and operated. Dave and Tom operated Schoettler Tire for thirty-four years focusing on the values that were instilled in them by their father: integrity, honesty and loyalty. These values led Schoettler Tire to not only be the largest tire company in the area, but a leader in the industry for excellence in customer service.

Tom and Dave have been active in the community. Tom is a member of the American Legion, Italian American Club, St. Joachim's Church, Boy Scouts and the Knights of Columbus, where he served as Grand Knight. For his service he has been recognized by Heartland Opportunity. Dave served on the National Board of Tire Companies, was a member of Madera Elks, served as President of Phi Kappa Tau and was an alumnus of UC Berkeley. Schoettler Tire actively supports and is a member of the Madera Chamber of Commerce and has received numerous awards in the tire industry for sales and customer service. Beyond the time that both men have given to the community, they have also both been financially generous to many local clubs and organizations.

Tom and Ila have been married for fifty-six years. They have five sons, twenty grandchildren and nine great-grandchildren. Dave and Dwyann had been married for fifty years when Dave passed away in 2008. They have two sons, a daughter and six grandchildren.

Madam Speaker, I rise today to commend and congratulate Tom and Dave Schoettler upon being honored as the Madera Chamber of Commerce 2009 Lifetime Achievement Award Honoree. I invite my colleagues to join me in wishing Tom and Dave's family many years of continued success.

EARMARK DECLARATION

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. LUCAS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2647, the National Defense Authorization Act for Fiscal Year 2010. The ASSET program develops, tests, and transfers cost-effective logistics support technologies to reduce the costs associated with support of aging weapon systems and aircraft. The program addresses DOD needs for procuring replacement parts for aging systems and aircraft, and helps DOD confront problems associated with corrosion.

EARMARK DECLARATION

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. HUNTER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3226, Department of Defense Appropriations Act, 2010:

I received \$3,000,000 for Trex Enterprises at 10455 Pacific Center Court, San Diego, CA 92121. Funding for this program will be used to complete development, flight testing and integration of the Brownout MMW Sensor that will reduce aircraft accident risk and allow aircrew visibility through the full range of landing and take-off operations in otherwise extremely hazardous flight conditions. "Brownout" is a situation Army aviators experience in combat operations daily in Iraq and Afghanistan. Created by helicopter rotor downwash, it continues to cause aircraft accidents and remains a high risk to flight safety.

Specifically, as aircraft approach the ground, a thick plume of brown desert dust, dirt and sand disturbed by high velocity winds from rotor systems engulf the aircraft, causing a complete loss of the pilot's visual reference to the ground. The Brownout Situational Awareness Sensor, BSAS, is a cockpit display system capable of providing the aircrew visibility through the blowing sand and dust. This technology will greatly reduce the loss of aviator lives, loss of aircraft and reduce the amount of maintenance requirements resulting in damages from Brownout situations. Brownout is among the biggest hazards to rotary-wing operations in Iraq and Afghanistan, contributing to more than 71 U.S. helicopter accidents. Providing this capability is critical to aircrew safety and combat readiness.

I also received \$2,000,000 for CHI Systems at 12860 Danielson Court, Suite A, Poway, CA 92064. There is currently insufficient training provided to soldiers on the most crucial battlefield lifesaving situations. Medics and soldiers, in many instances, lack the experience to act swiftly and effectively in combat casualty situation. By combining instrumented manikin parts that support hands-on practice with computer based scenario training, this funding will complete the HapMed Combat Medic Trainer development and provide medics and soldiers

the ability to practice critical lifesaving tasks. In addition to providing realistic training scenarios, HapMed is also portable, so soldiers can continue to train while they are deployed. This system has received high praise in its ability to train soldiers for medical treatment on the battlefield. According to a Science and Technology Manager for the Army, "New technologies such as HapMed are needed to provide medics with greater opportunities to develop and test their decision making and technical medical skills."

New Army recruits must receive training in Buddy Aid or as Combat Life Savers (CLS). Currently, insufficient training is provided to help soldiers and medics acquire and maintain some of the crucial battlefield lifesaving skills such as tourniquet application, needle chest decompression, and emergency cricothyrotomy, addressing, respectively, the top three causes of preventable death on the battlefield. In order to perform these lifesaving functions under battlefield conditions, military personnel must have the awareness and confidence to act swiftly and effectively.

Further, I received \$1,500,000 for General Atomics Aeronautical Systems at 14200 Kirkham Way, Poway, CA 92064. The Predator C has been designed and developed as the next generation aircraft in the extremely successful Predator series Unmanned Aircraft System. Predator C was designed in order to make the airplane more survivable in higher threat areas and to provide the U.S. Air Force with an armed reconnaissance capability that will be able to fly into many areas around the world undetected.

Predator C is slightly larger than Predator B and is capable of carrying 2000 pounds of the same mix of weapons as Predator B. Predator C will provide the U.S. Air Force with additional covert capability, enhanced by much higher operational and transit speeds for quick response and quick repositioning for improved mission flexibility and survivability. This system also provides variations in signature reduction technologies. Furthermore, Predator C means more jobs contributing to San Diego's local economy while providing the men and women on the ground the resources they need to accomplish their mission.

EARMARK DECLARATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. CONAWAY. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326—Department of Defense Appropriations Act, 2010.

Defense Critical Languages and Cultures Initiative—(Center for Security Studies) Angelo State University. The funding would be used for the University's Center for Security Studies which will produce cross culturally competent students able to understand and influence outcomes in support of American national security objectives. The Center for Security Studies will directly benefit Goodfellow Air Force Base by providing an educational degree completion for faculty as well as research opportunities on existing and emerging Air Force language, cul-

ture and intelligence requirements. Extra instructional capacity for Goodfellow Air Force Base in Mandarin and Arabic is also achieved. The project is located at Angelo State University, 2601 W. Avenue N, San Angelo, TX 76909.

Mobile Firing Range for the Texas Army National Guard. The Mobile Firing Range is a self contained range that allows for the firing of pistol and rifle systems for the Texas National Guard. Currently there is no opportunity to fire weapons for training or qualification without traveling to a certified range on a military installation. The Texas National Guard currently does not have access to any indoor ranges that can be used to fire the M16/M4 which is the current armament for 90 percent of the soldiers within the Texas National Guard. The Mobile Firing Range will allow soldiers to train with their assigned weapons at home station. This system is a training and force multiplier due to the negation of travel and lodging, and staging needed when conducting this training on a military facility. The entity to receive funding for this project is Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

Center for Hetero-Functional Materials. The U.S. Army Research and Laboratory Material and Devices division has deemed the Center for Hetero-Functional Materials, CHM, as critical to developing next generation devices for the military. CHM provides the infrastructure and resources required for research and development of new materials and processes that will be required for the fabrication of next generation military devices. This initiative integrates multiple disciplines to help produce a new range of materials that will lead to new devices with unprecedented capabilities. The entity to receive funding for this project is Texas State University at San Marcos, 601 University Drive, San Marcos, TX 78666.

