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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. DOYLE).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 24, 2009.

I hereby appoint the Honorable MICHAEL F. DOYLE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

GUN AMENDMENT TO OMNIBUS PUBLIC LANDS MANAGEMENT ACT

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

Mr. SMITH of Nebraska. I rise today out of concern for the public lands bill that we are taking up. We will be taking up the Senate amendments to H.R. 146. I support the underlying goals of our Nation's conservation systems, but I am concerned about overreaching actions by the Federal Government negatively affecting the American public.

The original bill, S. 22, combined 170 separate measures—most of which have never received a committee hearing. Last week, the Senate called up H.R. 146, an unrelated battlefield preservation bill, and substituted the text of S. 22. Because we have already passed an earlier version of H.R. 146, the measure can be shielded from further amendments. This is unfortunate. There will be no opportunity to amend this bill. By sidestepping a legislative process, we are not making this bill better.

Last week, there was an amendment that protects hunting and fishing, but it certainly was silent because it didn't need to be vocal at the time on the right-to-carry provision. But, on March 19, U.S. District Judge Colleen Kollar-Kotelly single-handedly decided to block the government's common sense policy.

We can do better, Mr. Speaker, and we should do better.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

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

Mr. CONNOLLY of Virginia. I rise today to highlight the critical investments in America made by this Congress and by the Obama administration through the American Recovery and Reinvestment Act of 2009 to turn our economy around.

We are embroiled in the worst economic crisis since the Great Depression. Our economy remains in a recession that dates back to December, 2007. Our gross domestic product decreased 6.2 percent in the fourth quarter of last year. Housing prices have declined for 24 consecutive months. Unemployment is at a 25-year high—and rising.

More than 4.4 million Americans lost their jobs, including a staggering 651,000 jobs lost last month. In my district, one of the wealthiest in the Nation, applications for food stamps increased 79 percent over the previous year.

In the past 12 months, Americans have lost 4 years of wealth, upending the carefully planned retirement strategies for millions of our fellow Americans. Over the next 2 years, if we do nothing, as some propose, our economy and the American people will suffer an estimated $2 trillion in lost potential, lost productivity, and lost earnings.

We know the price of inaction. The last 8 years left us a dire legacy we won't soon forget: Trillions of dollars of budget surpluses squandered; critical infrastructure repairs and improvements ignored; alternative energy research and development placed on the back burner; regulations neutered and the financial sector allowed to run amok; poverty ignored and allowed to grow; middle-class Americans saw their purchasing power decline dramatically while a privileged few saw theirs grow and soar; and millions of jobs and trillions of dollars of economic progress lost.

Mr. Speaker, we can no longer afford the inaction of the last 8 years. That's why this Congress acted, in concert with President Obama, to pass the American Recovery and Reinvestment Act. It was a bold stroke to put people back to work and make critical investments in our Nation's infrastructure that have been so neglected in the last 8 years.

We acted to ensure the future prosperity of our country. The Recovery Act will save or create 3.5 million jobs, including 9,300 in my own district, and provide needed investment in education, energy independence, health care reform, transportation, infrastructure, and tax relief for the middle class.

While no one action we can take will instantly fix all of our economic troubles, our investments are showing progress. Thanks to the Recovery Act, shovel-ready projects throughout the Nation are breaking ground, putting people to work planning, constructing,

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and managing these projects. Highway construction projects nationwide receive $30 billion, with an additional investment of $10 billion in transit and rail projects.

Thanks to the Recovery Act, those firms that were in fact put out of business or had to delay work are now being put back to work and putting people back to work repairing and improving roads and bridges, building schools, modernizing street light systems and water treatment plants, and building many other needed but neglected capital projects in my district and across the Nation. These are real jobs building real projects that are helping real Americans.

In the 4 weeks since the legislation was signed into law, Mr. Speaker, $175 billion has already been allocated, including $77 billion for education throughout the country, $27 billion for highways, and $15 billion in new Medicaid funding badly needed by our States.

The economic crisis has caused shortfalls for virtually every State and local government in the Nation. Our State and municipal governments are among the country's largest economic engines, performing everyday functions that Americans rely on daily, from public safety, to public health, to local education, to public libraries.

The Recovery Act provided $53 billion in State stabilization funding badly needed by our States that are hemorrhaging red ink right now. Specifically, the investment in education, for example, will pay immediate long-term dividends for our economy. Enhanced educational support includes $40 billion for local school districts and $21 billion for higher education, and will create increasing opportunities to prepare our children to enter the workforce.

In addition, our investments in education are paying off immediately by stemming the loss of tens of thousands of jobs for teachers and custodians and bus drivers and nurse's aides and teacher's aides all across school districts in the United States.

One of the primary drivers for economic recovery will be our investment in the technology field as well, Mr. Speaker. The world is changing and it's critical America stay at the forefront. In order to reduce our reliance on foreign oil, we will move towards a cleaner, greener economy. The stimulus addresses both of these areas.

The Recovery Act provided $30 billion to transform our existing energy systems and $8 billion in weatherization and energy efficiency funds that will create 87,000 new jobs weatherizing 2 million households across the United States.

The cost of health care continues to rise dramatically, Mr. Speaker, and it's incumbent upon us to reduce costs without harming existing coverage. The Recovery Act included almost $20 billion to accelerate the switch to health information technology systems by doctors and hospitals to modernize health care systems. It's estimated that this reform ultimately will yield an annual saving of $77 billion in health care costs to average Americans all across the country.

This act is only one piece of the economic mosaic, and I know it's going to succeed.

TIME BOMBS TICKING

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

Mr. BLUMENAUER. We have a lot of controversies here in Washington, D.C. There's even controversy over whether some of us should be legislators or communicators. But there's one area that we all can be policymakers, come together, make the economy stronger, and improve the quality of life for all Americans.

In every congressional office there's a copy of the Congressional Quarterly Weekly. The current issue on page 656 has an article about the EPA dealing with the Pentagon pollution. I invite every Member, every legislative director, every staff member who's responsible for dealing with defense or dealing with the environment to pick up this article and read the two pages.

It illustrates a bigger issue here—not just a dustup in the last administration between EPA and the Department of Defense—but the role that we will all play with thousands of time bombs literally ticking in every State and most of our congressional districts.

It's embarrassing that we still have almost 10,000 toxic sites with unexploded ordnance and military toxin scattered in every State of the Union, and 3,449 of these sites are Superfund sites. Amazingly, 2,600 of them are formerly used defense sites that, at the current rate—these are bases that have been closed—at the current rate, it will take more than half a century to get rid of these dangerous elements and return the land to productive use.

This is not just a serious problem for every State and almost every community. First and foremost, it is a danger to our military, to their families, and to their neighbors, having these toxic and unexploded ordnance lying around. It also is a serious problem for military readiness.

One of the reasons that States and local governments are resisting the expanding training footprint that our military needs today is because we, the federal government hasn't been a very good neighbor. People don't know how long they are going to be left with a landscape that is littered with explosives and toxic substances.

Three times since I have been in Congress, we have had to pull forest firefighters out of raging flames in the forests because bombs were exploding because past military training had left shells behind. There's a subdivision in Pennsylvania on a former military site that does not have fire service because they're afraid that the heat from a fire will explode a bomb.

This is a problem of military readiness now. It's also an opportunity—if we solve this problem—with the techniques and technology that will help us determine whether it's a 105-millimeter shell or it's a hub cab, can also be used to make our soldiers safer overseas from improvised explosive devices. It will save money in the long run because as these shells and contaminants break down and leach into the groundwater, it will be more expensive to solve the dangerous pollution in the future.

It's not just a problem of the Department of Defense and the Pentagon and administrations past and present—it's a problem for Congress. We have been missing in action. It's time for us to put a reasonable amount of money in cleaning up these Superfund sites and getting rid of the unexploded ordnance.

I don't want to read another story of where there are children, like those in San Diego, who found a bomb playing in a field behind their subdivision. It exploded killing two of them. News accounts of a bomb washing up on a beach in Florida or explosives discovered near a school are stories that we don't want to hear again.

It's past time that we own up to our responsibilities, that we solve the problem that will help military readiness today, technology that will save the lives of our servicemembers overseas, make our servicemembers at home and their families and the people who work with them safer, and meet our responsibilities to the environment. Oh, by the way. We will put tens of thousands of people to work cleaning up land and returning it to productive capacity all across America.

It's time that Congress is no longer missing in action in this serious problem of military contamination. Look at the Congressional Quarterly Weekly that is on your desk, page 656. Thank you.

DAY 63

The SPEAKER pro tempore. The Chair recognizes the distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker and my colleagues, today is day 63 of the Obama administration and we are still waiting for something—anything—to create jobs and to help our economy.

The President says he wants input from the Republican side of the aisle—and we are proposing better solutions. Now it's time for Democrats to stop paying lip service to our ideas and actually work with us to start doing it.

□ 1045

During the stimulus debate, we offered a plan that would create twice as many jobs at half the cost, but the Democrats passed a bill that included hundreds of billions of wasteful Washington spending.

During the omnibus debate, we offered a plan that would freeze spending through September 30, but my Democrat colleagues passed a bloated bill with wasteful spending and some 9,000 earmarks.

Now Republicans are prepared to offer a better budget solution to create jobs, rebuild savings, and restore fiscal sanity here in Washington. The question is: Will Democrats work with us?

Unfortunately, the President's budget spends too much, taxes too much, and borrows too much from our kids and grandkids.

The Congressional Budget Office just last week reported that the President's budget is actually $2.3 trillion more costly than the White House initially claimed. In fact, his budget adds more to the debt in the first 6 years than his 43 predecessors have accumulated over the last 220 years. And his national energy tax will cost families up to $3,100 more each year.

All of this spending and taxing and borrowing begs the question: What in the world is the White House thinking?

President Obama should ask Speaker PELOSI and Senator REID to delay congressional action on this budget so that mounting concern on both sides of the aisle about his budget can be addressed. I think it is time to get back to reality. Our Nation is in serious crisis, and we need better solutions than what Washington has given the American people so far this year, and I and my Republican colleagues will be offering them.

RESPONDING TO WALL STREET

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

Mr. SHERMAN. Mr. Speaker, yesterday Wall Street won three great victories. First, a plan was announced under which Wall Street puts up 6 percent of the money, assumes 6 percent of the risk, and takes 50 percent of the profits.

Second, the Senate announced that it was going to back burner the proposal to use the Tax Code to recoup the unjust enrichment received by certain executives on Wall Street.

And finally, the media continued its condescending drumbeat in which speaker after speaker in the media says the only proper approach is that one must denounce Wall Street, and then capitulate to Wall Street. And any of us who want to actually do anything that Wall Street disagrees with are just a bunch of angry peasants with pitchforks.

Well, let me say, anger is no vice and gullibility is no virtue, and faith in Wall Street is not the one true faith.

We have got to be willing to take action that Wall Street disagrees with and to deal with an establishment press which will then say we are governing out of anger. I am very angry, but I am not blinded by my anger. I am also not blinded by a gullible faith that whatever Wall Street does will be in the national interest.

First, let's take a look at this program where we put up 94 percent of the cash, Wall Street puts up 6 percent of the cash, but Wall Street gets 50 percent of the profit. You know with a deal like that, you could probably get Wall Street to buy lottery tickets for $3 a piece. They will put up not $3 a piece, but 6 percent of the $3, the Federal taxpayer puts up the rest, and then the winnings are split 50/50. Even if the average lottery ticket only pays out 20 cents for every ticket, that is a winning investment for Wall Street.

For us to give them half the profit while they take only 6 percent of the risk is a massive transfer of wealth from the American people to the hedge funds on Wall Street.

Second, let's look at this issue of bonuses and compensation. Now we passed a bill in this House last week that was imperfect. It was imperfect because it left alone million-dollar-a-month salaries, and it allowed any of the big Wall Street firms that were planning to pay multimillion-dollar bonuses to simply recast their compensation and call it million-dollar-a-month salaries, or raise them to $2 million a month, and the bill we passed would have no effect.

Third, the bill we passed last week, while it would deal with the AIG bonuses, did not deal with the Merrill Lynch bonuses. That is why today—and I hope to have some additional cosponsors before I introduce the bill—but later today, I will introduce legislation that will impose an excise tax that doesn't look at bonuses separate from the rest of the compensation package, but looks at the entire compensation package. It says if the package is over half a million dollars a year and you're working for a company that would be in bankruptcy right now if you weren't bailed out by the Federal Government, then in effect you are being paid that enormous salary with taxpayer dollars only because the taxpayers came through and bailed out the company that is paying you that money. And for that reason, we are going to insist that unless you want to face a major tax, you return to your employer all of your compensation in excess of half a million dollars. This is an approach that I think is fair. It is not punitive. It is not confiscatory. It simply takes from executives the huge amount of compensation that they received only because the rules of capitalism were suspended and their companies that should be in bankruptcy or receivership are instead operating independent of receivership and are paying salaries that exceed what should be paid to an entity that is dependent upon the Federal Government.

The bill will also provide that if the Treasury issues executive compensation regulations, people will be able to receive restricted stock without limitation.

So I look forward to getting additional cosponsors for my tax bill and responding to Wall Street logically and without gullibility.

SECOND AMENDMENT VOTE

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

Mr. HASTINGS of Washington. Mr. Speaker, for weeks and weeks now, Democrat leaders in both the House and Senate have engaged in parliamentary contortions to block every Representative in this body of both parties from being able to offer even one amendment to the 1,200-page $10 billion omnibus lands package that contains over 170 individual bills. Since over 100 of these bills were never voted on in the House, this giant piece of legislation needs careful review in a fair and open process. Yet, fair and open consideration is precisely what Democrat leaders have denied in this House.

Today, the House Rules Committee will meet to decide how the most recent Senate-passed omnibus lands bill will be debated and voted on in this House, presumably tomorrow. While there are many areas of this bill that need improvement, there are several that rise to a serious level of concern. Let me cite four of them:

First, addressing prohibitions against American-made energy on public lands, prohibitions that would deny job creation in the energy sector on public lands;

Second, ensuring our border security by making certain that provisions of this bill don't ban the use of vehicles and other technology to patrol our border;

Third, ensuring that public lands continue to be open to public enjoyment. That includes wheelchair access for the disabled who would be banned under this bill, as well as access by Americans using bicycles and motorized bikes for recreation.

Lastly, Mr. Speaker, an area of the bill that rises to a very high level of concern after a Federal judge's ruling last week, and that is the protection of Americans' second amendment gun rights on public lands.

Specific amendments have been filed with the Rules Committee to address each of these issues. Democrat leaders should now provide the House with a chance to vote on them. But more specifically, Mr. Speaker, the House must act on the omnibus lands bill to immediately protect the second amendment rights of Americans. Last week, Democrat leaders in the House and Senate added the Altmire language to the omnibus land bill to prevent the Federal Government from banning hunting and fishing on certain types of Federal land. At the time this amendment was added, the right of Americans to carry concealed firearms on park lands and wildlife refuges was in accordance with State laws, and that was already recognized in Federal regulations.

However, last Thursday a U.S. District Court judge based in Washington, D.C. single-handedly decided to block this second amendment policy. Now there is a giant hole in the current Altmire language, and Congress must fix it. Congress must not allow one Federal judge to single-handedly deny Americans their second amendment rights on Federal land.

I have introduced an amendment, along with the gentleman from Utah (Mr. BISHOP) to the omnibus lands bill that would write into law the very protections struck down by this lone Federal judge. The House must vote on this amendment to repair the big void in the current Altmire language contained in the omnibus lands bill. There should be no excuses, no more delays, no waiting for another day or another bill. The omnibus lands bill is the best place to fix what this Federal judge has done.

If we are going to pass a 1,200-page bill that dramatically expands Federal lands in our country, Congress must protect American second amendment rights while on these lands. The Constitution and the second amendment should not be pushed aside by an activist judge and a complacent Congress. House leaders must allow a vote on the Hastings-Bishop amendment to the omnibus lands bill to protect the gun rights of Americans when we take up this bill presumably tomorrow.

2010 BUDGET RESOLUTION

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

Mr. SCOTT of Virginia. Mr. Speaker, this week the House Budget Committee will mark up the concurrent budget resolution for fiscal year 2010. Over a month ago, President Obama submitted a budget plan focusing on economic recovery, strategic investments, and most importantly, fiscal responsibility. At this critical juncture in our history, President Obama's budget addresses the mistakes of the past, makes much-needed investments in the future, and will create a better future for all Americans.

As we debate the merits of this budget resolution, we must not forget that President Obama inherited deep deficits and an economic crisis from the Bush administration. This chart shows the budget deficit over the years of the Clinton administration, and what the Bush administration did to the budget. The Bush administration left behind a $1.25 trillion deficit, a high unemployment rate, and an economy on the verge of collapse. President Obama came into office merely 2 months ago, but he has already successfully proposed the American Recovery and Reinvestment Act which will create or save 3.5 million jobs.

The President's budget continues the path toward economic recovery and fiscal responsibility with many necessary investments in education. The President's budget expands access to college education by making the American Opportunity Tax Credit permanent and indexing Pell grants to keep pace with inflation and the skyrocketing cost of college education. The President also doubles funding for early Head Start and expands Head Start.

The President's budget calls for improving and expanding access to health insurance and lowering the cost of health care for every American. The President's budget includes several provisions to improve quality and efficiency in the health care system, saving the American people approximately $300 billion over the next 10 years. The President believes that the only way to rein in the cost of government for the foreseeable future is to address the costs associated with health care, and this budget does that.

The President's budget also ensures that the Nation honors and cares for our veterans when they return home by increasing funding for the Department of Veterans Affairs by $25 billion over the next 5 years. This increased funding will help the VA reduce their claims backlog and modernize and improve VA hospitals and facilities. These investments in the VA will help address the large influx of new veterans into the VA system from the wars in Iraq and Afghanistan.

□ 1100

So, Mr. Speaker, perhaps the most telling feature of the President's budget is that it is an honest measure of where we are and of where we are going. The Bush administration used phantom budget tactics to keep the costs of many expensive measures out of the budget. Unlike budgets submitted in the past few years, the Obama budget honestly includes the cost of our military operations in Iraq and Afghanistan and other items that we know we must pay for and have paid for every year such as the Medicare Doctor's Payment Fix and the Alternative Minimum Tax. President Obama's budget takes the necessary steps to put the budget back on a fiscally sustainable path once the economy recovers. The budget proposes to cut the deficit in half by 2013. Additionally, the President's budget proposes to restore the fiscally responsible pay-as-you-go rules, which were critical in turning the budget around in the 1990s.

Many may claim that the President's budget will cause deficits, but those who advocate the problems with the President's budget fail to remind themselves that the policies that they, in fact, are advocating are the policies that got us in the ditch we are in today. What they forget is that this Nation had to endure 8 years of failed economic policies, which produced one of the worst recessions in 70 years, the worst job growth since the Great Depression, an increase in the number of Americans living in poverty, and an increase in the number of Americans living without health insurance.

Furthermore, the Bush administration degraded the Federal budget's condition from healthy to weak, converting a 10-year $5.5 trillion surplus to more than a $3 trillion deficit—a swing of more than $9 trillion over 8 years and an average of over $1 trillion a year.

Mr. Speaker, these policies have failed. It is time to turn to the policies that work. The President's budget does just that. As a member of the House Budget Committee, we look forward to Wednesday's markup to ensure that the congressional budget resolution reflects the priorities of the President's budget.

CONSISTENCY, NOT CHAOS IN OUR PUBLIC LAND POLICY

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

Mr. BISHOP of Utah. Mr. Speaker, I am sure we all know the old story of the newlywed couple whose wife on her first meal that she prepares of a cooked ham presents the ham, and the two ends have been cut off.

When her husband asks why, she says, ''I don't know. That's the way my mother did it,'' and when the mother-in-law shows up, they ask why, and she says, ''I don't know. That's the way my mother did it,'' and when the grandmother finally arrives and they ask why she cut the ends of the ham off, the grandmother simply says, ''I have a small oven. A full ham won't fit.''

There are many things we do in government that are traditions that are as totally illogical as cutting the ends of the ham off. Only in a Federal court in this United States can we find a special interest group that can track down a maverick judge that contends that 8 months of study by the Department of Interior is, in fact, a last-minute review and because, in January of this year, the Department of Interior and the National Park Service finally updated its rules to allow concealed carry on national parks lands and make it consistent with our policy of concealed carry on all public lands.

You see, the national forest does not prohibit someone with a valid concealed carry license from going on public lands. The Bureau of Land Management, which manages some of our national parks, does not prohibit a valid concealed carry permit for going on their lands. Even President Clinton gave an executive order saying that our policies should reflect the State prerogative and authority. Only the National Park Service has tried to prohibit that practice, and the National Park Service is not just things like Yellowstone. It is virtually impossible, or at least it will challenge you, to try to get from Virginia into Washington, D.C. without either driving or walking on National Park Service land. You go in and you go out. There are no signs to tell you what you were doing, and indeed, law-abiding citizens have been

entrapped on park service land, carrying a concealed weapon permit, where if they had gone a couple of blocks further and had been back in Virginia, they would have, indeed, been legal. That is illogical and it is also unfair.

What we should do is what the National Park Service decided to do in January and simply say State laws will be the ruling procedure. If it is legal for a concealed carry in this State, it is legal on all lands that are owned and controlled by the Federal Government, not just some lands ''yes'' and some lands ''no.''

Mr. HASTINGS of Washington has an amendment that should be put on the bill that will be before us tomorrow to clarify once again that the policy of the United States should be consistent on all of their lands, not on some ''yes'' and some not on the others. It was an amendment that would bring respect back to the policy and the consideration and the study done by the Department of Interior, and it would reject an outstandingly flawed decision made by a judge that actually creates chaos rather than solving this particular problem.

It is important that the Rules Committee does open up this particular bill for allowing the Hastings amendment so that we could actually debate this issue on the floor, because this is the proper time; this is the proper vehicle, and it is the right time for us to have consistency on our public land policy, not chaos in our public land policy, created by a judicial decision.

CYBER ATTACKS TO AMERICA'S NATIONAL SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. LANGEVIN) for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, I rise today to discuss a critical national security challenge and what I believe is an imminent threat to the safety of our country. That is cyber attacks.

Computers control everything from our banking systems to our electric grid, our military networks to our businesses and government functions. Never in the history of the world have so many people had so much access to ideas, knowledge and skills. However, increased access also opens up additional vulnerabilities that allow our adversaries to potentially cause catastrophic economic and physical harm to our country. Nation-states, terrorists and other actors who seek to harm our Nation understand that the future of warfare is through cyber attack.

In recent years, American military leaders have noted an unfortunate increase in cyber attacks. The vice chairman of the Joint Chiefs of Staff, James Cartwright, told Congress in March 2007 that America is under widespread attack right now in cyberspace.

But securing our networks is not simply the responsibility of the U.S. military. Mitigating vulnerabilities in America's critical infrastructure networks involves the work of a wide variety of government agencies and private-sector entities. Everyone, both in the public and private sectors, plays a role in securing cyberspace, and we must all work together to confront these threats.

Our Nation has some significant challenges ahead of us in the cyber security world. Right now, the United States is under attack, and quite frankly, we are losing the battle. I believe that it is essential that we act swiftly and boldly to respond to this threat.

I recently cochaired the CSIS Commission on Cyber Security for the 44th Presidency. Our goal was to develop recommendations for a comprehensive strategy to improve cyber security in Federal systems and in critical infrastructure. This commission was made up of renowned cyber security experts from across the country, both in and out of government.

In December 2008, after hundreds of hours of briefings, of working group meetings and discussions, we released our final report proposing a number of recommendations for the incoming administration to consider. Among the most critical and timely of those recommendations is the creation of a comprehensive national security strategy for cyberspace. ''Comprehensive'' means using all of the tools of U.S. power in a coordinated fashion: international engagement and diplomacy, military strategy and action, economic policy tools, and the work of the intelligence and law enforcement communities.

This strategy should begin with a public statement by the President that the cyber infrastructure of the United States is a vital asset for national security and the economy and that we will protect it by using all instruments of our national power. The commission also recommends that the Nation's cyber leadership be housed in the White House, not in any single agency.

We used the response to nuclear proliferation as a model for how to approach cyber security. Just as no single agency is in charge of nonproliferation, we recognize that the same is true for cyber policy.

To coordinate these efforts, we proposed creating a new office for cyberspace in the executive office of the President. This office would combine existing entities and would also work with the National Security Council in managing the many aspects of securing our national networks while protecting privacy and civil liberties. It is my hope that the leadership of this new office will be an assistant reporting directly to the President.

I am very pleased with President Obama's appointment of Melissa Hathaway to conduct a 60-day interagency review of the Federal cyber security mission. I think she is very knowledgeable of the issues surrounding the CNCI, and I have spoken with her regularly, encouraging her to review our critical infrastructure's defensive posture.

We have so many agencies that share in overseeing critical infrastructure protection that many issues fall through the cracks. This is an area I believe that we must improve on, and I look forward to working on legislation to implement the recommendations of the commission to ensure that our Nation is protected in cyberspace, and I certainly look forward to working with the administration on this important issue.

ECONOMIC CONSEQUENCES

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

Mr. PITTS. Mr. Speaker, what we do here in Washington, the policies that we make, have direct economic consequences on the market, on job creation or loss, on retirement accounts, and on the financial security of the American people.

For example, yesterday, Secretary Geithner finally released the administration's plan for dealing with the troubled assets that are dragging down our banks and that are impeding our Nation's economic recovery. The market jumped up 500 points.

Now, we still need to do some work to evaluate exactly how this plan will work and whether it is the best plan for the country, but I think this is a perfect example of how our actions here in Washington affect Wall Street.

I have a chart here with some data that I have assembled for the last 30 years, from 1977 to 2009, of market activity, and I want to show a broad trend that we see over that time regarding the market's reaction to government policies:

Here on the top, this yellow line, is the Dow Jones Industrial Average. You will see the red and blue panels. The colors here indicate which party is in control of Congress. So, where you have red, that is the control of the Congress, both the House and Senate, by Republicans. Where you have blue, that is the control of the Congress by the Democrats, both House and Senate. Where you have these slash/slanted marks, you have a divided Congress.

From 1977 to 1995, you see the Dow Jones growing gradually, minimal growth. You see when it hits the red panel that it moves sharply up. When you have, actually, the dot-com collapse and 9/11 and the divided Congress, you see it goes down. When it hits the red, it goes sharply up again.

The next chart down below shows budget deficits from 1977 to 2009. The bars above represent deficits. The bars below represent surpluses. Notice under President Obama that this last bar, the yellow line, is $1.752 trillion for fiscal year 2009. Let me just put that into perspective. That single deficit is more than the previous eight

deficits under President Bush combined. If I could show you the projected deficits, they are all trillion-dollar deficits out for 10 years as far as we can look.

So I think we need to really question some of the rhetoric we are hearing about fiscal responsibility about this present administration. These deficits have both immediate and long-term consequences. The long-term consequences are the debt that we are leaving to our children. In the more immediate term, they represent the eroding of our standing in the world. They are going to feed inflation and undermine the value of the dollar.

Last month, I met with a delegation of Chinese officials. The first question they asked me was, ''Congressman, is America abandoning the free market system?''

I mean the world is watching us, and they have expressed some hesitancy about buying more of our debt. I think, when we go in the market this year with $2 trillion or $3 trillion in treasuries to fund our budget, it is going to be harder and harder to find willing buyers.

When the rest of the world watches as the U.S. Government takes over private businesses, as government spending grows and as the government crowds out the private sector and stifles innovation and the entrepreneurial spirit on which this Nation was founded, we have serious problems. When we take these kinds of actions and make these kinds of policies, we are jeopardizing our standing in the world and our future.

How can we be the leader of the free world with this kind of government intervention and undermining of the free market?

I also want to point out here that there is a good lesson here on this bottom chart. You see these 4 years right here in a row. That is when the Republicans were in control of Congress and when President Clinton was in office. For the first time in years, we balanced the budget 4 consecutive years in a row, and we paid down on the public debt 4 years in a row. Now, Clinton deserves some credit, and the Congress deserves some credit, but we balanced the budget 4 years in a row.

The lesson here is that real bipartisanship works. The phony bipartisanship of wanting us to come in at the last minute and vote for something that we did not have any opportunity to create or to craft in the first place will not work. Real bipartisanship works and policies matter, and some policies help create an environment in which our economy can thrive.

The government cannot create wealth. The American people, entrepreneurs and businesses must do that. Yet the government can and at times has implemented flawed policies like spending too much, taxing too much and borrowing too much like we are seeing right now. Those policies have economic consequences.

□ 1115

OMNIBUS LANDS BILL THREATENS SECOND AMENDMENT RIGHTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Wyoming (Mrs. LUMMIS) for 3 minutes.

Mrs. LUMMIS. Thank you, Mr. Speaker.

I rise to support the Hastings amendment to the omnibus lands bill. I want to give you two examples why and they couldn't be farther apart and still be in America.

One is here in Washington, D.C. I had a friend who worked for the Federal Government who was getting threatening phone calls from a disgruntled former employee. She was an older woman who lived alone and worked for an agency here in the Federal Government. And so she got a concealed weapons permit to protect herself and was commuting in and out of D.C. to an adjacent State. Having that concealed weapon would have been illegal under the new judge's ruling, which is why the Hastings amendment to the omnibus lands bill needs to be adopted.

Now here is my example from the West. It is springtime. We're just starting to fix fence after a long winter that broke down some of the fences. When you're sitting on the ground fixing a fence and you're sitting right next to a rattlesnake, it can be very disconcerting. So a number of us carry weapons while we're fixing fence. If you let a weapon be hidden under your coat, even accidentally, you need a concealed weapons permit. So some people get concealed weapons permits and carry a weapon while they're fixing fence. Well, if you happen to be one of those people who is also driving between Cody, Wyoming and Jackson, Wyoming, you're going to go through Yellowstone National Park. That is your commute. And it would be illegal to have that weapon under this recent judge's ruling.

