

are some other rosy scenarios in there that the objective economists do not believe will occur.

When you score this budget without using those gimmicks or rosy scenarios, as the Congressional Budget Office is required to do—they are required to make an independent analysis of the President's budget, and they have done so.

Let me just say that we are proud of the independence of the Congressional Budget Office. They are a talented group. They work for us here. The new Director was chosen in a bipartisan way but clearly with the final power in the hands of the substantial Democratic majority in the Senate. They control the ultimate choice of the Congressional Budget Office.

They come out not with a \$712 billion deficit for that year—not \$912 billion but \$1.2 trillion, \$500 billion higher when they use numbers they believe are fair and honest and accurate, coming out with \$1.2 trillion in deficit, not \$700 billion in deficit. There will not be, in this entire 10-year period, taking President Obama's own numbers, and certainly not the Congressional Budget Office's numbers, a single year that is close to as low as the \$455 billion deficit of President Bush's last year. Most of them are twice that or will average twice that.

So what I wish to say to my colleagues is that this is not sustainable.

The President had a great meeting with the Republicans one day at lunch in the room right over here. He was very personable, open, and responded to any questions asked. I thought he was very sincere when he said: Look, we are going to have to spend a lot of money now, but when this economy comes back we are all going to have to work together to reduce the systemic threat of out-of-control deficits. He said that more than once. I thought he meant that. But when you propose a budget that has deficits increasing every year over the next 5 years and reaching, in his own numbers, \$712 billion in deficit—and according to CBO, \$1.2 trillion—then I can't take that very seriously. There is not one act in this budget plan of any significant evaluation of the out-of-control entitlement programs we have or how to bring those under control.

So that is not politics; that is reality. It is not acceptable. We have to say no to this budget. I know my Democratic colleagues are uneasy about those numbers. They tell me they are uneasy about them. They want to support their President. They want to pass this budget. But at some point, I think my colleagues are going to have to say no. I hope they will. Certainly, the Republicans can't say no; we don't have enough votes.

Now, Senator THUNE made reference to this number.

Madam President, what is our time-frame?

The PRESIDING OFFICER. Morning business expires at 4 o'clock p.m., in several minutes.

Mr. SESSIONS. Madam President, I would just point out these numbers. The public debt, which I think is probably the clearest definition of what our debt situation is—you can argue about that, but the public debt, I believe, is correct—is now \$5.8 trillion. In 5 years, it will be \$11.5 trillion, a doubling of the debt; and in 10 years, another 5 years, it will be \$15.3 trillion, tripling—that is the debt since the founding of the Republic—\$5 trillion right here. In 10 years, we are going to triple the total debt. That is not acceptable. And they are projecting not a recession in the next 10 years after we get out of this one, they are projecting growth, no wars, and it is still like this. The truth is, those of us who observed budgeting before don't stay to the budget totals; we usually go over them through some sort of gimmick or maneuver.

How about another number that is disturbing to me—very disturbing. The White House estimate on interest payments in the budget is \$148 billion for 2009. According to CBO, they estimate it higher at \$170 billion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Madam President, I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. It shows the interest rate or payments on this tripling debt reaching \$694 billion, according to the White House's own estimate, in 2019, to the people who buy our debt—the largest foreign recipient of which is China.

CBO says that is underestimated. They calculate it to be \$806 billion. The entire general fund of the State of Alabama, an average-size State, is about \$7 billion for the counties, schools, teachers, and roads. The highway budget for the entire United States of America is \$40 billion a year, including interstate, all the money we send to the States, and all of the pork money we put on top of it. This is \$806 billion in interest alone on a debt that we have run up in previous years. That is why people are worried about it.

I will conclude with that and say, again, I know we all get caught up in politics, that is true. But this year, this budget is not a normal budget. It is not a bigger budget or a lot bigger. It is a gargantuan budget, the likes of which we have not seen before. It results in debt increases that are not sustainable. It has no projection of any containment of spending. It does nothing to deal with the entitlement difficulties that are driving much of the debt, and it cannot be passed in this fashion.

I urge my Democratic colleagues to say: No, Mr. President, you have to go back and look at this some more. We cannot pass this budget and not just take a few hundred billion dollars off, or something like that. We need to have a serious discussion of the finan-

cial condition of our country. I think the Republicans will be there trying to work with you on it. But without some leadership from the other side, this budget will go into effect.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### NATIONAL SERVICE REAUTHORIZATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 1388, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to consideration of the bill (H.R. 1388) to reauthorize and reform the national service laws.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the previously scheduled 6 p.m. cloture vote now occur at 5:45 p.m., and that 10 minutes immediately prior to 5:45 p.m. be divided as previously ordered, and that all other provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. I thank the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, for the information of Members, a number of Senators wanted us to start the vote earlier tonight, and we are happy to do that. For those who aren't going to arrive until 6 o'clock, we will drag the vote out so they will not miss it.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Madam President, I am proud today to bring the legislation to the floor entitled Serve America Act. This bill is the result of extensive bipartisan work by Senators KENNEDY and HATCH who have worked more than a year on this legislation but who have devoted their lives to this bill. I know in a short time I will be joined by the distinguished Senator from Utah, Mr. HATCH, who was one of the prime sponsors of the bill. Senator ENZI of Wyoming, the ranking member of the Health, Education Committee, was also going to be here. He is in a snowstorm in Wyoming. Senator ENZI will bring his remarks to the floor tomorrow.

Let me just say that I want to, first of all, salute Senators KENNEDY and HATCH for designing this legislation because it expands the opportunity to serve this country. At the same time, Senator ENZI and Senator DODD worked assiduously to strengthen the bill.

Senator ENZI brought very key legislative analysis to the bill, and his background as an accountant gave us

very much needed reforms in the area of greater accountability and stewardship. I want to, on behalf of our side of the aisle, thank him for his insight and know-how. We have adopted every single one of the Enzi stewardship recommendations.

Our colleague, Senator DODD of Connecticut, himself a former Peace Corps volunteer, has also brought additional thinking to the bill to make sure that volunteers are rewarded by making sure we could expand the summer of service and the semester of service.

Madam President, I have been no stranger to this bill, and one of the things I have done was be the appropriator for appropriations from the time of its inception, from 1993 to 2004, when the VA-HUD and Independent Agencies Committee was dissolved by Mr. Delay of Texas in the House, and the Senate followed suit. That is a chatty way of saying that Senator KIT BOND, who chaired that subcommittee as my ranking member, was able to keep national service functioning and also very much needed reforms.

In 2004, Senators HARKIN and SPECTER got the appropriations portfolio for national service, and they have done an outstanding job. I say all this to say that when we bring up this bill, it is not a Democratic bill; it is a bipartisan bill and an American bill. Ever since the framework for the underlying legislation was created more than a decade ago, we have worked on both sides of the aisle, with Presidents of both parties, to give our young people an opportunity to serve.

This has been an outstanding effort. Today, the legislation I bring to the Senate floor on their behalf is the result of considerable experience, lots of lessons learned, and also the recognition and knowledge that there is a new invigorated spirit in the United States of America. Some are calling it the "Obama effect" because there are so many people who want to give back to the United States of America, to use their own sweat equity to be involved in our communities to make them a better place to be, for our schools to be able to be more effective, for there to be structured afterschool activities for children, and volunteer efforts to add to more housing for Habitat for Humanity—item after item, we could go on. There is this fantastic spirit, and we want to be able to make use of that energy, that passion, those good intentions, and be able to help them truly to serve America.

Senator KENNEDY and I have worked on this legislation for some time. Way back in 1990, Senator KENNEDY and I introduced the National Community Service Act with then-Senator Nunn, and also with the help of Senator MCCAIN, to establish a corporation for national and community service, and also to create a demonstration project that would then become the AmeriCorps.

When President Bill Clinton came in, we worked to create the National Com-

munity Service Act. In 1993, we passed the AmeriCorps legislation. Since then, it has been a profound success. We took that landmark legislation and, working with President Clinton, created a framework for today's national service programs.

Let me be clear, Madam President. We were not in the business of creating another new social program. What we were in the business of was creating a new social invention. What do I mean by that? In our country, we are known for our technological prowess, the great technological inventions. From the rocket ship to the microchip, America has been in the forefront of technology and science.

But also often overlooked, and sometimes undervalued, is our social inventions—those things that the genius of America invents to create an opportunity ladder for our country, to create empowerment opportunities for our constituents.

Let me give a couple of examples, and you can see the American philosophy at work in AmeriCorps. In terms of our social inventions, what are some? Well, you know we are the country that invented night school. At the turn of the old century, with so many immigrants coming from Europe, with Lady Liberty raising her hand saying: Give me your tired, your poor, your yearning to be free—and they also wanted to learn to read English, write English, and learn citizenship. But they were working night and day to be able to do that.

Out of the great settlement houses—primarily the great settlement houses out of New York and Chicago—they said: If you work during the day, we are going to give you an opportunity to learn at night. Out of that settlement house movement came a new social invention called night school. It was never done anywhere else in the world. Look how night school changed the face of America.