Compact Pulsed Power Initiative. This funding would be used for the development of explosive or battery-operated, compact, high-power radiation sources and associated antenna systems capable of destroying electronics used for radars, communications, computer, or remote detonation devices, and others that can disable car engines. The information gained from this research will be significant in furthering our nation's defense capabilities especially in the area of disabling and destroying IEDs. The entity to receive funding for this project is Texas Tech University, 2500 Broadway, mail stop 3121, TX 79409.

Field Deployable Hologram Production System. This funding would be used for completing development of a compact production unit that produces 3D holographic imagery for mission planning and intelligence purposes for U.S. forces in Iraq and Afghanistan. The Army requests a self-contained, field-deployable EHI production system to accelerate imagery delivery to combat forces. The goal is a more efficient, cost effective production system that provides the deployed war fighter needed planning and intelligence capabilities on a much faster basis. The entity to receive funding for this project is Zebra Imaging, Inc, 9801 Metric Blvd, Austin, TX 78758.

PERSONAL EXPLANATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. FORTENBERRY. Madam Speaker, on rollcall No. 691, I was inadvertently delayed.

Had I been present, I would have voted "yes."

RECOGNIZING OHIO NATIONAL FINANCIAL SERVICES ON ITS 100TH ANNIVERSARY

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mrs. SCHMIDT. Madam Speaker, I rise today to recognize the One Hundred Year Anniversary of Ohio National Financial Services. On this day one century ago, Ohio National began operating in its original home on Fourth Street in downtown Cincinnati. Their first policy was issued in October a year later.

Today, Ohio National continues a proud tradition as a community leader. In celebration of this century of service to our community, Ohio National is partnering with Habitat for Humanity to build 10 houses over the next five years—one house for each decade of their commitment to Cincinnati.

Madam Speaker, please join me in recognizing Ohio National Financial Services 100th Anniversary and in wishing them continued success in the future.

REMEMBERING THE ATTACKS OF SEPTEMBER 11, 2001

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, eight years after the attacks of September 11, 2001, we remember one of the bloodiest days in our nation's history with heavy hearts and tragic regret. I am once again reminded of the heroes that selfishly gave their lives so that others could make it to safety, and today we mourn their passing. We remember, too, the victims who were so sadly ripped from our lives by one of the most senseless acts of violence our country has even seen. Today, I share in the grief of a country and extend my deepest condolences to the friends and family of those that passed on that solemn day.

As I think back to that painful morning, I remember how a sunny Tuesday unfolded into a series of events that has shaped our national conscious and affected us in ways that we had no longer thought possible. We were reminded that there is still hate in the world. We were reminded that there still exists the possibility of great tragedy in our country. And we were reminded that we were vulnerable to the problems that exist beyond our shores.

However, on that grim day, we saw an America that stood proudly and bravely and an America that came together under difficult

circumstances. We must not forget that liberty, justice, and fairness are some of our greatest ideals, and we must continue to strive towards these goals, even in the face of tragic situations.

I would like to remember, too, a constituent of mine who lost his life in the attacks. Michael E. Tinley happened to be working in the World Trade Center on that morning, and I offer my deepest condolences to his friends and family. Truly, I mourn with you.

Today, I join my fellow colleagues in honoring the victims who died on September 11, 2001. We remember these events with great sadness but new resolve, and as we continue our work, we will never forget the loss that we felt that day.

IN REMEMBRANCE AND HONOR OF
MICHAEL HORTON

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. AUSTRIA. Madam Speaker, I rise today on behalf of the constituents of Ohio's 7th Congressional District to express our deepest sympathies to the family and friends of Michael Horton and to recognize his numerous achievements.

Michael was an active and engaged member of our local community with his service to our nation in the military, work at his animal hospital and spirit of community volunteerism.

Michael Horton served our nation bravely as a colonel in the United States Air Force and he cared for the animals of our area for 28 years as the owner and president of the Fairborn Animal Hospital.

He founded Fairbornites Restoring Our Greene Spaces (F.R.O.G.S.) and showed his dedication to our community as the host of "Our Fairborn Heritage" and "Fairborn Plain and Simple" on local television. Michael also volunteered with Fairborn Parks and Recreation, Fairborn Heritage Days, Fairborn Police Advisory Board and the Fairborn Education Foundation.

My thoughts and prayers are with Michael's family and friends during this time of terrible loss.

TRIBUTE TO AMBASSADOR
RICHARD SCHIFTER

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. WOLF. Madam Speaker, I rise today to pay tribute to Ambassador Richard Schifter—a friend and lifelong champion for human rights. His own harrowing experience as a Holocaust survivor has been foundational to his efforts on behalf of oppressed, persecuted people the world over.

In the coming weeks, Ambassador Schifter will be honored by Project Interchange and the American Jewish International Relations Institute for his multi-faceted and important work in this arena. I join them in marking his life-time achievements.

In his two decades of government service at the Department of State and the National Security Council, he never wavered in his support for democracy and human rights—bedrocks of the American experience which shamefully are too often relegated to the sidelines in our foreign policy establishment.

As a former U.S. representative in the United Nations Human Rights Commission and former deputy U.S. representative in the U.N. Security Council, he acquired a keen understanding of how the institution works, and some of the political and ideological forces at play including those which seek to undermine the United States and delegitimize the state of Israel. He has effectively spurred congressional action to help rally friendly nations to support the U.S. position at the U.N.

In a 2008 presentation at the University of Virginia Law School, he said, "As an immigrant rather than a native of the United States, let me tell you that I believe in the concept of American Exceptionalism."

I share this belief and would say that Ambassador Schifter is himself an exceptional American.

HOME HEALTHCARE CAN HELP
LOWER COSTS, IMPROVE RESULTS

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. FOXX. Madam Speaker, the Census Bureau currently estimates that our nation's elderly population will double between 2000 and 2050. And in my home state of North Carolina, the elderly population is growing much faster than the national average. As our population ages, a rising number of baby boomers will become susceptible to one or more chronic health conditions that will cost our Medicare system billions of dollars. At the same time, our citizens age 65 and over have expressed an overwhelming preference to live independently at home for as long as possible, among family and friends.