Mr. Speaker, both the Bush and the Obama administration have pushed forward with a rule to allow the carrying of concealed weapons on these lands subject to local State laws. By doing so, they bring these public lands in line with millions of acres of BLM and Forest Service lands where the application of local gun laws have guided our public land managers well. It took just one U.S. District Judge to throw that consistency out the window, but this Congress has the opportunity to renew it should the Democrat leadership in the House allow just one simple amendment to address the protection of our second amendment rights. Sadly, they are refusing to do so, placing the importance of a political win on the public lands omnibus bill above the constitutional rights of our citizenry to keep and bear arms.

I urge the Rules Committee and the House Democrat leadership to reconsider their priorities and to allow us to protect second amendment rights when we consider the public lands bill tomorrow.

RECORD DEBT, HIGHEST DEFICIT SINCE WORLD WAR II: BIPARTISAN SAFE COMMISSION IS THE WAY FORWARD

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

Mr. WOLF. Thank you, Mr. Speaker.

Last week, the national debt topped $11 trillion for the first time in history. On Friday, the Congressional Budget Office reported that the Federal deficit will soar past $1.8 trillion this year, which would be the highest recorded since World War II, deficits for as far as the eye can see.

By 2019 the government will be paying over $800 billion annually just in interest on the debt, borrowing money from China and other countries.

Congressman COOPER of Tennessee and I have introduced the bipartisan SAFE Commission Act to create a national commission aimed at addressing entitlement spending and our national tax policy with everything on the table. It's bipartisan, with exactly 26 Republicans and 26 Democrats joining as original cosponsors. A similar proposal in the Senate has the support of Senator KENT CONRAD, chairman of the Senate Budget Committee, and ranking member Senator JUDD GREGG.

The commission would force Congress to act on the mountains of debt under which we are burying our children and our grandchildren. Without it, we will have the same old tired process, drawing lines in the sand while the tsunami of debt comes crashing over our shores.

According to a recent Peter Hart/Public Opinion Strategies survey, 56 percent of registered voters prefer a bipartisan commission to the regular congressional process as the best means of tackling our growing budget deficit and national debt. The current process isn't working. In other words, the American people understand we are in trouble, yet Congress continues to fiddle while Rome burns. Congress is made up of parents and grandparents, yet we seem to be prepared to push all of the debt we are creating off to our children and grandchildren.

The American people are experiencing a crisis in confidence and they are worried about our country. When we gain control of reckless spending, we will be able to rebuild the economy and see a brighter and stronger America, stronger for us and stronger for our children and our grandchildren, to bring about a renaissance.

How will history judge the 111th Congress if it doesn't deal with this issue? Cosponsoring the Cooper-Wolf SAFE Commission is supporting the bipartisan way forward. If any Member has a better idea that can honestly pass this place, then they ought to put it forward. If they can't, we should pass the Cooper-Wolf bill.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until noon today.

Accordingly (at 11 o'clock and 21 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at noon.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

In the great scheme of things, it is You, Lord God, that can make the difference. Day by day, we make judgments and casual decisions. They all add up to a sense of direction. We move along a path in our personal lives. We set a path for this Nation. Guide us every step of the way, Lord.

Representatives in the United States Congress hold the hopes and perspectives of constituents and bring them to light on the floor of the House. To make daily decisions, they take all this into account, and yet they are appointed to be the ones to decide what is of most need for the Nation. Grant them prudence, patience, and perseverance. We ask this calling upon Your Holy Name, now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. GARRETT of New Jersey led the Pledge of Allegiance as follows:

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

ELECTING A MINORITY MEMBER TO A CERTAIN STANDING COMMITTEE

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

The Clerk read the resolution, as follows:

H. RES. 277

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

COMMITTEE ON THE BUDGET—Mr. Latta.

The resolution was agreed to.

A motion to reconsider was laid on the table.

KEEP TO THE FACTS IN DEBATING THE PRESIDENT'S BUDGET

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, the President has sent his budget proposal to the Congress, and for the next few weeks we will debate it, but let's keep to the facts in debating it.

There have been partisan attacks that claim that President Obama's budget will raise taxes on small businesses. In fact, the President's budget eliminates the capital gains tax for individuals on the sale of certain small business stocks and makes the research and experimentation tax credit permanent.

These proposals will spur investment and innovation to help small businesses. These are the job-creating engines of our economy, and nowhere else but in California can you see them so prominently working in this economy to build those jobs we so desperately need. Ninety-seven percent of all small businesses will not see their taxes increase in 2010.

What else is in the budget for small businesses? Twenty-eight billion dollars in loan guarantees to expand credit availability for small businesses at a time when it is really needed and support for the $1.1 billion in direct disaster loans for businesses, homes, and homeowners.

THE CONFIDENTIAL SOURCE AND THE REPORTER

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

Mr. POE of Texas. Mr. Speaker, over the last few years, numerous reporters in the United States have been subpoenaed about their confidential sources.

Law enforcement, namely prosecutors, hear about a story that a news reporter covers regarding scandals, corruption, crime, or coverups, and then has the reporter subpoenaed to testify before a grand jury. The purpose of the grand jury investigation is to find out who gave such information to the reporter, with the goal to bring the confidential source before the grand jury to testify.

Most States protect journalists from having to reveal that source. However, there is no Federal law to shield the identity of confidential sources. The protection of the source's identity is important because, without such a guarantee, sources would be fearful of possible reprisals if they revealed the information. Thus, the public would never know about the information.

With a few exceptions, prosecutors should not depend on reporters and their sources to root out crime. If whistle-blowers and reporters are protected by a shield law, the public's right to know will be enhanced with the free flow of information.

And that's just the way it is.

COMPREHENSIVE HEALTH CARE REFORM

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

Mr. CARNAHAN. Mr. Speaker, I'm proud of the work Congress and the President have accomplished in just over 2 months: Expanded health care for 11 million children; assistance to families to maintain their health coverage through COBRA; funds to help States prevent cuts to Medicaid; and investments in safe and cost-saving electronic health record technology.

Some naysayers claim that the President and Congress are doing too much too soon. But we cannot fix our economy without fixing our broken health care system. And that's why I'm here today, to mark Cover the Uninsured Week with a call to action, action to achieve comprehensive health care reform, not next year, not in 4 years, but this year.

We have over 45 million individuals who lack health coverage in this country. Fifty-six billion dollars in unpaid bills are driving up the cost of insurance for everyone.

Reforming health care will strengthen our middle class, help businesses create jobs and be competitive, rebuild the economy and put our Nation on a sound financial footing far into the future.

Now is the time for comprehensive health care reform.

THE DEMOCRAT BUDGET BORROWS TOO MUCH

(Mr. GARRETT of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. GARRETT of New Jersey. During the last campaign, Hillary Clinton said that she had a million good ideas. She probably never thought that she would be outbid by this new administration that has a million bad ideas that are going to cost American taxpayers literally trillions of dollars.

This current budget spends too much, taxes too much, and borrows too much. It spends too much, and it's coming up to $2.3 trillion more than the White House even estimated a short time ago.

It taxes too much because every hardworking American household across this country is going to see their taxes go up by over $3,000. While they're struggling with paying their bills, their taxes will be rising.

It borrows too much because it's going to increase the debt on taxpayers across this country. Right now it stands at about $35,000 per capita. It's going to double in 8 years to around $70,000.

You know, Americans were voting for a change. I think at the end they were really hoping for something better than this.

THE RECESSION IS REAL

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

Mr. BUTTERFIELD. Mr. Speaker, the recession is real.

In my home State of North Carolina, we have 100 counties. All of them experienced an increase in unemployment during the month of January. Seventy-two of the 100 counties had a 10 percent or higher rate of unemployment. Across my district, 23 counties, we now have an average unemployment rate of 11.2 percent. The highest county is 15.6 percent. That is unacceptable.

These numbers are staggering, and people are hurting. We must remember, Mr. Speaker, that we have met these challenges before, and we will meet this challenge now. North Carolina will benefit from about $6 billion as part of the stimulus package, which will create or save 105,000 much-needed jobs.

I am further encouraged by the efforts to ease the credit squeeze afflicting small businesses by buying up to $15 billion of securities that are linked to small business. This is an important step, Mr. Speaker, in encouraging lenders to make more money available to entrepreneurs and small businesses.

I encourage the President to continue with his economic recovery.

GYRATION IN THE STOCK MARKET

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

Mr. PITTS. Mr. Speaker, as you can see here in this graph, what the President called gyrations of the stock market, in February of 2008, a year ago, the Dow Jones Industrial Average sat at just 13,000 points.

Just before Congress passed the so-called rebate check package worth $168 billion of borrowed money, Speaker PELOSI said, ''This package gets money into the hands of Americans struggling to make ends meet . . . and stimulates our slowing economy.''

Yet since then, the market has lost nearly half its value. That's trillions of dollars in wealth wiped out in 1 year from retirement accounts and the savings of hardworking families across America.

The rebate package a year ago was just the first in many attempts to borrow and spend our way out of this situation. Here we have the $300 billion housing bailout, $200 billion for Fannie Mae and Freddie Mac, $700 billion in TARP funds. Look at the drop after that: $14 billion, auto bailout; $787 billion, stimulus, before the market dropped.

Our actions have economic consequences.

WE'VE GOT TO CHANGE THE COURSE OF THIS NATION

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

Mr. PERLMUTTER. Mr. Speaker, I listened to my friends on the other side of the aisle. The problem is they forget, and they're kind of revising history. It's the Republican President and a Republican Congress that drove this country into the ditch financially and economically, and what we've got to do is change the course of this Nation.

That's what the President is undertaking to do, by providing small business with tax credits, with assistance as to funding of their particular projects, because that's where the real engine of our economy is—in small businesses.

So, last week, the President announced various initiatives to assist small business to make credit available to them for their various projects, to purchase their loans so that they could go forward, so small banks could make loans to small businesses.

This President is making available to 95 percent of us tax credits. So for 95 percent of the American public, they will see their taxes go down.

So my friends on the other side of the aisle forget the history that brought us here. The Republican administration, by giving tax cuts to the wealthiest while prosecuting a war, put us in a very difficult position, but we will get it out by changing the direction of this Nation.

THRUST FOR POWER

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

Mr. KIRK. Mr. Speaker, political liberty is founded on economic liberty, and history teaches that liberties are attacked during a crisis. The White House Chief of Staff has said never pass up an opportunity inside a crisis.

Secretary Geithner wants Congress to give the executive branch authority to seize any financial institution in America. It is an awesome power that will be quickly abused after just one Federal Reserve Board vote among all Presidential appointees. No judge would rule. No vote of the Congress would happen. This is a historic lunge for power.

Americans, remember, it was government agencies, Fannie Mae and Freddie Mac, that caused this crisis. I am from Chicago, and I know about government abuse and corruption.

We should reject Geithner's opportunistic thrust for control or rue this Congress when it gave only one branch of this government such a corruptible economic authority.

WE NEED ALL HANDS ON DECK IN THESE SERIOUS ECONOMIC TIMES

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

Mr. YARMUTH. Mr. Speaker, we are in very serious economic times. Unprecedented challenges confront this country. It is a time when we need all hands on deck.

Unfortunately, all we've heard from the other side of the aisle is hyperbole: we're spending too much, we're not doing this, we're not doing that. We need ideas.

The best in America has always come because of a conflict of ideas, because of ideas converging and taking the best and assimilating them into policies that benefit all Americans. We're not getting the help we need from our Republican colleagues. Again, we need all hands on deck.

Just this Sunday, one of the Republican Members was on a national talk show and said our faith in God is going to get us through this. Well, maybe it will, but faith in God, as important as it is, is not an economic policy.

We need the best that America has to offer from all sides of America. I invite my Republican colleagues to participate in this debate and help get us out of this economic challenge.

INTRODUCTION OF H.R. 1111

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

Mr. REHBERG. Mr. Speaker, each year there are two things that can get in the way of thousands of visitors seeking the picturesque vistas of Montana and all that it has to offer: high energy prices that make the trip too expensive and a blanket of smoke from out-of-control wildfires.

I've introduced legislation that brings some Montana common sense to those problems by literally harnessing the energy of a forest fire to generate electricity.

You see, nature wants to let the fires burn in order to preserve healthy forests, while man continues to try and put them out. When we interfere with nature, we wind up with overgrown forests that burn hotter and longer, wasting a potential renewable energy source. My bill restores these forests to a more natural and healthy density, while using the excess wood to create biomass energy.

Join me in cosponsoring H.R. 1111 to reduce the cost of wildfires and the cost of energy.

□ 1215

HEALTH CARE MYTH: HEALTH REFORM WILL LIMIT PATIENT CHOICE

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

Mr. MURPHY of Connecticut. Another health care myth—if we reform our health care system, patients will lose choice. Again, this is simply not true. First, it begs the question: What choice do patients have today?

In America, we have choice, but too often it lies not with the doctor or patient, but with the insurance company.

Patients are denied physician-prescribed treatment, doctors are denied reimbursement for necessary care, and increasingly restrictive networks of coverage mean restrictive choice for patients.

A survey of the leading proposals for reform shows that no one is talking about limiting patient choice. In fact, a publicly sponsored plan, with a potential network of millions of Americans, would likely have one of the most robust networks of providers in the system, since doctors and hospitals would want and need to have access to this large pool of patients.

A public plan itself increases patient choice by allowing families to decide whether they want to continue with their private insurance plan or move to a publicly sponsored plan that might provide better coverage due to lower administrative and profit costs.

Health care reform limiting patient choice? It's just another myth about our health care system.

STOP JOB-KILLING TAX INCREASES

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

Mr. PAULSEN. Mr. Speaker, we will not recover from this recession unless small business leads the way by growing jobs. A small business owner from my district, Paul Robinson of Sterling Critical Products in Bloomington, was just in Washington last week. The message he has for Congress is that we need to provide incentives and access to capital for small business—and we need to make sure that no job-killing tax increases are added to their burden.

The $1.4 trillion tax increase that is on the table in the current budget proposal would drive a stake into the heart of our Nation's job creators. The proposal to raise taxes on asset creation by 33 percent would dry up badly needed capital and keep them from creating jobs.

My constituents are living within their means and they're cutting expenses. They expect Washington to do the same. But this budget spends too much, it taxes to much, and it borrows too much.

In these difficult times, we demand solutions that put people back to work. Let's reject these job-killing tax increases and start growing jobs now by supporting small business owners like Paul.

UNINSURED WEEK

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

Mr. COSTA. Mr. Speaker, I rise today to call upon the Congress to reform our health care system. It's important. Forty-six million Americans currently have no health care insurance, yet health care costs have risen dramatically in years.

Insurance premiums in California have risen at a rate more than twice the rate of inflation, eating up a larger and larger percentage of household incomes. With the recent economic downturn, far too many families are losing their employer-based coverage and unable to afford the cost of health care on their own.

Like it or not, we taxpayers are paying for the health care in some of the most expensive ways possible, through the emergency room, for those who are uninsured. Last year, hospitals in my district provided nearly $200 million in uncompensated care. Clinics in our Central Valley alone have provided care for over 600,000 who have little insurance or none at all.

This system cannot and should not continue. The bottom line is we are paying for the uninsured today—the 46 million Americans who do not have insurance. We ought to do it in a better way.

Our citizens' health and our Nation's fiscal health depend on meaningful reform. Let's begin that effort.

DIALOGUE WITH THE PRESIDENT

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

Mr. DANIEL E. LUNGREN of California. Yesterday, Father Jenkins, the President of my alma mater, Notre Dame, explained his decision to give President Obama an honorary degree, in spite of his opposition to the culture of life expressed by that university and the Catholic Church. He explained it as an invitation to dialogue with the President. Let us hope so.

Let us hope there is a dialogue on the President's support for partial-birth abortion; on his opposition to the born-alive baby legislation; on his reversal of the Mexico City policy; on his support of Federal funding for embryonic stem cells where, denouncing it, he gave the back of the hand to Catholic moral teaching; and, in vitiating the Federal regulations guaranteeing the conscience clause, which is aimed at Catholic hospitals, doctors, and nurses.

Will this be an invitation to dialogue? Will the commencement address be an opportunity for the President to question his prior decisions? God only knows.

COVER THE UNINSURED WEEK WITH A CALL FOR COMPREHENSIVE HEALTH CARE REFORM

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

Ms. WATSON. Mr. Speaker, this is Cover the Uninsured Week, March 22–29, and I call for enactment of comprehensive health care reform this year.

Reforming the Nation's health care to lower costs, improve quality, increase coverage, and preserve choice is a top priority for Congress and the President. Our Nation's health care system, which costs more every year and leaves more than 45 million citizens uninsured, and millions more underinsured, is in bad need of reform. We simply can't afford to wait any longer to make the changes necessary to ensure greater access to quality health care.

The problem of the uninsured and its impact on the entire health care system continues to grow. The Federal Government estimates that over 45 million individuals lacked health insurance coverage of any kind during the last year, 2008. Approximately $56 billion is in uncompensated care.

We need to change that.

PROTECT PROSPERITY

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

Mrs. BLACKBURN. My constituents are tired of Congress spending money they haven't made yet for programs they don't want. According to the CBO, total spending in 2009 is going to be over $4 trillion. The price tag on the President's budget is over $3.6 trillion.

Our country can't afford this budget because it spends too much, it taxes too much, and it borrows too much money on our future.

The CBO predicts that this budget will push our deficit to 9.6 percent of GDP in 2010. That's historical. CBO predicts that this country will run historically high deficits for the next decade. The global demand for American debt will only continue if our economic policies are sound.

Although we don't know the limits of the debt market, this budget is going to push us into unchartered territory. As lawmakers, it is our duty to preserve and protect prosperity. If we pass this budget, we will be abusing the economic opportunity for our children and our grandchildren. What kind of protection is that?

BREAST CANCER PATIENT PROTECT ACT OF 2009

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

Ms. DELAURO. An estimated 184,000 cases of invasive breast cancer were diagnosed last year. I rise today in support of every breast cancer patient who has ever undergone a mastectomy and then been told by her insurance company that she has to leave the hospital in 24 hours or less before she has had time to recover.

I'm reintroducing the Breast Cancer Patient Protection Act today. It's a bipartisan bill that overwhelmingly passed this House last year by a vote of 421–2. Simply, it ensures that after breast cancer surgery, a woman will have 48 hours to recuperate in the hospital, no matter which State she lives

in or what insurance coverage she has. It does not mandate that the patient has to stay in the hospital for 48 hours, but the decision should be made by patient and doctor and not by an insurance company.

A Lifetime TV petition has been signed more than 23 million times, with people directing their stories to their Web site. We have information from 50 States.

The last thing any woman should do at this time is to fight with her insurance company. This should not be negotiable. Ultimately, that decision should be up to the patient and her doctor.

Before this session of Congress is over, we must take Federal action and pass the Breast Cancer Patient Protection Act into law, and take away this barrier to quality breast cancer care.

REWRITING HISTORY

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

Ms. FOXX. I am absolutely amazed at the ability of my colleagues to bring to life the novel 1984 by Orwell. They stand up every day and rewrite history right here on the floor of the House.

We had 55 straight months of job growth, which ended in January 2007. Why? The Democrats took over the Congress that month. The Democrats then began spending too much, taxing too much, and borrowing too much—and they continue to do that. Their plans are going to finish off this country as we know it. Their budget will grow the Nation's debt to 82 percent of the overall economy by 2019—from 41 percent in 2008.

The Democrat budget doubles the share of the debt on every family in America. The current debt per capita is roughly $35,000. Under the Democrat budget, this will rise to $70,000 in only 8 years.

Despite the Democrats' claim, their budget plans for deficits through 2019 are actually higher than any year before President Obama took office.

ONE ROAD TO ECONOMIC PROSPERITY

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

Mr. COHEN. The American public wants to see bipartisanship and they want to see Democrats and Republicans work together. This is my second Congress I have served in, and it's disappointing to me to see a new President—who was elected with overwhelming numbers and overwhelming support—not get bipartisan support and help on his efforts.

I don't agree with President Obama on everything that he is trying to do to get us out of the economic morass that the Republican Congress and the previous President and Vice President left us in. But I support our President because I know we have one executive authority and one Treasury Department that needs to have a direction to get us on the road to prosperity.

It is disappointing that people just criticize, criticize, criticize. The fact is we need to spend to stimulate this economy and we need a recovery package as well as a reinvestment package to get this economy moving, and that's what is being offered. It's being geared toward the middle class that's being forgotten.

On the other side, they talk about preserving prosperity for our children and our grandchildren. Most people in this country—95 percent—don't have prosperity, and they need help. The Democratic budget will help them with health care, jobs, and education.

HONORING PRIVATE JASON WATSON

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

Mr. FLEMING. I would like to take this privileged opportunity to honor and celebrate the life of Private Jason Watson. Private Watson is from Many, Louisiana, and recently died in Afghanistan.

Private Watson gave that last full measure of devotion to defend our freedom, and his death is a reminder of the cost of our liberty. Remember that it's not the Congressman and it's not the reporter who guarantee freedom of speech, it's the uniformed servicemembers working every day.

He proudly defended America so that we may never experience the horror of another terrorist attack on our home soil. While little will comfort the pain his family feels at this time, I want to thank them on behalf of our country, a grateful country, and let them know that their family will be in our prayers.

Private Jason Watson died a hero. I challenge my colleagues to remember our role here in Congress to make responsible decisions to protect the lives of Americans and to uphold the values and the pillars of freedom this brave young man died for.

HONORING THE LONG BEACH MUNICIPAL BAND

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

Ms. RICHARDSON. Mr. Speaker, I rise today as the daughter of a musician to honor the Long Beach Municipal Band on their 100-year anniversary. On March 14, 1909, under the direction of E. Harry Willey, the Long Beach Municipal Band gave its first performance at the Bath House Band Shell on the Pine Avenue Pier.

In particular, what I want to say about the band is, following a 6.25 magnitude earthquake in March of 1933 that almost destroyed an entire city, it was the band that remained and played to encourage the families who were left in shelters and in nearby parks.

Since that time, the Long Beach Municipal Band has gone on to perform 57,000 concerts, over 1 million pieces of music. Also, it's known as the longest running, municipally supported band in our country.

Please applaud our great city that has made an investment—the second-largest city in the largest county in this Nation—to remember that art is a part of music, and it's a part of this country.

□ 1230

NOT LOOKING FOR A BAILOUT, JUST A FAIR SHAKE

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

Mr. THOMPSON of Pennsylvania. It has been 68 days, Mr. Speaker, since the United States Forest Service approved a notice to proceed with oil and gas production on the Allegheny National Forest.

Why is this cause for concern? Well, we are talking about a relationship between the Forest Service and private landowners that has existed for 86 years without a disruption of this magnitude. We are talking about jobs. Without permits to proceed, companies continue to lay off employees, and the local economy suffers.

Take Michael Hale's company, for example, a constituent of mine from Bradford, Pennsylvania, who recently wrote:

''As an owner of an excavating company during tough difficult times, I am discouraged by the recent actions by the Forest Service in delaying processing of notices to proceed for oil and gas extraction in the Allegheny National Forest.

''For the first time in our 26-year history, we have had to make adjustments to our workforce due to an inability to work. Currently, 35 percent of our field workers have been laid off and the remaining workers have had their hours reduced by 25 percent.

''We are not asking for a handout or a bailout of any kind, we just want to be able to work.''

It's companies like Michael Hale's that are the fabric which holds this economy and many of our rural communities together. They're not looking for a bailout, just a fair shake.

THE DEMOCRAT BUDGET SPENDS TOO MUCH, BORROWS TOO MUCH, AND TAXES TOO MUCH

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

Mr. KINGSTON. Mr. Speaker, the Democrat budget spends too much, borrows too much, and taxes too much. But spending and taxes has never been

a problem for Speaker PELOSI and this Congress.

Take the latest boondoggle in the stimulus bill—$3 million for the city of Georgetown and Adams Morgan, upper income neighborhoods of Washington, DC, so that they can do, what? Install bike racks and buy 400 new bicycles for these poor yuppie elitist residents there, many of them who make six-digit incomes.

Now, to my knowledge, the Speaker pro tempore and I are the only Members of Congress who regularly ride bikes to work. I am glad. He's got a great bike. Mine isn't quite as nice, but I think it is a good bike. But we paid for them with our own money.

Why should the Federal Government have a bicycle program? Why are we going out to two of the wealthiest neighborhoods in Washington, DC and saying, hey, we are going to buy bicycles for you people? That is ridiculous, and that is part of the reason that we need to reject the Democrat budget. It spends too much, taxes too much, and borrows too much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

DEPARTMENT OF HOMELAND SECURITY COMPONENT PRIVACY OFFICER ACT OF 2009

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1617) to amend the Homeland Security Act of 2002 to provide for a privacy official within each component of the Department of Homeland Security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1617

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Department of Homeland Security Component Privacy Officer Act of 2009''.

SEC. 2. ESTABLISHMENT OF PRIVACY OFFICIAL WITHIN EACH COMPONENT OF DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended by inserting after section 222 the following new section:

''SEC. 222A. PRIVACY OFFICIALS.

''(a) DESIGNATION.—

''(1) IN GENERAL.—For each component of the Department under paragraph (2), the Secretary shall, in consultation with the head of the component, designate a full-time privacy official, who shall report directly to the senior official appointed under section 222. Each such component privacy official shall have primary responsibility for its component in implementing the privacy policy for the Department established by the senior official appointed under section 222.

''(2) COMPONENTS.—The components of the Department referred to in this subparagraph are as follows:

''(A) The Transportation Security Administration.

''(B) The Bureau of Citizenship and Immigration Services.

''(C) Customs and Border Protection.

''(D) Immigration and Customs Enforcement.

''(E) The Federal Emergency Management Agency.

''(F) The Coast Guard.

''(G) The Directorate of Science and Technology.

''(H) The Office of Intelligence and Analysis.

''(I) The Directorate for National Protection and Programs.

''(b) RESPONSIBILITIES.—Each privacy official designated under subsection (a) shall report directly to both the head of the official's component and the senior official appointed under section 222, and shall have the following responsibilities with respect to the component:

''(1) Serve as such senior official's main point of contact at the component to implement the polices and directives of such senior official in carrying out section 222.

''(2) Advise the head of that component on privacy considerations when any law, regulation, program, policy, procedure, or guideline is proposed, developed, or implemented.

''(3) Assure that the use of technologies by the component sustain or enhance privacy protections relating to the use, collection, and disclosure of personal information within the component.

''(4) Identify privacy issues related to component programs and apply appropriate privacy policies in accordance with Federal privacy law and Departmental policies developed to ensure that the component protects the privacy of individuals affected by its activities.

''(5) Monitor the component's compliance with all applicable Federal privacy laws and regulations, implement corrective, remedial, and preventive actions and notify the senior official appointed under section 222 of privacy issues or non-compliance, whenever necessary.

''(6) Ensure that personal information contained in Privacy Act systems of records is handled in full compliance with section 552a of title 5, United States Code.

''(7) Assist in drafting and reviewing privacy impact assessments, privacy threshold assessments, and system of records notices, in conjunction with and under the direction of the senior official appointed under section 222, for any new or substantially changed program or technology that collects, maintains, or disseminates personally identifiable information within the official's component.

''(8) Assist in drafting and reviewing privacy impact assessments, privacy threshold assessments, and system of records notices in conjunction with and under the direction of the senior official appointed under section 222, for proposed rulemakings and regulations within the component.

''(9) Conduct supervision of programs, regulations, policies, procedures, or guidelines to ensure the component's protection of privacy and, as necessary, promulgate guidelines and conduct oversight to ensure the protection of privacy.

''(10) Implement and monitor privacy training for component employees and contractors in coordination with the senior official appointed under section 222.

''(11) Provide the senior official appointed under section 222 with written materials and information regarding the relevant activities of the component, including privacy violations and abuse, that are needed by the senior official to successfully prepare the reports the senior official submits to Congress and prepares on behalf of the Department.

''(12) Any other responsibilities assigned by the Secretary or the senior official appointed under section 222.

''(c) ROLE OF COMPONENT HEADS.—The head of a component identified in subsection (a)(2) shall ensure that the privacy official designated under subsection (a) for that component—

''(1) has the information, material, and resources necessary to fulfill the responsibilities of such official under this section;

''(2) is advised of proposed policy changes and the development of new programs, rules, regulations, procedures, or guidelines during the planning stage and is included in the decisionmaking process; and

''(3) is given access to material and personnel the privacy official deems necessary to carry out the official's responsibilities.

''(d) LIMITATION.—Nothing in this section shall be considered to abrogate the role and responsibilities of the senior official appointed under section 222.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item related to section 222 the following new item:

''Sec. 222A. Privacy officials.''.

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

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in support of H.R. 1617, the Department of Homeland Security Component Privacy Officer Act of 2009. This legislation will give the Department of Homeland Security the resources it needs to accurately assess how its programs will impact the privacy of Americans.

The Department's Chief Privacy Officer was the first ever statutorily created Federal privacy officer. The goal when establishing this office was for it to serve as the gold standard for other Federal agencies as they sought to fulfill their missions, while ensuring that privacy was protected.

Building on the original intent of the privacy officer, this bill would make the Department the first Federal agency with statutorily created privacy officers in its component agencies. This will put the Department at the forefront of individual privacy protection

and will expedite privacy impact assessments awaiting completion and approval at the Department of Homeland Security.

The bill arose from a Government Accountability Office study, internal discussions with the Department's Office of Privacy, and publications released by the DHS Chief Privacy Officer.

The act requires the Component Privacy Officers to, among other things: Serve as the main point of contact between their component head and the DHS Chief Privacy Officer; draft and review Privacy Impact Assessments and Federal Register notices published by their component; monitor the component's compliance with all applicable Federal privacy laws and regulations; and conduct supervision of programs, regulations, policies, procedures, or guidelines to ensure the component's protection of privacy.

The presence of a full-time Component Privacy Officer would ensure that privacy considerations are integrated into the decision-making process at each of the DHS's components.

This body approved this commonsense measure during the previous Congress, and I urge my colleagues to continue to support this much-needed legislation so that DHS can effectively protect everyone's right to privacy.