Then, while our GIs went overseas and then came back home, we had another social invention that said: We want to thank you not only with words but with deeds. So another empowerment legislation was called the GI bill, which created one great, gigantic opportunity ladder for generations of men who would have never had the opportunity for either education or home ownership to be able to move ahead.

Along the way, they knew they could not go off to 4 years of college. They were adults. They had seen war and they had liberated death camps. They could not come back and go "bula bula"; they had to go to work. So we invented something else, too, called the junior college, or the community college, which in and of itself was a social invention.

So you see, every generation comes up with a new idea to build and add to that important opportunity ladder where you can do something for yourself and your country. But government is on your side.

What is it we wanted to do? A social invention for the nineties? What did we face? We saw two things: No. 1, students had incredible debt—and they still do. Their first "mortgage" was not a home but what they owed in terms of their college debt. Also, we saw a new trend coming to America called the "me" generation. Articles and books were being written about it. There were those on both sides of the aisle who wanted to change the "me" generation to the "we" generation. We also wanted to say: How can we help with student debt? That is when we thought about national community service, where you could give back to your country, learn the habits of the heart that de Tocqueville talked about—neighbor helping neighbor, the signature of America, from barn raising to Habitat for Humanity, and habits of the heart and Habitat for Humanity.

We created national service as a form. We didn't want it to be service only for idealistic, affluent kids who could afford to take 2 years off to find themselves. We wanted them to find opportunity to be of service and also to make an important contribution.

That is how we created the original national service legislation. We wanted to strike a balance between precollege and postcollege to help pay for college, get ready for college or to learn a trade. We also wanted to provide the opportunity for retired people to be of service and also, while being of service, to earn a modest voucher to pay down student debt.

We wanted to make sure we could do this in a way that was sensible, affordable, and also would involve the flexibility and creativity of the local community.

We allow not only full-time volunteers but the opportunity for part-time volunteers. Actually, the part-time volunteer was my idea. Putting on my social work hat again, what I saw in our communities was not everybody can go away and not everybody wants to go away. It could be someone disabled, where their whole support system is in that community. And although they have a physical challenge, they can still give. How about that single mother who graduated from a community college and wants to reduce her debt as she is moving on with her career? This would give her a chance to do that.

There were important lessons learned, and for more than a decade we worked on it. But not all was rosy, not all was smooth. What we then saw in 2003, when I was the ranking member on the appropriations subcommittee funding national service, is they created a debacle. God, did they get sloppy. One of their most colossal errors was that they enrolled over 20,000 volunteers and could not afford to pay for it. That is how sloppy they were in their accounting.

I took to the floor and called them the "Enron of nonprofits." I called for

a new board, a new CEO, and new rules of engagement. President Bush responded, and he gave us the right people to right the ship of national service.

I must say, in those 6 years since then, they have worked to do so. They have righted the ship, they have good financial accounting, and people continue to volunteer.

But all that is history. What about the 21st century now? Wow, people want to volunteer like never before. Do you know that last year 35,000 college seniors applied for Teach America? There were only 4,000 slots. There were 35,000 young people who wanted to do it. The Peace Corps got 13,000 applicants last year for 4,000 slots. People want to serve.

While we saw this new flourishing of desire and passion to serve, Senators KENNEDY and HATCH put their abilities and key minds and passion for this issue together and have come up with the Kennedy-Hatch Serve America Act. It is a great bill. Let me tell you about it.

First of all, it improves the number of national volunteers. Over a 7-year period, it would take the volunteers from 75,000 slots to 250,000 slots. But this bill is more about creating opportunities and for people to serve. It is about meeting compelling human needs.

We are going to also expand this bill with lessons learned on focusing some of our AmeriCorps activity into specialized corps. These are what we found: One, an education corps; another, a health futures corps; another, a veterans corps; and another called opportunity corps. These are not outside of AmeriCorps. They will be subsets because we find this is where compelling human need is and at the same time offers great opportunity for volunteers to do it.

What does the education corps do? It improves student engagement. It works with young people in schools in supplemental services, such as tutoring, field trips, and particularly in these structured school activities. We have found that where they have focused on education, they have improved student academic achievement and graduation rates.

Also, we have something called the clean energy service corps. This is going to work to weatherize more low-income households to be more energy efficient.

We have a health futures corps that will work to increase access to health care among low-income and underserved populations but at the same time work on health promotion and wellness, primarily in schools, to teach our young people the kind of cool, new, edgy ways of doing those healthy habits that will change their lives for a lifetime.

We also are working on a veterans corps to help create housing units for deployed soldiers and to help also with voluntarism to assist military families when a military family is deployed.

I heard of a very innovative approach in Hawaii called Grannies for the Troops. That is grandmothers in the area who want to volunteer to help women whose husbands are deployed with some time off for themselves to go shopping, get other family business done, whatever. You need a volunteer coordinator to make that happen. That is the kind of innovation we are going to have.

We also have in this program help for retirees. We keep all our senior programs and we provide something called an encore fellowship for an older generation to serve. We also provide the opportunity for professionals called volunteers for prosperity to serve overseas. Those two ideas from Senator HATCH were very helpful.

This bill takes AmeriCorps and focuses it in a way that we think offers greater efficiency and provides some other new opportunities to serve, such as the summer of service and the semester of service. It also concentrates on improving the capacity of our non-profit organizations in some other very innovative ways.

This is just a brief summary of the history that brought us to today and the framework that will take us to tomorrow.

In the last Congress, there was a lot of talk about bridges to nowhere. National Service is a bridge to somewhere. I wish to note in the health corps programs, we already have one that will continue to function under this health umbrella in AmeriCorps. Not only do we help people get connected to the services for which they are eligible, but 85 percent of the young people who work in the National Community Health Corps Program go on themselves to health care jobs. Some decide on a career in medicine. Some think: Wow, although I already have my degree, I think I will go into an accelerated program and go into nursing, where they have the accelerated program for people with degrees. Others are looking at careers in public health or in x-ray technology. They get turned on.

For people who go into education, they say: You know, I was going to do this for a stint. I want it to be my life's work. They then will go into the field of education as teachers and getting extra degrees and doing a good job. They are the reformers of the next generation. What we do in national service serves the community immediately today, but the impact on the volunteers continues for the rest of their lives.

I think this is a great social investment, and it is a public investment in our young people to help our communities that I think will pay dividends long beyond anything we can imagine.

I hope this bill is adopted by late tomorrow. I hope we can keep amendments to a minimum. I do believe we have had excellent help on both sides of the aisle. We talk about changing direction in this country. I think people

do want a new direction. They want to rekindle the habits of the heart. There are a lot of people out there, as we talked about bonuses, who might be talking about "me," but there are a lot of young people who want to be part of the "we" generation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the time during the quorum call be charged equally, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam 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. Madam President, last May, then-Senator Barack Obama gave a commencement address at Wesleyan University. Senator TED KENNEDY of Massachusetts had been originally scheduled to speak to the graduates, but Senator KENNEDY had taken ill and Senator Obama spoke in his place.

In a tribute to TED KENNEDY's lifetime of service to America, Senator Obama spoke to the graduates about the importance of national service. It was a remarkable speech. In fact, what he told the graduates was his life story, about how Barack Obama, after graduating from an Ivy League college, could have gone to law school or Wall Street with many of his classmates. But, instead, he took a job as a community organizer on the south side of Chicago.

Many people know this story because they have heard Barack tell it. They may have read about it when the President published his autobiography, "Dreams From My Father," of how he ended up with a broken down little car, taking a job that didn't pay very much as a community organizer in a section of Chicago that had been wracked by the closing of steel mills and all the unemployment and hardship that followed. It wasn't easy work for him. He went church to church trying to organize people in the neighborhoods. The pay wasn't very good, but he knew he was making a difference. He made friends and connections. He learned a lot about life, and he learned a lot about himself. He found direction in his life from those moments that he spent volunteering and giving back to his community.

President Obama—then Senator Obama—called on the graduates at

Wesleyan to find their own direction through service to the country. Here is what he said:

There's no community service requirement in the real world; no one forcing you to care. You can take your diploma, walk off this stage, and chase only after the big house and the nice suits and all the other things that our money culture says you should buy. You can choose to narrow your concerns and live your life in a way that tries to keep your story separate from America's. But I hope you don't. Because thinking only about yourself, fulfilling your immediate wants and needs, betrays a poverty of ambition. Because it's only when you hitch your wagon to something larger than yourself that you realize your true potential and discover the role you will play in writing the next great chapter in America's story.

President Obama repeated this call to service throughout his campaign and now into his Presidency. He has called on all Americans to find a way to serve their neighbors and their community to make this Nation a better place.

Over the last few months, we have heard too many stories about the so-called successful people who have followed their ambitions, and sometimes their greed, and the economy and country have suffered. But there are so many other stories to be told—community organizations across this Nation that are reporting record numbers of volunteers coming through their doors as we face this troubling economy. Many of these new volunteers have recently lost their jobs, but they still want to answer the President's call and give back to their communities.