What is the solution? Since the elderly population overwhelmingly prefers to receive their healthcare at home and since such treatment is much more cost effective, our government should be investing in home healthcare.

Today, home healthcare is more than just basic, long-term care. It is much more advanced and sophisticated. Highly skilled nurses and therapists are already working within the existing Medicare system to help patients manage heart disease, diabetes, balance problems and other illnesses that, if not properly treated, can increase the cost to Medicare. Home health is helping many of these people stay out of expensive alternatives, and is allowing our seniors to remain at home where they ought to be.

With a rising older population, home healthcare programs that improve care, save money and are preferred by constituents are closely aligned with the government's objectives for health reform. Yet, provisions in the Democrat draft healthcare bill would cut \$51 billion from the Medicare home health program over the next decade. These reductions will have a detrimental effect on access to home care for our elderly population and could po-

tentially cost Medicare more by forcing people unnecessarily into other facility based care.

For these reasons, I believe we must oppose these cuts and lend our support to home healthcare.

REMEMBERING THE 9/11 ATTACKS
ON AMERICA

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. HOLT. Madam Speaker, this week we pause to remember the nearly 3,000 Americans who lost their lives in New York, Pennsylvania, and at the Pentagon on September 11, 2001. There are no words that I or any of us can say that will take away the pain and grief of those who lost family members and friends during the attacks. Thousands from my district were among those who lost those dear to them at the World Trade Center. The memory of that terrible day remains fresh in the minds of those who live or work in New York City and Washington.

This year also marked the tragic passing of Beverly Eckert, who lost her husband Sean on 9/11 and who subsequently co-founded the Voices of September 11th advocacy organization, which played a critical role in pushing for the creation of the 9/11 Commission. Beverly was one of the passengers on Continental Airlines flight 3407, which crashed near Buffalo on February 12, 2009.

Today, we still owe Beverly Eckert and everyone else touched by the 9/11 attacks what we promised them: that we would reform our governmental institutions to help prevent future attacks and that the perpetrators of 9/11 would be brought to justice. Some progress has been made in making our country less vulnerable to future terrorist attacks, but much work remains to be done.

Our rail system is still needlessly vulnerable to the kinds of attacks that rocked London, Madrid, and Mumbai over the last several years. We have yet to screen 100 percent of the cargo entering our ports of entry and our "no fly lists" continue to contain the names of innocent Americans who are routinely detained for no legitimate reason while our porous borders remain a potential pathway for terrorists to enter our country. I will continue my work to eliminate these holes in our defenses and to press for changes in our foreign and defense policy that will help us to remove Osama bin Laden and Al Qaeda as a threat to our people.

As we remember those who have died and seek to honor our commitments to them and their survivors, people all across America now can take part in a new way to honor the memory of those who perished on 9/11.

Earlier this year, the Congress passed and President Obama signed into law the Edward M. Kennedy Serve America Act (Public Law 111-13). In addition to tripling national service volunteerism opportunities to 250,000 for everyone from students to retirees, this bipartisan law designated September 11 every year as a National Day of Service and Remembrance. I encourage all Americans to use September 11 to honor the victims and heroes of the 9/11 tragedy by serving their neighbors and communities.

EARMARK DECLARATION

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. LINDER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding funding that I requested as part of H.R. 3288, the Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Act, 2010.

Requesting Member: Representative JOHN LINDER

Bill Number: H.R. 3288, the Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Act, 2010.

Account: Federal Highway Administration Interstate Maintenance Discretionary

Legal Name of Requesting Entity: Georgia Department of Transportation

Address of Requesting Entity: 2 Capitol Square, S.W., Atlanta, GA 30334

Description of Request: This project will allow the Georgia Department of Transportation to make modifications to the I-85 interchange at Pleasant Hill Road. This will ease congestion and enhance access to I-85 for through traffic along Pleasant Hill Road. According to the Commissioner of the Georgia Department of Transportation, "the modifications will allow the interchange to meet increasing traffic demand along Pleasant Hill Road for travel across I-85, as well as to provide access to/from I-85 at adequate levels of service." Funding for this project will provide for preliminary engineering, environmental documentation, and right of way planning/acquisition phases to keep this plan on schedule and ease congestion.

MARKING PATH'S AWARD OF THE
2009 CONRAD N. HILTON HUMANITARIAN PRIZE

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Dr. McDERMOTT. Madam Speaker, I am proud and very pleased to rise today to inform the House of Representatives that the Washington State-based international nonprofit organization PATH has received the 2009 Hilton Humanitarian Prize—the world's largest humanitarian award—for its work to improve human health around the world. This annual award of \$1.5 million from the Conrad N. Hilton Foundation acknowledges and advances the work of organizations dedicated to the relief of human suffering. Today, the Prize recognizes PATH's use of innovative technologies to solve global health problems. PATH is making an enormous difference in the health and lives of people around the world, and this award very appropriately affirms that work.

Headquartered in Seattle since its inception in 1977, PATH has helped to make Washington State an emerging center for global health solutions and life-changing innovations. PATH works in more than 70 countries to

tackle the most critical health issues, from malaria to HIV/AIDS to deadly childhood diseases. PATH shares its experience with policymakers and government partners through staff in its Washington, DC, and Bethesda, Maryland, offices.

PATH has pioneered sustainable, culturally relevant solutions to vexing health problems, enabling communities worldwide to break longstanding cycles of poor health. By collaborating with diverse public- and private-sector partners, PATH helps provide appropriate health technologies and vital strategies that change the way people think and act, and these changes, in turn, significantly improve global health and well-being.

PATH has received long-term support from the U.S. government throughout its life to develop health technologies for low-resource settings. It makes sure that industrialized-world solutions can be modified to serve developing countries and thereby maximize health equity. PATH has adapted, developed, or co-developed more than 85 technologies designed to improve the health and lives of people in low-resource countries, even in the most remote areas of the globe.

PATH's work to protect the lives of families and communities addresses international goals for improving maternal, newborn, and child health. For example, PATH paired the drug oxytocin—which can protect women from postpartum hemorrhage, the leading cause of maternal deaths—with its own invention, the Uniject device, a prefilled, single-use injection system. This combination allows women who give birth in rural health clinics or at home to receive a lifesaving dose of medicine when they desperately need it for survival. PATH also worked with a U.S. company to develop a small sticker called the vaccine vial monitor that changes color when temperature-sensitive vaccine has been exposed to heat, which often happens in resource-poor areas challenged with keeping medicines cool. This simple sticker means health workers don't have to guess whether vaccine has been damaged, and families can be assured their children are receiving potent, and often life-saving, vaccine.