I reserve the balance of my time.

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

I rise today in support of H.R. 1617, the Department of Homeland Security Component Privacy Officer Act of 2009. Introduced by my committee colleague, CHRIS CARNEY, this bill is identical to H.R. 5170, which passed the House by voice vote last summer.

H.R. 1617 directs the Secretary of Homeland Security to designate a privacy officer in each of the Department's components, including the Transportation Security Administration, the Citizenship and Immigration Services, the Immigration and Customs Enforcement, FEMA, Customs and Border Protection, the Coast Guard, the Office of Intelligence and Analysis, the Science and Technology Directorate, and the National Protection and Programs Directorate.

Each of these privacy officers would be responsible for implementing the Department's privacy policy at the component level and would report directly to both the component head and the Department's Chief Privacy Officer.

We can all agree on the importance of ensuring privacy issues are considered and addressed when the Department's programs are developed and implemented. That is why I am pleased that the Department, under former Secretary Chertoff's leadership, has already taken the steps to establish privacy officers at the component level. The bill we are considering today will further strengthen these positions by statutorily mandating them and their roles and responsibilities.

I hope the committee will work to craft an authorization bill for the Department this year to address issues such as this one and to ensure the Department has all the necessary tools to achieve its vital mission. I urge my colleagues to support H.R. 1617.

I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I am prepared to close after the gentleman closes.

Mr. BILIRAKIS. I yield to the gentleman from Georgia (Mr. BROUN) 3 minutes.

Mr. BROUN of Georgia. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. CARNEY) for offering this very important suspension.

As the gentleman knows, I am also on the Homeland Security Committee, and feel as though there is no greater responsibility of this body than to protect the homeland. But, Mr. Speaker, protecting the homeland doesn't begin and end with creating privacy officers in the Department of Homeland Security. It is also our responsibility as Members of Congress to protect the economic security of the homeland. Governing in a fiscally responsible manner is one way to ensure that the citizens of this country are economically secure.

I would note, Mr. Speaker, that the gentleman from Pennsylvania (Mr. CARNEY) who brought forth this suspension has voted for both the $1 trillion stimulus which included a secret provision to allow the AIG bonuses to go forward, and a $410 billion omnibus spending bill which contained nearly 9,000 earmarks. That is nearly $2 trillion of added debt that the gentleman from Pennsylvania (Mr. CARNEY) and his Democratic colleagues voted to place on our children and our grandchildren.

Mr. Speaker, next week we will have another opportunity to vote up or down on massive deficit spending. The Democratic budget will add trillions more of spending to the national debt and to the families of this country.

Mr. Speaker, I would ask the gentleman, Mr. CARNEY, if he intends to vote for next week's budget which runs contrary to the security of this country?

I yield to the gentleman, if he would care to respond.

Mr. CARNEY. Mr. Speaker, on the matter under consideration, I believe in the privacy that we are after.

Mr. BROUN of Georgia. Mr. Speaker, it is unfortunate that the gentleman from Pennsylvania will not share his intentions with the American people. I think we should all be transparent about our votes here in Congress.

In 8 years, American families will either be on the hook for $70,000 apiece, or they won't. If you vote ''yes'' on this budget, you intend to put $70,000 of debt on each family in this country. If you vote ''no'' on the budget, you don't intend to put that burden on families. I hope we all keep that in mind as we prepare to vote on the Democratic budget next week. I believe that this budget is fiscally irresponsible.

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

Mr. BILIRAKIS. I urge my colleagues to pass H.R. 1617, and I yield back the balance of my time.

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

Mr. Speaker, public trust in the Department's ability to protect personal privacy rights is abysmally low. The last administration's habit of bringing in the privacy office at the 11th hour is not the proper way to blend in the privacy protections and appropriate safeguards before policies and programs are under way.

Although we trust the new administration to do better, we must also acknowledge that privacy protections have to begin at the component level.

This bill will provide each Department of Homeland Security component that handles personally identifiable information with its own privacy officer that will report up to both its component head and to DHS headquarters. Further, the bill will balance the need for greater accountability of privacy rights associated with personally identifiable information while enhancing the safety of our Nation. I therefore urge my colleagues to support this measure.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in support of H.R. 1617, the Department of Homeland Security Component Privacy Officer Act of 2009.

The Department's Chief Privacy Officer has the distinction of being the first-ever statutorily-created Federal Privacy Officer.

Along those same lines, this bill, introduced by Representative CARNEY, the Chairman of our Management Subcommittee, would make DHS the first Federal agency to have statutorily-required privacy officers in all its major component agencies.

To be effective, privacy officers need to be where the action is happening, not waiting for notice after key decisions have already been made.

However, currently, if the Department's Chief Privacy Officer needs information concerning programs and policies that impact privacy rights, he has to go through the head of the relevant component.

Sometimes this information is shared, sometimes it is not.

When it is not, we have seen major privacy missteps, wasted Federal tax dollars, and even cancelled programs.

Under this bill, the Transportation Security Administration, Customs and Border Protection, Immigration and Customs Enforcement, FEMA, and Coast Guard are among the key components that would receive a privacy officer.

Placing Privacy Officers in these key component agencies is the first step in ensuring that privacy protections are in place at the beginning of the policymaking process.

This bill was informed by an investigation by the Government Accountability Office, internal discussions with the Department's Office of Privacy, and publications released by the DHS Chief Privacy Officer.

Moreover, this legislation was approved overwhelmingly by voice vote when considered by the House in the 110th Congress.

I urge my colleagues to join me in supporting this legislation that will help ensure the effective operations of the Department of Homeland Security.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in full support of H.R. 1617, legislation that will greatly enhance the security of the Department of Homeland Security, thereby making our nation safer. I wish to recognize my colleague, the gentleman from Pennsylvania, CHRISTOPHER CARNEY, for his work on this bill. In addition, I would like to thank the Chairman of the Committee on Homeland Security, BENNIE THOMPSON for his continued leadership in making our nation as safe as possible.

This bill amends Subtitle C of the Homeland Security Act of 2002, mandating a full-time privacy official within each part of the Department of Homeland Security. The privacy official will act under the direction of the senior appointed official of the Department of Homeland Security. The privacy official will work within the following components:

The Transportation Security Administration.

The Bureau of Citizenship and Immigration Services.

Customs and Border Protection.

Immigration and Customs Enforcement.

The Federal Emergency Management Agency.

The Coast Guard.

The Directorate of Science and Technology.

The Office of Intelligence and Analysis.

The Directorate for National Protection and Programs.

The privacy official will be the senior official's eyes and ears regarding matters of privacy and matters that are within the Department of Homeland Security's jurisdiction.

The bill requires the new component privacy officials to monitor the Department of Homeland Security's component's compliance with all applicable federal privacy laws and regulations, implement corrective or preventative actions, and notify the senior privacy official for the department.

The privacy component officials would assist in drafting and reviewing privacy impact assessments, privacy threshold assessments, and the system of records notices, for any new or changed program or technology that collects, maintains, or disseminates personally identifiable information within their components, or for proposed rulemakings and regulations within their components. The level of hands-on involvement gives me confidence that the privacy officers in the various divisions will be able to perform their jobs effectively.

The privacy component officials would be required to conduct supervision of programs or procedures, to ensure protection of privacy, as well as implement and monitor privacy training for employees and contractors. The privacy officials would provide the senior privacy official with written materials and information regarding the relevant activities of the component, including privacy violations or abuse, that the senior official needs to prepare reports for Congress. These are protective measures which could be deemed intrusive, but that is exactly what we want from our privacy officials. A hallmark of the new administration is transparency in government. I believe that as the American people see more of what we do in Congress their confidence in government.

Any other responsibilities could be assigned by the Secretary of the Department of Homeland Security or the senior privacy official for the Department. Nothing in the bill should be considered to abolish the role and responsibilities of the senior privacy official, or diminish their capacity within the Department of Homeland Security framework.

This is an important job and my wish is that the new appointees are put in place in regular order and fashion so that they can get on with the job of protecting our homeland.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and pass the bill, H.R. 1617.

The question was taken.

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

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

The yeas and nays were ordered.

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

MARITIME BIOMETRIC IDENTIFICATION PROGRAM

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1148) to require the Secretary of Homeland Security to conduct a program in the maritime environment for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1148

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

SECTION 1. MARITIME BIOMETRIC IDENTIFICATION.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct, in the maritime environment, a program for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security and for other purposes.

(b) REQUIREMENTS.—The Secretary shall ensure the program described in subsection (a) is coordinated with other biometric identification programs within the Department of Homeland Security.

(c) COST ANALYSIS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives and the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate an analysis of the cost of expanding the Department's biometric identification capabilities for use by departmental maritime assets considered appropriate by the Secretary. The analysis may include a tiered plan for the deployment of the program described in subsection (a) that gives priority to vessels and units more likely to encounter individuals suspected of making unlawful border crossings through the maritime environment.

(d) DEFINITION.—For the purposes of this section, the term ''biometric identification'' means the use of fingerprint and digital photography images.

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

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. CARNEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 1148, a bill that will enhance the Department of Homeland Security's ability to execute its border security mission in the maritime environment.

The U.S. coastline extends over 95,000 miles, and every day illegal immigrants and potential terrorists attempt to bypass the Department of Homeland Security watchdogs—the Coast Guard and Customs and Border Protection—in their efforts to sneak into the United States. Many of these individuals have already been convicted of felonies in the United States, and many more are wanted by U.S. law enforcement on outstanding warrants for felonies and other dangerous crimes.

As the lead Federal agency charged with border security, it is DHS's mission to keep dangerous people out of our country. H.R. 1148 authorizes DHS to use technology that has been successfully piloted by the Coast Guard and the US-VISIT program since November of 2006 to identify dangerous people before they cross our borders and to better coordinate prosecution with Federal law enforcement agencies.

□ 1245

For example, as of March 3, 2009, the department has collected biometric information from 2,455 individuals interdicted in the Mona Pass, a 90-mile stretch of water in the Caribbean between Puerto Rico and the Dominican Republic.

DHS uses satellite technology to immediately compare the individual's fingerprints against the US-VISIT databases, which includes information about wanted criminals, immigration violators, and those who have previously encountered government authorities. Of these nearly 2,500 individuals who have been checked, almost 600 people have been found to have outstanding wants and warrants in the United States.

To date, Federal prosecutors have successfully prosecuted 271, or 45 percent, of the matched individuals. As a

result, migrant flow in the Mona Pass has been reduced by 75 percent since November 17, 2006.

I would like to note that my colleague on the Management, Investigations and Oversight Subcommittee, Representative BILIRAKIS, had already an identical bill in the 110th Congress. And I was pleased to support his homeland security measure that passed the House by a vote of 394–3, with one Member voting present.

I urge my fellow Members to vote for this bill, one which gives the Secretary of Homeland Security the tools she needs to secure our Nation's maritime border.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 1148 which I introduced earlier this year. This bill directs the Secretary of Homeland Security to conduct a cost analysis and determine the most appropriate places to expand upon a successful pilot program conducted by the Coast Guard that collects biometric information on illegal aliens interdicted at sea. This tool, as used by the Coast Guard, has made a measurable impact on our border security and could be used by other DHS components with assets in the maritime environment, such as Customs and Border Protection. The expansion of this program will further enhance the Department's efforts to secure our borders.

The February 3 episode of Homeland Security U.S.A. showed the Coast Guard using this technology at sea when it rescued a boat full of illegal aliens attempting to make it from the Dominican Republic to Puerto Rico. As a result of the use of these biometrics, the Coast Guard was able to identify and detain 10 individuals with criminal records in the United States, including a repeat human smuggler who was wanted by Customs and Border Protection. This episode illustrated the use of biometrics at sea and on land. It works. In fact, the Coast Guard has reported that illegal migration in the Mona Pass, the narrow body of water between the Dominican Republic and Puerto Rico, has been reduced by 75 percent as a result of the biometrics program.

Since the beginning of the Coast Guard's biometrics pilot in the Caribbean in November, 2006, the Coast Guard has collected biometric data from 2,455 migrants using handheld scanners. This has resulted in the identification of 598 individuals with criminal records, and the U.S. Attorney's Office in San Juan, Puerto Rico, has prosecuted 271 individuals for violations of U.S. law, with a 100 percent conviction rate.

We have seen the success of this pilot program. It ensures that individuals attempting to enter the United States illegally by sea that have criminal records will not simply be returned to their homelands. They will be detained so they cannot attempt to enter the U.S. again.

It is now time for the Department to determine the best and most effective manner to expand this program to enhance border security. I hope the Department will deploy this program in the most risk-based, cost-efficient manner possible consistent with the current appropriations of the Coast Guard and other DHS components. I also look forward to expanding the appropriations for this program. And I urge my colleagues to join me in this effort.

This is the third time that the House is considering legislation to authorize this program. An amendment I offered to the Coast Guard Authorization Act that was similar to the bill was considered, it was passed actually, last year by a voice vote on April 24. In addition, the House passed a stand-alone version of that amendment last summer, as Mr. CARNEY said, with his support, at 394–3.

The biometrics program is another tool that is being used by the Department in its effort to secure our borders. I urge my colleagues to join me in supporting H.R. 1148.

I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I have no more speakers. If the gentleman from Florida has no more speakers, then I'm prepared to close after the gentleman closes.

Mr. BILIRAKIS. I have no more speakers, Mr. Speaker. I urge my colleagues to pass H.R. 1148, and I thank the chairman.

I yield back the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield myself as much time as I might consume.

I urge passage of H.R. 1148, a bill to harness technology used for the past 3 years by the Coast Guard and the US-VISIT program to enhance border security in the maritime environment. H.R. 1148 seeks to build upon the success of the DHS pilot by requiring the Secretary of Homeland Security to analyze the cost of deploying the biometric program in other waters.

If enacted, H.R. 1148 would enhance the ability of DHS to conduct mobile biometric identification of suspected individuals, including terrorists interdicted at sea.

For these reasons, I urge my colleagues to join me in supporting H.R. 1148.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 1148, a bill that will enhance the Department of Homeland Security's ability to execute its border security mission in the maritime environment.

Specifically, H.R. 1148 seeks to enhance DHS's ability to harness technology successfully piloted by the Coast Guard and US–VISIT program since November 2006 to identify dangerous people before they enter our shores.

Under this program, biometrics collected from individuals interdicted—at sea—are run, in real time, against our terrorist and criminal databases.

Today, state-of-the-art handheld scanners are used by DHS personnel to collect biometric information from individuals encountered at sea.

As of March 3, 2009, DHS has collected biometric information from 2,455 individuals interdicted in the Mona Pass—the 90-mile stretch between Puerto Rico and the Dominican Republic.

Through these checks, nearly 600 people have been found to have outstanding wants and warrants in the U.S.

Federal prosecutors have successfully prosecuted 271 or 45% of the matched individuals.

This program is appropriately targeted to help break the cycle of individuals who are known criminals or criminal suspects being repatriated through U.S. borders, without prosecution.

It is also worth noting that, as considered today, the Secretary of Homeland Security is given wide discretion to come up with the parameters of the maritime biometric program, including a determination as to which DHS components will participate.

Last Congress, nearly identical legislation was passed in the House by a vote of 394 to 3, with one Member voting present.

I am committed to working with Secretary Napolitano, Representative BILIRAKIS and other key stakeholders to ensure that the language of H.R. 1148 is clarified and strengthened as it moves through the legislative process.

I urge passage of this important homeland security legislation that will help enhance the security of our maritime borders.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1148, a measure that will help protect our nation from another attack. This bill may not make headlines but it is at the essence of what protecting the American people is all about. We cannot wrap our nation in bubble wrap but we can take thorough and effective steps to thwart potential attacks. As we have seen, the forces of evil will go to enormous lengths to accomplish their insidious goals. That is why I join in a bipartisan spirit my colleague from Florida, GUS BILIRAKIS in support of this measure.

This bill requires the Department of Homeland Security, no later than one year after the date of enactment, to conduct a maritime program for the mobile biometric identification of suspected individuals, including terrorists.

Biometric identification is defined to apply to the use of fingerprint and digital photography images. The Department of Homeland Security must ensure that the maritime program is coordinated with other biometric identification programs.

The Department of Homeland Security must submit a cost analysis no later than 90 days after the prospective enactment of this bill, expanding its biometric identification capabilities for maritime use to the House Appropriations and Homeland Security committees, and to the Senate Appropriations, and Homeland Security and Governmental Affairs committees. The analysis could include a tiered plan for the deployment of the program that gives priority to vessels and units more likely to encounter individuals suspected of making unlawful border crossings by sea. It is clear that we must try to secure our borders from all sides and often the liquid borders are forgotten in the discussion.

Indeed, Mr. Speaker, this legislation passed the House of Representatives and I, like 394

of my colleagues, both Democratic and Republican voted for it. Fighting against terrorists and other criminals must remain a bipartisan effort.

It is also something that we must take up on all fronts: land, sea and air. Last weekend, in my role as Chairwoman of the Homeland Security Subcommittee on Transportation and Infrastructure, I had the opportunity to meet some of the fine professionals who work for the Department of Homeland Security's Transportation Security Administration division. They work tirelessly to defend our nation's airports. They make a stressful job seem effortless, and often are invisible, which is the hallmark of good security. And just as the transportation security professionals I met in New York City's LaGuardia Airport make our nation safer, so will the maritime security professionals from the United States Coast Guard.

The Coast Guard is made of truly dedicated and able professionals.

Again, Mr. Speaker, I rise in strong support and urge my colleagues to support this legislation that will further strengthen our nation's ability to protect ourselves from both criminal and terrorist attacks.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and pass the bill, H.R. 1148.

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

A motion to reconsider was laid on the table.

NUCLEAR FORENSICS AND ATTRIBUTION ACT

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 730) to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 730

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Nuclear Forensics and Attribution Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The threat of a nuclear terrorist attack on American interests, both domestic and abroad, is one of the most serious threats to the national security of the United States. In the wake of an attack, attribution of responsibility would be of utmost importance. Because of the destructive power of a nuclear weapon, there could be little forensic evidence except the radioactive material in the weapon itself.

(2) Through advanced nuclear forensics, using both existing techniques and those under development, it may be possible to identify the source and pathway of a weapon or material after it is interdicted or detonated. Though identifying intercepted smuggled material is now possible in some cases, pre-detonation forensics is a relatively undeveloped field. The post-detonation nuclear forensics field is also immature, and the challenges are compounded by the pressures and time constraints of performing forensics after a nuclear or radiological attack.

(3) A robust and well-known capability to identify the source of nuclear or radiological material intended for or used in an act of terror could also deter prospective proliferators. Furthermore, the threat of effective attribution could compel improved security at material storage facilities, preventing the unwitting transfer of nuclear or radiological materials.

(4)(A) In order to identify special nuclear material and other radioactive materials confidently, it is necessary to have a robust capability to acquire samples in a timely manner, analyze and characterize samples, and compare samples against known signatures of nuclear and radiological material.

(B) Many of the radioisotopes produced in the detonation of a nuclear device have short half-lives, so the timely acquisition of samples is of the utmost importance. Over the past several decades, the ability of the United States to gather atmospheric samples—often the preferred method of sample acquisition—has diminished. This ability must be restored and modern techniques that could complement or replace existing techniques should be pursued.

(C) The discipline of pre-detonation forensics is a relatively undeveloped field. The radiation associated with a nuclear or radiological device may affect traditional forensics techniques in unknown ways. In a post-detonation scenario, radiochemistry may provide the most useful tools for analysis and characterization of samples. The number of radiochemistry programs and radiochemists in United States National Laboratories and universities has dramatically declined over the past several decades. The narrowing pipeline of qualified people into this critical field is a serious impediment to maintaining a robust and credible nuclear forensics program.

(5) Once samples have been acquired and characterized, it is necessary to compare the results against samples of known material from reactors, weapons, and enrichment facilities, and from medical, academic, commercial, and other facilities containing such materials, throughout the world. Some of these samples are available to the International Atomic Energy Agency through safeguards agreements, and some countries maintain internal sample databases. Access to samples in many countries is limited by national security concerns.

(6) In order to create a sufficient deterrent, it is necessary to have the capability to positively identify the source of nuclear or radiological material, and potential traffickers in nuclear or radiological material must be aware of that capability. International cooperation may be essential to catalogue all existing sources of nuclear or radiological material.

SEC. 3. SENSE OF CONGRESS ON INTERNATIONAL AGREEMENTS FOR FORENSICS COOPERATION.

It is the sense of the Congress that the President should—

(1) pursue bilateral and multilateral international agreements to establish, or seek to establish under the auspices of existing bilateral or multilateral agreements, an international framework for determining the source of any confiscated nuclear or radiological material or weapon, as well as the source of any detonated weapon and the nuclear or radiological material used in such a weapon;

(2) develop protocols for the data exchange and dissemination of sensitive information relating to nuclear or radiological materials and samples of controlled nuclear or radiological materials, to the extent required by the agreements entered into under paragraph (1); and

(3) develop expedited protocols for the data exchange and dissemination of sensitive information needed to publicly identify the source of a nuclear detonation.

SEC. 4. RESPONSIBILITIES OF DOMESTIC NUCLEAR DETECTION OFFICE.

(a) ADDITIONAL RESPONSIBILITIES.—Section 1902 of the Homeland Security Act of 2002 (as redesignated by Public Law 110–53; 6 U.S.C. 592) is amended—

(1) in subsection (a)—

(A) in paragraph (9), by striking ''and'' after the semicolon;

(B) by redesignating paragraph (10) as paragraph (14); and

(C) by inserting after paragraph (9) the following:

''(10) develop and implement, with the approval of the Secretary and in coordination with the heads of appropriate departments and agencies, methods and capabilities to support the attribution of nuclear or radiological material to its source when such material is intercepted by the United States, foreign governments, or international bodies or is dispersed in the course of a terrorist attack or other nuclear or radiological explosion;

''(11) establish, within the Domestic Nuclear Detection Office, the National Technical Nuclear Forensics Center to provide centralized stewardship, planning, assessment, gap analysis, exercises, improvement, and integration for all Federal nuclear forensics activities in order to ensure an enduring national technical nuclear forensics capability and strengthen the collective response of the United States to nuclear terrorism or other nuclear attacks;

''(12) establish a National Nuclear Forensics Expertise Development Program which—

''(A) is devoted to developing and maintaining a vibrant and enduring academic pathway from undergraduate to post-doctorate study in nuclear and geochemical science specialties directly relevant to technical nuclear forensics, including radiochemistry, geochemistry, nuclear physics, nuclear engineering, materials science, and analytical chemistry; and

''(B) shall—

''(i) make available for undergraduate study student scholarships, with a duration of up to four years per student, which shall include, whenever possible, at least one summer internship at a national laboratory or appropriate Federal agency in the field of technical nuclear forensics during the course of the student's undergraduate career;

''(ii) make available for graduate study student fellowships, with a duration of up to five years per student, which—

''(I) shall include, whenever possible, at least two summer internships at a national laboratory or appropriate Federal agency in the field of technical nuclear forensics during the course of the student's graduate career; and

''(II) shall require each recipient to commit to serve for two years in a post-doctoral position in a technical nuclear forensics-related specialty at a national laboratory or appropriate Federal agency after graduation;

''(iii) make available to faculty awards, with a duration of three to five years each, to ensure faculty and their graduate students a sustained funding stream; and

''(iv) place a particular emphasis on reinvigorating technical nuclear forensics programs, while encouraging the participation

of undergraduate students, graduate students, and university faculty from historically Black colleges and universities, Hispanic-serving institutions, and Tribal Colleges and Universities;

''(13) provide an annual report to Congress on the activities carried out under paragraphs (10), (11), and (12); and''; and

(2) by adding at the end the following new subsection:

''(b) DEFINITIONS.—In this section:

''(1) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically Black college or university' has the meaning given the term 'part B institution' in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

''(2) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given that term in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).

''(3) TRIBAL COLLEGE OR UNIVERSITY.—The term 'Tribal College or University' has the meaning given that term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated the sum of $30,000,000 for each of the fiscal years 2009, 2010, and 2011 to carry out paragraphs (10) through (13) of section 1902(a) of the Homeland Security Act of 2002, as added by subsection (a) of this section.

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

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

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

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

There was no objection.

Mr. CARNEY. Mr. Speaker, I submit for the RECORD an exchange of letters between the chairman of the Committee on Homeland Security and the distinguished chairs of the Committees on Foreign Affairs and Science and Technology.

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 20, 2009.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you regarding H.R. 730, the Nuclear Forensics and Attribution Act, introduced on January 27, 2009, by Congressman Adam B. Schiff. This legislation was initially referred to the Committee on Homeland Security and, in addition, to the Committee on Foreign Affairs.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive further consideration of H.R. 730. I do so with the understanding that by waiving consideration of the bill, the Committee on Foreign Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its rule X jurisdiction.

Further, I request your support for the appointment of Foreign Affairs Committee conferees during any House-Senate conference convened on this legislation. I also ask that a copy of this letter and your response be placed in the committee report for H.R. 730 and in the Congressional Record during consideration of this bill.

I look forward to working with you as we move this important measure through the legislative process.

Sincerely,

HOWARD L. BERMAN,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, March 19, 2009.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR MR. CHAIRMAN, I am writing to you concerning the jurisdictional interest of the Committee on Science and Technology in H.R. 730, the Nuclear Forensics and Attribution Act. H.R. 730 was introduced by Congressman Adam Schiff on February 5, 2009.

H.R. 730 implicates the Committee on Science and Technology's jurisdiction over Homeland Security research and development under Rule X(1)(o)(14) of the House Rules, The Committee on Science and Technology acknowledges the importance of H.R. 730 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this bill, I agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forgo a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Science and Technology, and that a copy of this letter and of your response will be included in the Congressional Record when the bill is considered on the House Floor.

The Committee on Science and Technology also expects that you will support our request to be conferees during any House-Senate conference on H.R. 730 or similar legislation.

Thank you for your attention to this matter.

Sincerely,

BART GORDON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 20, 2009.

Hon. HOWARD L. BERMAN,
Chairman, Committee on Foreign Affairs, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BERMAN: Thank you for your letter regarding H.R. 730, the ''Nuclear Forensics and Attribution Act,'' introduced by Congressman Adam B. Schiff on January 27, 2009.

I appreciate your willingness to work cooperatively on this legislation. I acknowledge that H.R. 730 contains provisions that fall under the jurisdictional of the Committee on Foreign Affairs. I appreciate your agreement to forgo any further consideration or action on this legislation, and acknowledge that your decision to do so does not affect the jurisdiction of the Committee on Foreign Affairs.

Further, I recognize that your Committee reserves the right to seek appointment of conferees on the bill for the portions of the bill that are within the jurisdiction of the Committee on Foreign Affairs, and I agree to support such a request.

I will ensure that this exchange of letters is included in the Congressional Record during floor consideration of H.R. 730. I look forward to working with you on this legislation and other matters of great importance to this nation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 20, 2009.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, Rayburn House Office Bldg., House of Representatives, Washington, DC.

DEAR CHAIRMAN GORDON: Thank you for your letter regarding H.R. 730, the ''Nuclear Forensics and Attribution Act,'' introduced by Congressman Adam B. Schiff on January 27, 2009.

I appreciate your willingness to work cooperatively on this legislation. I acknowledge that H.R. 730 contains provisions that fall under the jurisdictional interest of the Committee on Science and Technology. I appreciate your agreement to not seek a sequential referral of this legislation and I acknowledge that your decision to forgo a sequential referral does not waive, alter, or otherwise affect the jurisdiction of the Committee on Science and Technology.

Further, I recognize that your Committee reserves the right to seek appointment of conferees on the bill for the portions of the bill over which your Committee has a jurisdictional interest and I agree to support such a request.

I will ensure that this exchange of letters is included in the Congressional Record during floor consideration of H.R. 730. I look forward to working with you on this legislation and other matters of great importance to this nation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

Mr. Speaker, I rise in strong support of H.R. 730, a bill introduced by my thoughtful colleague from California, Representative ADAM SCHIFF, to address an emerging homeland security threat. The Nuclear Forensics and Attribution Act is properly targeted to ensure that our government has the capacity to quickly determine the source of nuclear material should terrorists detonate a nuclear weapon or a dirty bomb in our country.

A reliable nuclear forensics capability is essential for key decision-makers to respond in a timely and effective manner. If terrorists knew that we could trace a nuclear or dirty bomb back to them, they may well think twice about attacking us. The potential deterrent value of achieving a robust national nuclear forensics capability is immeasurable.

H.R. 730 has a multifaceted approach to obtaining this critical capability. First, it expresses the sense of Congress that the President should pursue international agreements and develop protocols to help identify the source of detonated nuclear materials.

Second, it tasks the Department of Homeland Security with the mission of developing methods to attribute nuclear or radiological material, both within the Domestic Nuclear Detection Office, DNDO, and in partnership with other Federal agencies.

Third, H.R. 730 recognizes that the development of an expertly trained

workforce and education programs in nuclear forensics are critical to attaining a robust domestic attribution capability.

Fourth, the measure authorizes the National Technical Nuclear Forensics Center to undertake centralized planning, assessment and integration of all federal nuclear forensic activities.

The bill authorizes appropriations of $30 million per year for the next 3 fiscal years for this effort.

Identical legislation passed the House on June 18, 2008. Unfortunately, the Senate did not take up the measure in a timely fashion. In this Congress, I am pleased that we are offering this legislation early in the first session. With a strong bipartisan vote today, we can send this measure on a swift path to the President's desk.

I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the ranking member of the Homeland Security Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, I am pleased to see this important bipartisan legislation once again come up for a vote.

In the last Congress, we spent a great deal of time discussing the efforts of the Department of Homeland Security's Domestic Nuclear Detection Office, or DNDO, to deploy radiation portal monitors at our Nation's ports of entry. These monitors, staffed by Customs and Border Protection officers, are the Nation's primary defense against illicit trafficking of nuclear and radiological material. DNDO continues to improve these technologies, and I hope that we will be supportive of their efforts.