That is the spirit that truly makes America great. Even in the most troubling times, Americans think of those who are suffering, those who have lost their homes or can't put food on the table, and they want to help. There isn't a community in America where you can't find that spirit, and you can find it on the street corners, in church basements, in afternoon and weekend efforts of people just wanting to give a little bit back and to help those less fortunate.

In my State of Illinois, each year 2.7 million volunteers dedicate over 300 million hours of service. The estimated economic contribution of those hours is \$5.9 billion annually. More than 66,000 of these volunteers participate in national service programs through 144 different projects. In Chicago, the City Year program is one of my favorites. It places young volunteers to work full time in some of Chicago's neediest schools. There they serve as tutors, mentors, and role models for Chicago's students.

They usually call me in once a year to meet the new class—and I love them. They are just so bristling with energy and determination and commitment. Many of them are doing something in a communal sense that they have never done in their lives. Some of them are in Chicago for the first time, dazzled by the city but dazzled as well by the people they are working with.

We know we need them. A student drops out of school every 26 seconds in this country. City Year volunteers are helping to keep Chicago students in school and on the road to success.

When asked to share the impact of the City Year corps members on their classroom, teachers recently said:

All of my students who are being tutored are more interested in reading. They are more confident in themselves as striving learners.

It works and it works in both directions. The students are better off; so are the volunteers.

This week we are considering a bill that will dramatically expand national service programs, giving more Americans the chance to serve their country. I thank Senator MIKULSKI for leading us in this effort, bringing this to the floor. The original cosponsors of the bill, of course, were Senator TED KENNEDY and Senator ORRIN HATCH. I joined a long list of Democrats and Republicans as cosponsors as well. Both Senators KENNEDY and HATCH have a long personal commitment to service, and this bill is a testament to their public legacy. Senator MIKULSKI is bringing this to the floor in Senator KENNEDY's absence. I know she will handle this bill well. She always does.

The Serve America Act will triple the number of national service participants to 250,000 participants within 8 years. Along with this dramatic expansion, the bill will also create new corps within AmeriCorps, focused on areas of national need that include education, the environment, health care, economic opportunity, and helping our veterans.

We are expanding opportunities to serve for Americans in every stage in life. Middle and high school students will be encouraged to participate in service projects during the summer and after school. By serving their communities early in life, these students will be put on a path to a lifetime habit of service.

For working Americans who cannot commit to full-time service, the bill provides funding to community organizations for recruiting and managing part-time volunteers; retirees will be given new opportunities to serve through the Senior Corps, as it exists, and through new initiatives. The bill also increases the education award for the first time since its creation. A lot of the people in the AmeriCorps projects, for example, at the end of their service, earn credits they can use to go on to pursue higher education.

The education award in this bill will be raised to the Pell grant level, which will make it easier for college students with significant student loan debt to consider national service—and the award will be transferable, so that older volunteers can actually transfer the education award to their children or grandchildren. What a great gift to give to your family.

There is a story Senator KENNEDY often tells about national service. On

the fifth anniversary of the Peace Corps so many years ago, TED KENNEDY asked a young volunteer why he decided to sign up, and the answer was simple. He said: "It was the first time someone asked me to do something for my country."

With the Serve America Act we are asking again. We are asking Americans of all ages to give back to their communities and to America. Each American has the power to make a small difference in the success of a child or the health of the environment or the lives of hungry neighbors. All those small differences, repeated over and over, can add up to something truly powerful.

Passage of this bill is a priority of our new President and should be a priority for every Member of the Senate. I encourage my colleagues to support this bill and I yield the floor.

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. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mr. DURBIN. I ask consent the time remaining under the quorum call be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I suggest absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, today the Senate begins consideration of the Serve America Act, which is the title of what will be the Senate substitute for H.R. 1388. It is my hope this legislation will help strengthen a culture of service, citizenship, and responsibility in America, and I am proud to join a bipartisan group of Senators in support of this bill as it comes to the Senate floor.

I am sure it goes without saying that Senator TED KENNEDY's absence is deeply felt by all of us as we work on this particular piece of legislation. I, personally, continue to pray for his full and speedy recovery.

To begin, I would like to discuss the context in which this legislation has moved forward to give us some perspective as to what is about to happen. After months of discussion, negotiation, debate, and flatout argument, Senator KENNEDY and I introduced the original version of the Serve America Act last September in the middle of what was often a hotly contested campaign season. Despite the overly partisan atmosphere at the time, a bipartisan group of Senators offered their

support for this bill. Even though the differences between the two Presidential candidates were played out on news shows every night, both of them were willing to put their debates aside and become original cosponsors. That pleased me.

I would like, once again, to thank Senator MCCAIN for his continued support, not only for this particular piece of legislation but for volunteer service in general. He has truly been a leader on this issue throughout his life and has rightly won the admiration of those on both sides of the aisle.

In addition to the Kennedy-Hatch legislation, the Serve America Act, the Senate bill also includes legislation that will reauthorize the Corporation of National and Community Service. The reauthorization effort has been led on the Republican side by the distinguished ranking member of the HELP Committee, Senator ENZI, who has worked tirelessly with both Senator KENNEDY and Senator MIKULSKI to reach a bipartisan accord on these much-needed provisions.

In addition to Senators KENNEDY and MCCAIN, I have to extend my thanks, my deep-felt thanks to Senators ENZI and MIKULSKI for their outstanding work on the legislation before us today. Both of them are outstanding legislators. They are both beloved people in this body. I, personally, feel that way toward each of them.

At the same time all this work has been going on in the Senate, we have been working with both Democrats and Republicans in the House of Representatives to ensure that both Chambers reach similar conclusions with their national service legislation. This has all been accomplished during a time when, for the most part, partisan hostilities have done anything but subside. Since the beginning of the new Congress, we have seen debates on legislation such as the SCHIP bill, the stimulus package and the Omnibus appropriations bill that, in many ways, have deepened the divisions between the two parties. Here in a few weeks, as we begin debate on the budget, we are sure to see even greater clashes between the principled beliefs and ideologies between those on both sides of the aisle.

However, the bill we have before us today is the result of a bipartisan and bicameral effort. In our opinion, this is nothing short of remarkable, given the current political climate.

Once again, the Senate effort has been spearheaded by myself, Senator KENNEDY, Senator ENZI, and Senator MIKULSKI. I doubt any other piece of legislation we consider this year will be the product of such a diversity of views. Senator MIKULSKI has carried this matter on behalf of Senator KENNEDY. I have nothing but tremendous respect for her.

I will not be foolish enough to claim the credit for all this good will, but I am certainly grateful to be a beneficiary.

Service has been one of the golden threads of our Democracy, and the

roots of our tradition run deep. Ronald Reagan put this powerful tradition of volunteer service in its appropriate context when he said, speaking of the Mayflower Compact:

The single act—the voluntary binding together of free people to live under the law—set the pattern for what was to come.

A century and a half later, the descendants of those people pledged their lives, their fortunes and their sacred honor to found this nation. Some forfeited their fortunes and their lives; none sacrificed honor. Four score and seven years later, Abraham Lincoln called upon the people of all America to renew their dedication and their commitment to a government of, for and by the people. Isn't it once again time to renew our compact of freedom; to pledge to each other all that is best in our lives; all that gives meaning to them—for the sake of this, our beloved and blessed land?

Together, let us make this a new beginning. Let us make a commitment to care for the needy; to teach our children the values and the virtues handed down to us by our families; to have the courage to defend those values and the willingness to sacrifice for them.

Let us pledge to restore, in our time, the American spirit of voluntary service, of cooperation, of private and community initiative; a spirit that flows like a deep and mighty river through the history of our nation.

President Reagan had a very good way of putting things.

President Reagan was not alone in his call for service. Presidents down the generations, Republicans and Democrats alike—Teddy and Franklin Roosevelt; Eisenhower and Kennedy; Johnson and Nixon; Carter and George Herbert Walker Bush; and Clinton and George W. Bush—have all worked to awaken the national consciousness to their duties and responsibilities as citizens, to light in every individual that spark of voluntary service, the seed of compassion that makes us serve causes larger than ourselves.

They have done so particularly in times of crisis: during the Great Depression, during our world wars, and after 9/11. Times of trial have always summoned the greatness of our people, and we are right now in a time of challenge today.

Service can take many forms in a free country, and we all have choices, not only as to whether we will serve but how we will serve. There is no greater example of service than those who put on the military uniform and go into battle for our country. Many men and women who choose military service make the ultimate sacrifice. They put their lives on the line for our country. Millions have lost their lives so we might be free.

There are more than 26 million Americans alive today who have served in our armed services. They epitomize American values, the values of duty, honor, and country. They also inspire new generations to ask what they can do for their country.