These technologies are just two examples of how PATH provides imaginative solutions to ensure that important medicines and critical health interventions reach the people who need them most.

Profound health inequities persist around the world, but PATH's enlightening work shows us that solutions are at hand to solve the world's greatest health challenges. Please join me in applauding PATH's outstanding achievements and its selection as the winner of this year's Hilton Humanitarian Prize.

HONORING REGINALD PALMER

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to Reginald R. Palmer. Sadly, Mr. Palmer passed away on August 3rd. His funeral was held in Flint, Michigan on August 15th.

Reginald Palmer was a member of Canaan Baptist Church, and served Our Lord, Jesus

Christ, through the Unity Choir and Canaan's Male Chorus. He was an attentive, conscientious member of his Church. His faithfulness to his Church community was a hallmark of his life.

His enthusiasm, hard work and resolute belief in a better world led him to become active in our political process. Reginald served as the Vice Chairperson for Precinct 20 and he knew and helped many of the residents of that area. He worked tirelessly for many years to elect candidates that would improve the lives of everyday citizens. Many elected officials, including Vera Rison, benefitted from Reginald's wisdom and loyalty. I have counted him among my supporters for many years and I will miss his insight and counsel.

He leaves behind his wife, Rosemary; daughters, Talishiya and Regina; and sons, Manus and Marshall; along with many other relatives and friends that bear witness to the good and fruitful life he lived.

Madam Speaker, I ask the House of Representatives to rise with me and pay tribute to the passing of a great human being, a devoted servant of Our Lord, a determined worker for a better tomorrow, an excellent and loyal friend. I will deeply miss Reginald Palmer and it is with great sadness that I mourn his passing.

HONORING MS. BETTY WRIGHT

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. MEEK of Florida. Madam Speaker, I am pleased to recognize and honor Ms. Betty Wright, South Florida's very own recording artist who continues to contribute greatly to the musical landscape of not only Miami-Dade County, but of the Nation through her artistry and musical talent. She has influenced a generation of female singer-songwriters, as well as the world of hip hop.

A native Miamian, Ms. Wright was born on December 21, 1953. She began her music career with her family in a gospel group called the Echoes of Joy. In 1965, she began switching to R&B music when she was only 11 years old. She released her first album, *My First Time Around*, in 1968. Her first hit single was "Girls Can't Do What Guys Can Do." Toward the end of 1971, Ms. Wright's single "Clean Up Woman" became a Top 5 Pop and R&B hit, which later influenced artist, Mary J. Blige's "Real Love" with the sample of its guitar riffs. The single also influenced R & B group, SWV's single "I'm So In To You"; Afrika Bambaataa's song, "Zulu War Chant"; and Sublime's "Get Out!" remix. Additionally, R&B artist, Beyoncé has sampled "Girls Can't Do What The Guys Do" for her hit "Upgrade U."

Ms. Wright's other noted singles are "Tonight is the Night" (1974) and "Where Is the Love" (1975). "Where Is the Love" won a Grammy for Best R&B Song in 1975. After experiencing a brief slump in the early 1980s, she rebounded and found her own record label, Ms. B Records. In 1988, she made music history by becoming the first woman to have a gold record on her own label with the release of *Mother Wit*, which featured two of her most famous hits, "No Pain No Gain"

and the "After the Pain." On both songs, Ms. Wright displays her upper register capabilities and seven-octave range. In 2001, she released a compilation album, *The Very Best of Betty Wright*. Her first studio album, *Fit for a King*, was also released the same year.

Currently, Ms. Wright continues to record music and mentors several young singers. She has done vocal production for the likes of Gloria Estefan, Jennifer Lopez and Joss Stone.

Madam Speaker and my colleagues, I ask that you join me in honoring Ms. Betty Wright, a true beacon of hope and musical talent from the 17th Congressional District of Florida. She is an outstanding American worthy of our collective honor and appreciation. It is with deep respect and admiration that I commend Ms. Wright for sharing her beautiful talents with the rest of us. Through all of her adversity she continued to grace us with her gift of song.

RECOGNIZING FRANK N. BARRETT
OF CRYSTAL RIVER, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Frank N. Barrett of Citrus County, Florida. In a couple of days, Frank will do something that all of us strive to do, but that very few of us will ever accomplish, celebrate his 100th birthday.

Born September 10, 1909 in East Orange, New Jersey, Frank is the oldest of seven children. He owned and operated a chemical and machinery business in Connecticut before he and his family moved to Florida more than 25 years ago. Frank is the loving father to six children, 11 grandchildren and fourteen great grandchildren!

Frank loves to dance and has fond memories of teaching his wife and dancing partner of 52 years, Ingrid, the Tango.

Madam Speaker, I ask that you join me in honoring Frank N. Barrett for reaching his 100th birthday. I hope we all have the good fortune to live as long as him.

HONORING SHERYL BERRY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 9, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Sheryl Berry upon being named by the Madera District Chamber of Commerce as a 2009 Lifetime Achievement Award Honoree. Mrs. Berry was recognized on Wednesday, August 26, 2009 at the Fifth Annual Lifetime Achievement Awards and Installation Dinner.

Sheryl Berry was born at Dearborn Hospital in Madera, California to Bob and Merrill Howe. During her childhood she was surrounded by her brothers and cousins. Work and community service began at a young age for Mrs. Berry. At five years old, she became a member of Camp Fire and she had her first job at the age of eight, licking postage stamps at the family-owned business, TECO. She graduated from Madera Union High School and attended Fresno State.

Mrs. Berry has dedicated her entire life to family, career and community. As a worker for the family business, TECO, she became known for her high business standards, strong sense of loyalty to the customers and further creating a highly successful business. After forty years, Mrs. Berry retired from managing the business, allowing her to spend even more time in the community and with her family.

The Camp Fire experience was a lasting commitment for Mrs. Berry. She continued

with the organization through her high school years. In 1971 she became an active member of Algeria Guild for Children's Hospital Central California, where she served as treasurer, secretary and president in 1976. She remains an active member of the guild and recently received her thirty-five year pin. As her children were growing up, they became involved with 4-H and Mrs. Berry was right along with them, as the boys began their own beef cattle projects. She served as the project leader for eighteen years in the areas of citizenship, cultural exchange, outdoor camping and sewing. Mrs. Berry also served as the 4-H Co-Camp Director for ten years.