Yet terrorists could overcome even the best detection systems. As we know, no technology is 100 percent sensitive. Border areas between official ports of entry also remain vulnerable. For this reason, defense against terrorism requires a multilayered approach, as it does in so many other areas. This bill is a strategy to add another layer. It will fortify our national capabilities in technical nuclear forensics, a science that plays a key role in the attribution of nuclear material to its source. It enumerates a variety of responsibilities for the department to advance and sustain a technical nuclear forensics capability, and it authorizes the National Technical Nuclear Forensic Center to undertake this mission.

A key component is language designed to strengthen the pipeline of talented new scientists into this field. In recent years, as we know, the number of young people entering science has declined throughout this Nation. Nuclear fields in particular are suffering, especially harmful to nuclear forensics. This bill therefore instructs the Department to establish a National Nuclear Forensics Expertise Development Program devoted to developing and maintaining a vibrant and enduring pipeline of scientific professionals. The program will grant scholarships and fellowships from the undergraduate through postgraduate and doctorate level in nuclear and geochemical science specialties directly relevant to technical nuclear forensics.

Yet, Mr. Speaker, we must remember that forensics is only one component of attribution. Success also requires credible intelligence and law enforcement-style investigation. All of these components together comprise a credible attribution program that will serve as a deterrent against nuclear terrorism.

The detonation of a nuclear device in a populated region of this country would be catastrophic in the truest sense of the word. It is indeed my greatest fear. We must have a layered system of defenses to deter, detect, disrupt and recover from terrorist attacks. This legislation will reinvigorate the scientific workforce and improve our defenses against nuclear and radiological terrorism.

I urge my colleagues to support this bill and improve our much-needed U.S. nuclear forensic capability.

I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield 3 minutes to the gentleman from California, the author of the bill, Mr. SCHIFF.

Mr. SCHIFF. Mr. Speaker, I would like to thank and congratulate my colleagues on the Homeland Security Committee and Chairman THOMPSON, and my colleague from California, Mr. LUNGREN. I appreciate all their support. The committee has taken an important step forward in preventing nuclear terrorism by persevering with this legislation. I appreciate all the hard work that has gone into it.

Countries around the world now have access to technology that was once the realm of the few, and dangerous nuclear materials are sprinkled around the world. It seems that each week brings evidence of the connection between North Korea and a serious nascent nuclear program, and we are still unraveling the details of the nuclear smuggling ring headed by A.Q. Khan 5 years after it was uncovered.

This is not a new problem. Illicit nuclear material has been intercepted in transit out of the former Soviet Union many times since the end of the Cold War, and the material we catch is surely just a small fraction of the total amount trafficked.

□ 1300

Last week, Graham Allison wrote in Newsweek that ''the only thing that can keep nuclear bombs out of the hands of terrorists is a brand new science of nuclear forensics.'' During the Cold War, we forestalled a Soviet nuclear attack with the threat of retaliation. But the decentralized flexible terror networks that we face today are not as easily deterred. A terrorist attack will also not leave a missile contrail pointed back toward those responsible.

As Allison writes: ''The key to a new deterrent is coming up with some way of tracing the nuclear material backward from an explosion in New York City, for example, to the reactor that forged the fissile material, even to the mines that yielded the original uranium ore.'' The Nuclear Forensics and Attribution Act is designed to do just that. The act is aimed at decision-makers in North Korea, Pakistan, Iran and elsewhere who could sell nuclear material, as well as the smugglers and corrupt officials around the world who could steal it. Those parts of the nuclear network can be deterred by the knowledge that if their material is found, the U.S. will find out and hold them responsible.

The first part of this bill expands our ability to determine the source of nuclear material by authorizing the National Technical Nuclear Forensic Center in the Department of Homeland Security. This center will coordinate the various agencies and ensure an efficient, combined response when nuclear material is intercepted or, God forbid, used in a weapon. It will also advance the science of nuclear forensics, bringing in new radiochemists and physicists to rejuvenate a rapidly aging workforce, and funding research on new methods to identify materials.

But this bill also has another purpose. As with fingerprints or DNA, the strength of nuclear forensics depends on the strength of our database. Nuclear material can come from many nations, some friendly, some unfriendly, and the individual recipes are closely guarded secrets. However, little of the information needed for forensics is of direct use to adversaries, so in many cases the risk of not sharing the data is much greater than the risk of sharing it.

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

Mr. CARNEY. I yield the gentleman an additional 90 seconds.

Mr. SCHIFF. To build a nuclear forensics database, the bill asks the President to negotiate agreements with other nations to share forensic data on their nuclear materials, both civilian and military. This effort is vital, and the National Technical Forensic Center must play a key role in the negotiations to ensure that the data we obtain is the data necessary for quick attribution and response.

Nuclear terrorism is a vague threat of devastating consequence and, therefore, difficult to guard against. But as communications and transportation revolutions bring us ever closer to our allies, they bring us closer to our enemies as well. I believe this bill will help make sure that our ability to prevent a nuclear attack keeps up with our enemies' ability to prosecute one.

Again, I want to thank Chairman THOMPSON for his leadership and urge all Members to support the bill.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, at this time I would be happy to grant 2 minutes to the gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL. Mr. Speaker, I rise today in support of H.R. 730, the Nuclear Forensic and Attribution Act. This act deals with the process of determining the source of confiscated nuclear material. It is a necessary component of our defense as it could deter states from aiding terrorists' efforts to carry out nuclear terrorism.

One need only look to the A.Q. Khan network and its proliferation to Pakistan, Iran, North Korea, to know how important this bill and this provision is.

In the last Congress we held hearings on this bill in the Emerging Threats, Cybersecurity and Science and Technology Subcommittee, which I was the ranking member. I would like to thank my good friend, Mr. SCHIFF, for working in a bipartisan manner to incorporate some of our suggestions, including a provision that I requested to provide scholarships and fellowships for those pursuing careers in technical nuclear forensics. As we all know, America needs to incentivize more young people to go into highly technical professions such as these. The workforce involved in nuclear forensics, in particular, has been evaporating for the past 30 years. Without a qualified workforce, we cannot attain the level of preparedness we need.

This bill will reinvigorate the workforce pipeline to guarantee the Nation a resource of technical experts in this critical field, and strengthen America's attribution capabilities. To ensure a worthwhile return on public investment, the bill mandates a 2-year commitment of service within the Federal technical nuclear forensics workforce after graduation for fellows of the scholarship program.

Again, I would like to thank my colleague, Mr. SCHIFF, for introducing this important legislation and I urge my colleagues to support this bill.

Mr. CARNEY. Mr. Speaker, I continue to reserve.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, if I might inquire, does the gentleman have any other speakers?

Mr. CARNEY. I do not believe we have any more speakers.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is an important piece of legislation. This deals with one aspect of what I consider to be perhaps the greater threat we have to our homeland and that is nuclear weapons, nuclear material that could be made into weapons to be utilized against the United States and its citizens.

We need to do more in the area of nuclear nonproliferation. We need to do more in the area of negotiations with Russia, it seems to me, and bringing down our overall stockpiles. We need to do more in terms of invigorating or reinvigorating Nunn-Lugar. All of those are elements of an approach that is necessary to us.

This bill takes on a slightly different aspect of that same threat that is out there. It is necessary, it is important, and I hope we will have the unanimous support of the membership for this.

I yield back the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding. I just wanted to thank my colleague, Mr. MCCAUL, for his help when he was chairing the subcommittee and the improvements that he made to the bill. I wanted to acknowledge and appreciate all your efforts.

Mr. CARNEY. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I urge passage of H.R. 730, the Nuclear Forensics and Attribution Act. I would like to congratulate Congressman SCHIFF, Emerging Threats Subcommittee Chairwoman YVETTE CLARKE, and her predecessor, JIM LANGEVIN, for the thoughtful approach they have taken on this critical homeland security concern.

I would like to thank our members on the other side as well. This is a bipartisan issue that certainly does not cross party lines. It affects everyone. Given the catastrophic consequences of a nuclear weapon, it is imperative that the U.S. have a state-of-the-art nuclear forensics capability.

While a nuclear bomb is commonly referred to as a weapon of mass destruction, a radiological dirty bomb is better described as a weapon of mass disruption. A dirty bomb, if detonated, will likely kill few people. The main damage it would cause would be economic because it could render important commercial areas unusable due to radioactive contamination. In either case, we must build and sustain a nuclear forensics capability and workforce to address the nuclear and radiological threats that we face today. That is why I urge a ''yes'' vote on H.R. 730.

Mr. THOMPSON of Mississippi. Mr. Speaker, H.R. 730, the "Nuclear Forensics and Attribution Act," was first introduced in the 110th Congress by the gentleman from California, Mr. SCHIFF.

That measure, H.R. 2631, was marked up and adopted unanimously by the Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology in October 2007.

It was unanimously approved by the Full Committee on Homeland Security on May 20 of 2008 and the House of Representatives on June 18, 2008.

Though the measure was taken up, amended, and passed by the Senate in late September, the stars didn't align and it didn't clear the last hurdle to arrive on the President's desk.

This Congress, we are getting out of the gate early, in hopes of ensuring that this critical homeland security legislation becomes law.

I would like to congratulate Congressman SCHIFF, my colleagues on the Committee for recognizing the need to move quickly.

We know that our enemies, both terrorists and rogue nations, are interested in developing and using nuclear or radiological weapons.

In the case of an attempted or, heaven forbid, a successful nuclear or radiological attack, rapid attribution is critical.

Our government must have the capacity to quickly determine the source of the nuclear material so that the key decision-makers have the information needed to respond.

The deterrent effect of a robust nuclear forensics capability should not be underestimated.

Certainly, if terrorists know that we have a nuclear forensics capability that can pinpoint their role in creating a bomb, they are bound to have second thoughts.

Unfortunately, today, the U.S. must rely on forensic expertise and technology developed during the Cold War to address both nuclear weapons and the emerging threat of a radiological "dirty" bomb.

The nuclear weapons workforce is aging just as its mission has shifted from traditional deterrence policy to the more complicated challenge of containing the terrorist threat.

Our Nation's capabilities in the scientific fields of radio-chemistry and geo-chemistry must be fostered to meet this new threat.

That is the purpose of this bill.

H.R. 730 expresses the sense of Congress that the President should pursue international agreements and develop protocols to share sensitive information needed to identify the source of a nuclear detonation.

I am heartened that the Obama Administration has indicated its willingness to engage in and re-energize such activities.

It also tasks the Secretary of Homeland Security with the mission of developing methods to attribute nuclear or radiological material—both within the Department's Domestic Nuclear Detection Office, DNDO, and in partnership with other Federal agencies.

The legislation emphasizes that the development of a robust nuclear forensics capability depends chiefly on an expertly trained workforce in this area and provides support for education programs relevant to nuclear forensics.

H.R. 730 also—authorizes the National Technical Nuclear Forensics Center, NTNFC, to enhance centralized planning and integration of Federal nuclear forensics activities; requires the Secretary to report annually to Congress on the Federal Government's efforts to enhance its nuclear forensics capabilities, including the status of workforce development programs; and authorizes $30 million per year for the next three fiscal years for this effort.

H.R. 730 continues the Homeland Security Committee's practice of authorizing programs and offices within DHS that are of value to the agency's mission in order to assure that the work can continue and progress can be achieved in the years to come.

I urge my colleagues to support the bill.

Mr. CARNEY. I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and pass the bill, H.R. 730.

The question was taken.

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

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

The yeas and nays were ordered.

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

SCHOOL SOCIAL WORK WEEK

Ms. WOOLSEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 182) expressing support for designation of the week of March 1 through March 8, 2009, as ''School Social Work Week''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 182

Whereas the importance of school social work through the inclusion of school social work programs has been recognized in the current authorizations of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

Whereas school social workers serve as vital members of a school's educational team, playing a central role in creating partnerships between the home, school, and community to ensure student academic success;

Whereas school social workers are especially skilled in providing services to students who face serious challenges to school success, including poverty, disability, discrimination, abuse, addiction, bullying, divorce of parents, loss of a loved one, and other barriers to learning;

Whereas there is a growing need for local educational agencies to offer the mental health services that school social workers provide when working with families, teachers, principals, community agencies, and other entities to address students' emotional, physical, and environmental needs so that students may achieve behavioral and academic success;

Whereas to achieve the goal of the No Child Left Behind Act of 2001 (Public Law 107–110) of helping all children reach their optimal levels of potential and achievement, including children with serious emotional disturbances, schools must work to remove the emotional, behavioral, and academic barriers that interfere with student success in school;

Whereas fewer than 1 in 5 of the 17,500,000 children in need of mental health services actually receive these services, and research indicates that school mental health programs improve educational outcomes by decreasing absences, decreasing discipline referrals, and improving academic achievement;

Whereas school mental health programs are critical to early identification of mental health problems and in the provision of appropriate services when needed;

Whereas the national average ratio of students to school social workers recommended by the School Social Work Association of America is 400 to 1; and

Whereas the celebration and of ''School Social Work Week'' during the week of March 1 through March 8, 2009, highlights the vital role school social workers play in the lives of students in the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the designation of ''School Social Work Week'';

(2) honors and recognizes the contributions of school social workers to the successes of students in schools across the Nation; and

(3) encourages the people of the United States to observe ''School Social Work Week'' with appropriate ceremonies and activities that promote awareness of the vital role of school social workers, in schools and in the community as a whole, in helping students prepare for their futures as productive citizens.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WOOLSEY) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WOOLSEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on H. Res. 182 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H. Res. 182, a resolution to recognize the week of March 1 through March 8, 2009, as National School Social Work Week.

School social workers, Mr. Speaker, have long played a critical role in schools and the community as a whole. They are professionals who work with children to address their emotional, mental, social and developmental needs.

School social workers help students build their confidence as learners, which is particularly important for elementary students who are just starting out on their academic careers.

During middle school, students face what is often a difficult transition from childhood to adolescence. For these students, school social workers help engage teachers, administrators, parents and students in the delivery of programs and services to help those students navigate these challenges and achieve success.

In high school, students begin exploring and defining their independence. These students face additional challenges along the way, including pressure to participate in risky behavior. School social workers help them with navigating these difficult decisions.

On top of this, school social workers must be responsive to the range of challenges that young people face every day, such as poverty, disability, discrimination, abuse, addiction, bullying, divorce of parents, loss of a loved one and other barriers to learning. School social workers are also on the front lines when disaster strikes, such as the Southern California wildfires, such as Hurricane Katrina or 9/11.

There is a growing need for school districts to expand their support services in schools. Less than one in five of the 17.5 million children in need of mental health services actually receive them. Many students go underserved, primarily because the national average ratio of students to school social workers is far beneath the 400 to 1 ratio recommended by the School Social Work Association of America.

Mr. Speaker, this resolution serves to recognize the importance of the school social worker and acknowledge the priceless role that they play in guiding our students' success in the ever changing world of the 21st century.

I urge my colleagues to pass this resolution.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I rise to support this bill and yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 182, expressing support for the designation of the week of March 1 as School Social Work Week to promote awareness of the vital role that school social workers play in schools and in the community as a whole and in helping students to prepare for their future as productive citizens.

From time to time, students face certain challenges in achieving academic success. Emotional, social and behavioral problems can be serious impediments to learning and can have a harmful effect not just on the individual student but others in the school setting. Schools, families and communities must work collaboratively to assist students with achieving positive academic and behavioral outcomes. School social work services provide a comprehensive approach to meeting the needs of students through early identification, through prevention, intervention, counseling, as well as support.

School social workers are trained, qualified professionals who meet State requirements to practice social work specifically in a school setting. They provide direct services to students who experience academic and social difficulties while developing relationships that will help to bolster self-esteem and reward positive behavior. School social workers support teachers by offering options for addressing students' needs and by participating on the student support team. They also work with students and their families and communities to coordinate services.

According to statistics by the National Mental Health Association, 17.5 million children are in need of some kind of mental health services, and these workers address those needs. School social workers help students who otherwise might not receive services due to inaccessibility or lack of availability of services. I commend these dedicated professionals for the

service they provide in our school setting, and I ask my colleagues to support this resolution.

I reserve the balance of my time.

□ 1315

Ms. WOOLSEY. Mr. Speaker, I am pleased to recognize for 5 minutes the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I would like to commend the gentlewoman from California (Ms. WOOLSEY), and I rise today in support of House Resolution 182, supporting the School Social Work Week.

I introduced this resolution in order to recognize and support the critical, unsung work performed by school social workers in and across this country. School social workers bring unique knowledge and skills to schools and to the student services team all across this country. They work together to achieve the goals as a Nation that every child needs in order to succeed in school.

Each day across this country, school social workers can be found assisting educators to understand family, cultural and community factors affecting students as well as meet the demands of providing quality education for students of diverse backgrounds.

Each day, they can be found working with administrators to design and implement effective prevention programs and policies that address school attendance, teen pregnancy, school violence, and school safety issues, as well as child abuse and neglect, special education and more.

Each day, school social workers can be found working with parents so that they may effectively participate in their child's education as well as improve parenting skills, understand special education services as well as access school and community services related to their child's needs.

In health care, we must treat the whole person, and in education, we must do the same, so that is where school social workers recognize the need to connect the school and home in order to relate to the needs of the children. It is a shame that fewer than 1 in 5 of the 17 million children in need of mental health services actually receives them. Improved and expanded school mental health programs would help provide these services, the kinds of services that so many students desperately need and that are precisely the kind of services that school social workers can provide.

As our economy continues to struggle and families all over the country are losing their homes and jobs, the need for school social workers only becomes magnified. When you think about the fact that we are fighting a war overseas and an economic war here at home, you think about the fact that our schools are our bases. We would not think twice about making sure that our military is provided with the latest of armaments and with the best of training. Then why would we not think of providing the same for our teachers and our school social workers? They are the ones who are making sure that our students are not left behind in the field of battle.

Unfortunately, Mr. Speaker, too many of our children are left behind in the field of battle—in the field of battle of illiteracy, in the field of battle of mental health, in the field of battle of addiction, and in the field of battle of violence. These are the kids in our inner cities who are being held hostage to a different enemy, not the global war on terror, but to the enemy that is causing 35–40 percent of the students in our inner cities to not graduate from high school. That is an abomination, Mr. Speaker.

If we do not have more school social workers to make sure that they graduate, then our schools in this country are not going to be worth the teachers that we have in them, because they are not going to have the school social workers to do the job to help those teachers make sure that their students graduate. That is why we need school social workers: to make sure that those students graduate. It is an important complement to our education system. We need emotional and social development just as much as we need literacy and numeracy development. That is why we need social workers in our schools.

Now more than ever, while the economic pressure is on those families and social pressures are on those families and the burden is on those families, we need to reach out where we can, and that is through the schools. The school is where we reach those children and reach those families in dire need. That is where we need our social workers, and that is why we need to pass House Resolution 182. I ask for its consideration.

Mr. BISHOP of Utah. For some inexplicable reason, I have no one else here who is requesting time.

May I inquire of the gentlewoman if she is ready to close.

Ms. WOOLSEY. I am ready to close, Mr. Speaker.

Mr. BISHOP of Utah. In that case, I urge support of this resolution, and I yield back the balance of my time.

Ms. WOOLSEY. Mr. Speaker, I urge my colleagues to support Congressman KENNEDY's absolutely important legislation, H. Res. 182, that recognizes the week of March 1 through 8 as National School Social Work Week.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 182.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECOGNIZING ESTABLISHMENT OF COLLEGIATE PROGRAMS AT GALLAUDET UNIVERSITY

Ms. WOOLSEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 77) recognizing and honoring the signing by President Abraham Lincoln of the legislation authorizing the establishment of collegiate programs at Gallaudet University.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 77

Whereas, during 2009, the United States honored the 200th anniversary of the birth of President Abraham Lincoln;

Whereas, on July 4, 1861, President Lincoln stated in a message to Congress that a principal aim of the United States Government should be "to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all, an unfettered start, and a fair chance, in the race of life";

Whereas, on April 8, 1864, President Lincoln signed into law the legislation (Act of April 8, 1864, ch. 52, 13 Stat. 45) authorizing the conferring of collegiate degrees by the Columbia Institution for Instruction of the Deaf and Dumb, which is now called Gallaudet University;

Whereas this law led for the first time in history to higher education for deaf students in an environment designed to meet their communication needs;

Whereas Gallaudet University was the first, and is still the only, institution in the world that focuses on educational programs for deaf and hard-of-hearing students from the pre-school through the doctoral level;

Whereas Gallaudet University has been a world leader in the fields of education and research for more than a century; and

Whereas, since 1869, graduates of Gallaudet University have pursued distinguished careers of leadership in the United States and throughout the world: Now, therefore, be it

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

(1) congratulates and honors Gallaudet University on the 145th anniversary of President Abraham Lincoln's signing of the law the legislation authorizing the establishment of collegiate programs at Gallaudet University; and

(2) congratulates Gallaudet University for 145 years of unique and exceptional service to the deaf citizens of the United States and the world deaf community.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WOOLSEY) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WOOLSEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on H. Con. Res. 77 into the RECORD.

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

There was no objection.

Ms. WOOLSEY. I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of H. Con. Res. 77, which congratulates Gallaudet University for 145 years of exceptional service to the hearing-impaired student community.

In 1856, Mr. Speaker, Amos Kendall, a local businessman in Washington, D.C., adopted five deaf children. He soon learned that there were few opportunities for education for blind and deaf kids in Washington, D.C., so he took it upon himself to do something about the state of education, and he donated two acres of his estate to create a school that would ensure these students a place to learn.

In 1864, President Abraham Lincoln signed a charter to allow the school to confer college degrees. Beginning with just 18 students, Gallaudet University is now the world leader in liberal education and career development for over 1,600 deaf and hard-of-hearing college students yearly. With nearly 40 undergraduate and 12 graduate programs, Gallaudet boasts a strong and diverse academic program. Approximately 90 percent of its courses include an online component, making Gallaudet a leader in technology in the classrooms. Gallaudet is the only institution that focuses on educational programs for hearing-impaired students from preschool through the doctoral level.

Gallaudet is also a world leader in the fields of education and research. It is home to the Gallaudet Research Institute, which is the preeminent source of demographics of deaf youth in the United States. It is also home to the Kendall Demonstration Elementary School and the Model Secondary School for the Deaf, both of which disseminate innovative curriculum, materials and teaching strategies to schools throughout the country on ways to serve children with hearing impairments.

Gallaudet considers public service an integral part of its student life. Just last year, Gallaudet students and faculty served 56,000 people by teaching sign language classes and by providing sign language interpretation at conferences throughout the world.

Gallaudet graduates move on to distinguished careers, including as lawyers, investment bankers, scholars, and entrepreneurs. It is clear that Gallaudet University is providing hearing-impaired students with an unrivaled education, and I congratulate the university on its 145th anniversary.

As a congressional member of its board of trustees, I am pleased to have worked with Senator SHERROD BROWN, who also serves on the board, to introduce this concurrent resolution. I urge my colleagues to support H. Con. Res. 77.

I reserve the balance of my time.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 77, a resolution recognizing and honoring the 145th anniversary of the signing of the law that established collegiate programs at the excellent institution of higher learning, Gallaudet University.

It was on April 8, 1864 that President Abraham Lincoln signed a Federal law authorizing Gallaudet University to confer collegiate degrees. The signing of this law finally gave deaf students an opportunity to pursue a higher education in an environment specifically designed to meet their communication needs. Gallaudet is still the only institution in the world that focuses on education programs for deaf and hard-of-hearing students from preschool through the doctoral level.

As of the 2007–2008 academic year, Gallaudet enrolled over 1,600 students. These students have the opportunity to choose from more than 40 undergraduate majors and have the opportunity to take advantage of a state-of-the-art facility. Additionally, each of these students who graduates from Gallaudet will receive a diploma that has been signed by the sitting President of the United States.

I extend my congratulations to Gallaudet University on the 145th anniversary of its creation, and wish all of Gallaudet's faculty, staff, students, and alumni continued success in their endeavors. I ask my colleagues to support this resolution.

I reserve the balance of my time.

Ms. WOOLSEY. Mr. Speaker, I reserve the balance of my time. I do not know if we have any other speakers on the other side of the aisle, Mr. BISHOP.

Mr. BISHOP of Utah. We do not.

Ms. WOOLSEY. Then are you prepared to close?

Mr. BISHOP of Utah. Mr. Speaker, with my profound respect for this particular institution and for the job that they do in creating a service for a specific need that is out there, I urge the support of this resolution.

I yield back the balance of my time.

Ms. WOOLSEY. Mr. Speaker, I would like to thank Chairman MILLER and the Committee on Education and Labor for their help in bringing Congressman KENNEDY's resolution to the floor.

I urge my colleagues to support H. Con. Res. 77, which congratulates Gallaudet University for the 145th anniversary of the signing of its charter by President Abraham Lincoln.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 77.

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

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 1617, by the yeas and nays;

H.R. 730, by the yeas and nays;

H. Res. 182, by the yeas and nays.

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

DEPARTMENT OF HOMELAND SECURITY COMPONENT PRIVACY OFFICER ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1617, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and pass the bill, H.R. 1617.

The vote was taken by electronic device, and there were—yeas 412, nays 3, not voting 16, as follows:

[Roll No. 147]

YEAS—412

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson

Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—3

Gohmert
Lummis
Paul

NOT VOTING—16

Blunt
Braley (IA)
Cleaver
Costello
Engel
Hill
Johnson, Sam
McCotter
Miller, Gary
Pascrell
Pomeroy
Radanovich
Sessions
Smith (NJ)
Taylor
Westmoreland

□ 1353

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NUCLEAR FORENSICS AND ATTRIBUTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 730, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and pass the bill, H.R. 730.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 16, not voting 13, as follows:

[Roll No. 148]

YEAS—402

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—16

Akin
Broun (GA)
Burgess
Coble
Deal (GA)
Duncan
Flake
Gingrey (GA)
Gohmert
Kingston
Linder
Lummis
Manzullo
Paul
Poe (TX)
Sensenbrenner

NOT VOTING—13

Braley (IA)
Costello
Engel
Hill
McCotter
Miller, Gary
Pascrell
Pomeroy
Radanovich
Sessions
Smith (NJ)
Taylor
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1402

Mr. GINGREY of Georgia changed his vote from ''yea'' to ''nay.''

Mr. ROYCE changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SCHOOL SOCIAL WORK WEEK

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 182, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 182.

This will be a 5-minute vote.

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

[Roll No. 149]

YEAS—415

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Teague
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—16

Costello
Engel
Herseth Sandlin
Hill
McCotter
Miller, Gary
Pascrell
Pomeroy
Radanovich
Sessions
Smith (NJ)
Taylor
Thompson (CA)
Turner
Westmoreland
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1409

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WELCOME HOME VIETNAM VETERANS DAY

Mrs. HALVORSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 234) expressing support for designation of a ''Welcome Home Vietnam Veterans Day''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 234

Whereas the Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and the Viet Cong in conflict with United States Armed Forces and South Vietnam;

Whereas the United States became involved in Vietnam because policy-makers in the United States believed that if South Vietnam fell to a Communist government then Communism would spread throughout the rest of Southeast Asia;

Whereas members of the United States Armed Forces began serving in an advisory role to the South Vietnamese in 1961;

Whereas as a result of the Gulf of Tonkin incidents on August 2 and 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88–408), on August 7, 1964, which effectively handed over war-making powers to President Johnson until such time as ''peace and security'' had returned to Vietnam;

Whereas, in 1965, United States Armed Forces ground combat units arrived in Vietnam;

Whereas, by the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969 a peak of approximately 543,000 troops was reached;

Whereas, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam;

Whereas, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat troops from Vietnam;

Whereas more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded;

Whereas, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing-in-action in Vietnam;

Whereas the Vietnam War was an extremely divisive issue among the people of the United States;

Whereas members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were caught upon their return home in the crossfire of public debate about the involvement of the United States in the Vietnam War;

Whereas the establishment of a ''Welcome Home Vietnam Veterans Day'' would be an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War; and

Whereas March 30, 2009, would be an appropriate day to establish as ''Welcome Home Vietnam Veterans Day'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors and recognizes the contributions of veterans of the Armed Forces who served in Vietnam; and

(2) encourages the people of the United States to observe ''Welcome Home Vietnam Veterans Day'' with appropriate ceremonies and activities that promote awareness of the contributions of veterans who served in Vietnam and the importance of helping Vietnam era veterans re-adjust to civilian life.

The SPEAKER pro tempore (Mr. CUMMINGS). Pursuant to the rule, the gentlewoman from Illinois (Mrs. HALVORSON) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

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

Mr. Speaker, I rise in support of House Resolution 234. This resolution before us today establishes March 30, 2009, as a day to honor and recognize the contributions of veterans of the Vietnam War.

As a member of the House Committee on Veterans Affairs, I have had the opportunity to hear the accounts of many Vietnam veterans. I hear the pride that came with the duty of defending their country, and I hear the anguish that they felt coming home to a country that confused the war and the warrior.

I encourage all Americans to reach out to veterans, especially our Vietnam veterans. Thank them and their families for their amazing sacrifice, understand more about their great contributions to our country, and gain the wisdom of their personal stories of our Nation's history.

There are more than 24 million veterans living in this country today, including 8.2 million veterans that served during the Vietnam War. Of these veterans, 2.6 million served in country.

More than 58,000 members in our military lost their lives in Vietnam. Tragically, American casualties continued to climb after the war, as a result of suicides, substance abuse, and homelessness among these veterans and their families.

More than 300,000 members of the Armed Forces were reported wounded as a result of the Vietnam War. Today, this number also continues to grow, as more and more of our Vietnam veterans are feeling the effects of Agent Orange.

Approximately 20 million gallons of herbicides were used in Vietnam between 1962 and 1971 to remove unwanted vegetation that provided cover for enemy forces during the war. Shortly following their military services in Vietnam, some veterans reported a variety of health problems and concerns due to exposure to Agent Orange. Modern science clearly establishes that the symptoms of many degenerative diseases can take decades to onset.