Other Americans may decide to go into public or Government service. This is a choice that is made by State and municipal workers, by teachers

and police officers, and, yes, even by Senators and their staffs—to serve the public interest through their public institutions. I have to admit, I left my own law practice, where we had just started it a few years before. I had left Pittsburgh, moved to Utah, formed a law firm. We were going like gangbusters. My partner is worth a lot of money today. I am not. But I made this choice to come and work for our country. It is made by all these good people, to serve the public interests through our public institutions.

Service to country can take other forms. Many Americans want to serve for a full year or part of a year of national service. Others may want to volunteer to serve in countries abroad for short-term or long-term assignments. We had two people come back last night from a mission over in Africa. He served his whole working life as a chaplain in the military. She is a beautiful woman who has been married to him for all these years. They, at their own expense, volunteered and went to Africa to work in Kenya and Nairobi with unfortunate people and to build esteem in the hearts of people over there.

They came back last night and spoke in our church. I was so proud of both of them—terrific people.

Others may want to volunteer to serve in countries abroad for short-term or long-term assignments. Still others, in fact the vast majority of Americans, will perform services as traditional episodic volunteers working in schools, houses of worship, workplaces, nonprofit institutions, and neighborhoods.

America is a generous nation and Americans are compassionate people, and our volunteer spirit knows no bounds. In all these cases, everything is a choice. Service in our military is voluntary as is service in our soup kitchens. Public service is not only a voluntary activity, but for many of us subject to regular elections where the citizens get to exercise their own choice of whether a particular candidate for office will exercise the privilege of serving them.

Consistent with our All-Volunteer Army and volunteer opportunities and individuals' choice in communities, nothing in this legislation is mandatory. This bill simply provides more Americans more choices and opportunities to give back to their neighborhoods and their country all through the means which they freely choose.

With a backdrop of this rich history of citizen service in America, Senator KENNEDY and I began discussions more than a year ago about what we might do together to build on the tradition of service in America. I know part of this is because both of us love his sister, Eunice Kennedy Shriver. We have watched this woman year after year after year give service to this country and to children all over the world; not just through the Special Olympics—but especially through the Special Olympics—but in so many other ways. I admire her about as much as any woman

in our society today for what she has been able to do with her life. She is a 90-pound dynamo who just keeps going. I think—well, I will not say it because I know it can be embarrassing to her. But the fact is, she is a terrific human being.

I have chatted with all kinds of other people who are giving tremendous service to their fellow human beings, men and women, children, throughout our society. You know, Senator KENNEDY and I and others drew on ideas from Republicans such as my friend Senator JOHN MCCAIN, who introduced his own bill almost a decade ago and, as I mentioned, endorsed the Serve America Act in the midst of his Presidential campaign.

We drew on ideas from Democrats, such as the godmother of national and community service, that is Senator BARBARA MIKULSKI. We hear of godfathers; she is the godmother, a great woman who has a great heart, and who worked as a social worker for many years, and for whom I have deep affection, no question about it.

From the outset, Senator KENNEDY and I talked about marrying two formerly competing visions of service: first, by supporting traditional volunteering, in the tradition of President Reagan's Private Sector Initiative; George H. W. Bush's Points of Light; and George W. Bush's USA Freedom Corps; and, second, by supporting full-time national and international service in the tradition of Presidents Kennedy, Nixon, for senior service, Clinton and again George W. Bush for both domestic and international service.

We have the attention of our new President. He has talked to me about this. I know he has talked to Senator KENNEDY about this. He completely supports this. He knows how important it is. I have respect for him for jumping right in and helping us with this.

We decided we wanted to create more opportunities for Americans to serve over their lifetimes, so schoolchildren can learn the importance of giving back at a young age, for tapping into the talents of the longest living, healthiest, best educated, and most highly skilled generations of older Americans in our history.

We wanted to tap the ingenuity of our people working through schools, faith-based institutions, workplaces, and communities in America and across the world to tackle challenges large and small.

So today I am very pleased to be here as this legislation makes it over what I hope will be the final few obstacles before becoming law. With this bill, our efforts to expand service will begin early in our schools all across America, and where we can marry learning in classrooms with service in our communities, for those who choose such service learning.

We have a high school dropout epidemic in America, with almost one-third of all students, and nearly 50 percent of African Americans, Hispanic,

and Native Americans, failing to graduate with their class. For each of these kids a decision to drop out is a million dollar mistake, since they will earn that much less over a lifetime than their college graduate friends.

For our country, this is a multibillion dollar mistake in increased welfare, prison, and health care costs, and lost revenues from the lack of productive workers. Service learning has been shown to keep students engaged in school, and to boost student academic achievement. So we will offer competitive grants to local and State partnerships to carry out these efforts in our schools.

Again, all of this will be voluntary activity, and it holds the promise of keeping so many of our young people engaged in school. In addition to elementary and secondary schools, colleges and universities can play a critical role in the culture of service, so we will authorize the Corporation for National Community Service to recognize and provide additional funding to "campuses of service" that do an outstanding job in engaging their students in important community work.

The U.S. Census Bureau tells us that nearly 61 million Americans volunteered through or for an organization last year. Most Americans did so through religious organizations, followed by nonprofits, related to education and youth. While many charities believe volunteers are essential to meeting their missions, only a small percentage of them actually invest in recruiting, training, and utilizing volunteers to meet those missions.

There are always waiting lists of volunteers who want to use their time and talents, but too often they are turned away or they do not come back after a bad experience. So we will invest in a new volunteer generation fund, which will include matching funds by the private sector to increase the capacity of organizations to use volunteers to meet local needs, especially among the poor and disadvantaged.

America is known for its innovation in business and the power of its markets. This bill will fuel the spirit of entrepreneurship in America's nonprofit sector by creating a social innovations fund to foster and support the next generation of great ideas in the social marketplace, such as Teach for America, City Year, Habitat for Humanity, and the U.S. Dream Academy, which are some of the many innovative ideas of our day.

Having mentioned the U.S. Dream Academy, that was started by a wonderful African-American man named Wintley Phipps. Wintley is a Seventh Day Adventist minister. But he decided there were too many of our young African-American kids and others who were children of prisoners, children of people who had been sent to prison, and that a high percentage of them would wind up in prison themselves unless we did something about it. So he has brought computers into the inner cit-

ies. He has brought wonderful teachers and others who could be making themselves wealthy outside of this program, who are teaching these kids how to live in a modern world. He has had an amazing transformational change in so many children.

These are the types of things we have to encourage. The idea behind service clearly has always been about transforming the person who serves. I saw how it changed my own life when I served a 2-year mission for my church in the Great Lakes mission. That was Ohio, Indiana, and Michigan. A lot of our young missionaries serve all over the world, such as the young couple I mentioned last night. They came back from Kenya and Nairobi, where they served I think about a year and a half. Their main job was humanitarian, to help people to be able to know there is a better way; to find water for people, to help them with food, to help them with so many of their problems, to help them to know there is a future. They did that voluntarily, at their own expense. Think about it, at their own expense.

I did my voluntary 2-year service at my own expense. I actually presided over congregations, and I helped out thousands and thousands of people who had problems, and in the process, the one who was helped the most was myself. It was a great blessing in my life. I would not change it for being a Senator, as a matter of fact. It was 2 years out of my life, but the most important 2 years, outside of marriage to Elaine and raising a family with 6 kids, now 23 grandchildren, and 3 great-grandchildren. That was an important time in my life. My folks were poor. They were not wealthy. They helped me and assisted me on my mission. We paid for it all ourselves, and I gave 2 solid years every day, 18 hours a day. I was very dedicated.

But service is also about solving problems in our Nation, and bringing real hope and impact on the ground in our communities with real accountability for results. Some people have written off this bill as promoting "paid volunteerism." This mistaken view is as a result of a fundamental misunderstanding about these programs. National service programs give Americans opportunities for us to serve for a full year or more to tackle tough problems, and that they, in turn, can leverage Federal investment in them to mobilize more traditional volunteers to help.

When you look at the numbers, you can see it is a very smart return on investment. Let me illustrate how this works. Today about 75,000 people participate in national Federal service programs every year. I am not counting the State programs at this point, although I know some of these work in the States as well. But on AmericaCorps and programs such as this, Peace Corps, et cetera, the currently existing programs, there are about 75,000 volunteers who participate

in national service programs every year.

Now, as a result of their efforts, 2.2 million traditional persons every year come out to work on the same projects without pay. That is nearly 30 volunteers who get nothing from Government, for every 1 participant in a national service program, who receive a below-poverty stipend and a small education award to defray the cost of higher education.

Let's do the math. If we assume that as we expand national service, as this bill does, the same ratio of participants to leveraged volunteers holds, we will eventually be seeing roughly 7.5 million new unpaid volunteers every year serving throughout our great Nation.

My gosh, that is something worthwhile doing. Personally, I think it would be more than that. Because with the bill we are also improving the efficiency and the accountability of these programs. Far from promoting paid volunteerism, this bill is all about encouraging traditional volunteerism. We find that people, once they get into this, will love it and want to continue.