In 1985 Mrs. Berry became involved with the Madera County Historical Society, where she is the current president and has maintained that position for ten years. Through her involvement with the Historical Society, she became involved with the Madera Method Wagon Train. She has traveled trails with the Wagon Train through the Madera County foothills, to Stockton, California and to Houston, Texas.

For her community activities, Mrs. Berry has received multiple awards and honors including, the 1987 4-H "Outstanding Community Club Leader," Madera District Fair 1988 "Homemaker of the Year," California State University, Fresno Ag One "Women in Agriculture, Common Thread Award" in 2000 and the Madera County Historical Society "Presidential Fume Award" in 2005. Mrs. Berry has a life long history of working to create a better community in Madera.

Mrs. Berry has been married to Randy for thirty-three years. She has four sons and eleven grandchildren.

Madam Speaker, I rise today to commend and congratulate Sheryl Berry upon being honored with the Madera Chamber of Commerce 2009 Lifetime Achievement Award. I invite my colleagues to join me in wishing Mrs. Berry many years of continued success.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 10, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 14

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine cyber attacks, focusing on protecting industry against growing threats.

SD-342

2 p.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings to examine the health effects of cell phone use.

SD-138

SEPTEMBER 15

9:30 a.m.

Armed Services

To hold hearings to examine the nomination of Michael G. Mullen, for re-

appointment as the Chairman of the Joint Chiefs of Staff and reappointment to the grade of admiral.

SD-106

10 a.m.

Finance

To hold hearings to examine unemployment insurance benefits.

SD-215

Judiciary

Human Rights and the Law Subcommittee
To hold hearings to examine human rights, focusing on mental illness in United States prisons and jails.

SD-226

2:30 p.m.

Energy and Natural Resources

Business meeting to consider pending nominations; to be immediately followed by a hearing to examine potential costs and price volatility in the energy sector, focusing on the greenhouse gas trading program.

SD-366

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine security clearance reform, focusing on modernization.

SD-342

SEPTEMBER 16

Time to be announced

Small Business and Entrepreneurship

Business meeting to consider the nominations of Winslow Lorenzo Sargeant, of Wisconsin, to be Chief Counsel for Advocacy, and Peggy E. Gustafson, of Illinois, to be Inspector General, both of the Small Business Administration.

Room to be announced

10 a.m.

Appropriations

Financial Services and General Government Subcommittee

To hold hearings to examine the use, impact, and accomplishments of Federal appropriations provided to improve the education of children in the District of Columbia.

SD-192

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Daniel I. Werfel, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

SD-342

Judiciary

To hold an oversight hearing to examine the Federal Bureau of Investigation (FBI).

SD-226

2 p.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Richard Serino, of Massachusetts, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

SD-342

2:30 p.m.

Foreign Relations

To hold hearings to examine exploring three strategies for Afghanistan.

SD-419

Commerce, Science, and Transportation

Science and Space Subcommittee

To hold hearings to examine options from the review of the United States Human Space Flight Plans Committee.

SR-253

SEPTEMBER 17

10 a.m.

Foreign Relations

To hold hearings to examine countering the threat of failure in Afghanistan.

SD-419

POSTPONEMENTS

SEPTEMBER 16

2 p.m.

Homeland Security and Governmental Affairs

To hold hearings to examine southern border violence.

SD-342

Daily Digest

HIGHLIGHTS

Senate passed S. 1023, Travel Promotion Act.

Senator Mel Martinez, of Florida, submitted a letter of resignation from the United States Senate.

House and Senate met in a Joint Session to receive a message from the President of the United States.

Senate

Chamber Action

Routine Proceedings, pages S9143–S9191

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 1655–1657, and S. Res. 256–257. **Page S9186**

Measures Reported:

S. 1308 to reauthorize the Maritime Administration, with an amendment in the nature of a substitute. (S. Rept. No. 111–73) **Page S9186**

Measures Passed:

Travel Promotion Act: By 79 yeas to 19 nays (Vote No. 272), Senate passed S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States, as amended, after taking action on the following amendments proposed thereto: **Pages S9153–66, S9170–72**

Adopted:

Reid (for Dorgan/Rockefeller) Amendment No. 1347, of a perfecting nature. **Pages S9153, S9170**

Withdrawn:

Reid Amendment No. 1348 (to Amendment No. 1347), to change the enactment date. **Pages S9153, S9170**

Reid Amendment No. 1349 (to the language proposed to be stricken by Amendment No. 1347), to change the enactment date. **Pages S9153, S9170**

Reid Amendment No. 1350 (to Amendment No. 1349), of a perfecting nature. **Pages S9153, S9170**

Congressional Gold Medal: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 1243, to provide for the award of a gold medal on behalf of Congress to Arnold Palmer in recognition of his service to the Nation in promoting excellence and good sportsman-

ship in golf, and the bill was then passed, clearing the measure for the President. **Page S9189**

Majority Party Membership: Senate agreed to S. Res. 257, to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen. **Page S9189**

Reserve Officers Association Modernization Act—Referral Agreement: A unanimous-consent agreement was reached providing that the Committee on Armed Services was discharged from further consideration of S. 1599, to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws, and the bill then be referred to the Committee on the Judiciary. **Page S9189**

Appointment Correction—Agreement: A unanimous-consent agreement was reached providing that the Record reflect that the appointment of General Michael Hayden to the Public Interest Declassification Board, made during the adjournment of the Senate, was made by the Republican Leader rather than the Majority Leader. **Page S9190**

Message from the President: Senate received the following message from the President of the United States:

Transmitting the President's address delivered to a Joint Session of Congress on September 9, 2009 relative to health care legislation; which was ordered to lie on the table. (PM–29) **Pages S9179–83**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Protocol Amending Tax Convention with France (Treaty Doc. No. 111–4).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and

referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Pages S9189–90**

Sunstein Nomination—Cloture: Senate resumed consideration of the nomination of Cass R. Sunstein, of Massachusetts, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget. **Pages S9166–70, S9172–75**

During consideration of this measure today, Senate also took the following action:

By 63 yeas to 35 nays (Vote No. 273), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination.

Pages S9172–73

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 12:30 p.m., on Thursday, September 10, 2009. **Page S9190**

Nominations Received: Senate received the following nominations:

- 3 Air Force nominations in the rank of general.
- 43 Army nominations in the rank of general.
- 1 Coast Guard nomination in the rank of admiral.
- 2 Marine Corps nominations in the rank of general.
- 3 Navy nominations in the rank of admiral.