Too many Vietnam veterans are suffering from conditions that resulted from their service to our country, yet are not considered service-connected by our government. Time is running out for many of our Vietnam veterans. Many have already lost the battle. And those who remain, along with their families, are fighting for their lives every day.

□ 1415

The Vietnam War was a very divisive time, and too many Americans, myself included, confused the war and the warrior. We did not provide the support, the care, the compassion, and the love that our dedicated servicemembers earned and deserved.

Many of our finest leaders, both military and political, have been quoted as saying that they did not believe that the men who served in uniform in Vietnam were given the credit they deserve.

In that spirit, the House of Representatives takes this step to recognize the contributions of brave veterans who served in Vietnam and the continued importance of helping Vietnam-era veterans readjust to civilian life.

So I ask my colleagues to join me in showing our gratitude to those brave men and women who served during the Vietnam War. Mr. Speaker, I urge strong support for House Resolution 234.

I reserve the balance of my time.

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

Mr. Speaker, I thank the chairman for his quick consideration of the bill, House Resolution 234, a resolution expressing support for the designation of a ''Welcome Home Vietnam Veterans Day.'' I commend my colleague, Congresswoman LINDA SÁNCHEZ of California, for introducing this resolution.

The desire to welcome home our Nation's Vietnam veterans is strong across the country. It has now been 36 years since the American troops left Vietnam. It was March 30, 1973, when the United States Army completed the withdrawal of combat troops from Vietnam.

Last Congress, we passed House Resolution 1231, a bill that recognizes the importance of Vietnam Veterans Day. In that legislation, we urged Americans to recognize the date and participate in local events. Across the Nation, several States have already organized Welcome Home events for Vietnam veterans on March 28 and March 29 of this year. This legislation before us would continue our support for this effort; provide honor and recognition of the contributions of veterans of the Armed Forces who served in Vietnam, and encourages the people of the United States to observe Welcome Home Vietnam Veterans Day with appropriate ceremonies and activities.

Mr. Speaker, I urge my colleagues to support House Resolution 234.

I reserve the balance of my time.

Mrs. HALVORSON. Mr. Speaker, I yield 2 minutes to the gentlelady from California, the sponsor of this resolution, Ms. SÁNCHEZ.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today in strong support of House Resolution 234, expressing support for Welcome Home Vietnam Veterans Day.

I want to thank Chairman BOB FILNER and Ranking Member STEVE BUYER for their strong commitment to all of America's veterans. Their leadership has been instrumental in bringing this important resolution to the floor today.

As a Nation, we honor those who defend us with statues, memorials, holidays, and praise. But as a people, we have not always fulfilled our duty to properly recognize those fellow citizens who put themselves in harm's way to keep us safe and protect our freedom, and no fellow citizens did we let down more than those who served bravely in Vietnam. They came home to a time of civil unrest and social turmoil, a time when opposition to the war too easily turned into opposition to those young men and women who served in it.

Unlike the GIs who served in previous conflicts, many Vietnam servicemembers came home not to a welcome back parade, but to hostility, ridicule, and bitter criticism. This cold reception, in addition to the brutal realities of serving in Vietnam, interfered with some veterans' efforts to transition back into their communities and establish a sense of normalcy. Just when they needed someone to lend an ear or a helping hand, too many found a cold shoulder.

By encouraging Americans to observe Welcome Home Vietnam Veterans Day, my resolution seeks to provide these heroes the welcome home that they always deserved but that too many never received.

Welcome Home Vietnam Veterans Day is the culmination of years of effort on the part of my constituent, Jose Ramos, himself a Vietnam veteran. As an Army combat medic in Vietnam, Jose Ramos was victim to the indifferent and often hostile public reaction upon returning home. It was his personal experiences and those of his fellow GIs that motivated him to work toward establishing a national day of recognition. His work inspired many, including me, to help give Vietnam veterans their long overdue welcome home.

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

Mrs. HALVORSON. The gentlelady is granted an additional 30 seconds.

Ms. LINDA T. SÁNCHEZ of California. While today's resolution may seem like a small gesture when compared to what our soldiers and their families sacrificed, it certainly is, it

will serve to remind us of their service to our country.

I urge my colleagues on both sides of the aisle to join in honoring Vietnam veterans by participating in Welcome Home Vietnam Veterans Day events in their communities next year. Today, I ask for their vote.

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. CAO).

Mr. CAO. Mr. Speaker, I rise today in support of House Resolution 234, to establish a Welcome Home Vietnam Veterans Day. My family and I are direct beneficiaries of the sacrifice and service of the men and women who served this great Nation during the years of conflict in Vietnam.

I was born in Vietnam in 1967, during the most turbulent year of the war and while American troops were engaged in combat there. In 1975, my father, an army officer, was captured by the communist forces and sent to a re-education camp for nearly 7 years. I was 8 years old when I left my home country and came to America to make a new life with the tools of freedom and democracy that this great Nation stands for.

To the hundreds of thousands of veterans who returned from the Vietnam War, I say to you that your dedicated service to your country and mine is remembered by millions every day. I thank you for having fought for democracy and freedom even in the farthest reaches of the globe.

To each of the 58,256 servicemembers whose names appear on the solemn granite wall along the National Mall, I say to you that your ultimate sacrifice will never be forgotten. Your memories live on today through the millions of people throughout the world enjoying the opportunities, liberties, and freedom that you have fought so long and hard for.

Mr. Speaker, as we reflect today on the sacrifice and service of Vietnam veterans, I ask all Americans to consider our servicemembers engaged today around the globe. Currently, in Iraq and Afghanistan, we have nearly 200,000 service men and women serving this Nation honorably. During the course of these conflicts, 4,716 servicemembers have lost their lives and another 33,852 have been wounded fighting nobly to defeat terrorism and to bring freedom and democracy to oppressed people. We thank them and their families for their service, and they will never be forgotten.

As we chart the way forward in these conflicts, it is our obligation to ensure that the gains we and our coalition partners have made are not for naught, and that we continue on the fight to bring peace, democracy, and freedom to these nations that have been damaged and broken by brutal regimes.

Mr. Speaker, while I am struck by the fact that it is only today, some 34 years later, that we are establishing a day to welcome home from the Vietnam War some of America's bravest, I am pleased that I, a direct beneficiary of their service, can take part in this historic event.

Mrs. HALVORSON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. NYE).

Mr. NYE. Mr. Speaker, today I rise to honor the 543,000 troops who fought valiantly against communist forces in Vietnam. During that conflict, more than 58,000 brave Americans lost their lives, and over 300,000 were physically wounded. Yet, when our veterans returned home, our Nation too often failed to appreciate the sacrifices they had made on behalf of our freedom.

Thirty years earlier, we opened our arms to the soldiers returning from World War II, but for those coming home from Vietnam we failed to do the same. Instead of respecting their service, our Nation largely shunned these young servicemembers for doing the job that they had, in most cases, been drafted to perform. We did not comprehend nor did we respect the difficulties that many of them faced in transitioning back to civilian life after the horrors they had witnessed in combat.

The legacy of our failure to welcome our veterans home is still with us today. Every night, roughly 154,000 veterans are homeless, and 45 percent of these are from the Vietnam era. To allow those that fought for our safety to live on the streets is a black mark on the history of our Nation, and it is a warning to present and future generations of what must never happen again.

I believe the designation of March 30 as the Welcome Home Vietnam Veterans Day is the least we can do to begin righting these wrongs. And as we do, let us also pledge to honor our commitment to the men and women who served in Vietnam, to give them the full care and benefits that they have earned, and to make sure that no veteran, past, present, or future, is ever forgotten again.

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I certainly thank the gentleman for yielding.

Mr. Speaker, how amazing, quite amazing that we just heard this testimony and these remarks from our colleague from Louisiana, Representative CAO. But if there is any reason for our colleagues to support this resolution, it is by the words that he just spoke. What an unbelievable story he told. He is a Vietnamese-American, his father for 7 years in a re-education camp in Vietnam, and here he is as a result of our men and women fighting for freedom and democracy and liberty. That is certainly a vivid demonstration of why we need to pass this resolution today. I certainly support Resolution 234, which will designate a Welcome Home Vietnam Veterans Day.

My district in McComb County, Michigan, is actually home to I think one of if not the largest chapter of Vietnam veterans, Chapter 154, in the entire Nation.

My husband, a very proud Vietnam veteran, actually flew F–102s with the 509th Fighter-Interceptor group from air bases in both Danang and Saigon. These veterans served our Nation faithfully and with distinction and honor. But, to our everlasting shame, they received a horrible homecoming.

One of the saddest times, Mr. Speaker, in American history was the way that we treated our Vietnam veterans when they returned from combat. Caught in the crossfire of the debate on the war in our Nation, they came home to taunts, insults, and worse. These brave men and women, these great war fighters, these great patriots, these great Americans, they answered our Nation's call to fight, and they fought, they bled, and they died in the service of our country.

Not only did they have to bear their physical and psychological wounds of warfare, Mr. Speaker, but our Nation did not recognize them as the heroes that they were and that they are. There were no parades and no yellow ribbons and no thanks for serving when our Nation asked them to do so, and they stepped forward to defend freedom and liberty and democracy.

These men and women deserved better, Mr. Speaker. And although it has taken many years to rectify the injustice some of our fellow citizens visited upon our Vietnam veterans, today we can honor them, and we should, with a day to welcome them home properly. The Vietnam Veterans Memorial here in Washington is one of the most visited memorials. This wall stands as a reminder that 58,000 of our fellow countrymen paid the ultimate price, and we must never forget them.

We owe our Nation's veterans a debt that can never be fully repaid, but we want to thank them for their service and their sacrifice on behalf of our great Nation, and all of us will continue to work the halls of Congress to ensure that our veterans get the care, the help, the recognition, and the benefits that they so richly deserve. I know that I have a MIA/POW flag hanging right outside the door of my Congressional office, and if you walk up and down the halls of Congress, you will see many, many others displayed here as well.

□ 1430

We can never forget.

And I would encourage every community in America to observe the ''Welcome Home Vietnam Veterans Day'' so that we never forget our veterans' bravery, courage and sacrifice. And today let me say ''welcome home.''

I ask all of my colleagues to support this resolution.

Mrs. HALVORSON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Let me thank the gentlewoman for her leadership. And I appreciate my good friend and colleague, Congresswoman SANCHEZ, and the manager of this bill for your great leadership, as well, in handling this legislation that simply says a huge and overdue ''thank you.'' And so I am pleased to stand on the floor of the House to support H. Res. 234 because I believe I was touched by this experience in this war, recognizing that as I would listen to Vietnam vets, those returning soldiers, speak in a language that we did not understand, talking about the places where they fought, speaking as if they were distant. Now I understand and hope we all understand as Americans that the war of a soldier is America's war. It is not a public-policy war. So we should stand with our soldiers who fight for our freedom no matter where they are.

I am honored today to be able to support this legislation because as a member of the Houston City Council, I joined with former council member Ben Reyes to raise the first POW/MIA flags in tribute to our fallen and missing soldiers in Vietnam. Those flags now stand today in front of the Houston City Hall. And I'm honored to have had the opportunity to be part of it.

Our soldiers deserve this welcome home. And more importantly, they deserve our understanding. So many of the Vietnam vets are homeless. And we should stand alongside of them. For many years, I participated in what we call ''Stand Down'' to bring our soldiers together.

I want to thank the Medal of Honor winners who always come to our Memorial Day service and sing their heart out and lead us in the Pledge of Allegiance.

I want to thank Vietnam vets like Antonio ''Tony'' Roman and John Footman, who today serve their country by being part of the Military Order of the Purple Heart working with our young soldiers.

Mr. Speaker, there is no honor—there is no honor that is too high for the soldiers who shed their blood, suffer and, of course, sacrifice on our behalf, those soldiers whose lives are lost, those soldiers who have come back to us, Vietnam vets deserve our honor. Today now we stand to welcome them home. Never will we turn our back. Always the light will be on. We welcome them home.

Mr. Speaker, I rise in support of H. Res. 234, ''Expressing support for designation of a 'Welcome Home Vietnam Veterans Day.'" I want to thank my colleague Congresswoman LINDA SÁNCHEZ of California for introducing this resolution.

Few groups of Americans have sacrificed for our nation than those who have served in the Armed Forces. The war in Vietnam no longer makes headlines, but for many families it remains a daily reality, and I urge my colleagues to recognize the challenges that the families of these brave soldiers face and support this resolution in their honor.

Mr. Speaker, 2,637,100 people fought through the triumph and tragedy of the Vietnam War. Unfortunately, 58,000 never returned home again! If these now silent patriots have taught us anything, it is that because of these men and women who were willing to sacrifice their last blood and breath, the United States remains a symbol of freedom and a country whose ideas are still worth defending. As a result, these brave men and women memories should be preserved and honored for future generations in this great nation.

It was Edmund Burke who once aptly stated: "The only thing necessary for the triumph of evil is for good men to do nothing." The birth of our nation itself was due to good men who refused to submit to an unjust rule. Time after time, in battle after battle American men and women have not fled from mortal danger, no instead they have rushed towards it. Our brave soldiers built this nation, first with independence, then with the righteousness of eliminating slavery, and finally in the last century they built this nation in the eyes of the world, not only as a superpower, but as a nation that values humanity and kindness over the tyranny of others.

I see this same courage and strength in the eyes of our current generation of soldiers. They bear the burden of a new world, in which the greatest threats against our life and freedom are often unseen. They also bear the hope of a nation and a world that clings to the hope of peace and stability. It was the great statesman Adlai Stevenson who said: "Patriotism is not a short and frenzied outburst of emotion but the tranquil and steady dedication of a lifetime." It is clear that the torch has been passed to a new generation of men and women willing to dedicate their lives to protecting ours. Our nation is truly blessed in so many ways, but our soldiers continue to be the greatest protectors of our blessings.

Because I feel so strong about our men and women fighting abroad and our veterans who served our nation, I will continue to advocate for their rights in Congress, and I urge my colleagues to fight as well.

Mr. Speaker, now is the time for the U.S. government to again fulfill our moral obligation to those who have fought for freedom and democracy. In the State of Texas we have 1,701,118 veterans, in fact in the 18th Congressional district of Texas alone there are more than 38,000 veterans and they make up almost ten percent of this district's civilian population over the age of 18. Yet we often forget about our men and women fighting abroad once the war is over. We must never forget veterans and we must never stop fighting for their rights as they fought for ours.

Vietnam Veterans like Antonio "Tony" Roman and John Footman, who continue to give back to their country and their fellow young military forces by working with the Military Order of the Purple Heart and by standing in the rain or the heat to be there when our Soldiers and Marines return from deployment. I meet with great men from Texas who are Vietnam Veterans, and our newer Gulf War, Operation Iraqi Freedom, and Operation Enduring Freedom—and I see their continuing need for our support.

Mr. Speaker, I urge my colleagues to support H. Res. 234, "Expressing support for designation of a 'Welcome Home Vietnam Veterans Day'."

Mr. BILIRAKIS. Mr. Speaker, I continue to reserve the balance of my time.

Mrs. HALVORSON. I would like to know if there are any further speakers.

Mr. BILIRAKIS. I have no other speakers at this time.

Mrs. HALVORSON. Then we reserve the balance of our time.

Mr. BILIRAKIS. Mr. Speaker, I urge passage of this resolution. It is long overdue. And I encourage Members to sponsor a ''Welcome Home Vietnam Veterans Day'' in their districts.

I yield back the balance of my time.

GENERAL LEAVE

Mrs. HALVORSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 234.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I rise today in support of H. Res. 234, expressing support for designation of a ''Welcome Home Vietnam Veterans Day.''

The very fact that we are deliberating about a ''welcome home'' for Vietnam veterans in 2009, decades after our participation in that conflict came to an end, says it all. Don't get me wrong. Those veterans eminently deserve that welcome, and the thanks for serving our Nation that comes with it. But it remains far too long overdue. Those veterans should have been welcomed home from day one. And yet, as the resolution says, ''the Vietnam War was an extremely divisive issue among the people of the United States'' and so ''members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were caught upon their return home in the crossfire of public debate about the involvement of the United States in the Vietnam War.''

I want to thank those veterans not just for their service to our Nation in Vietnam, but for their service to our Nation upon their return, service that forms the backbone of support for veterans today. As we have confronted yet another divisive war these last few years, we have welcomed our returning servicemen and—women differently, honoring them appropriately and immediately. And that is largely because of those veterans of Vietnam.

As a 24-year veteran myself and as a member of the House Veterans Affairs Committee, I have seen a remarkable thing happen. Time and time again, I have heard Vietnam veterans—from witnesses at committee hearings and elsewhere—make clear that we cannot let one generation of veterans abandon another. We have to make sure this new generation of Iraq and Afghanistan veterans do not have to go through all the hardships we know all too well are awaiting them if we do not act to prevent them.

Whether it be access to VA health care, the specific mental health issues that some veterans face after the war, the problem of homelessness among

veterans, preventing our veterans from ending up incarcerated, or even the public perception of veterans and the way veterans think about and understand themselves as veterans—we know the dangers that are out there, thanks in no small part to Vietnam veterans working together, and we know we have to act aggressively to make sure we fulfill our commitment to our newest veterans.

For my part, I see no more important task as a member of Congress and of the House Veterans' Affairs Committee.

But I also have to say, I think something else has started to happen as we as a country have worked to honor and do justice to the veterans of our current conflicts—regardless of how we feel individually about the war itself. I think just as Vietnam veterans have done for Iraq and Afghanistan veterans what World War I veterans did for World War II veterans, supporting the next generation of veterans, I think our society's treatment of our newest veterans has begun a really renewed appreciation for and a different, more positive public perception of Vietnam veterans themselves.

What you all went through when you came home is something that never should be repeated. And it should not have happened in the first place. But it says something about you as a group and America as a society that we have finally, I think, started to move away from the ugliness of that time, and from the stereotypes and clichés about Vietnam veterans.

The new congressional majority that I was a part of forming in 2006 committed to making our military and our veterans an absolutely top priority. And we did that last Congress, and we continue to do that in this new Congress. Last Congress, we passed the largest veterans funding increase in history, increasing pay for our military and providing them with more of the protection they need when they go into battle, passing into law a historic new GI Bill that should do for our 21st century veterans what the original GI Bill did after World War II.

And we will continue that work in this Congress, putting America's veterans first and working to provide them with the care and benefits they deserve.

The debt we owe those who serve our country honorably in the military is never fully paid. But we owe that obligation to our veterans, and it begins with a full welcome home. The Nation can never fully repair the damage done with the failure to immediately and fully welcome home our veterans from Vietnam. But it is never too late to continue recognizing the obligation we owe you, and thanking you for what you have done and what you continue to do.

Mr. MCMAHON. Mr. Speaker I rise in support of House Resolution 234.

Designating March 30th as "Welcome Home Vietnam Veterans Day" is long overdue.

This day is not only in remembrance of the over 58,000 members of the Armed Services that lost their lives in Vietnam, but serves as a lesson in conduct and appropriate public debate in regards to our veterans.

March 30th, 1973, has taught us lessons that unfortunately will soon be very relevant to the present day.

No matter the various views of the war in Iraq, I am confident that our servicemen and women will return home to an atmosphere of appreciation and reception.

Unfortunately, the 543,000 troops that returned from Vietnam did not all receive the same respect, but their legacy has ensured a brighter future and degree of tolerance exercised towards the next generation of armed servicemembers.

Mrs. HALVORSON. Mr. Speaker, I urge my colleagues to unanimously support House Resolution 234.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. HALVORSON) that the House suspend the rules and agree to the resolution, H. Res. 234.

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

A motion to reconsider was laid on the table.

RECOGNIZING 30TH ANNIVERSARY OF TAIWAN RELATIONS ACT

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 55) recognizing the 30th anniversary of the Taiwan Relations Act, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 55

Whereas April 10, 2009, will mark the 30th anniversary of the enactment of the Taiwan Relations Act (Public Law 96-8), codifying in law the basis for continued commercial, cultural, and other relations between the United States and the Republic of China (Taiwan);

Whereas the Taiwan Relations Act has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979;

Whereas when the Taiwan Relations Act was enacted, it affirmed that the United States' decision to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means;

Whereas the Taiwan Relations Act declares that peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern;

Whereas the Taiwan Relations Act states that it is the policy of the United States to provide Taiwan with arms of a defensive character to maintain the capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan;

Whereas the Taiwan Relations Act also states that "it is the policy of the United States to preserve and promote extensive, close, and friendly commercial, cultural and other relations between the people on Taiwan, as well as the people on the China mainland";

Whereas the relationship between the United States and Taiwan has strengthened with—

(1) Taiwan's evolution into a free society and a full-fledged, multi-party democracy;

(2) the development of Taiwan's robust free-market economy;

(3) Taiwan's determined effort and collaboration with the United States to combat global terrorism, as demonstrated in part by its participation in the Container Security Initiative and its generous contribution to the Pentagon Memorial Fund; and

(4) the leadership role Taiwan has demonstrated in addressing transnational and global challenges, including its active engagement in humanitarian relief measures, public health endeavors, environmental protection initiatives, and financial market stabilization efforts; and

Whereas Taiwan's democracy has deepened with the second peaceful transfer of power from one political party to another after the presidential election in March 2008: Now, therefore, be it

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

(1) reaffirms its unwavering commitment to the Taiwan Relations Act as the cornerstone of relations between the United States and Taiwan;

(2) reaffirms its support for Taiwan's democratic institutions; and

(3) supports the strong and deepening relationship between the United States and Taiwan.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

Mr. BERMAN. Mr. Speaker, I rise in strong support of the resolution and yield myself as much time as I may consume.

Mr. Speaker, this resolution recognizes the enactment of the Taiwan Relations Act 30 years ago and reaffirms congressional support for that law. I would like to thank my good friend, Representative SHELLEY BERKLEY of Nevada, for her leadership both as co-chair of the Taiwan Caucus and as the chief sponsor of this resolution.

The Taiwan Relations Act of 1979 forms the official basis for friendship and cooperation between the United States and Taiwan. It has been instrumental in maintaining peace and security across the Taiwan Straits and in East Asia. Since the lifting of martial law in 1987, Taiwan has evolved into a robust and lively democracy. The U.S.-Taiwan relationship, once based solely on shared interests, is now based on shared values.

This remarkable political evolution proves beyond any doubt that the notion of "Asian values," often used to justify one-man or one-party rule, is a fallacy. Taiwan's democratic ideals have become even more engrained in its national identity following its second peaceful transfer of power in last year's presidential election.

Taiwan has also developed into a vibrant free-market economy and a major trading partner of the United States. Taiwan's impressive political and economic achievements give it the potential to play a very constructive role in international affairs. I would urge that special consideration be given to Taiwan's desire to gain observer status at the World Health Assembly later this spring.

Taiwan has extremely important social and economic ties with China, and it would benefit both governments to take additional steps towards reducing cross-Strait tensions. The act was enacted 30 years ago with the expectation that the future of Taiwan would be determined only by peaceful means. It is encouraging that China's top leadership recently stated that it was ready to hold talks with Taiwan to create conditions for ending hostilities and concluding a peace agreement between the two sides.

I applaud this development and urge China to do more to reach out to both the government and the people of Taiwan. I'm confident that the Taiwan Relations Act will remain the cornerstone of our very close friendship with Taiwan. I strongly support this resolution. I encourage my colleagues to do the same.

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

Ms. ROS-LEHTINEN. Mr. Speaker, to start the discussion on our side of the aisle, I'm honored to yield 3 minutes to the gentleman from Florida, my colleague, Mr. LINCOLN DIAZ-BALART, who is the co-chair of the House Taiwan Caucus as well as a prime sponsor of this important resolution.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank my distinguished colleague for the time.

I am honored to speak on this resolution commemorating the 30th anniversary of the Taiwan Relations Act. This resolution reaffirms the United States' commitment to the Republic of China on Taiwan and describes the Taiwan Relations Act as the ''cornerstone'' of U.S.-Taiwan relations.

The Taiwan Relations Act stresses the concept of peace through strength. It has served as a key impediment to Communist Chinese military aggression and its attempts at forced reunification under communism with the people on Taiwan.

As Members of the United States Congress, we will do all that is necessary so that the Republic of China on Taiwan continues to have the tools it needs to defend itself. This resolution is especially important because over the past 30 years, through six administrations, Congress has remained a steady and loyal friend and ally of the Republic of China on Taiwan. The strong support of Congress was evident once again by the fact that over 120 Members of Congress rushed to lend their name to this resolution in less than 1 month. As the 30th anniversary of the Taiwan Relations Act is just a few weeks away, the action by the United States Congress today reaffirms, once again, the close relationship between Taiwan and the United States.

Although the Republic of China on Taiwan has achieved the tremendous economic successes of a flourishing market-based economy and one of the highest standards of living in the world, the U.S.-Taiwan friendship rests on much more than shared economic interests and trade. Our friendship stems from a shared commitment to the fundamental ideals of the rule of law, freedom and opposition to totalitarianism.

The United States of America must never waiver in our support of the Republic of China on Taiwan. We must, and we will, continue to remind the world that Taiwan's security is of the utmost importance to the United States Congress, to the American Government, and to the American people.

I have always had tremendous admiration for the Republic of China, for its history in China and its renaissance on Taiwan. And I look forward to continuing to work to deepen cooperation between the United States and the Republic of China on Taiwan.

Mr. BERMAN. Mr. Speaker, I'm very pleased to yield 2 minutes to the sponsor of the resolution, the gentlelady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I thank the gentleman for yielding and for his extraordinary leadership on this resolution. I would also like to thank the delegate from American Samoa and the ranking member of the Foreign Affairs Committee for their support on this important resolution.

Mr. Speaker, I rise today as the co-chairman of the Taiwan Caucus and as a prime sponsor in support of this resolution and in support of our growing and continuing relationship with Taiwan. Three decades ago, Congress declared that the U.S. would stand with Taiwan against any use of force that would jeopardize its security. We have kept our commitment, and we can now proudly commemorate this historic anniversary marking 30 years of an ever-strengthening U.S.-Taiwan relationship.

For 30 years, the Taiwan Relations Act has been instrumental in maintaining peace, security and stability in the Taiwan Strait. Over that period, Taiwan has transformed itself into a vibrant democracy, holding several free and fair elections along with two peaceful transitions of power. Taiwan is an inspiring story of expanding freedom, a robust capitalist economy and a strong trading partner of the United States. We must do everything in our power to continue protecting it and ensuring its survival.

As Taiwan enters a new era in cross-Strait relations and faces new economic and security challenges, Congress today reaffirms, through this resolution, its commitment to the Taiwan Relations Act, to Taiwan's democracy and to our deep, long-standing friendship.

I thank the gentleman once again.

I urge support for the resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I would now like to yield 2 minutes to the gentleman from Indiana (Mr. BURTON), who is the ranking member of our Subcommittee on the Middle East and South Asia.

Mr. BURTON of Indiana. Mr. Speaker, I won't take the whole 2 minutes.

I think everything that is going to be said about the Republic of China on Taiwan can be boiled down to just a few words. They are our true friend. They have been with us through thick and thin. There have been times when we haven't been as good a friend to them as I think we should have been. But they have always been there for us. Ever since they left the mainland and went to Taiwan, they have been a strong free country that has grown into one of the biggest economic countries in the entire world, certainly one of our greatest trading partners.

So I would just like to say that I am very happy to be here to celebrate the 30th anniversary of the Taiwan Relations Act and to say to all of my friends, all of our friends in Taiwan, thank you, thank you, thank you for being such great friends.

Mr. BERMAN. Mr. Speaker, I have no further speakers on the floor now, so I will reserve the balance of my time.

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Ms. ROS-LEHTINEN. Mr. Speaker, I would now like to yield 2 minutes to the gentleman from Florida, my colleague, Mr. MARIO DIAZ-BALART, who is also a sponsor of this resolution.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I want to thank the gentlelady from Florida, and also all the sponsors of this legislation.

I rise today in recognition of the 30th anniversary of this landmark legislation, the Taiwan Relations Act. It codifies into law the basis for the continued special relationship between the United States and the Republic of China on Taiwan. Our two nations share so many common beliefs and values. We both cherish freedom, human rights and democracy.

And last year, during the most recent Presidential election, they once again showed that, yes, of course they are a true, vibrant democracy. The Republic of China on Taiwan continues to be our strong ally on the war on terrorism. And they continuously prove that they are a true partner of the people of the United States of America.

Now contrast that, Mr. Speaker, with what just took place a month ago when the Communist Chinese dictatorship sent a number of ships to harass an unarmed U.S. Naval surveillance ship. This provocative action, and many others like it, should serve as a cause for concern when dealing with that nation that regularly violates human rights. Again, that highlights the importance that the people of Taiwan know and

that the world knows the United States Congress stands with this strong and proud democracy.

Again, Mr. Speaker, I am grateful for this resolution, for having the opportunity to support this resolution, and make sure that our friends in Taiwan understand that Congress stands with them, really stands with them.

Mr. BERMAN. Mr. Speaker, I continue to reserve.

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to yield 1 minute to the gentleman from California (Mr. ROYCE), the ranking member of our Subcommittee on Terrorism, Nonproliferation and Trade.

Mr. ROYCE. Mr. Speaker, I rise in support of this resolution, which recognizes the 30th anniversary of the Taiwan Relations Act. This is a historic occasion. Taiwan, of course, is a beacon of democracy in Asia. We have a strong partnership that stretches back over half a century with this country. Today our relations remain strong, as Taiwan is a cornerstone of U.S. foreign policy in Asia.

This was signed 30 years ago, and the Taiwan Relations Act laid into the law the basis for the continued commercial, cultural and defense relationship between the U.S. and Taiwan. As this resolution states, it has been instrumental in maintaining the peace, the security and the stability in the Taiwan Straits.

While this resolution highlights many of the positive attributes of the U.S.-Taiwan relationship, language detailing our important economic relationship was regrettably struck. As the original version states, Taiwan is the ninth largest trading partner of the U.S., with United States exports totaling over $26 billion. Imports from Taiwan are important too.