We will be targeting national service opportunities to build upon this multiplying effect in order to tap the power of our Nation's greatest asset, our people, to take on some of these large challenges.

Now, some have argued that the priorities outlined in this bill are specifically designed to advance the President's domestic agenda or his priorities with the recent stimulus bill. Well, quite honestly, these people must ascribe to Senator KENNEDY and me abilities that neither of us would claim to have, including psychic powers and precognition. It was more than 2 years ago that I began a dialogue with former officials from the George Herbert Walker Bush and George W. Bush administrations and other leaders of the national and community service field regarding this proposal.

At that time, we agreed we wanted to harness the power of our citizens to solve urgent national problems. It was then, 2 years ago, that we identified five specific areas in which citizens could make a significant difference in addressing needs. We looked at education, and particularly the high school dropout crisis, in the aftermath of the 2006 report, "The Silent Epidemic."

We identified clean energy, opportunity, health and disaster response as key areas in which citizens could make a significant difference and we discussed specific indicators of progress that would bring new accountability for results.

These five areas were identified long before there was even discussion of an economic stimulus and well before the Presidential campaign got in full swing. Since that time, we have added veterans assistance as a key area of national need for the bill. But that is hardly an issue on which President Obama has cornered the market. I hope this clarifies the record on this point.

Having said all that, I am pleased that President Obama sees the value of this bill and wants to support it and will support it and has supported it. It has been a matter of great uplift to me.

So it is with these particular challenges in mind that we drafted the Serve America Act. Gone are the days when national service participants will be able to go about their work without direction or accountability. Under our bill, their efforts will be directed at these specific areas of national need. In all of these efforts, State and local organizations will lead the way. Volunteers will be leveraged and urgent needs will be met not by distant Government bureaucracies or Government programs but by people working on the front lines of our communities and neighborhoods.

Americans can also spread American compassion around the world. There have been good efforts over the last 7 years and good bills in the Congress to fulfill the promise of President Kennedy's Peace Corps and expand its numbers. It has been a bipartisan effort. Two former Republican Presidents, Ronald Reagan and George W. Bush, grew the Peace Corps during their 8 years in office. As a complement to the growth in the Peace Corps, the Serve America Act will authorize and fund Volunteers for Prosperity, which last year alone mobilized 43,000 doctors, nurses, engineers, and other skilled Americans to meet urgent needs abroad, such as HIV/AIDS and malaria, such as medical procedures to help children who have cleft palates or helping kids to see again.

I could go on and on about what is being done by volunteers all over the world. This cost-effective program puts skilled Americans in the field for flexible term assignments often ranging from a few months to more than 1 year and at extremely low cost to the Federal Government.

President Kennedy said that his Peace Corps would be truly serious when 100,000 Americans were working abroad every year. Well, Volunteers for Prosperity, working together with the Peace Corps, could help fulfill that dream and would show the world the compassion of our people and lead to a more informed foreign policy.

Having mentioned the Peace Corps, why don't I mention Eunice Shriver's great husband, Sargent Shriver, when he fought for the Peace Corps, it wasn't an easy job. By gosh, he had to take on his own administration and everybody else. But he did. What a wonderful, decent, honorable leader and human being that man really is. If you want to read a great biography, read his, how ebullient he always was and how he kept being positive about life and what he was trying to do. I feel fortunate that I have become very good friends of the Shrivers and their children who now are giving volunteer service, and so many others.

I don't mean to center on this one family because there are so many. In

our church alone, we have some 55,000 serving all over the world. That is just missionaries. If we go beyond that to humanitarian service, there are a lot of people serving in those areas. Almost every major national disaster in the world, the first two churches in there with food, clothing, pharmaceuticals, et cetera, happen to be the Mormon Church and the Catholic Church. They work together. We have worked together all these years to do this type of work.

Volunteers for Prosperity, working together with the Peace Corps, could help fulfill the dreams of so many and would show the world the compassion of our people, leading to a more informed foreign policy. In all cases, we must promote accountability for results and be mindful—very mindful—of cost.

As investments are made in service efforts, programs that are achieving real results should continue, and those that are not working should be defunded.

We also need to do a better job collecting data on the results of these programs and our civic health as a nation. The Nation collects good data about its economy, but it can do a better job collecting information about our country's civic health. This bill will address those needs by establishing a civic health index, building on the good work of the National Conference on Citizenship and the Corporation for National and Community Service, to collect regular data on volunteering, charitable giving, and other indicators of our civic life, so Americans can work to strengthen these platoons of civil society that have always been the backbone of our democracy. I truly think that this data collected for this index will inform our decisionmaking throughout the policy spectrum.

Those of us supporting this bill—Republicans and Democrats alike—believe an investment in the ingenuity and entrepreneurial spirit of our people is one of the best investments our country can make. At a time wroth with economic uncertainty, we should be all too willing to tap the greatest resource at our nation's disposal—the American people. Our citizens are the most generous, energetic, and innovative people in the world. I believe this bill will inspire them to do much of the heavy lifting in their own communities. At a time when many people would argue that what we need is more Federal Government bureaucrats going into neighborhoods to fix things up, this bill will help private groups and individuals to continue their good work and to inspire other people to join in their efforts.

The Serve America Act has strong bipartisan support because it advances a good American idea that has echoed down the ages. You see, when Americans want to solve problems, they don't first look to government or the State—they look to themselves and their communities. The innovation and

enterprise of the American people will always have a comparative advantage over big government solutions. I know this from my own personal experience, serving as a Mormon missionary when I was only 20 years old, 20 to 22. I am proud to be associated with this effort to remind Americans of their duties to their country, to provide them more opportunities to serve it, and to fulfill the promise of the American experiment, which is truly based on their participation in making it all work. I have faith in the American people that they will make this work, and we will all be very happy when they do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, let me begin by thanking the Senator from Utah, whose leadership on this effort has been absolutely spectacular and who obviously, from the words he just spoke, has a deeply personal and historical understanding of the importance of this kind of service. We are all very grateful to him for his partnership with my colleague, Senator KENNEDY, and for the leadership he has offered along the way. I would concur with every word he has spoken about it, all of the good things he said it would do. I couldn't agree more. It will do all those things and more. This is one of the better moments and better bills for which we get an opportunity as Senators to vote.

May I also thank Senator MIKULSKI. She has been tenacious and unbelievably engaged and enthusiastic and wonderful in her commitment to help bring us to this moment. I know how much Senator KENNEDY and Senator HATCH both value the contribution she has made. We all value it. We are grateful to her for stepping in. She has been a tiger. Perish the thought for anybody who has wanted to run counter to her intent to get this done.

I want to speak for a couple moments. I yield myself perhaps 5 minutes. I think we have about 7½ remaining.

This effort we will vote on is going to generate the largest expansion in national service since President Kennedy inspired the creation of VISTA and the Peace Corps. For many of us in public life today, that was the formative moment. That was the demarcation point that excited many of us about public service and brought a lot of us into this arena.

It is particularly fitting that this legislation comes at a time when a new President is inspiring a whole new era of volunteerism, much as President Kennedy did nearly half a century ago. It is equally fitting and appropriate that this legislation bears the name of our friend and beloved colleague, my senior Senator from Massachusetts, TED KENNEDY. As President Obama observed in his first address to Congress, Senator KENNEDY is "an American who has never stopped asking what he can do for his country." It was under Sen-

ator KENNEDY's leadership as chairman of the Senate Health, Education, Labor, and Pensions Committee that this bill was crafted.

This is nothing new for Senator KENNEDY. In 1990, Senator KENNEDY worked with the first President Bush to pass the original National Community Service Act, the Thousand Points of Light Foundation. President Bush called that particular effort, helped by Senator KENNEDY, the hallmark of his Presidency. When President Clinton needed a champion for the proposed Corporation for National Community Service, he didn't have to look any further than TED KENNEDY.

As Senator KENNEDY notes, "Service is a bipartisan goal." Indeed, Members of Congress from across the political spectrum have pledged their support for this measure, which is a clear indication that the ethic of service is spawned not by faithfulness to party but by devotion to country and community.

The Serve America Act is also the work of our colleague from Utah, Senator ORRIN HATCH. Senator HATCH has on many occasions been TED KENNEDY's partner in these kinds of bipartisan efforts. Senator HATCH points out that volunteer service is the lifeblood of our Nation and that it benefits the volunteer as much, if not more, than the country the volunteer is serving. We just heard those words a moment ago from Senator HATCH when he talked about his own experience as a young person, about the mission for faith that he called the greatest of his life. Service is what has always made America, America.

Many times in 2004, when I was running for President, I talked about de Tocqueville's visit to our country and how he found something special here. He wrote about it. He wrote that "America is great because Americans are good." What he meant by that was he had observed this extraordinary spirit of voluntarism, a kind of patriotism that was defined by Americans who would voluntarily give back to their community or help other people or do something openly on behalf of their country and that community. He clearly had not seen or witnessed that kind of giving in his experience in Europe.