Pages S9190–91

Messages from the House: **Page S9183**

Measures Referred: **Pages S9183–84**

Executive Communications: **Pages S9184–86**

Additional Cosponsors: **Pages S9186–88**

Statements on Introduced Bills/Resolutions: **Pages S9188–89**

Additional Statements: **Pages S9177–79**

Notices of Hearings/Meetings: **Page S9189**

Authorities for Committees to Meet: **Page S9189**

Record Votes: Two record votes were taken today. (Total—273) **Pages S9170, S9173**

Adjournment: Senate convened at 10 a.m. and adjourned at 9:07 p.m., until 9:30 a.m. on Thursday, September 10, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9190.)

Committee Meetings

(Committees not listed did not meet)

GLOBAL WARMING LEGISLATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine global warm-

ing legislation, focusing on carbon markets and producer groups, after receiving testimony from Gary Gensler, Chairman, United States Commodities Futures Trading Commission; Timothy H. Profeta, Duke University Nicholas Institute for Environmental Policy Solutions, Durham, North Carolina; Joseph R. Glace, Exelon Corporation, and Julie Winkler, Green Exchange Venture, both of Chicago, Illinois; David Miller, Iowa Farm Bureau, Des Moines; Fred Yoder, National Corn Growers Association, Plain City, Ohio; Luke Brubaker, Brubaker Farms, Myerstown, Pennsylvania; Frank Rehmann, US Rice Producers Association, Live Oak, California; and W. Andrew Beckstoffer, Beckstoffer Vineyards, Rutherford, California.

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense approved for full Committee consideration an original bill making appropriations for the Department of Defense for fiscal year 2010.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Robert D. Hormats, of New York, to be Under Secretary of State for Economic, Energy, and Agricultural Affairs, after the nominee, who was introduced by Senator Schumer, testified and answered questions in his own behalf.

UNITED STATES FORENSIC SCIENCE

Committee on the Judiciary: Committee concluded a hearing to examine strengthening forensic science in the United States, after receiving testimony from Eric Buel, Vermont Department of Public Safety Forensic Laboratory, Waterbury; Peter Neufeld, Innocence Project, New York, New York; Harold L. Hurtt, Chief, Houston Police Department, Houston, Texas; Paul C. Giannelli, Case Western Reserve University, Cleveland, Ohio; Barry D. Matson, Alabama District Attorneys Association, Montgomery; and Matthew F. Redle, Sheridan County, Sheridan, Wyoming, on behalf of the National District Attorneys Association.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Joseph A. Greenaway, Jr., of New Jersey, to be United States Circuit Judge for the Third Circuit, who was introduced by Senators Menendez and Lautenberg, Roberto A. Lange, to be United States District Judge for the District of South Dakota, who was introduced by Senator Johnson, Irene Cornelia Berger, to be United States District Judge for the Southern

District of West Virginia, who was introduced by Senator Rockefeller, Charlene Edwards Honeywell, to be United States District Judge for the Middle District of Florida, who was introduced by Senator Nel-

son (FL), and Ignacia S. Moreno, of New York, to be Assistant Attorney General, Department of Justice, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 5 public bills, H.R. 3542–3546; and 5 resolutions, H. Res. 723–725, 727–728, were introduced. **Page H9396**

Additional Cosponsors: **Pages H9397–98**

Report Filed: A report was filed today as follows:

H. Res. 726, providing for consideration of the bill (H.R. 965) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network (H. Rept. 111–249).

Page H9396

Speaker: Read a letter from the Speaker wherein she appointed Representative Holden to act as Speaker pro tempore for today. **Page H9345**

Chaplain: The prayer was offered by the Guest Chaplain, Dr. Benny Tate, Rock Springs Church, Milner, Georgia. **Page H9345**

Committee Election: The House agreed to H. Res. 723, electing a minority member to a standing committee: Committee on Oversight and Government Reform: Representative Luetkemeyer. **Page H9350**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Wind Energy Research and Development Act of 2009: H.R. 3165, amended, to provide for a program of wind energy research, development, and demonstration; **Pages H9351–52**

Recognizing the remarkable contributions of the American Council of Engineering Companies for its 100 years of service to the engineering industry and the Nation: H. Res. 447, to recognize the remarkable contributions of the American Council of Engineering Companies for its 100 years of service to the engineering industry and the Nation, by a 2/3 yea-and-nay vote of 420 yeas with none voting “nay”, Roll No. 690; **Pages H9352–53, H9387**

Supporting the goals and ideals of National Aerospace Day: H. Con. Res. 167, to support the goals and ideals of National Aerospace Day;

Pages H9353–55

Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act of 2009: H.R. 445, amended, to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles; **Pages H9355–57**

Recognizing the 75th anniversary of the passage of the Federal Credit Union Act: H. Res. 556, to recognize the 75th anniversary of the passage of the Federal Credit Union Act and the vibrant Federal credit union community that was created as a result of this important piece of legislation; **Pages H9357–59**

Promoting Transparency in Financial Reporting Act of 2009: H.R. 2664, to require annual oral testimony before the Financial Services Committee of the Chairperson or a designee of the Chairperson of the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board, relating to their efforts to promote transparency in financial reporting; **Pages H9359–60**

Nonadmitted and Reinsurance Reform Act of 2009: H.R. 2571, to streamline the regulation of nonadmitted insurance and reinsurance;

Pages H9360–63

Star-Spangled Banner Commemorative Coin Act: H.R. 2097, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, by a 2/3 yea-and-nay vote of 419 yeas to 1 nay, Roll No. 691; **Pages H9363–65, H9388**

Providing for the appointment of France A. Cordova as a citizen regent of the Board of Regents of the Smithsonian Institution: S. J. Res. 9, to provide for the appointment of France A. Cordova as a citizen regent of the Board of Regents of the Smithsonian Institution; **Pages H9365–66**

Authorizing the use of the Capitol Grounds for a celebration of Citizenship Day: H. Con. Res. 136, to authorize the use of the Capitol Grounds for a celebration of Citizenship Day; **Pages H9366–67**

William O. Lipinski Federal Building Designation Act: H.R. 2498, to designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the “William O. Lipinski Federal Building”, by a $\frac{2}{3}$ ye-a-and-nay vote of 419 yeas with none voting “nay”, Roll No. 692;

Pages H9367–68, H9388–89

Providing for the transfer of certain Federal property to the Galveston Historical Foundation: H.R. 2121, amended, to provide for the transfer of certain Federal property to the Galveston Historical Foundation;

Page H9368

Agreed to amend the title so as to read: “To authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation.”