The truth is that trade is very important to Taiwanese security. Security isn't based on weapons alone.

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

Ms. ROS-LEHTINEN. I yield an additional 1 minute to the gentleman from California.

Mr. ROYCE. I suspect it is wishful thinking with this administration, but I would like to see movement on a trade agreement with Taiwan. Certainly, if we throw up trade barriers, it would do much to destabilize Taiwan's economy. We shouldn't give trade short shrift.

Mr. BERMAN. Mr. Speaker, we have no further requests for time, so I will reserve to the ranking member.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

Mr. Speaker, I rise in strong support as an original cosponsor of House Concurrent Resolution 55. This resolution recognizes the Taiwan Relations Act as the cornerstone of the unbreakable relations which exist today between the people of the United States and the people of Taiwan.

The Taiwan Relations Act stands out as one of the key pieces of foreign policy legislation passed by Congress in the 20th century.

Congress was prompted to act by the decision of President Jimmy Carter to suddenly cut off, as of January 1, 1979, our historic relations with a traditional ally, and to provide nothing further for its continued security nor defensive needs.

Taiwan has stood with the United States, both during the Second World War and in the Cold War, yet little thought was given to the fate of the then approximately 18 million people living on the island. Is this the way to treat an old friend? The response from the House of Representatives 30 years ago was a resounding ''no.''

On March 28, 1979, the House passed the Taiwan Relations Act by an overwhelming bipartisan majority of 339–50. It is this anniversary that we commemorate this coming Saturday and, in so doing, Mr. Speaker, reaffirm our commitment to strengthen the U.S.-Taiwan relationship and our support for the defensive needs of the Taiwanese people.

Thirty years ago Taiwan was put forward as the sacrificial lamb for our own apprehensions, ready to be surrendered to Beijing's unyielding demands. The Taiwan Relations Act put an end to that defeatist way of thinking.

In the three decades since the Taiwan Relations Act, Mr. Speaker, the economic and democratic evolution of Taiwan has been beyond even the most optimistic projections at that time. Taiwan's robust, free-market economy made the island the ninth largest trading partner of the United States in 2007.

Taiwan, as a young democracy with a record of two peaceful transitions of power, is blossoming amidst a sea of Chinese communism. It has become a beacon of hope to all who aspire to democracy in the Chinese cultural world.

Now, more than ever, we must ensure that our robust ties with the people of Taiwan are maintained and even strengthened. Now, more than ever, we must ensure that the people of Taiwan are provided with defensive weapons needed to ensure that no sudden change in the status quo by the use of force undermines their political aspirations. Now, more than ever, we must ensure that Congress is fully consulted on a regular basis on both our overall relations with Taiwan, and our planned future arms sales.

The best means to achieve these goals, Mr. Speaker, is through overwhelming Congressional support for this resolution as a sign of our unwavering recommitment to the Taiwan Relations Act on its 30th anniversary.

Let us send a strong, unequivocal message to Beijing that we are unwavering in our commitment to democracy, to free markets, and to the people of Taiwan. Now more than ever, we must all stand by Taiwan on this important anniversary.

Mr. ACKERMAN. Mr. Speaker, I rise as a proud co–sponsor of H. Con. Res. 55 and I want to commend Chairman FALEOMAVAEGA and Ranking Member MANZULLO for moving this timely resolution forward.

Mr. Speaker, I am pleased to join in recognizing the 30th anniversary of the Taiwan Relations Act. Since 1979, the TRA's clarity of purpose as the framer of U.S.–Taiwan relations and its singular role in shaping our relationship with the Peoples Republic of China has few equals in terms of foreign policy legislation produced by the Congress.

Under the TRA, Taiwan, and I dare say the mainland, have both prospered and are vastly different places from what they were before the TRA was enacted. The TRA has facilitated Taiwan's evolution into a full–fledged, multiparty democracy with a robust free market economy. And as Taiwan has evolved domestically, its role internationally has changed as well. Taiwan is an active participant in addressing transnational threats and has been deeply engaged in humanitarian relief efforts, addressing public health and environmental protection initiative as well as financial stabilization efforts.

The resolution before the subcommittee today reaffirms the unwavering support of the United States Congress for Taiwan, its democratic institutions, and urges a deeper and stronger relationship between the United States and Taiwan. These are sentiments with which we can all agree, so I urge my colleagues to support the resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of this resolution recognizing one of our strongest partners in business and in democracy, Taiwan. I would like to thank my colleague SHELLEY BERKLEY of Nevada for her continued strong leadership on issues affecting Taiwan, and Asia in general.

Whether you refer to it as the Republic of China, Formosa or Taiwan, this is a free society that has been a beacon of light and freedom in the Taiwan Strait.

April 10, 2009 will mark the 30th anniversary of the enactment of the Taiwan Relations Act, codifying in law the basis for continued commercial, cultural, and other relations between the United States and the Republic of China, or Taiwan. The Taiwan Relations Act has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979.

When the Taiwan Relations Act was enacted, it affirmed that the United States decision to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means. I truly believe that all of Asia wants the future of Taiwan to be peaceful and that this glorious society continues to be a beacon of light, freedom and commercial opportunity.

My district in Texas is home to a very strong Taiwanese American community, and while I understand that Texas is not known for it's Asian population, it is very vital and an important part of the tapestry of diversity that the state of Texas must get recognition for.

The Taiwan Relations Act makes it a policy of the United States to provide defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. Our continued desire is that these articles remain unused.

The Taiwan Relations Act also makes it a policy of the United States to maintain the capacity to resist any resort to force or other

forms of coercion that would jeopardize the security, or the social or economic system, of the people of Taiwan. That is why we must remain vigilant on what happens in the Taiwan Strait. This is still one of the most peaceful and prosperous areas of the world. It also has one of the most steadily growing populations.

Taiwan's democracy has deepened with the second peaceful transfer of power from one political party to another after the presidential election in March 2008. The new President has made it a point of fostering an atmosphere of peace and.harmony, while seeking to secure Taiwan's place as an economic growth engine. This is particularly important when the global economy is faltering.

The relationship between the United States and Taiwan has strengthened with Taiwan's evolution into a free society and a full-fledged, multi-party democracy and the development of Taiwan's robust free-market economy, with Taiwan becoming the 9th largest trading partner of the United States in 2007 and imports from the United States in that year totaling over $26 billion. Our economic and trading relationship is one of our most important to both Taiwan and to the United States.

Also Taiwan's determined effort and collaboration with the United States to combat global terrorism, as demonstrated in part by its participation in the Container Security Initiative and its generous contribution to the Pentagon Memorial Fund are further evidence of our strong partnership.

I would also cite the leadership role Taiwan has demonstrated in addressing transnational and global challenges, including its active engagement in humanitarian relief measures, public health endeavors, environmental protection initiatives, and financial market stabilization efforts.

These reasons are why it is important that we continue to pursue peace and harmony in this region and why Secretary of State Hillary Clinton made Asia her first overseas trip in her new role. The symbolism is not lost on our Asian partners and why we must support this resolution.

I urge my colleagues to support this resolution.

Mr. WEXLER. Mr. Speaker, I want to join my colleagues in recognizing the 30th anniversary of the enactment of the Taiwan Relations Act and America's commitment to U.S.-Taiwan relations and supporting H. Con. Res. 55.

As many of my colleagues know, the Taiwan Relations Act has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979. Over the past 30 years, Taiwan has evolved into a model democracy that respects human rights and the rule of law. It has also transformed into one the world's most dynamic economies and is counted among America's most important trading partners. To that end, it is critical that the United States Congress continue to highlight the importance of the TRA and take further steps to enhance our overall partnership with Taiwan which has been mutually beneficial for generations in both America and Taiwan.

As a member of Congress who believes the United States should foster this relationship and create new avenues of cooperation, it is important in the context of this anniversary to recognize the bold efforts of Taiwanese President Ying-jeou Ma to bring peace and stability to the Taiwan Strait. I welcome President Ma's efforts and the progress he has made to reduce tensions and to extend an olive branch to Beijing. While the issues that separate Taipei and Beijing are significant and the road ahead difficult, it is important for President Ma to fulfill his stated vision and continue to pursue a policy that lays down the ''foundation for a century of peace and prosperity'' in the region.

Mr. GINGREY of Georgia. Mr. Speaker, I was recently privileged to become one of the co-chairs of the House Taiwan Caucus, and I look forward to working to strengthen our country's relationship with Taiwan through the efforts of the Caucus.

Just this week, I was also pleased to have met Ambassador Yuan and Director General Tseng down at the Georgia Capitol where the Ambassador was being honored by the Georgia General Assembly.

I rise today in strong support of House Concurrent Resolution 55, which commemorates the 30th anniversary of the Taiwan Relations Act. As stated in this resolution, the Taiwan Relations Act has served as the cornerstone of America's relationship with Taiwan since its enactment in 1979.

This resolution recognizes ''Taiwan's evolution into a free society and a full-fledged, multi-party democracy.'' As the 9th largest trading partner of the United States in 2007, Taiwan has demonstrated its commitment to work with the United States and to collaborate on a range of issues—especially in regards to combating global terrorism.

Mr. Speaker, Taiwan has also made clear its commitment to give back to the global community through humanitarian relief an other contributions to help stabilize global financial markets.

Mr. Speaker, in recognition of this milestone anniversary of the Taiwan Relations Act, I ask all of my colleagues to join me in reaffirming our support for Taiwan's democratic institutions and commitment to our strong friendship with Taiwan.

Ms. BORDALLO. Mr. Speaker, I rise today in support of passage of House Concurrent Resolution 55 a resolution recognizing the 30th anniversary of the Taiwan Relations Act. The Taiwan Relations Act's passage in 1979 marked an important law that allowed for continued cultural and economic relations with the people of Taiwan. The resolution we are considering, H. Con. Res. 55, reasserts Congressional intent on this very important relationship. The Taiwan Relations Act helped the United States continue to foster a greater partnership that has resulted in economic benefits and stability for both of our people and that has contributed to peace and prosperity in the Asia-Pacific region.

I appreciate the partnership that the people of Taiwan have with the people of Guam. The Director General of the Taipei Economic and Cultural Office on Guam, Mr. Vince Tsai, has been a valuable member of our island community and I appreciate his office's continued involvement with our local community in many social, business and civic activities. I also want to thank my good friend Congresswoman SHELLEY BERKLEY from Nevada for introducing this resolution and for her continued interest in Asian-Pacific affairs. I believe that this resolution will continue to encourage and foster the friendship and beneficial relationship between the people of the United States and the people of Taiwan, as the Taiwan Relations Act envisioned thirty years ago.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I urge strong support for the resolution, an ''aye'' vote, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 55, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING 188TH ANNIVERSARY OF GREEK INDEPENDENCE

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 273) recognizing the 188th anniversary of the independence of Greece and celebrating Greek and American democracy.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 273

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the Founding Fathers of the United States, many of whom read Greek political philosophy in its original text, drew heavily on the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas the Greek national anthem (Hymn to Liberty) includes the words, ''Most heartily was gladdened George Washington's brave land'';

Whereas Greek Commander in Chief Petros Mavromichalis, a founder of the modern Greek state, said to the citizens of the United States in 1821 that ''it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you'';

Whereas the people of the United States generously offered humanitarian assistance to the Greek people during their struggle for independence;

Whereas Greece played a major role in the World War II struggle to protect freedom and democracy through such bravery as was shown in the historic Battle of Crete, which provided the Axis land war with its first major setback, setting off a chain of events that significantly affected the outcome of World War II;

Whereas the price for Greece in holding onto our common values in their region was high, as hundreds of thousands of civilians were killed in Greece during World War II;

Whereas, throughout the 20th century, Greece was one of a few countries that allied with the United States in every major international conflict;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested over $20,000,000,000 in the countries of the region, thereby creating over 200,000 new jobs, and having contributed over $750,000,000 in development aid for the region;

Whereas Greece was extraordinarily responsive to requests by the United States during the war in Iraq, as Greece immediately granted unlimited access to its airspace and the base in Souda Bay, and many ships of the United States that delivered troops, cargo, and supplies to Iraq were refueled in Greece;

Whereas Greece is an active participant in peacekeeping and peace-building operations conducted by international organizations, including the United Nations, the North Atlantic Treaty Organization (NATO), the European Union (EU), and the Organization for Security and Cooperation in Europe (OSCE);

Whereas in August 2004, the Olympic Games came home to Athens, Greece, the land of their ancient birthplace 2,500 years ago and the city of their modern revival in 1896;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympics of over 14,000 athletes and over 2,000,000 spectators and journalists, which it did efficiently, securely, and with its famous Greek hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim nations and Israel;

Whereas the Government of Greece has had extraordinary success in recent years in furthering cross-cultural understanding and has been consistently working for rapprochement with Turkey, as seen with the January 2008 visit to Turkey by Greece's Prime Minister Kostas Karamanlis, the first official visit by a Greek Prime Minister in 49 years;

Whereas Greece serves as a key transit country for the delivery of gas to Europe via the Turkey-Greece-Italy Interconnector;

Whereas Greece and the United States are at the forefront of the effort for freedom, democracy, peace, stability, and human rights;

Whereas those and similar ideals have forged a close bond between Greece and the United States and their peoples;

Whereas March 25, 2009, Greek Independence Day, marks the 188th anniversary of the beginning of the revolution that freed the Greek people from the Ottoman Empire and celebrates the aspirations for democracy that the peoples of Greece and the United States share; and

Whereas it is proper and desirable for the United States to celebrate this anniversary with the Greek people and to reaffirm the democratic principles from which these two great nations were born: Now, therefore, be it

Resolved, That the House of Representatives—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 188th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 188 years ago.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution.

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

There was no objection.

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

I rise in support of this joint resolution marking the 188th anniversary of Greek independence. I would like to thank my good friend and our wonderful ranking member of the Foreign Affairs Committee, Representative ILEANA ROS-LEHTINEN, for her leadership in ensuring that the House marks this important date.

As the birthplace of democracy, Greece stands alone among nations in its influence over our modern American government. Our Founding Fathers fashioned our society based, in significant part, on the political experience and philosophy of the ancient Greeks.

We stand here in a room today surrounded by images of some of the greatest thinkers in world history, many of them Greek. We stand in a building held up by ancient Greek architectural designs and techniques. And we continue to legislate today under Greek ideals of democratic governance.

From the ancient world of Homer and Plato to the theories of Hippocrates and Pythagoras, we are indebted to the Greek nation for its scientific, philosophical and artistic contributions to the world.

Throughout the modern era, Greece has been one of the United States' strongest allies, supporting us in every major international conflict. Today, our two nations express their mutual commitment safeguarding democracy and freedom through partnership in NATO and through bilateral defense cooperation.

Situated at the crossroads of three continents, Greece holds a strategic position in the Mediterranean region. Over the past decade, Athens has pursued path-breaking diplomacy that has resulted in meaningful rapprochement with its neighbor, Turkey. Last year, Prime Minister Kostas Karamanlis made an official visit to Ankara, the first Greek Prime Minister to do so in nearly half a century.

As we commemorate today the 188th anniversary of Greek independence from Ottoman rule, we would be remiss if we failed to acknowledge the rich contributions of Greek immigrants and their descendants to the United States. We hope to continue the mutual benefit of cultural exchange by welcoming soon, Greece, into the Visa Waiver Program.

Mr. Speaker, I congratulate the beautiful and noble country of Greece on its anniversary, and I join with Americans and democracy-lovers throughout the world in celebrating Greek heritage and our thriving Greek-American friendship.

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

Ms. ROS-LEHTINEN. Mr. Speaker, to start our discussion, I would like to yield 4 minutes to the gentleman from California (Mr. ROYCE), the ranking member on our Subcommittee on Terrorism, Nonproliferation and Trade.

Mr. ROYCE. Mr. Speaker, what we are recognizing here: come tomorrow we have the 188th year anniversary of the independence of Greece. And we are celebrating Greek and American democracy. And that date tomorrow represents the day at which, after 400 years of oppressive rule, Greeks finally became free. Greeks were able, and it is amazing to think about it, to maintain their language, maintain their religion, to hold on to their culture, despite 20 generations of persecution during that period of time.

And I think one of the reasons we are proud here in the United States about the role we played was because U.S. President James Monroe and our then-Secretary of State, Daniel Webster, pushed to send funds and supplies to aid Greece in that struggle. But more importantly, I think to all of us, free-born men, both white and black, born in the North, traveled to Greece during that struggle. They played a role over 180 years ago in securing those freedoms. That was the power at the time of the concept of Greek liberty, that it drove Americans in this early republic to travel to Greece in order to take part in that very struggle. And that struggle, frankly, began an alliance between the U.S. and Greece that has joined our two countries in NATO, that has seen our soldiers fight tyranny in World War II.

□ 1500

We are indebted to the Greeks for their vast influence on our own society. Two thousand five hundred years ago, the Greeks ushered in Western civilization, and they brought about at that time the scientific method. They gave us the philosophy of Aristotle and Aristotelian logic, the birth of democratic government, the first age of reason. They brought forward the poetry of Euripides, the three-dimensional painting that was not rediscovered as a technique until the end of the Dark Ages, until into the Renaissance when again the enlightenment represented, really, the rediscovery of Greek philosophy, of these concepts of the autonomy of the individual, of logic and reason.

Our own founding fathers were deeply influenced by those Hellenic ideas. Thomas Jefferson, Adams and Madison, they not only wrote and read Greek; they could speak Greek—Tom Paine as well. They were well-versed in Greek philosophy.

In crafting the Declaration of Independence and the Constitution, Jefferson and Madison drew heavily on the Greek ideal that a government derives its power from the people. Thomas Jefferson's stirring words that all men are created equal and are endowed with unalienable rights hark back to natural law theories that originated in Greek philosophy. Indeed, the very architecture of our buildings, the very

ideals that drove our founding fathers through all of this Greek culture permeates throughout Washington, DC and our Nation. It is this legacy that we justly recognize today.

Mr. BERMAN. Mr. Speaker, I yield the remaining time to the gentleman from Florida (Mr. WEXLER).

The SPEAKER pro tempore (Mr. ADLER of New Jersey). Without objection, the gentleman from Florida will control the time.

There was no objection.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to Ms. BERKLEY, the gentlewoman from Nevada.

Ms. BERKLEY. Mr. Speaker, I rise today not only as a friend of Greece but also as a proud daughter. My mother's family comes from Salonika, Greece, and I count my Greek-Jewish heritage among my most enriching.

Greece has been a strong ally of the United States, standing by us in our struggles against the Nazis and now in the struggle against Islamic extremism. The Greek people paid a very high price for their opposition to the Nazis, and we are forever grateful for their sacrifices, of which there were many. Greece continues to be a top contributor to NATO and is a leader in the Balkan region.

The resolution before the House today extends its best wishes, our best wishes and congratulations, to the people of Greece, whom we look to as our forebearers in democracy. I am a proud cosponsor of this resolution, but I hope this will not be our last word on our friendship with Greece.

I urge this House and our administration to strengthen our relationship with Greece by including it in the Visa Waiver Program. By approving admission into the program, we will send not only a message of friendship but a message of thanks to the Greek community, which is so deserving of our friendship and of our gratitude. Greece has met the criteria to become a visa waiver country, and only awaits approval of their application. On this anniversary, let us take concrete action to strengthen our bond with Greece and send a message of thanks to our friends and allies.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 4 minutes to my wonderful colleague from Florida, Mr. BILIRAKIS. It is no surprise he is the cochair of the Congressional Hellenic Caucus, and a fine job he does.

Mr. BILIRAKIS. Mr. Speaker, I rise today with great pride and strong support for House Resolution 273, recognizing the 188th anniversary of Greek independence and celebrating Greek and American democracy. I thank my good friend and ranking member, ILEANA ROS-LEHTINEN, for introducing this resolution.

Like the American revolutionaries who fought for independence and established this great republic, Greek freedom fighters began an arduous struggle to win independence for Greece and its people 188 years ago. When the Greeks began this glorious revolution after four centuries of Ottoman oppression, they faced incredible odds. It was David versus Goliath.

On March 25, 1821, Archbishop Germanos raised the flag of freedom and declared Greece free. This day of rebellion was not chosen by chance. It was a holy day, dedicated to the mother of God. To the Greeks of 1821, Theotokos was their champion, their savior, their protector. The revolution of 1821 brought independence to Greece, and emboldens those who still seek freedom across the world. It proved to the world that a united people, through sheer will and perseverance, can prevail against tyranny.

By honoring the Greeks' struggle for independence, we reaffirm the values and ideas that make our great Nation. We also remember why freedom is so important. In the history of the Greek war for independence, many Greeks died, but they were undeterred from their ultimate goal. ''Eleftheria I Thanatos''—liberty or death—became their battle cry.

We know the price of liberty can be very high. Democracy can only be maintained at a great cost. Our Greek brothers earned their liberty with blood, as did our American forefathers. The freedom we enjoy today is due to the sacrifices made by men and women in the past. I take great pride in both my Greek and American heritage.

As Thomas Jefferson once said, ''To the ancient Greeks . . . we are all indebted for the light which led ourselves . . . American colonists, out of gothic darkness.''

We celebrate Greek independence to reaffirm the common democratic heritage we share. As Americans, we must continue to pursue this spirit of freedom and liberty that characterizes both of these great nations.

Mr. WEXLER. Mr. Speaker, I yield 4 minutes to Mr. SPACE, the gentleman from Ohio.

Mr. SPACE. Mr. Speaker, I rise today in support of House Resolution 273, recognizing the 188th anniversary of Greek independence and celebrating Greek and American democracy.

This bill is personally significant to me because, like Mr. BILIRAKIS, I, too, am of Greek descent, being the grandson of immigrants who came here from the very small but beautiful island of Ikaria, Greece.

It is significant that we understand in recognizing and in advocating for this resolution that our founding fathers chose the ancient Greek models in the formation of our own Constitution and in formulating and defining the values of freedom, justice and equality. What is equally interesting is that, when Greece attained its independence, it turned to the Jeffersonian democracy that we have in formulating its constitution.

This resolution reaffirms the excellent relationship between the United States and Greece. In its passage, I look forward to continued joint cooperation between these two nations in their mutual quest for peace, justice and democratic principles. Peace, justice and democratic principles are not just words. They mean something.

In this case, it means a renewed interest and quest for peace, justice and the principles of democracy in Cyprus. It means ending the occupation that has lasted for over 35 years. It means this country working with Greece to effectuate that. It means preserving the sanctity and the integrity of the ecumenical patriarch, the spiritual father of nearly 300 million who are Christian Orthodox worldwide.

Ascribing to those principles is what we believe in, and it is what Greece believes in. I look forward to working with Greece in future years as we strive for that justice.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Texas, Judge POE.

Mr. POE of Texas. Mr. Speaker, 188 years ago, the Greeks brought forth another democracy, but their philosophy started hundreds of years ago. They did not just bring the world a relentless warrior who was willing to give everything to defend the sacred honor of the Greek Nation, but they brought the world a concept that was novel, because of no other country can it be said that they brought to the world a philosophy that it was the individual that is more important than government, itself, more important than the State, because always before in all cultures the State was the supreme power over the individual. Yet the Greeks had the novel concept that the human being, the individual, is worth more than the State. Because of that seed, democracy was planted, and democracy now flourishes throughout the world with the basic premise that it is the individual who is all important.

So we honor them tomorrow because of their great heritage, because of their great influence on our democracy, but we also honor them because they gave to the world a concept of freedom and worth of the individual that had never before been known to any civilization.

Mr. WEXLER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I rise today as a proud member of the Congressional Hellenic Caucus to offer my strong support for H. Res. 273, celebrating the 188th anniversary of Greek Independence Day. I am proud to follow other members of this caucus, and agree with their wonderful comments about this special occasion.

My grandfather, Arthur Costandinos Cathones, for whom I am named, came to America from Greece in 1911. He instilled in me a love of Greece and Greek culture. The Hellenic values he taught me have served me well as guiding principles throughout my career in public service, and he would be so proud to see me today on the floor of the U.S. House.

I have been blessed with this wonderful heritage throughout my life. I have

enjoyed visiting Greece a number of times to learn firsthand about the birthplace of democracy, and these trips have given me a deep understanding of the country's regions, its mythologies, its history, its food, its music, and especially its people.

The U.S. and Greece have always shared a special bond. When the new democracy was formed in Greece, they charged themselves with imitating and resembling American democracy, just like our forefathers shaped our democracy around the ideals of Aristotle and Socrates. Those are the very principles of government I teach in my political science classes at UNLV.

So, Mr. Speaker, I look forward to celebrating this holiday tomorrow with the leaders of the Hellenic community and with the President of the United States. I look forward to working to further strengthen the relationship between the United States and the wonderful Hellenic Republic of Greece.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

I am proud to both sponsor and rise today in support of this resolution. This measure, as we have heard from each speaker, expresses our support for the nation of Greece as it celebrates the 188th anniversary of its independence, and it also notes the many very positive aspects of our relationship with that country.

There is truly a kinship between the people of Greece and the United States, one that was born from the shared ideals of democracy. Americans, indeed, owe a great deal to the political philosophy of democracy that was born in ancient Athens so long ago in 500 B.C. It was the Greek city-state of Athens that first created the word ''democracy'' by combining ''demos,'' meaning people, with ''kratos,'' meaning power, and so it became the first state in history to introduce and implement the concept of democracy in its form of government.

As they framed our Constitution in the late 18th century, our founding fathers drew upon the principles and the forms of government that had been created in ancient Greece thousands of years earlier. Soon after that, 45 years after America's Declaration of Independence, Greek freedom fighters looked to the young United States for inspiration as they began their work for independence from Ottoman Turkey in 1821. In fact, at that time, one of those Greek freedom fighters praised George Washington and the United States for being the land of liberty in his poem ''Hymn to Liberty.'' That poem then became a rallying cry in the Greek war for independence, and was later adopted as the national anthem for Greece.

□ 1515

Ms. ROS-LEHTINEN. Today, Mr. Speaker, Greece is a strong ally of the United States. It was the only country that fought alongside the United States in every major conflict of the 20th century. The contributions and sacrifices made by Greeks in fighting the Nazis in World War II, in the Battle of Crete and elsewhere, are not forgotten by us today well over 60 years later.

In this new century, Greece has also sought to reinforce stability and peace in her area of the eastern Mediterranean. As evidenced by her position at the crossroads of energy supplies between Asia and Europe and by its efforts to support stability in the region of the Balkans, Greece will play an increasingly important role in its immediate region in the European Union and the trans-Atlantic community of nations.

It is my privilege to have introduced this resolution, Mr. Speaker, recognizing the strong relationship between the United States and Greece and honoring the 188th anniversary of the revolution that led Greece to its freedom. I urge my colleagues to join us in supporting this resolution.

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

Mr. WEXLER. I yield myself such time as I might consume.

Mr. Speaker, as a proud member of the Hellenic Caucus, I want to express strong support for this resolution recognizing the 188th anniversary of the independence of Greece and celebrating Greek and American democracy. I would also once again like to thank my very good friend from Florida (Ms. ROS-LEHTINEN) who has been a leading supporter of U.S.-Greek relations in Congress. Additionally, I want to express my gratitude to the co-chairs of the Hellenic Caucus, Congresswoman MALONEY and Congressman BILIRAKIS, for their efforts in moving this resolution forward.

Having had the honor of meeting with the Foreign Minister of Greece 1 month ago, it is an honor to highlight one of America's most important allies, Greece, and the common commitments to democracy, human rights and laws that bind our two nations. This resolution is an opportunity to praise Greece for its efforts to bring peace and stability to the Balkans, as well as the support Athens has given the United States following 9/11 and our collective efforts on the war on terrorism.

It is not lost on any of us in Congress that Greece was quick to respond to requests by the United States during the war in Iraq and immediately granted unlimited access to its airspace and the base in Souda Bay. Many American ships that delivered troops, cargo, and supplies to Iraq were refueled in Greece.

Close cooperation with our NATO ally Greece continues on a daily basis, and it is essential that Congress and the administration recognize this extraordinary support and express our deepest gratitude to the Greek people and Greek government.

This occasion is not only important in terms of U.S.-Greece bilateral relations, but it is an historic occasion for millions of Americans. As a Member of Congress with a large Greek American community, I am especially pleased that we are passing this resolution today, which also highlights this community's extraordinary commitments to the shared prosperity of our Nation.

It is undeniable that the Greek American community, which includes some five million Americans with Greek ancestry, is the lynchpin in the unbreakable bond between the United States and Greece. As unofficial ambassadors between the U.S. and Greece, Greek Americans have for decades successfully shaped this long-standing friendship and built new bridges to forge closer relations between our nations.

While this resolution recognizes an important anniversary in the independence of Greece, it is also my hope that today's floor debate will be used as a catalyst to promote our ally, Greece's, participation in the Visa Waiver Program. Greece has fulfilled all of the criteria to be included in the Visa Waiver Program, and I urge the administration to act as quickly as possible, along with Athens, to finalize this process and open the door to further enhance the relationship between the people and governments of the United States and Greece.

Mr. Speaker, once again, I congratulate the Greek people on the 188th anniversary of their independence and strongly support this resolution.

Mr. CROWLEY. Mr. Speaker, I rise today to congratulate the Hellenic community as they celebrate the 188th anniversary of Greek Independence from the Ottoman Empire.

After close to 400 years of Ottoman rule, on March 25, 1821, the people of Greece rose up against the Turks and won their independence. March 25th is a date that will live forever in the hearts and minds of Greeks all around the world.

The Greeks have a history dating back almost 4000 years. Greece is the cradle of democracy and its great philosophers were an invaluable inspiration for our founding fathers as they created the democracy we have in America.

We are joined by culture and a deep commitment to shared values. Greek ideals of democracy and freedom continue to inspire us.

On Greek Independence Day, we celebrate the living history of Greek heritage. During the occupation by the Ottoman Turks, they risked harsh penalties, some extreme as death, to teach their children the culture, history, and language of their ancestors. It is this dedication to Greek culture and ideals that led them to revolt against the Ottomans in 1821.