Just as it was in de Tocqueville's day, Americans in many ways, big and small, are looking for opportunities to do more for their country. Last year, 62 million Americans gave 8 billion hours of service to the country. Last month, AmeriCorps had tripled the number of applications over the same month as a year ago. I note that my own kids who graduated recently from college commented to me how so many of their classmates in college were all engaged in some kind of local activity, not necessarily fighting on the national stage, but they were involved mentoring kids or helping in a homeless shelter. Indeed, many of our colleges and universities across the country boast unbelievably high percentages of voluntarism.

They are sending us a signal, telling us why this is a good moment to create a new corps of 175,000 volunteers who are going to be organized and assist in their efforts to do the things we need to do in America. That means that in addition to the other volunteer programs, we will have as many as a quarter of a million Americans serving full time or part time working to meet some of our most pressing challenges: modernizing schools, building homes, serving as mentors or tutors in schools, helping with the sick in hospitals and clinics. And with the Serve America Act, it is going to be a lot easier for professionals and retirees, the baby boomers, the people who were first challenged by President Kennedy's call to service in 1961, it is going to be much easier for them to get involved once again.

So we face great challenges. We should have no illusion about the magnitude of those challenges. But we also have extraordinary opportunities starting us in the face. With the Serve America Act, with more Americans involved, with Americans pulling together, I am confident that is going to be the definition of America's future, and it will be a definition we will all be proud of.

So I urge my colleagues on both sides of the aisle to support this important piece of legislation. I pay tribute, again, to my colleague, TED KENNEDY, and his partners in this effort, Senator MIKULSKI and Senator HATCH, who have brought us to this time. Thank you.

I yield the floor and reserve the remainder of our time.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, we are only minutes away from voting on the cloture motion to proceed to the bill. I really urge all of my colleagues to vote yes on this motion so we can proceed to this excellent, dynamic, bipartisan bill called the Serve America Act.

Madam President, in November, people voted for us to change the tone in this country and change the direction and to work on a bipartisan basis to find that sensible center that Colin Powell has so often talked about, to meet America's compelling needs and challenges.

Now, we are not going to turn the economy around quickly, and we are not going to solve some of our great foreign policy challenges immediately. But we can embark upon a major initiative to be able to meet compelling human needs in our society.

We have a bipartisan effort, crafted by Senators KENNEDY and HATCH, to do



exactly that. It is a bipartisan measure to strengthen service and volunteer opportunities. It expands opportunities for individuals of all ages to serve. Its passage is important now, when so many communities are struggling with so many pressing problems and so many people want to serve.

This act invites many more Americans to give a year of service to solve specific challenges in the areas of education, healthy futures, clean energy, even helping our veterans. When they come back from overseas, they are going to have somebody to be with them to get connected to the services and to help those military families while they are serving abroad.

We can do this by passing this legislation. It expands the number of national service corps participants to 250,000 a year. But we do that over a 7-year period. We will be able, through prudent pacing of both recruitment and funding, to do it over a 7-year period.

It also increased the Eli Segal Education Award from \$4,725 to \$5,350, pegging it to Pell grants, helping those who want to serve be able to reduce their student debt or to get a voucher to be able to pursue higher education.

It supports increased service opportunities for students, particularly very young people in the Learn and Serve Program, and middle and high school students through a summer of service and a semester of service.

It also recruits retirees. Many retirees are ready, able, and willing to be involved through Senior Corps programs—RSVP, Senior Companions, and Foster Grandparents.

We have a program called Encore Fellowships to help retirees participate in longer term public service. It also supports international service opportunities. Senator HATCH is too modest to talk about his own fine hand in this bill, but he has offered an excellent suggestion that has been incorporated. It strengthens the current Volunteers for Prosperity Program, which enables people who are retired, who have skills in business, public works, engineering, et cetera, to provide short-term international service opportunities in developing nations.

This is what America is all about. De Tocqueville, when he studied our Nation, said: What is unique about this new country called America? Well, he called it the “habits of the heart,” where neighbor helps neighbor, whether it was the barn raising of another era, to also building Habitat for Humanity here.

We need to harvest all of that goodwill and good intention to help turn our country around. I believe the Serve America Act does this. We will be debating this legislation further tomorrow. I encourage people to vote yes on the cloture motion to proceed. I encourage all who have amendments to come forward tonight and tomorrow morning so we can move it and get the job done. That is what the people want us to do.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I thank the distinguished Senator from Maryland. She has played such a pivotal role on this bill, she and Senator ENZI in particular. And, of course, Senator KENNEDY and I both feel very deeply toward her and Senator ENZI.

I also want to thank Pastor Rick Warren. A little over a year ago, he came to see me in my office. He heard I was interested in doing a service in America bill, and he came and went over it with me and was very interested and has done a great deal to inspire a number of us on both sides of the floor to be able to do some things in this area.

I also want to thank JOHN MCCAIN. I have mentioned President Obama and Senator MCCAIN, both of whom are supporters of this bill. And you talk about bipartisanship—I think it shows the great character of Senator MCCAIN that he would come and support this type of legislation and, as he is want to do, in so many ways. I have such respect for him and for the President himself. He has been nothing but a great help to us in this matter.

Like I say, this is an opportunity for all of us to vote for a program that will get people involved from teenage years through senior citizen years, the vast majority of whom will not be paid a dime, the vast majority of whom will be leveraged into working because they want to serve the communities. They want to serve these organizations. They want to be part of doing good.

Like I say, with 75,000 for AmeriCorps, and some of the others we have mentioned, we estimate there are 2.2 million people, extrapolated out, who basically are leveraged out, to where they want to get involved, and not one of them is paid for doing it.

If we figure it out mathematically, in just real terms, with this bill, calling for 175,000 new workers, at low pay, stipends for school, we believe we will have upwards of 7 million-plus people who will be giving voluntary service to their fellow human beings, fellow women and men, in their communities and children in their communities. It will do so much good for our society.

Madam President, I have worked on a lot of legislation in my 33 years here, a number of which happen to be landmark pieces of legislation. We should pass this, and I hope we can with a large majority. Should we pass this? I don't know anything that will do more good in a general way for our society than this particular bill.

I hope everybody will vote for cloture tonight. I also hope we can pass this bill in a relatively short period of time, and I hope we can make it truly bipartisan in every way. We have endeavored to do that. I think we have done a good job on it.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 35, H.R. 1388, a bill to reauthorize and reform the national service laws.

Harry Reid, Barbara A. Mikulski, Barbara Boxer, Tom Harkin, Daniel K. Akaka, Tom Udall, Patty Murray, Patrick J. Leahy, Bernard Sanders, Sheldon Whitehouse, Christopher J. Dodd, Jon Tester, Mark R. Warner, Robert P. Casey, Jr., Benjamin L. Cardin, Blanche L. Lincoln, Kent Conrad.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 1388, a bill to reauthorize and reform the national service laws, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from California (Mrs. BOXER), the Senator from Iowa (Mr. HARKIN), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Florida (Mr. NELSON), the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote “yea.”

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Wyoming (Mr. ENZI), the Senator from Florida (Mr. MARTINEZ), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted “nay.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 74, nays 14, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—74

|           |            |             |
|-----------|------------|-------------|
| Akaka     | Dorgan     | Lincoln     |
| Alexander | Durbin     | Lugar       |
| Barrasso  | Feingold   | McCain      |
| Baucus    | Feinstein  | McCaskill   |
| Bayh      | Gillibrand | Menendez    |
| Bennet    | Graham     | Merkley     |
| Bennett   | Grassley   | Mikulski    |
| Bingaman  | Gregg      | Murkowski   |
| Bond      | Hagan      | Murray      |
| Brown     | Hatch      | Nelson (NE) |
| Burr      | Hutchison  | Reed        |
| Burriss   | Isakson    | Reid        |
| Byrd      | Johanns    | Rockefeller |
| Cantwell  | Johnson    | Sanders     |
| Cardin    | Kaufman    | Schumer     |
| Carper    | Kennedy    | Shaheen     |
| Casey     | Kerry      | Snowe       |
| Chambliss | Klobuchar  | Specter     |
| Cochran   | Kohl       | Stabenow    |
| Collins   | Lautenberg | Tester      |
| Conrad    | Leahy      | Udall (CO)  |
| Corker    | Levin      | Udall (NM)  |
| Dodd      | Lieberman  |             |

|           |            |        |
|-----------|------------|--------|
| Voinovich | Webb       | Wicker |
| Warner    | Whitehouse | Wyden  |

NAYS—14

|           |           |          |
|-----------|-----------|----------|
| Brownback | Ensign    | Roberts  |
| Bunning   | Inhofe    | Sessions |
| Coburn    | Kyl       | Shelby   |
| Crapo     | McConnell | Thune    |
| DeMint    | Risch     |          |

NOT VOTING—11

|        |          |             |
|--------|----------|-------------|
| Begich | Harkin   | Nelson (FL) |
| Boxer  | Inouye   | Pryor       |
| Cornyn | Landrieu | Vitter      |
| Enzi   | Martinez |             |

The PRESIDING OFFICER (Mr. WARNER). On this vote, the yeas are 74, the nays are 14. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. REED. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GREEN JOBS

Mr. GRASSLEY. Mr. President, in recent weeks and months, a new phrase has been born that has gained in popularity and support. The new phrase that is so in vogue in the Halls of Congress and at the other end of Pennsylvania Avenue is “green jobs.”