Page H9368

Albert Armendariz, Sr., United States Courthouse Designation Act: H.R. 2053, to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the “Albert Armendariz, Sr., United States Courthouse”;

Pages H9368–70

Alto Lee Adams, Sr., United States Courthouse Designation Act: H.R. 3193, to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the “Alto Lee Adams, Sr., United States Courthouse”;

Pages H9370–71

Requesting that the President focus appropriate attention on neighborhood crime prevention and community policing: H. Res. 623, to request that the President focus appropriate attention on neighborhood crime prevention and community policing, and coordinate certain Federal efforts to participate in National Night Out, which occurs the first Tuesday of August each year, including by supporting local efforts and community watch groups and by supporting local officials, to promote community safety and help provide homeland security;

Pages H9371–73

Recognizing September 11 as a “National Day of Service and Remembrance”: H. Res. 718, to recognize September 11 as a “National Day of Service and Remembrance”;

Pages H9373–76

Honoring the first responders, paying tribute to the victims of the Southern California wildfires, and mourning the loss of Firefighter Captain Tedmund “Ted” Hall, and Firefighter Specialist Arnaldo “Arnie” Quinones: H. Res. 724, to honor the first responders, pay tribute to the victims of the Southern California wildfires, and mourn the loss of Firefighter Captain Tedmund “Ted” Hall, and Firefighter Specialist Arnaldo “Arnie” Quinones; and

Pages H9376–79

Expressing the sense of the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001: H. Res. 722, to express the sense of the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001, by a $\frac{2}{3}$ ye-a-and-nay vote of 416 yeas with none voting “nay”, Roll No. 693.

Pages H9379–87, H9389

Moment of Silence: The House observed a moment of silence in memory of the victims of the terrorist attacks on September 11, 2001.

Page H9387

Recess: The House recessed at 3:31 p.m. and reconvened at 7:45 p.m.

Page H9390

President Obama’s Address to the Joint Session of Congress: President Barack Obama delivered a message to a joint session of Congress. He was escorted into the House Chamber by a committee comprised of Representatives Hoyer, Clyburn, Larson (CT), Becerra, Van Hollen, George Miller (CA), DeLauro, Kennedy, Boehner, Cantor, Pence, McCotter, Carter, Sessions, McCarthy (CA), and Blunt and Senators Reid, Durbin, Schumer, Murray, Menendez, Dorgan, Stabenow, McConnell, Kyl, Alexander, Murkowski, Thune, and Cornyn. The President’s message was referred to the Committee of the Whole House on the State of the Union and ordered printed as a House Document (H. Doc. 111–62). The Speaker declared the joint session dissolved at 9:07 p.m.

Pages H9390–94

Senate Messages: Message received from the Senate today and messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H9350 and H9390.

Senate Referrals: S. Res. 255 was held at the desk.

Quorum Calls—Votes: Four ye-a-and-nay votes developed during the proceedings of today and appear on pages H9387, H9388, H9388–89, and H9390. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:10 p.m.

Committee Meetings

MEDICAL ISOTOPE CRISIS

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing entitled “Solving the Medical Isotope Crisis,” to examine the American Medical Isotopes Production Act of 2009 (H.R. 3276). Testimony was heard from Parrish Staples, Director, European and African Threat Reduction, Office of Global Threat Reduction, National Nuclear Security Administration, Department of Energy; and public witnesses.

RYAN WHITE EXTENSION ACT

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled “‘Ryan White Extension Act of 2009’ Discussion Draft Legislation.” Testimony was heard from Mary Wakefield, R.N., Office of the Administrator, Health Resources Services Administration, Department of Health and Human Services; Marcia Crosse, Health Care Director, GAO; and public witnesses.

MAKING HOME AFFORDABLE PROGRAM

Committee on Financial Services. Subcommittee on Housing and Community Opportunity held a hearing entitled “Progress of the Making Home Affordable Program: What Are the Outcomes for Homeowners and What Are the Obstacles to Success?” Testimony was heard from Michael S. Barr, Assistant Secretary, Financial Institutions, Department of the Treasury; David Stevens, Assistant Secretary, Housing/Federal Housing Commissioner, Department of Housing and Urban Development; Paul S. Willen, Senior Economist and Policy Advisor, Federal Bank of Boston, Federal Reserve System; and public witnesses.

LENDING INDUSTRY’S FORECLOSURE

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law held a hearing on the Role of the Lending Industry in the Home Foreclosure Crisis. Testimony was heard from Elizabeth W. Magner, U.S. Bankruptcy Court, Eastern District of Louisiana; Suzanne Sangree, Law Department, Baltimore, Maryland; and public witnesses.

AMERICAN CONSERVATION AND CLEAN ENERGY INDEPENDENCE ACT

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 2227, American Conservation and Clean Energy Independence Act. Testimony was heard from Representatives Tim Murphy of Pennsylvania and Abercrombie; and public witnesses.

OVERSIGHT—OFFSHORE AQUACULTURE

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife held an oversight hearing on offshore aquaculture. Testimony was heard from James Balsiger, Acting Assistant Administrator, Fisheries, National Marine Fisheries Services, NOAA, Department of Commerce; and public witnesses.

INDIAN WATER RIGHTS SETTLEMENT

Committee on Natural Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 3254, Taos Pueblo Indian Water Rights Settlement Act; and H.R. 3342, Aamodt Litigation

Settlement Act. Testimony was heard from Mike Connor, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

U.S.’S AFGHANISTAN/PAKISTAN ACCOUNTABILITY

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs held a hearing entitled “Afghanistan and Pakistan: Accountability Community Oversight of a New Interagency Strategy.” Testimony was heard from MG Arnold Fields, USMC (Ret.), Inspector General, Special Inspector General, Afghanistan Reconstruction; from the following officials of the Department of State: Harold W. Geisel, Inspector General; and Donald A. Gambatesa, Inspector General, U.S. Agency for International Development; Gordon S. Heddwel, Inspector General, Department of Defense; and Jacquelyn Williams-Bridgers, Managing Director, International Affairs and Trade, GAO.

CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK CONTINUING AUTHORIZATION ACT

Committee on Rules: Granted, by a non-record vote, a structured rule providing for consideration of H.R. 965, the “Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act.” The rule provides one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions of the bill.