Mr. Speaker, I have the great pleasure of representing a large number of Greek-Americans in the Seventh District of New York. Their influence and active participation in their communities has fostered economic, political, and social growth throughout New York City and I am honored to represent them in Congress.

Generations of Greek Americans have enriched every aspect of our national life, in the arts, sciences, business, politics, and sports.

Through hard work, love of family and community, they have contributed greatly to the prosperity and peace that we all enjoy as Americans today.

Although the anniversary of Greece's independence is cause to celebrate, we must also use this occasion to remember the ongoing struggle for freedom and demand for human rights on the island of Cyprus. The United States and the international community must remain steadfast in our resolve to unify the Greek and Turkish Cypriots who have been divided for far too long.

Mr. Speaker, let me reiterate my strong commitment to the Greek communities in my district, the country, and throughout the world. Their strength and dedication to democracy and peace in the world has made them an inspiration and model for modern civilization.

I urge my colleagues to join me as we celebrate Greek independence.

Mr. MCMAHON. Mr. Speaker, I rise to congratulate Greece on her 188th anniversary of Independence.

The U.S. tradition of democracy was built upon ancient Greek political and philosophical thought. And, the flame that ignited the first discussions of democracy in Ancient Greece, shined luminously throughout the Mediterranean on March 25, 1821.

Fortunately, this anniversary not only marks the creation of a promising, new democratic state, but of a steadfast and loyal friend to the United States.

I am proud to say that Greece has stood by the United States as a strong NATO ally.

A quick and reliable partner in World War II, the Balkans and most recently, Iraq.

And as a leader through its chairmanship of the Organization for Security and Cooperation in Europe.

I would also particularly like to congratulate the nearly 15,000 Greek-Americans of Staten Island and Southern Brooklyn whose strong family ties, established customs and tradition of hard work have added to the character and longevity of my district.

These Greek Americans and their relatives in Greece are a tight community. Their relatives in Greece deserve to have the same level of access for tourism and business travel to the United States that most other European countries have. This is why I support Greece's prompt membership into the visa waiver program and look forward to future global opportunities to partner with our friend and ally, Greece.

On this important occasion I would like say once more: Congratulations.

Mr. WEXLER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 273.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

REDUCING THE DEFICIT

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

Mr. LUETKEMEYER. Mr. Speaker, the President's budget as recently unveiled spends too much, taxes too much, and borrows too much. We need to stop talking about reducing our deficit and actually go to work and do it.

We cannot continue to put off the tough economic decisions that must be made. In the words of Missouri's Harry Truman, the buck stops here.

It is just plain wrong to pass off more and more debt to our children and grandchildren. Folks back home in Missouri have made it clear to me if they have to balance their checkbooks, then so does Washington.

Unfortunately, the President's budget doesn't do that. Instead, it continues to mortgage the future of our children and grandchildren. I support reducing our Nation's deficit, which is precisely why one of the first bills I filed and sponsored was a constitutional amendment to balance the budget.

Now, let's be clear. Raising taxes is not the way to do that. Putting Washington's fiscal house in order is.

I am urging all of us to remember the buck stops here, not with future generations.

SPECIAL ORDERS

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

AMERICAN SCHOOL KIDS AND THE LONE SURVIVOR OF WORLD WAR I

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

Mr. POE of Texas. Mr. Speaker, in 1918, the war to end all wars was over. It was called World War I. It started in 1914, ended in 1918. And during that time, it was a stalemate until 1917 when the United States entered the war. The United States went overseas to Europe. Those doughboys fought in a land they did not know and for a people they did not know. They broke the trench warfare stalemate, and on the 11th day of the 11th month at the 11th hour of 1918, that Great War was over.

Fifteen million people in the world died because of World War I. And the casualties for the United States? Well, 4,734,991 Doughboys and Marines went over there to fight in that Great War; 116,561 were killed representing and defending our country. They fought in the woods, in the forests of Belleau Wood, the Argonne, and the fields of Flanders. Many of them are still buried in those forests in graves known only to God. When they came home, thousands more had contracted the Spanish flu, and they died here in the United States.

When the war was over, America moved on, and now 101 years later, we honor troops from that last century. We have on the Mall here not far from this Capitol the Vietnam Memorial where we honor the 55,000-plus that were killed; we honor the Korean veterans with the Korean Memorial that has those American soldiers going through a minefield in the snow; and we honor the Greatest Generation with the World War II Memorial.

But in the tall weeds of the Mall, there's a little-known memorial for the D.C. veterans that fought in World War I. It is decrepit, it is falling apart, and like I said, it is in the high weeds. It was built largely because the kids here in Washington, D.C., saved their nickels so that memorial could be built.

But Mr. Speaker, we do not have a memorial on the Mall for all of the Americans who fought in the great World War I. America just never got around to it. So I have introduced the Frank Buckles Lone Survivor Act to expand the D.C. memorial so that it honors all that fought in World War I.

Why Frank Buckles? Because you see, Mr. Speaker, Frank Buckles is the lone American survivor from World War I. He's 108 years old. In World War I, he lied to get into the Army: he was probably 16; he should have been 18. But he went off to war in Europe and drove an ambulance and rescued other doughboys that had been wounded in France. After the war was over, he came back to America. And during World War II, he was captured in the Philippines by the Japanese and held as a prisoner of war for 3 years. And now he lives in West Virginia.

Mr. Speaker, here is a photograph of Frank Buckles, 108 years old. It is taken in front of what is left of the D.C. memorial. And what I am asking Congress to do is authorize the expansion of the D.C. memorial to include all who fought in World War I.

You know, the men that fought there should be honored by America. Even though I have offered this bill into legislation, government bureaucrats are opposed to this memorial, saying we don't need any more memorials on the Mall. That dishonors America's war dead, Americans the bureaucrats never even knew.

But kids across the Nation are answering the call of Frank Buckles. And let me explain. What is occurring is, service-learning projects in schools throughout the country are teaching their kids hands-on about World War I and those that lived and fought and died in World War I. It started in Creekwood Middle School in my home district, and now it has spread to

schools in Kentucky, Connecticut, Michigan and Ohio. And because of that, these kids are raising funds to build this World War I memorial for all that lived and died in this war.

Mr. Speaker, it is imperative that we as a Nation honor all that fought in the four great wars in the last century. And it is a shame we haven't built a memorial to them. But I can tell you something, Mr. Speaker. America's school kids will not be denied because they are the grassroots campaign to build that memorial, and they are raising funds to do it.

Mr. Speaker, there is nothing more powerful than American school kids that have made up their minds, and they have made up their minds that America shall honor the war dead of World War I, the Frank Buckles and all of those four million-plus that served with him. And we're going to build this memorial whether the Federal bureaucrats like it or not.

And that's just the way it is.

SCHOOLS INVOLVED IN THE EFFORT

Terryville High School, Terryville, CT
Bristol Eastern High School, CT
Kingwood High School, Humble, TX
Creekwood Middle School, Humble, TX
Riverwood Middle School, Humble, TX
Zeeland public schools, Michigan
Buckeye public schools, Ohio
University of Arkansas at Montecello
Michigan State University ROTC Program
Hudsonville Public Schools, Michigan

□ 1530

CELEBRATING THE 33-YEAR ANNIVERSARY OF THE COVENANT BETWEEN THE U.S. AND THE NORTHERN MARIANA ISLANDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Northern Mariana Islands (Mr. SABLAN) is recognized for 5 minutes.

Mr. SABLAN. Mr. Speaker, the covenant to establish a Commonwealth of the Northern Mariana Islands in political union with the United States of America defines the unique relationship between the Northern Mariana Islands and the United States, recognizing United States sovereignty but limiting, in some respects, applicability of Federal law. The commonwealth accordingly enjoys a greater degree of autonomy than most United States territories.

The covenant was negotiated over the course of 27 months, from December 1972 to February 1975, by the Marianas Political Status Commission, made up of representatives of the Northern Mariana Islands and a delegation representing the United States.

The proposed covenant was signed by negotiators on February 15, 1975, and unanimously approved by the legislature of the Mariana Islands District of the United Nations Trust Territory of the Pacific Islands on February 17, 1975.

On June 17, 1975, the covenant was submitted to Northern Mariana Islands voters in a plebiscite. At the time, 95 percent of eligible residents had registered to vote, and of the 95 percent of all registered voters who cast ballots in the plebiscite, 78.8 percent voted to approve the covenant.

The covenant was subsequently approved by this House on July 21, 1975, and by the Senate on February 24, 1976.

On March 24, 1976, President Gerald Ford signed Public Law 94–241, enacting the covenant. Some provisions became effective on that date. Remaining provisions became effective on January 9, 1978, and November 4, 1986.

On January 9, 1978, the Northern Mariana Islands Government was established, and the first elected governor took office.

On November 4, 1976, qualified residents of the Northern Mariana Islands became United States citizens.

On May 8, 2008, President George W. Bush signed Public Law 110–229 and gave to the Northern Mariana Islands the seat in Congress that I presently have the privilege to occupy.

Today, Mr. Speaker, the people of the Northern Mariana Islands mark the 33rd year of the date when the covenant took effect.

The 33 years of our political relationship, Mr. Speaker, has been beneficial to both the Northern Mariana Islands and to the United States, such that the political agreement continues to be celebrated by very proud citizens in that most western part of the United States. I join my people in their celebration and bring their joy to this Congress.

Thank you for the opportunity to share this joyful and historical day with Congress, the Nation and with the American people.

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

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

THE BUDGET

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

Mr. GOODLATTE. Mr. Speaker, I rise today to express grave concern regarding the budget that the Budget Committee is acting upon this week and which some have proposed be brought to the floor of this House next week.

I would suggest that it is very much in need of dramatic changes and would ask that the leadership of this Congress take that budget back and start over again because a debt of the magnitude that this country is already facing, added to the projected deficit for next year alone, now up to $1.8 trillion, is a staggering sum of money, and it is not something that is sustainable.

We have known this for a long time. In fact, one of the namesakes of the annual dinners that our colleagues on the other side of the aisle hold, the Jefferson-Jackson dinners that are held all across the country, he has been known throughout American history for his strong stand against piling on greater and greater public debt. In fact, late in his life he said, ''There does not exist an engine so corruptive of the government and so demoralizing of the Nation as a public debt. It will bring on us more ruin at home than all the enemies from abroad.'' And we are, in fact, seeing this statement made long ago coming to haunt us in very severe ways at this time in our history.

You know, we had up until last year a $9 trillion national debt that had been accumulated over more than 200 years of our Nation's history. And yet the projection now is that in the next 10 years, according to this budget—and that is based upon optimistic projections I would say with regard to government spending—the liabilities the government already has for a number of different programs, but the projection already offered by the administration is that that debt will increase by one-and-a-half times in the next 10 years.

That is staggering to consider that we could outstrip all of the spending that has taken place over all of that period of time in such a short period of time, and I want to show you exactly how that works with this chart.

This chart shows the doubling of the debt held by the public in a very short period of time. Projections now are that it will be even greater than this. This one shows that it grows to $16 trillion. We now have a new projection that says $23 trillion will be the national debt in total.

The public portion of the national debt, that portion of the debt that we owe to American citizens and other people around the world, will grow to $16 trillion from less than $6 trillion just last year. That is a stunning figure, but this doesn't even tell the whole story because what this shows is just the public portion of the debt.

Every year, the Congress borrows from the Social Security trust fund, and other trust funds, additional funds, and the government simply puts an IOU in those trust funds, funds so important to our senior citizens and others who are counting on those funds to be there in the future, to make sure that Social Security and other programs are actuarially sound, and yet the money has been borrowed, such that the total amount of our national debt by 2019 will come to $23 trillion.

We have in this budget that has been offered in this Congress too much spending, too much taxation and, what we're focusing on today, too much debt. Let me call the words of President Jefferson to mind again: To preserve the independence of the people, we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty or profusion and servitude—and that is

truly the crossroads that we have reached today.

Thomas Jefferson recognized that 190-plus years ago and pointed out that with economy comes liberty and freedom. With as he called it profusion, or what we call today big government spending, comes servitude of the people to their government. That is not what our Founding Fathers intended when they created the United States Constitution which, in my opinion, is in need of one change that is vitally needed, and that is a balanced budget amendment to the United States Constitution.

I will have more to say about this in the future, but I urge my colleagues to oppose this budget and support real fiscal reform, which would be to adopt a balanced budget amendment to the Constitution.

ADMINISTRATION DESERVES PRAISE FOR NEW IRAN AND STOP-LOSS POLICIES

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

Ms. WOOLSEY. Mr. Speaker, I rise to call the House's attention to two very positive developments in the administration's handling of foreign policy and military affairs.

First, the administration offered Iran a new beginning in relations between our two countries. He did that on Friday. It was part of his message to the Iranian people and to their leaders on the occasion of the Persian new year.

The President said, ''My administration is now committed to diplomacy that addresses the full range of issues before us, and Iran, and to pursuing constructive ties among the United States, Iran, and the international community. This process will not be advanced by threats. We seek, instead, engagement that is honest and grounded in mutual respect.''

Mr. Speaker, President Obama is determined to settle differences with Iran peacefully. Of course, I don't have any, nor should any of us have any, illusions that it will be easy to reduce tensions with Iran. That's because they continue to develop a nuclear program which could be used to build nuclear weapons.

But I do believe that diplomacy can produce good results over time. A diplomatic effort can begin within the next year, or in the next week actually, when Secretary of State Hillary Clinton attends a conference on Afghanistan in The Netherlands. Iran is expected to attend the conference, and Secretary Clinton could interact with Iranian officials.

The United States and Iran have cooperated in the past over Afghanistan, and this may be one area of common ground. But at the very least, the administration has created an environment where peaceful progress can be made, and I commend the administration for that.

The second development that is positive came last Wednesday when Secretary of Defense Gates announced that he is moving to end the Pentagon's terrible stop-loss policy. Under stop-loss, Mr. Speaker, thousands of soldiers have been forced to remain in the military even after their enlistments have expired.

Ending stop-loss is long overdue. It has been essentially a backdoor draft, and it's one of the policies that has stretched our military to the limit, putting a terrible strain on our soldiers and on their families.

The Army has acknowledged this problem. The Army Vice Chief of Staff told a Senate subcommittee last week that forcing soldiers to take longer deployments has helped produce a ''stressed and tired force.''

Prolonged deployments, Mr. Speaker, which have separated soldiers from their families for these very long periods of time, have contributed to a tragic rise in the number of suicides among military personnel. The Army has confirmed that there were 133 suicides last year alone, and that's just the Army.

Another serious problem is that many soldiers who have left the military have not had a happy homecoming. The unemployment rate for veterans of Iraq and Afghanistan is 11.2 percent, which is higher than the rate for nonveterans.

That is one of the reasons why I support the administration's economic recovery plan, which actually is the third policy development that we should be talking about today, because this plan will produce millions of new jobs. I would have liked to have seen an even bigger recovery plan to create even more jobs, but Mr. Speaker, I have to disagree with the administration on some policies occasionally, and that's stretching beyond where their good intentions are.

I also have to disagree with the administration on some foreign policy issues. But on this occasion, I don't want to go into that. I want to applaud the administration for taking three important steps that can make the world a more peaceful place and that will lift a very heavy burden off our brave troops and their families.

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

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

□ 1545

CAP-AND-TRADE

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

Mr. ROGERS of Michigan. Mr. Speaker, I rise today for the urgency that faces the United States—and I hope every single American engages in this debate.

The economy has certainly taken a great toll on the great State of Michigan, where I'm from, and President Obama's recently offered budget, if enacted, is just one more slap at working people of the great State of Michigan and all around this country.

It creates a cap-and-tax program for the first time in this history. Something that used to be free, you're now taxed to use it.

The National Association of Manufacturers estimate this plan will cost Michigan alone 121,000 jobs by 2030. It also increases gas rates by 141 percent and electric rates by 177 percent. What does that mean to you? If you have a $70 per month electric bill today, it's going up to $193 per month just for the enactment of the cap-and-tax program.

If you're paying about $1.91, as you are at the pump today, if enacted, the cap-and-tax program takes that to $4.60 a gallon. Good luck in economic prosperity.

If you're a UAW worker in Michigan today and you happen to work in the great city of Lansing, Michigan, you are already paying a State gas tax, a Federal gas tax. You're paying a tax for your driver's license, a tax for your license tag, you're paying a sales tax on the car which you purchased. You pay a city income tax, a State income tax, and a Federal incomes. You pay your FICA tax.

If you go home and if you enjoy a beer after work, there's a special excise tax on the beer that you consume. You click on your cable TV, you pay a tax for that as well. You sit in your Barcalounger. Guess what? You paid a sales tax on that, too.

Mr. President, more taxes will not solve the problem. It will exacerbate the problem. Working families in this country deserve a break, not platitudes, not kind words, not silver-tongued speeches.

These people are right on the edge of losing their homes, and we're going to enact a tax that makes it that much harder for them to make the very payments to stay in their homes today.

Every time you tax a job like this—imagine this. We build cars. Imagine if the taxes go that much up on just your home ownership costs—your electric bill, your gas bill, when you fill up with gasoline—imagine what happens to the manufacturing base that uses energy. The cost for producing that car goes up.

So you're your paying more for gas a gallon, you're paying more for your electric bill. And, guess what? If you want to go out and buy a car, good luck. The cost of that electricity increase is built into the cost of that car.

We no longer will remain competitive. I tell you what—China loves this idea. India loves this idea. Absolutely. They want to make it prohibitive for us to build anything in the United States of America. And how do we do it in this budget? We increase the budget

by $49,040 per man, woman, and child in America.

Your Congress will have borrowed more money in the past year than the cost of all America's wars combined. One year. You know, the sad thing is we have to go to countries like China, Saudi Arabia, and others and, we have to ask them: Please, lend us money for these programs that we know may in fact hurt the American people here in the very near future.

The nonpartisan Congressional Budget Office estimates that President Obama's budget will force the United States to borrow $9.3 trillion. That equates to more than $120,000 per family of four for 14 years—think of this—14 years of groceries for the average family of four. Every man, woman, and child, 14 years of groceries by just the debt that we are placing on our children's heads in the very near future. This is an unprecedented expanse of government at the expense of the future prosperity of the children of the United States.

About 64 percent of the businesses will claim, at this $250,0000 limit—64 percent of those are small businesses. So your diners, the folks that you go and get your auto fixed at—guess what? They're getting a tax increase as well. So not only are they paying all that other tax, they're getting another tax increase to make this whole budget try to work.

At the end of the day, you're still assuming $120,000 in debt per family. What have we done? Where are we going?

We know how this works. And if we can just take a step back, take a deep breath and say, Mr. President, we're with you. But you cannot tax the prosperity of America and our children and their future. You cannot tax so much, you cannot spend so much, and you cannot borrow so much if we want prosperity in the future.

I would hope Americans are paying attention and asking some very hard questions about the future of this great Nation.

IMPORTANCE OF DIVERSITY IN FINANCIAL STABILITY AND RECOVERY

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

Ms. WATERS. Mr. Speaker, I rise this afternoon to briefly discuss a very important issue. Several Members of the House have been working with the Congressional Black Caucus, the Financial Services Committee and other committees to increase access for minority and women-owned business enterprises. Just this week, a new report was released by the Center for Community Economic Development on ''The Imperative of Closing the Racial Wealth Gap.''

I would like to include the summary of this report in the RECORD.

One of our primary focus areas over the last several months has been minority and women-owned business enterprises' access to the Troubled Asset Relief Program. That is the TARP.

Originally, TARP was designed for the purchase of toxic mortgage-related assets and presented several opportunities for women and minority-owned businesses to participate through asset management, legal, accounting, and other professional services.

Following the announcement of the TARP, Representative GREGORY MEEKS and I convened a meeting of over 60 minority asset managers and officials from the Treasury Department to ensure maximum participation by women and minority-owned businesses. We wanted to make sure that there were real opportunities for participation in the TARP.

As a result, legislative language was placed in the TARP bill describing specific steps Treasury was to take to ensure minority participation. In addition, members from the National Association of Securities Professionals met with Treasury several times and submitted written recommendations on how Treasury could work better with minority and women-owned businesses in the asset management space.

Unfortunately, shortly after enactment of the TARP, Secretary Paulson shifted the focus from toxic assets to direct infusions of cash to ailing financial institutions. This shift became known as the Capital Purchase Program. This shift both cut off major opportunities for minority and women-owned businesses via asset-related services, and opened an opportunity for participation in the way of debt underwriting and other banking professional services.

Unfortunately, these opportunities were never realized as banks that received TARP funds began a cycle of self-patronage, which led to little or no access to TARP contracting opportunities for women and minority-owned businesses. The most egregious of this type of patronage was highlighted through the banks paying themselves to underwrite their own debt.

Yesterday, the Secretary of the Treasury announced a new program aimed at purchasing toxic assets from financial institutions. With this announcement, we have come full circle and a significant opportunity for minority and women-owned businesses to participate has presented itself again. The Public-Private Investment Program could purchase up to $1 trillion in assets.

Members of the CBC's Economic Security Taskforce plan to convene a TARP/TALF Access Summit. The summit will be designed to ensure meaningful participation in TARP through the Public-Private Investment Program. Specifically, we hope to provide opportunities for minority and women-owned businesses and administration stakeholders to learn more about the new program and the capabilities of minority and women-owned businesses, develop short-, mid- and long-term strategies to better facilitate access to TARP resources, and identify specific contacts within the relevant agencies.

Moving forward, I believe this is an important initiative to ensure that we bring diverse talent to tackle the daunting economic problems facing us now.

Mr. Speaker and Members, this is very important. We have billions of dollars that are being injected into our society by way of the TARP program, the TALF program, and even the stimulus program. We have to make sure that these opportunities are open and available to all members of our society who are equipped, prepared, and ready to participate.

If our communities are to pull themselves up by the bootstraps, if our communities are to open up opportunities and create jobs, we cannot be shut out of these opportunities simply because only the ''big boys'' are allowed to play. We must make sure that these opportunities are available to all of the women and minority-owned businesses in our society also.

LAYING THE FOUNDATION FOR NATIONAL PROSPERITY—THE IMPERATIVE OF CLOSING THE RACIAL WEALTH GAP—EXECUTIVE SUMMARY—MARCH 2009

ABOUT THE INSIGHT CENTER

The Insight Center for Community Economic Development, formerly the National Economic Development and Law Center (NEDLC), is a national research, consulting and legal organization dedicated to building economic health in vulnerable communities. The Insight Center's multidisciplinary approach utilizes a wide array of community economic development strategies including promoting industry-focused workforce development, building individual and community assets, establishing the link between early care and education and economic development, and advocating for the adoption of the Self-Sufficiency Standard as a measurement of wage adequacy and as an alternative to the Federal Poverty Line.

This work is part of a national effort to close the racial wealth gap in the United States for the next generation. For more information on this initiative, visit http://www.insightcced.org/communities/ClosingRWG.html. For more information on the Insight Center, visit. http://www.insightcced.org/.

ACKNOWLEDGEMENTS

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EXECUTIVE SUMMARY

For every dollar owned by the median white family in the United States, the typical Latino family has twelve cents, and the typical African American family has a dime.[1] Wealth is what you own minus what you owe: assets minus debts.

This racial wealth gap has roots in the past, and reaches forward as well: it drains a family's capacity to give the next generation a solid start. Without addressing the wealth gap, racial inequality will be with us for generations to come.

Anti-poverty programs have relied primarily on providing subsistence income for today's necessities, not building assets that lead to economic mobility and security, and in fact have sometimes penalized low-income people for owning assets. Wealth-building policies can help even the lowest-income families gain stability and plan for the future.

Asset poverty is a new definition of poverty that reveals how many families lack even minimal amounts of wealth. It can be defined as not having enough savings to survive for three months without income. People of color are far more likely than whites to be asset-poor. The median family of color has enough assets to last only five weeks at the poverty level, compared with seven months for the median white family.[2]

THE ROOTS OF THE RACIAL WEALTH DIVIDE IN U.S. HISTORY[3]

Throughout U.S. history, federal and state governments have provided ''wealth starter kits'' for some to turn their work into worth. For example, governments have given gifts of land, education, government-backed mortgages and farm loans, a social safety net, and business subsidies to white families, sometimes exclusively and usually disproportionately.

The same governments that boosted white wealth took land from people of color, denied them education, and erected barriers to home and business ownership.

Native Americans lost assets not just during the first centuries of U.S. history, through displacement and treaty violations, but also more recently through tribal termination and Bureau of Indian Affairs mismanagement.

African Americans were not just denied property; they were property during slavery. Legal segregation and Jim Crow laws pushed Black citizens to the margins of the economy, where many remain stuck today. Wealth-building programs such as Social Security and the post-WWII GI Bill at first excluded African Americans, with multigenerational effects.

Latinos have been negatively affected by U.S. foreign policy and immigration policy. Mexicans and Puerto Ricans lost land to conquest. Temporary guest-worker programs and exploitation of undocumented immigrants have blocked many Latinos from getting a toehold in the U.S. economy.

Most Asian Americans were excluded from entry, and those who were here were largely denied citizenship until after World War II.[4] Japanese Americans lost their assets when they were interned during World War II. While some Asian groups are now prospering, Southeast Asians continue to have a very high poverty rate.[5]

Our country knows how to invest in wealth building for its people. We now need to do so for everyone. We cannot afford to squander America's greatest asset: its people.

COMPREHENSIVE ASSET BUILDING FOR ALL

A comprehensive approach to asset accumulation must recognize that wealth building should unfold over the course of a person's life: learning to save as a child; earning more than just a living wage; borrowing on fair terms to invest in the future: buying a home; starting a business; and retiring with security.

To make that possible for Americans of all races, these interconnected policy areas must be improved to support wealth building:

Land: Land loss led to the impoverishment of Native Americans, Mexican Americans, and African Americans, and land ownership will be essential to ending the racial wealth divide. Suits over land claims brought by blacks, Mexican-Americans, and American Indians must move quickly to settlements. Native peoples, including Native Hawaiians, still do not control their own land, which is held in trust by the federal government and the state of Hawaii; they must regain full ownership rights. Land loss due to fractionation must be stopped. Fair access to subsidized loans must be enforced.

Income and employment: Good jobs with good benefits are important wealth-building tools. In 2007 the median household income for African Americans was $34,001, and for Latinos $40,766, compared with $53,714 for whites; about one-quarter of Black and Latino families were below the poverty line.[6] Since then, as the recession set in, unemployment has been steadily rising. Immigrants and other people of color tend to fill jobs with inadequate pay and benefits. Anti-discrimination laws need to be enforced. Unionization should be promoted. Public investment, including jobs in new green industries, should be affirmatively targeted to communities of color.

Savings and investments: The racial disparity in financial assets (cash, investment accounts, stocks, bonds, etc.) is wide: the median family of color had only $9,000 in financial wealth in 2007, compared with $44,300 for whites.[7] Access to banks has been a problem on Native American reservations, in inner-city neighborhoods and in rural areas. Public programs that match savings or provide subsidies for college tuition will allow more low-income people to build assets. Matched savings programs should be tailored to fit the cultures of people of color, such as building on existing saving practices in immigrant and Native American communities.

Debt and credit: Poor credit scores and unscrupulous lenders keep many people of color stuck with only high-interest credit options, unable to access fair credit for college, homeownership or auto loans. African Americans paid an average of 7% for new car loans in 2004, compared with 5% for white borrowers.[8] African and Latino students are far more likely to have unmanageable student loans, defined as monthly payments over 8% of income.[9] A new federal Financial Product Safety Commission watching for discriminatory practices while protecting all consumers is sorely needed.

Homeownership: The sub-prime mortgage crisis is devastating communities of color. Discriminatory and unregulated practices have led to foreclosures and an estimated loss of at least $165 billion in wealth in communities of color.[10] Black and Latino homeowners are now facing twice the rate of subprime-related foreclosures as white homeowners.[11] In the short run, a foreclosure moratorium and a federal program to renegotiate mortgages on fair terms are needed. In the long run, affordable housing must become a national priority.

Business ownership: Fourteen percent of white families but only 7% of families of color owned equity in a business in 2007.[12] The majority of minority-owned businesses have no paid employees.[13] Minority business start-ups use personal savings and credit cards more often, and receive prime bank loans less often, than white business owners. Ensuring greater access to public and private investment capital is essential to close the gap. Government procurement programs can be used to boost businesses owned by people of color.

Social insurance: Laid-off workers of color are less likely to get unemployment insurance than white workers; and workers of color tend to put more into Social Security than they take out in retirement benefits.[14] Fairer rules in both programs would broaden their reach. But the disability and survivor programs are very important to African Americans; these programs must be protected against cutbacks.

The Tax Code: Currently tax policy prioritizes further asset-building for wealthy asset owners instead of helping wage earners acquire assets. The mortgage interest deduction reduces taxes mostly for owners of high-priced homes who are disproportionately white; low-income taxpayers who do not itemize get no benefit. Making the deduction refundable to low-income homeowners would help close the race gap. A parallel rent deduction would benefit many people of color. Taxes on the very wealthy, such as the estate tax, need to be protected and expanded in order to broaden asset ownership to more people.

SEVEN PRINCIPLES FOR CLOSING THE RACIAL WEALTH GAP

From the recommendations made above, a number of principles can be distilled. They represent a framework that our leaders must pursue to lay the foundation for the full participation of all members of our society in our economy.

1. Craft public policies to support wealth creation and provide opportunities to move up the economic ladder for all those stuck on the lower rungs.
2. Ensure full participation in programs intended to be universal through program design and implementation measures, targeting those often overlooked.
3. Draw upon the perspectives of experts of color to develop public policy.
4. Expand and enforce policies that eliminate discriminatory practices in the private and public sectors.
5. Promote the collection of racial and ethnic data essential to evaluating policy effectiveness.
6. Support community-wide prosperity through community-based economic development.
7. Recognize that a comprehensive human-capital agenda is needed.