I have no fault with the term. Everyone wants to create green-collar jobs. Green jobs are believed to be a critical component of getting us out of the economic doldrums in which we find ourselves. A new White House middle-class task force recently focused on the creation of green jobs as a means of fueling our economy and creating jobs for the middle class. Vice President BIDEN has defined a green job as one that provides products and services that use renewable energy resources, reduces pollution, and conserves energy and natural resources.

I don’t disagree that the creation of these types of jobs is a very worthy ambition. This newfound desire for so-called green jobs has led me to remind my colleagues of an existing industry that is making great strides to reduce pollution, conserve natural resources, and contribute significantly to our economy.

The U.S. renewable fuels industry has been creating good paying jobs in rural America for years. It has been 30 years since a tax incentive for ethanol was passed and 17 years since I fathered the wind energy tax credit. These alternative energies have been producing

a renewable resource right here at home that is reducing our dependence on foreign oil and fossil fuels, and it has contributed to a cleaner environment.

U.S. domestic renewable fuels have been doing all these things long before it was cool or in vogue. So don’t be surprised that this is the nature of America’s farmers, ranchers, and entrepreneurs. They do things because of the intrinsic value to our country and to our economy, whether it is a fad on the east coast or not.

I happen to think it is great that there is a newfound zeal for creating renewable resources here at home. I have been supporting our domestic renewable fuels industry for nearly 30 years as a means to reduce our dependence on volatile nations for our energy, mostly for petroleum. I have been promoting clean wind energy since I fathered the wind energy tax credit back in 1992. I am pleased to see the success and the support wind energy now receives because of my tax incentive.

I hope my colleagues who tout the benefits today of the so-called green jobs fully realize the contribution the domestic ethanol and biodiesel industries have been making for years in this area. Farmers across this country produced more than 9 billion gallons of homegrown renewable fuels last year. Ethanol production displaced 321 million barrels of oil last year. That is the equivalent of our imports from Venezuela for 10 months. The use of 9 billion gallons of ethanol saved American consumers \$32 billion last year.

Yet even with this success, our farmers and the biofuel industry have been under constant attack—at least constant attack over the last 2 years. In a high-priced public relations smear campaign, the food manufacturers and the Grocery Manufacturers Association have tried tirelessly to denigrate the efforts of our farmers. In a baseless campaign, they tried to blame the ethanol industry for raising food prices, even though corn makes up about a nickel of the cost of a box of Corn Flakes. The grocery manufacturers thought they found a weak link in the food chain that they could target and scapegoat as a culprit behind the rising cost of food. It was clearly proven that the cost of energy had a significantly greater impact on food prices than did other commodity costs.

The fact is, the ones responsible for the high cost of food are the companies whose names stare back at us as we go through the grocery stores and supermarkets, and they have never hidden their motive during this smear campaign. It was stated clearly at the time the smear campaign was started that it was about “protecting our bottom line.”

Consumers are still seeing the impact of that pocket lining by big food companies while commodity prices have dropped by half since their highs last summer. But food prices are still at record highs. Even the price of oil has

dropped more than \$100 a barrel. Yet food companies continue to keep prices high.

You don’t need to take my word for it because we have the grocery store chains themselves fighting back now. SuperValu, Safeway, and Wegmans are just a few chains that are speaking publicly against the price increases pushed on them by Kellogg’s, General Mills, Kraft, Nestle, and others. An article in the Los Angeles Times as recently as March 2 stated:

Our large grocery companies operating in Southern California have seen the wholesale price for a carton of Kellogg’s Corn Pops rise about 17 percent since June, despite a 52 percent plunge in corn prices from their peak this month.

The chief executive for Safeway was quoted as saying:

It is disingenuous to consumers that all commodity costs are coming down, interest rates coming down, everything is coming down, and the national brands are taking their prices up.

The chief executive of SuperValu described the situation as a “battle-ground” with manufacturers right now over prices.

I am pleased to see others in the food chain call on these food producers to lower prices in light of the large drop in commodity prices, but this isn’t the reason I came to speak today. I would like to take just a few more minutes to share with my colleagues another assault that is taking place on biofuels.

In the 2007 Energy Independence and Security Act, Congress enacted and expanded a renewable fuels standard to greatly increase the production and use of biofuels. A component of that renewable fuels standard was a requirement that various biofuels meet specified life cycle greenhouse gas emission reduction targets. The law specified that life cycle greenhouse gas emissions are to include direct emissions and significantly indirect emissions from indirect land use changes. This means that the emissions from planting, growing, and harvesting the feedstock to the production of biofuels must be included in the calculation. It also means that the Environmental Protection Agency must determine and must measure the greenhouse gas impacts if there is a significant conversion of forest or prairie-to-tillable land because of our biofuel policies.

For the past few months, the Environmental Protection Agency has been working on what we call a rule-making—notice of proposed rule-making—to implement the updated renewable fuels standard. While it hasn’t been finalized or made public, there are great concerns about this rule within the biofuels industry surrounding the science behind indirect land use changes. And, of course, when you think of the Environmental Protection Agency, isn’t science what EPA is all about?

President Obama, during his Presidential campaign and as President

now, has stated that his administration will return to decisions and actions based on "sound science." In January, he said:

Rigid ideology has overruled sound science. Special interests have overshadowed common sense.

Well, I would encourage President Obama and his staff to take a close look at what the EPA is doing in this rulemaking process called a notice of proposed rulemaking on renewable fuels standards. There are a couple of people in the EPA's Office of Air and Radiation who firmly believe—do you believe this?—they can quantify the indirect land use changes that result from our biofuels policies. I am afraid that the bureaucrats at the Environmental Protection Agency are going down a path of blaming our biofuel producers for land use changes around the globe, and specifically even outside of the United States.

The fact is, measuring indirect emissions of greenhouse gas reduction is far from a perfect science, and dozens of credible scientists agree. There is a great deal of complexity and uncertainty surrounding this issue. One study last year claimed that biofuels, as a result of these indirect impacts, actually led to greater emissions and greenhouse gas emissions than did gasoline. This conclusion defies common sense. Under careful scrutiny, credible scientists on the other side disproved these conclusions, and I want to quote some.

Dr. Wang of the Department of Energy's Argonne National Laboratory replied to these assertions by stating:

There has also been no indication that the United States corn ethanol production has so far caused indirect land use changes in other countries, because U.S. corn exports have been maintained at about 2 billion bushels a year, and because U.S. distillers' grain exports have steadily increased in the past 10 years.

May I add that really what EPA—through indirect land use—is talking about here, in the most common denominator, is they figure that because Iowa or Missouri or Minnesota or Illinois corn producers are growing corn, and some of it is going into ethanol, that someplace down in Brazil, farmers are just sitting around trying to calculate and are going to plow up acre for acre the amount of land that is maybe being used for production of ethanol at this point. Well, I think the practical matter is that just isn't happening, and that is exactly what Dr. Wang is saying here. And if that were the case, what can the farmers of our country do about it? Are we going to be at the point where something that happens in some other country is going to affect our policy here in the United States as to what we can grow and what we can use that crop for? I don't think that is a credible position to take.

Now, I quoted one study, but there are a number of credible studies that have demonstrated that our biofuel

policies will have little, if any, impact on international land use. A recent study by Air Improvement Resource found that the production of 15 billion gallons of corn ethanol by the year 2015 should not result in new forests or grassland conversion in the United States or abroad. Let's look at the University of Nebraska. A peer-review study conducted there and published in the *Yale Journal of Industrial Ecology* found similar conclusions. They concluded that corn ethanol emits 51 percent less greenhouse gases than gasoline. A third study, conducted by *Global Insight*, found that it is virtually impossible to accurately ascribe greenhouse gas impacts on indirect land use changes to biofuels.

There are a number of assumptions that can affect the conclusion about indirect land use changes. With any model, if you put garbage in, you will get garbage out, and I want to make sure the EPA isn't putting garbage in. I want to make sure they know yields per acre for corn have doubled between 1970 and today. I want EPA to know that nitrogen fertilizer used per acre has been declining since 1985. The Environmental Protection Agency also needs to know that the ethanol industry today is vastly more efficient than it was just a few years ago. Ethanol producers use one-fifth less energy today than they did just 8 years ago. More fuel is being produced from the same amount or even less land.