The rule makes in order the amendment in the nature of a substitute printed in the report, if offered by Representative Bishop of Utah or his designee, which shall be in order without intervention of any point of order except those arising under clause 9 or 10 of rule XXI, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent.

The rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Sarbanes and Hastings of Washington.

H1N1 FLU’S BUSINESS IMPACTS

Committee on Small Business: Held a hearing entitled “The Challenges of the 2009—H1N1 Influenza and its Potential Impact on Small Businesses and Healthcare Providers.” Testimony was heard from Rebecca Blank, Under Secretary, Economic Affairs, Department of Commerce; RADM Anne Shuchat,

M.D., USPHS, Assisting Surgeon General, U.S. Public Health Service, Director, National Center, Immunization and Respiratory Diseases, Centers for Disease Control and Prevention, Department of Health and Human Services; Bridger McGaw, Acting Assistant Secretary for the Private Sector, Office of Policy/Office of Private Sector, Department of Homeland Security; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 10, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to mark up proposed budget estimates for fiscal year 2010 for Defense, 2:30 p.m., SD-106.

Committee on Banking, Housing, and Urban Affairs: to hold an oversight hearing to examine the Securities and Exchange Commission (SEC), and how to improve Securities and Exchange Commission performance, 2:30 p.m., SD-538.

Committee on Finance: Subcommittee on Energy, Natural Resources, and Infrastructure, to hold hearings to examine oil and gas tax provisions, focusing on the President's fiscal year 2010 budget proposal, 2:15 p.m., SD-215.

Committee on Foreign Relations: to hold hearings to examine Iraq, focusing on a report from the field, 2:30 p.m., SH-216.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine an update on stimulus spending, transparency, and fraud prevention, 10 a.m., SD-342.

Committee on Indian Affairs: business meeting to consider pending calendar business; to be immediately followed by a hearing to examine S. 1635, to establish an Indian youth telemental health demonstration project, to enhance the provision of mental health care services to Indian youth, to encourage Indian tribes, tribal organizations, and other mental health care providers serving residents of Indian country to obtain the services of predoctoral psychology and psychiatry interns, 2:15 p.m., SD-628.

Committee on the Judiciary: business meeting to consider S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 1599, to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws, and the nomina-

tions of Jeffrey L. Viken, to be United States District Judge for the District of South Dakota, and Beverly Baldwin Martin, to be United States Circuit Judge for the Eleventh Circuit, and Peter F. Neronha, to be United States Attorney for the District of Rhode Island, Daniel G. Bogden, to be United States Attorney for the District of Nevada, Dennis K. Burke, to be United States Attorney for the District of Arizona, and Neil H. MacBride, to be United States Attorney for the Eastern District of Virginia, all of the Department of Justice, 10 a.m., SD-226.

Committee on Veterans' Affairs: to hold joint hearings to examine the legislative presentation of the American Legion, 9:30 a.m., 345 Cannon Building.

House

Committee on Armed Services, Subcommittee on Oversight and Investigations, hearing on Charting the Course for Effective Professional Military Education, 10 a.m., 210 HVC.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing entitled "Consumer Product Safety Commission Oversight: Current Issues and a Vision for the Future," 10 a.m., 2322 Rayburn.

Subcommittee on Communications, Technology, and the Internet, hearing entitled "Oversight of the American Recovery and Reinvestment Act: Broadband, Part 2," 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled "The World Bank's Disclosure Policy Review and the Role of Democratic Participatory Process in Achieving Successful Development Outcomes," 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Outlook for Iraq and U.S. Policy, 9:30 a.m., 2172 Rayburn.

Subcommittee on Asia, the Pacific and the Global Environment, hearing on U.S.-China Relations: Maximizing the Effectiveness of the Strategic and Economic Dialogue, 1 p.m., 2172 Rayburn.

Committee on the Judiciary, hearing on Competition and Commerce in Digital Books, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, to mark up the following bills: H.R. 685, United States Civil Rights Trail System Act of 2009; H.R. 1593, To amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; H.R. 2802, To provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes; H.R. 2806, To authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes; H.R. 3113, Upper Elk River Wild and Scenic Study Act; H.R. 2008, Bonneville Unit Clean Hydropower Facilitation Act; H.R. 2265, Magna Water District Water Reuse and Groundwater Recharge

Act of 2009; H.R. 2442, Bay Area Regional Water Recycling Program Expansion Act of 2009; H.R. 2522, To raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project, and for other purposes; H.R. 2741, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes, and H.R. 2950, To direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District, 9 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, to mark up the following measures: H.R. 1881, Transportation Security Workforce Enhancement Act of 2009; H.R. 2495, Federal Real Property Disposal Enhancement Act of 2009; H.R. 2092, Kingman and Heritage Islands Act of 2009; H.R. 2711, Families of Fallen Heroes Act; H. Con. Res. 163, Expressing support for designation of September 23, as “National Job Corps Day”; H. Res. 441, Honoring the historical contributions of Catholic sisters in the United States; H. Res. 679, Supporting the goals and ideals of American Legion Day; H.R. 2215, To designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the “John J. Shivnen Post Office Building”; H.R. 3319, To designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the “Army Specialist Jeremiah Paul McCleery Post Office Building”; and H.R. 3386, To des-

ignate the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the “Iraq and Afghanistan Veterans Memorial Post Office,” 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on Biological Research for Energy and Medical Applications at the Department of Energy Office of Science, 2 p.m., 2318 Rayburn.

Subcommittee on Investigations and Oversight, hearing on the Risks of Financial Modeling: VaR and the Economic Meltdown, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, hearing on Concerns with Hazardous Materials Safety in the U.S.: Is PHMSA Performing its Mission? 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on Vocational Rehabilitation and Review of SPAWAR and VA's Interagency Agreement, 1:30 p.m., 334 Cannon.

Select Committee on Energy Independence and Global Warming, hearing entitled “Roadmap to Copenhagen: Driving Toward Success,” 9:30 a.m., 2175 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings to examine income, poverty, and health insurance coverage, focusing on assessing key census indicators of family well-being in 2008, 1 p.m., 210, Cannon Building.

Joint Hearing: Senate Committee on Veterans' Affairs, to hold joint hearings to examine the legislative presentation of the American Legion, 9:30 a.m., 345, Cannon Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 10

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 10

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 12:30 p.m.), Senate will continue consideration of the nomination of Cass R. Sunstein, of Massachusetts, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

House Chamber

Program for Thursday: Consideration of H.R. 965—Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act (Subject to a Rule).

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