The California Air Resource Board is also trying to grasp this issue. They are developing a low carbon fuel standard which is penalizing biofuels with an indirect land use change. On March 2, 2009, to counteract this, 111 scientists sent a letter to California Governor Schwarzenegger on this very matter. The scientists are from leading research labs such as Sandia, Lawrence Berkeley, and the National Academy of Sciences, as well as leading educational institutions, including MIT, UCLA, Michigan State, and Iowa State. Scientists criticized the California Air Resource Board for proposing a regulation that alleges an indirect price-induced land conversion effect around the globe caused by a demand for agricultural production and biofuels.

In other words, they said in this official report what I just said: There isn't some Brazilian farmer just sitting around nervously awaiting whether he can plow up another acre of grassland in Brazil just because some more ethanol is being used out of products we grow here.

The letter of these 111 scientists sent to Governor Schwarzenegger stated:

The ability to predict this alleged effect depends on using an economic model to predict worldwide carbon effects, and the outcomes are unusually sensitive to the assumptions made by the researchers conducting the model run. In addition, this field of science is in its nascent stage, is controversial in much of the scientific community, and is only being enforced against biofuels.

The two primary conclusions of these scientists are that science surrounding

indirect land use changes is far too limited and uncertain for regulatory enforcement. Second, indirect effects are often misunderstood and should not be enforced selectively.

Several of us in the Senate are trying to get the Environmental Protection Agency to wake up and reconsider some of their thoughts. Last week I had the opportunity to join my Iowa colleague, Senator HARKIN, as well as 10 other Senators, in appealing to EPA Administrator Lisa Jackson to be cautious on this issue and as doctors would say about medicine: First do no harm.

Because of the incomplete and limited science, we urge in our letter against any premature and, of course, inaccurate conclusions on indirect land use changes. Instead, the EPA should move forward by allowing for public review and refinement of the methodology that they have developed. I am afraid the climate folks at EPA are heading in the wrong direction on this issue. I do not think they are bad people, but I am afraid they do not understand much about American agriculture. I do not think they are aware of the significant crop yield improvements we have seen in recent years or the great potential for the next 20 years.

I will just give my own farming operation as an example. In 1959, when I started farming, we were raising, on average, about 60 bushels of corn per acre. It happened that the first year I farmed I produced considerably less than that amount, but eventually, within 15 years, this farmer, as well as the Iowa average, had gone to about 90 bushels of corn per acre.

Last year, in my county, we raised 175 bushels of corn per acre. During that period of time, we went from tilling the field probably six or seven times over to produce a crop to now a point where we are only tilling the field once or twice before harvest. In each of these processes, we are producing more corn, we are producing it more efficiently, and at the same time we have an abundance.

When I started farming, farmers were producing about enough food for 44 other people. A family farmer today produces enough food for 140 other people.

I think we have made great progress, but I am not sure EPA understands the efficiency of the American farmer today and for sure they do not understand that people in Brazil are not just sitting around, seeing how they can take advantage of the fact that American farmers might be producing some of their crop for sustainable energy production in this country as opposed to importing more oil.

I also do not think these people fully understand the benefits of valuable ethanol byproducts, which further reduce the effective land used for fuel production.

Along this line, do they understand that when you take a bushel of corn to make 3 gallons of ethanol that corn is

not gone forever, that 18 pounds of the 56 pounds that is in a bushel of corn is left over for animal feed? So it is not all going to production of energy.

To me, it defies common sense that the EPA would publish a proposed rulemaking with harmful conclusions about biofuels based on incomplete science and inaccurate assumptions and especially in light of President Obama's commitment to use sound science in decisionmaking by the bureaucracy carrying out the laws we pass. The Environmental Protection Agency's action, if based on erroneous land-use assumptions, could hinder biofuel development and extend America's dependence upon dirtier fossil fuels from parts of the world that are not very stable.

Agricultural practices and land-use decisions in other countries are not driven by U.S. biofuel policies. In other words, there is no Brazilian farmer sitting around in Brazil, waiting to see what Iowa farmers are going to do with their corn—for food or export or for fuel. Even if they were, we have no accurate way to measure it scientifically and we need to ensure that in that measurement, biofuels get credit for these increased efficiencies of production—of the basic commodity as well as the increase in efficiency producing the ethanol.

President Obama was, and as far as I know is still, a strong proponent of our domestic biofuels industry and he especially was during his time in the Senate. I know he recognizes the benefit of producing homegrown renewable fuels, and I doubt he would agree with the conclusion that biofuels emit the same or more lifecycle greenhouse gas emissions as does gasoline.

I hope the EPA will reconsider its conclusions on this or not hastily draw conclusions.

#### WHISTLEBLOWER PROTECTIONS

Mr. GRASSLEY. Mr. President, during the height of the Presidential campaign, President Obama made a number of high profile statements and promises about what actions he would take once he was elected and sworn in. These promises outlined a number of important issues such as closing the revolving door for lobbyists in the executive branch, ending the use of no-bid contracts, and curbing the influence of special interests, to name just a few.

Over the years, I have been an outspoken supporter of legislation that would make the Government more transparent and open. I have authored and supported a number of bills that would open the Government up and make it more accountable to the citizens. In particular I have been strong advocate for whistleblowers. Most importantly, I have always pushed the Government to be accountable by conducting vigorous oversight of the Federal bureaucracy regardless of which party controls Congress or the White House. I have been an equal oppor-

tunity overseer and have given my Republican colleagues as many headaches as I have given Democrats.

Given my background on oversight, I was supportive of some of the statements President Obama made as a candidate with respect to transparency and openness in Government. A document on the Obama campaign Web site titled, "Restoring Trust in Government and Improving Transparency," outlined ethics and contracting reform, and included a statement that:

Obama will sign legislation in the light of day without attaching signing statements that undermine legislative intent.

Candidate Obama further discussed signing statements during a campaign speech where he said that his administration was "not going to use signing statements as a way of doing an end run around Congress." A video of that speech is available online for all to see.

I was also encouraged by candidate Obama's promises to protect employees in the Federal Government who blow the whistle on fraud, waste, and abuse. In yet another campaign document, candidate Obama stated that he would "strengthen whistleblower laws to protect Federal workers who expose waste, fraud, and abuse of authority in government." That statement was posted on the Change.gov Web site of the Obama Transition Team for all to see. It was a welcome message to the employees of the executive branch that risk their careers and stick their necks out to alert Congress, inspectors General, and the public about fraud, waste, and abuse in Government agencies and programs.

These employees, also known as whistleblowers, often do nothing more than "commit truth," and for it they are shunned by their agencies, coworkers, friends, and government. My colleagues have all heard me say time and again that whistleblowers are as welcome as a skunk at a Sunday picnic. These patriot individuals believe that Government can do better for its citizens. They risk everything to make sure that laws are faithfully executed as they were intended and let Congress know when something is not working and needs fixing. Some of the most important reforms to our laws have come from whistleblowers, be it reforming our national security and law enforcement coordination following the tragic events of 9/11, or ensuring we have clean water to drink.

Given Candidate Obama's promise to not use signing statements to circumvent the legislative intent of Congress and his pledge to support whistleblowers, I was shocked to read the signing statement he issued on the Omnibus appropriations bill that was signed into law on March 11. Not only did President Obama's action run contrary to his promise not to use signing statements to circumvent the intent of Congress, he also appears to have broken his promise to strengthen whistleblower laws by singling out an important whistleblower protection provi-

sion that Congress has included in every appropriations bill for the last decade.

Sections 714(1) and (2) of the omnibus bill contains an appropriations rider that states that no appropriation shall be available to pay the salary of any officer or employee of the Federal Government:

Attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress.

This rider was first included in appropriations bills in 1997 and has been included in appropriations bills since. It is a strong signal to all agencies that efforts to block federal employees from coming to Congress won't be tolerated.

However, the applicability of this rider is now in question given the signing statement issued by President Obama. His signing statement, in pertinent part, stated that this provision does not:

detract from [his] authority to direct the heads of executive departments to supervise, control, and correct employees' communications with Congress.

This statement is shocking. It acknowledges that President Obama envisions a scenario where he would order a Cabinet Secretary to supervise, control, and correct statements made by employees to Congress.

Worse yet, the signing statement goes further to add that this authority would be used when employee communications would be "unlawful or would reveal information that is properly privileged or otherwise confidential."

I want to emphasize that word "confidential," because you will hear about that in just a minute.

While other Presidents have objected to this appropriations rider in the past, President Obama's signing statement is even more problematic than those because it states that he has the authority to not only restrict privileged material, but also "confidential" information.

By failing to define "confidential," President Obama has given a blank check to executive branch agencies to block communications with Congress related to an undefined, broad category of information.

Understand, it is a constitutional power and responsibility of this Congress to oversee, as part of our checks and balances of our Constitution, the agencies of Government to make sure laws are faithfully executed, as the Constitution requires, and as money is spent according to Congress.

Even the New York Times noted President Obama's signing statement includes "one somewhat unclear objection" that "could be read as bumping up against the rights of executive branch whistle-blowers." Because, in our constitutional responsibility, we have to rely upon people in the executive branch to tell us when the job isn't being done according to the Constitution or according to law.

So I want to go further than what the New York Times said and say: It does