In his inaugural address, President Obama said, ''The state of the economy calls for action . . . not only to create new jobs but to lay a new foundation for growth.'' By giving populations that have endured years of disinvestment a boost onto the economic ladder, we can lay a foundation for renewed national prosperity.

END NOTES

[1] Federal Reserve Board, 2007 Survey of Consumer Finances, ''Full Public Data Set'' (Washington: The Federal Reserve Board, 2009), http://www.federalreserve.gov/pubs/oss/oss2/2007/scf2007data.html.

[2] Authors' calculations of Federal Reserve data.

[3] This section is based on The Color of Wealth, by Meizhu Lui, Barbara Robles, Betsy Leondar-Wright, Rose Brewer and Rebecca Adamson, The New Press, 2006.

[4] Ibid, pp. 198–100

[5] Ibid., p. 213

[6] U.S. Census Bureau, Income, Earnings, and Poverty Data from the 2007 American Community Survey.

[7] Federal Reserve Board, Changes in U.S. Family Finances from 2004 to 2007: Evidence from the Survey of Consumer Finances, February 2009.

[8] Consumer Federation of America. African Americans Pay Higher Auto Loan Rates but Can Take Steps to Reduce this Expense. Washington, DC, 2007.

[9] King, Tracy and Ellynne Bannon, The Burden of Borrowing: A Report on the Rising Rates of Student Loan Debt, State PIRGs' Higher Education Project, March 2002.

[10] Schloemer, E., Li, W., Ernst, K., & Keest, K. (2006). ''Losing Ground: Foreclosures in the Subprime Market and Their Cost to Homeowners,'' Durham, NC: Center for Responsible Lending; Center for Responsible Lending. (2007). ''Subprime Lending is a Net Drain on Homeownership.'' (CRL Issue Paper No. 14), Washington: DC: Center for Responsible Lending.

[11] Oliver, Melvin L. and Thomas M. Shapiro, ''Sub-prime as a Black Catastrophe,'' The American Prospect, October 2008, 11.

[12] Federal Reserve Board, Changes in U.S. Family Finances from 2004 to 2007: Evidence from the Survey of Consumer Finances, February 2009.

[13] Robles, Barbara, ''Latino Entrepreneurship and Microbusinesses: A National and Border Economy Snapshot,'' AAPSS Blog, October 5, 2007 Survey of Business Owners, 2002 Economic Census, Department of Commerce, Bureau of the Census.

[14] Social Security Administration, Hispanics, Social Security, and Supplemental Security Income, Table 7, ''Characteristics of Hispanic beneficiaries of Social Security and all beneficiaries,'' 2005.

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

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

ECONOMIC SCALE-BACK

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

Mr. ROE of Tennessee. When I was home this weekend in Johnson City, Tennessee, I met a few small business owners who are really feeling the effects of this economy. These are real people I'm going to introduce you to, not just some abstraction.

One is a fourth-generation owner of Glenn Wynne Paint and Wallpaper Company. Like many responsible small businessmen and women, he is trying to figure out how to keep his company long enough to ride out this economic mess we are in.

He did have 25 full-time employees for whom he provided benefits, including health care. First, he had to cut back on health care, and then he had to eliminate it altogether. Then he cut 15 percent of the workforce, and he reduced it again to 15 employees.

Finally, he cut 10 percent of the pay for all his employees, including himself. He even went so far as to cut out the $90 a month he was paying for trash removal, choosing to haul the trash himself. He also cut out the cable TV in his business.

As he sees it, he's making tough economic decisions on how to keep his company financially stable during this rough economic time. But he is astounded that people in Washington can't do the same thing, especially because help isn't being targeted for businesses like his that really need it. He sees this cap-and-trade tax as one that will just finally put him completely out of business.

Another individual I met has been in business for 35 years and has very, very little debt, which makes it easier for him to survive this crisis. He had to cut his staff from 50 down to 18 employees and cut unnecessary expenses.

What he's mad about is that while he hears talk about wanting to help small business, he still has hundreds, if not thousands, of dollars of fees to pay to OSHA and Tennessee's Department of Labor and Workforce Development.

As he sees it, large employers can afford these fees and weather the storm, but he doesn't see help for small business. He would like to see the government make it easier for small businesses to stay in business by easing up on the regulations when they can least afford it.

Of course, what I had to tell these two gentlemen was that you make too much sense to get your ideas heard here in Washington. We haven't tightened our belts at all, and definitely haven't gotten our financial house in order. We certainly haven't curtailed the unnecessary regulations on small business or reduced their fees to help them weather this economic storm.

It's time we started acting more responsibly and passed legislation that will stimulate economic growth and prevent our children from bearing the burden of this crushing debt we're racking up to pay for irresponsible choices of the present.

On top of this economic stimulus bill comes the President's budget, which spends too much, taxes too much, and borrows too much. That, ladies and gentlemen, may be the understatement of the week.

With a worsening economic crisis in the forecast, you would think we'd be talking about how some of the President's ambitious proposals could be scaled back. In fact, new economic numbers show larger deficits than the President originally predicted—and these numbers are already very significant.

Instead, the administration and its Democratic colleagues are insisting they will press ahead with the agenda undeterred, as though we don't have an economic crisis.

The President is not at fault for the State of our economy, and I know he is sincere in his desire to get us back on track. But it's important he acknowledge the impact of our current economic crisis on his agenda. The recession does impact his ability to spend billions upon billions of dollars to meet his priorities.

I think many Americans would take it as a positive sign if the President told the people frankly that because we're in a recession, we have to scale back some on his agenda and focus all our efforts on restoring economic growth and creating jobs.

The American people will appreciate hearing this because it's what they're already doing. I think they would have much more confidence in our government if we acted just like them.

□ 1600

PERSONAL RESPONSIBILITY

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

Mr. KRATOVIL. Mr. Speaker, I rise today in support of personal responsibility.

Over the last week, we have all expressed outrage over the bonuses paid to AIG executives. The truth of the matter, however, is, this is just the latest example of a lack of personal responsibility that is rampant within our Nation. As we attempt to recoup taxpayer dollars wrongfully used to pay for those bonuses, we also need to recognize that what has happened at AIG is a symptom of a much broader issue affecting our Nation; and, until we as a Nation come to grips with the problem and begin addressing it, we will face the consequences of AIG-like problems again and again.

The lack of personal responsibility in our Nation is not simply apparent at AIG; it is evident everywhere. It is evident in the actions of unscrupulous lenders, making money off of unwitting borrowers, knowing full well these borrowers are being set up for failure. It is evident in the actions of reckless investors who took on enormous debt in the hopes of turning a quick profit, but instead passed their debt along to the American people. It is evident in the corporate executives, who, despite having ultimate responsibility for their failing companies, have absolutely no problem taking bonuses while their own employees, stockholders, and American taxpayers pay the price for their failings.

It is evident in the views of some of our citizens who have benefited from the opportunities that wealth and privilege afford, and yet feel absolutely zero responsibility to assist in providing for the common good.

It is evident in the talking heads on both sides of the political spectrum that intentionally, either for political gain or sheer entertainment, distort and oversimplify complex issues that erode confidence in our leaders and in our institutions.

And, yes, Mr. Speaker, this lack of personal responsibility is also evident in us, Members of the House of Representatives, Democrats and Republicans, who continue to play politics and blame one another for political expediency instead of coming together to move our Nation forward.

In short, the issue is simply not the executives at AIG. There is enough blame to go around, and we all have a part to play in changing the culture of our Nation.

Regardless of what happens in the short term, long-term economic and moral strength of our Nation depends on renewing one of our greatest American virtues, personal responsibility.

A BUDGET THAT SPENDS TOO MUCH, TAXES TOO MUCH, AND BORROWS TOO MUCH

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

Mr. BROUN of Georgia. Mr. Speaker, I rise today because the American people are witnessing one of the greatest magic tricks of all time. The 2010 budget proposed by this administration and currently under consideration by this legislative body is worthy of being mentioned with the greatest illusions created by Houdini himself.

This budget proposal is on one hand being held out as addressing the challenges of our Nation while taking steps to reduce the deficit. This one hand being shown to the American people reveals the ideas of reducing entitlement spending, partially fixing the AMT, and creating an emergency reserve fund. And while the magician waves his hand and distracts the American people, the other hand is out of public view, and this is where the trick is being played. This other hand contains the real instruments of this budget: More Federal spending on more Federal programs; more taxes on all American families and small businesses; and a Federal deficit higher than in the past 4 years combined.

Simply put, Mr. Speaker, the end result of this magic trick is a budget that spends too much, taxes too much, and borrows too much. This budget proposal increases spending to $3.9 trillion, nearly one-third of the gross domestic product, a rate not seen in this country since World War II.

To put this into perspective, under this budget nearly $1 out of $3 in the entire American economy will be a result of Federal government spending. And what does this huge increase in government spending go towards?

Approximately $1 trillion will be spent on an increase in entitlement spending over the next decade. More than $600 billion will be spent on government-run health care, socialized medicine. And, more than $1.1 trillion will be spent on more discretionary spending, that is, optional spending, with several government agencies receiving budget increases of more than 30 percent.

Now, where does this great magician get the money to pay for all this increased government spending and programs? By picking the pockets of the American public.

Here, again, the great illusionist holds out one hand and claims they will only increase taxes on the rich while giving tax cuts to the other 95 percent of all of us American taxpayers. However, once again, the other hand is hidden away, and this is where the trick happens. The real result of the tax trick in this budget is more taxes on America's small businesses.

Mr. Speaker, I ask you, in these tough economic times, with rising unemployment, is a tax increase on small businesses, the engine that drives our economy, really the best course to take? How about resurrecting the death tax, which this budget does. Is that an appropriate course of action? I think not. I ask, what does an increase in capital gains taxes while cutting the tax deduction for the interest paid on mortgages do to stimulate our economy?

And I am sure that the 95 percent of Americans who are expecting a promised tax cut will find that money useful when it comes time to pay their share of the new $646 billion cap-and-trade—so-called cap-and-trade, I call it cap-and-tax—energy tax that will result in higher costs on electricity, natural gas, home heating, gasoline, and all goods and services in America.

Just looking at my home State alone, with this new energy tax Georgians will see their disposable income reduced by $941; and the State is projected to lose up to 62,000 jobs by 2020. Even Houdini can't hide these numbers.

Now, Mr. Speaker, just when the American people think they have seen the finale of this magic trick, they are then surprised with an ending twist. This is a magic twist that will be replayed for their children and grandchildren.

By their own estimates, the current deficit would decrease by half if this administration did nothing and we kept spending constant. We cannot continue this magic trick. We must stop this irresponsible budget that is being proposed by the administration.

OUR CURRENT ECONOMIC CRISIS

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

Ms. KAPTUR. I thank the Speaker very much for that, and wish to say that I recently entered into the CONGRESSIONAL RECORD an account of some of the key legislative history and executive actions that have led our Nation into our current economic crisis, a meltdown of people's accumulated savings, a loss of value in their homes and pensions, a 26-year high in unemployment, and major damage to our financial institutions and their ability to lend.

One of the individuals I talked about was the woman who headed the Commodity Futures Trading Commission back in 1998, in the late 1990s, and her name was Brooksley Born. She was an esteemed attorney, and she knew the field of regulation well. She said we had to regulate derivatives and, if we didn't, we would get in trouble. She was prescient and she was right.

Three of the men that ultimately caused her resignation were pictured on the front of Time Magazine about a year later: Alan Greenspan who then headed the Federal Reserve, Robert Rubin who chaired Citigroup, and Larry Summers who was then Secretary of Treasury.

You know, it is good to remember history so you are not doomed to repeat it. The unemployment figures just announced nationally and for my home State of Ohio reveal the grim situation: The State unemployment rate is marching toward double digits, the city of Toledo is facing a massive deficit that grows with each passing day, and around our district families, businesses, and local governments are struggling to make ends meet.

Let me offer a seven-step restoration program to put our economy back on track.

First of all, we ought to bring the ''too big to fail'' institutions back under control for the sake of the American people. They should never have been allowed to get so big that the failure of a Citigroup that this man used to head or an AIG insurance company, which is much more than an insurance company, or Lehman Brothers could threaten the entire global financial system. These raging beasts have got to be brought back under control; and, last week Federal Reserve Chairman Bernanke said, ''The 'too big to fail' issue has emerged as an enormous problem both for policymakers and financial institutions generally.'' He is right. Job number one should be bringing the big institutions back under control and, in my opinion, breaking them up.

Number two, we should restore the goal of financial security; that is, people should have more equity and less debt, and it needs to be restored at all levels, from our kitchen tables to the government of the United States. Read chapters 8 and 9 of Kevin Phillips' book, American Theocracy. Treat yourself to a real understanding of how we have gotten ourselves into the situation we face today. Form a book club. Think about it.

Number three, we need to restore our national ethic that values savings over debt both in our households and in our government. Our government should set a national standard for prudent and responsible financial behavior for our citizenry and institutions. The fact that JP Morgan could take a dollar of home equity and leverage it 100 times beyond the value of the underlying asset goes well beyond the realm of reason.

Number four, we need to restore the word ''banking,'' ''prudent banking'' to our vocabulary, and excise the word ''financial services.'' And we ought to start right here in the House of Representatives by renaming the committee of jurisdiction what it used to

be called, the Banking Committee. This means deposits and prudent lending must be unwound, separated, and regulated differently from the securitization process for a major portion of economic activity.

Number five, we ought to incentivize the accumulation of equity by ordinary citizens, and I was pleased to see that President Obama's budget includes savings proposals. And, we ought to restore an ethic of service to bank customers by those working in banks, not using them to empty out the limited savings of the American people.

Number seven, we ought to restore the balance of power between Wall Street and the megabanks on the one end of the scale with community-based banks and credit unions at the other end of the scale. We ought to ask Chairman Bernanke for more on that score.

And, finally, we ought to investigate, investigate, investigate. In an article last week titled, ''Then It's Securities Fraud,'' journalist Froma Harrop wrote that law professor William Black of the University of Missouri Kansas City, who is also renowned for his work in ethics, has mounted a campaign for a new Pecora-type investigation here in the Congress. That was a series of hearings held by the Senate Banking Committee into financial wrongdoing at the end of the Great Depression.

Harrop writes, ''As the bottom was falling out of derivatives trading, AIG was reporting healthy profits. That's not allowed under the law. Meanwhile, the company created a short-term bonus system for its top executives.''

Professor Black's call for a Pecora Commission should not go unheeded by this Congress. The issue of securities fraud is not a small matter.

The first order of business is to get the financial system righted so the ship doesn't sink. We owe that to the American people who are trying to hold on to their own dreams.

□ 1615

Then the Congress must launch an investigation like no other into the causes of this crisis. And frankly, it is a conundrum to this Member why that set of investigations has not already begun. We need to learn every detail about what happened and why and bring the wrongdoers to justice so that this never, ever happens again.

Next week, I'm going to offer greater detail about what America needs to do from this point forward. But certainly one of the actions that should be taken today is that the Federal Deposit Insurance Corporation and the Securities and Exchange Commission should immediately employ reforms in mark-to-market accounting so that we can actually help our banks begin to lend again, because we can never possibly replace the capital being destroyed every day by mark to market with the infusions from the taxpayers of the United States.

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

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

INVESTORS PARTNERING WITH TAXPAYERS TO BAIL OUT WALL STREET

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

Mr. DEFAZIO. We have been told this would be the most transparent administration in history. And in many areas, they are infinitely better than the Bush administration. Their single greatest failing comes in the area that, unfortunately, is foremost with most Americans today, which is the economy and the bailouts on Wall Street.

Treasury Secretary Geithner has now proposed a new plan. It is a pretty good deal. Taxpayers will put up 95 cents of every $1, investors will put up, well, between 5 and 7 cents. And it is called a nonrecourse loan; that is, these speculators will put down 5 cents on the dollar to bet on certain packages of so-called toxic assets from the banks, buying them from the banks, and they will share evenly in the profits with the American taxpayers, except the American taxpayers put up 95 cents, and the speculators put up a nickel.

It is certain to perpetuate what has been going on on Wall Street, which is making a few people very rich and impoverishing average Americans, and this time through the tax system and putting taxpayers on the hook.

The program is reported, according to the Washington Times, to have been designed by two prominent Wall Street firms, Blackstone, a secretive private equity group, and a company called Pimco, both of whom apparently have very large positions in these so-called ''toxic assets.'' It is reported by the Washington Times that they suggested this to some of their insider buddies in the administration, and the insider buddies presented this to Secretary Geithner, who has been floundering around trying to put details to his program, and now he has found them. So Wall Street has written the details.

Also, according to the Times, Pimco and Blackstone are not only in line to be able to wash some of their toxic assets and to gamble mostly with taxpayers' money on other people's toxic assets, but they are going to be hired by the government to manage the program. What a beautiful sort of circular little system this is.

We need some accountability and transparency. We need a commission akin to the commission named after the collapse in the Great Depression to investigate every aspect of what has gotten us to this point, who has been involved, what laws have been broken, with subpoena power so that some of these people can enjoy, instead of Federal handouts, they can enjoy Federal hospitality in a maximum security prison somewhere.

Plain and simply, I believe the American people are being taken to the cleaners yet again with this particular plan. What is wrong with actually taking AIG and winding it down? It is a so-called ''zombie.'' We are told in vague terms ''it is too big to fail.'' When I asked Secretary Geithner, just about 10 days ago, I read in the Wall Street Journal, Mr. Secretary, that, in fact, we are shoveling money in the front door of AIG because it is too big to fail, the taxpayers are on the hook for over $150 billion to AIG, and now we are 80 percent owners, and they are still paying bonuses to the people who created the problem, and apparently they are shoveling money out the back door to some of the firms who are getting money in the front door, most notably Goldman Sachs. Goldman Sachs has been getting direct infusions of cash from the Federal Government, and now they are going to be made 100 percent whole on their bets with AIG. They were gambling with AIG, betting against other people's securities with these so-called ''credit default swaps.'' So instead of saying, ''tough, we will give you back your bet, but we are not going to give you 100 percent of the amount you were betting on,'' they are getting 100 percent of the amount they were betting on, and meanwhile we are subsidizing them on both ends here through this black box that is called ''AIG'' that is too big to fail, that, gee, it is just way too complicated to explain to you why it is too big to fail and why we couldn't unwind this zombie corporation in an orderly way. Had we done that last fall or earlier this year, then we wouldn't have had to pay the bonuses because it would have been clear the company was bankrupt, and it could have been taken care of and unwound in a much more orderly way. But we are not being given the information about why it is too big to fail and why this is the way to do it.

And when I asked Secretary Geithner, is it true we are giving money to AIG that then they are giving to Goldman Sachs for bad bets they made? I asked if there was something call a ''naked credit default swap?'' He said, ''oh, don't believe everything you read in the Wall Street Journal. It is not true.''

The Treasury has revealed that what I read in the Wall Street Journal was indeed true. These same huge firms that are benefiting from a direct bailout from the government are also getting a second-level indirect bailout on their bad bet. And some of these firms are foreign banks. We are not only bailing out the likes of Goldman Sachs. We are bailing out Deutsche Bank and other foreign interests.

This is outrageous. We need a full investigation, an explanation of what has gone on and what is going on. We need to take legal steps to prosecute any of

those who broke the laws. And we also have to have stiff new regulatory reforms to make sure this doesn't happen again. And none of that is happening, sad to say.

UNPRECEDENTED TAXING AND SPENDING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. BACHMANN. Mr. Speaker, I just wanted to comment also with the preceding gentleman, my colleague from Oregon. I would agree with him. I think he is 100 percent right. We do need to have an investigation. The American people were outraged last week when they heard about these bonuses. I would agree with the colleague from Oregon. We do need to have an investigation. Who knew what when? And the fingers need to be pointed right here at Members of Congress, Members of the House, Members of the Senate, and also the administration. Who was it that negotiated these payments? We still don't have an answer. The American people deserve to know. We have a timeline. We have some facts in evidence out there. We had Mr. Liddy, the CEO of AIG, in front of the House Financial Services Committee just last week. I sat in that committee. Mr. Liddy, under questioning, I asked Mr. Liddy myself, did the Federal Reserve chair know about these bonuses? Did he acquiesce to them? The answer was ''yes.'' Also the Treasury Secretary. The Treasury Department was involved in negotiating the compensation contracts.

Today in Financial Services Committee, the Treasury Secretary again was sitting at the table before the committee. The Federal Reserve chair was there as well. The questioning came before them. The Treasury Department was involved. The Federal Reserve was involved. And we know that the bill that was brought to this body and voted here in this Chamber, the stimulus bill, the $1.1 trillion bill with debt service, this tremendous historic-spending-levels bill that came before us, that was the smoking gun. Senator CHRIS DODD inserted that amendment into the bill. He claimed that the Obama administration insisted that that amendment be put into the bill, the language that would protect these AIG bonuses. And as a matter of fact, you could call President Obama's stimulus bill the ''AIG Bonus Protection Plan'' because bonuses were simply protected by this bill.

I would agree with my colleague from Oregon. We need an investigation. We need a special independent prosecutor who can look into this and find out the true facts. What did the Obama administration know? When did they know it? What did Members of Congress know? When did they know it? Clearly, this was a government cartel that was protecting these AIG bonuses.

And why do we need to know this? Because the American people have figured out something that Congress is only just now beginning to figure out. Under President Obama's budget, we see that the administration is spending too much, they are taxing too much, they are certainly borrowing too much, so much so that the American people are saying ''I have had it up to here, I can't take it any more.'' And the economy is following suit.

Well, our colleagues are here today to talk about this. They have a lot to say. Joining me right now is a colleague from the great State of Ohio. He represents the people in the 12th Congressional District of Ohio and the great city of Columbus, Mr. PAT TIBERI, the new father of triplets, and I defer now to my colleague from Ohio, Mr. PAT TIBERI.

Mr. TIBERI. I thank the gentlelady from Minnesota for yielding me some time to talk about a very important subject. As you mentioned, as the new father of triplets, looking at this budget is pretty frightening, not just for me, but obviously what I feel for them and my older daughter as we have in this budget an unprecedented level of spending and also some policy issues that are going to cost them and many in my State of Ohio a tremendous amount of money.

So this budget has real consequences on real people. In fact, the chart behind me demonstrates a little bit about that budget and what that budget does to our national debt. This debt, as you see in red, is representing the administration's budget, a staggering number that will go up considerably if this budget, which is being debated in the House Budget Committee this week, presumably on the House floor, next week, if it passes, as it is, this will be the result, a doubling of the debt held by the public. It is unbelievable.

Who is going to pay that debt? It is going to be our children and our grandchildren. They are going to be saddled with unprecedented debt, debt as far as the eye can see.

When I got elected to Congress in 2001, when I was sworn in, you can see where the national debt was. The Republicans and the administration during the last 8 years were criticized for not dealing with that debt in blue. And it went up. And it went up entirely too much. But not nearly as much as it is going to go up if this budget passes. The consequences are devastating to our economy.

In fact, within that budget is something called ''cap-and-trade.'' It is an energy issue to deal with the issue of global warming. But in Ohio, what it will do is devastate our already ailing economy. It will cause people to leave and businesses to leave. In fact, within my district, there is a municipal power company. It will create the loss of jobs as well. Within my district and many other districts in Ohio there are municipal power companies, not investor owned, but owned by municipalities. And one such one has said that it will quadruple, quadruple the rates that their ratepayers pay. Quadruple. Now my mom and dad, who are on a fixed income, will see their electric go up. They will see their gas bills to heat their home go up. They will see their gasoline that they pay for in their 14-year-old car go up in cost. This will be a huge, huge tax increase on them not to even mention the goods and services that will go up, just the energy tax alone.

We on this side of the aisle believe that an all-of-the-above energy approach to solving our domestic energy needs should be debated rather than a cap-and-tax program that will devastate economies like Ohio's economy. It will be absolutely a killer to jobs in our State.

Now the other issue that you may hear about in the next week is spending, that my colleagues and friends on the other side of the aisle are going to constrain spending. Well, here are the facts, the Congressional Budget Office facts. The blue has been the spending over the last 8 years. The red is the spending over the administration's budget. Clearly, we are going to see an incredible amount of new spending.

□ 1630

So the problem in Washington, D.C. is not a revenue problem. The problem in Washington D.C. is a spending problem. There is no such thing as a spending restraint.

Ladies and gentlemen of the House, this is an eye-popping proposal, one that is going to have huge consequences to our economy, to our children, to our grandchildren, to our way of life. We must, we must put a stop to this proposal, and the only way we can do that is with the help of the American people because, quite frankly, this side of the aisle just doesn't have the votes. The other side of the aisle does, and we need the American people engaged in a proposal that will have a killer effect on our economy and one that will have a devastating effect on the future of our children and our children's children.

I yield back to the gentlelady from Minnesota.

Mrs. BACHMANN. I thank the gentleman from Ohio's 12th district, PAT TIBERI. The remarks that he is making about the burdens that our children and grandchildren will bear are startling. I had a baby born to my husband and I back in 1987, and I did a study on what the Social Security tax would be on that baby, who is now 22 years old, when he gets to be in his peak earning years. Now, I know that Mr. TIBERI has triplets that were born this year. We are looking at the debt burden on my son, now 22. In his peak earning years, 25 percent of his income will have to be devoted just for the Social Security portion of his tax bill. It is simply unsustainable.

And our concern is that, under President Obama's budget, which clearly spends too much, taxes too much, borrows too much, we are looking at a legacy cost that is simply unsustainable. The President is putting together an unbelievable $3.9 trillion budget, trillion dollar, which, as Mr. TIBERI said, will double the debt limit for every man, woman and child in the United States. Double it. We are seeing these numbers go through the roof of the Capitol right now, like nothing we have ever seen. It is like a sugar high. It is as though the people who are putting together this budget in the Obama administration were all staying up late one night drinking 24-packs of 20-ounce Mountain Dews. They are on a sugar high right now. They can't spend enough of your money.

And the message that everyone needs to send to Washington, D.C. is, I can't afford it. My family can't afford it. My small business can't afford the Obama administration's spending habit.

We have this movie that is out now called Shopaholic. This is a shopaholic bill that we have got in front of us, and it is time to let the people know that those who are paying the bill, the American people, have enough debt. We don't need to take this on too.

Joining us now, from the great State of Texas, is someone, Mr. Speaker, that all Americans are familiar with. His name is TED POE. Congressman TED POE is a former judge. He understands that that's the way it is in the United States.

I yield now to Representative TED POE of Texas.

Mr. POE of Texas. I thank the gentlelady for yielding, and her comments especially.

Mr. Speaker, we are discussing the proposed budget. And disregard whether it has some good projects in it or not. It breaks the back of the American citizen. And we hear a lot of numbers about how much it is costing and, of course, it does cost too much. But I will try to put it in perspective.

I have four kids, 7½ grandkids. Mr. TIBERI just had triplets. Mrs. BACHMANN's got a handful of kids. And when kids are born, every parent remembers that they are given an arm band, and the arm band usually says who that child is. My kids all had an arm band that said ''Poe kid.'' They're going to have to change arm bands on my grandkids from Poe kids to just poor kid because every child born after this budget passes will have to pay off the debt to the tune of $70,000 a piece. So when kids are born in America, if this budget passed, give them an arm band that says, you owe Uncle Sam $70,000.

Mr. Speaker, that is disgraceful that we are saddling debt on kids yet to be born in this country. So much for freedom. They are going to be enslaved to the Federal Government to the tune of at least $70,000 a piece. And that doesn't count all these other spending programs that we are seeing going to come down the pike later this year.

Maybe we should remember some of the things that Thomas Jefferson said. Of course he helped write, or he did write the Declaration of Independence. He wrote a lot while he was President. Here's a quote from Thomas Jefferson, Mr. Speaker. He said it in 1821, shortly before he died. He said, ''There does not exist an engine so corruptive of the government and so demoralizing of the Nation as a public debt. It will bring on us more ruin at home than all the enemies from abroad.'' Wise Thomas Jefferson. Maybe we would do well to read some of the things that Thomas Jefferson wrote about saddling American taxpayers with public debt. It is worse than our foreign enemies we have got all over the world.

We cannot afford to pay for this budget because we don't have any money. We have spent it all. We have given it to, you know, these banks that can't fail, and all these other special interest groups. So we are broke. So we are going to have to borrow the money. And we are going to have to borrow the money from foreign countries. Number 1 on the list, the Chinese. You know, our good friends, the Chinese. We are going to borrow their money.

It was embarrassing to me, as a citizen, to see our Secretary of State go to China and beg to allow us to borrow money from them in the future. Even they are a little worried about whether we can pay off this great debt that we are incurring and putting on kids yet to be born. It is disgraceful, Mr. Speaker.

And the second thing is, if we can't borrow enough money, the government's answer is, we will just tax them. Tax them to death. You know, the old statement goes, if something moves, regulate it. If it keeps moving, tax it. And if it stops moving, then subsidize it. We are doing all of the above right now. Things that aren't doing any good for the economy, oh, we are subsidizing those. But we are taxing the American taxpayer to death, those that work for a living. And we are also taxing those small businesses.

I want to make one thing clear about jobs. We hear so much about the budget is going to create jobs. Jobs, jobs. Well, we have to define what a job is. There are government programs, and those are not jobs. A government program takes taxpayer money and gives it to different projects to build something. Now, that is not a job because that is subsidy by the American taxpayer to this entity.

Jobs are not created by government. Jobs are not created by government. Small businesses create most of the jobs in this country because, you see, when small business has money, we call that capital, thus the term capitalism. When they have money they hire people. The taxpayers don't have to subsidize that worker, whereas the taxpayers have to subsidize the government program worker.

So let's be clear about that. There are jobs, and then are real jobs. And so we should do everything in our power to help small businesses, because they create 70 percent of the jobs in this country.

But this new budget, loaded down with borrowing, is also loaded down with taxes. And it taxes the producers of this country. Like I said, if something keeps moving we just tax it. And that is the plan.

And it seems to me, this is just my opinion, this whole philosophy that we are moving to in this country is a government-controlled culture, government-controlled society; kind of makes us look like the French socialist society, in my opinion. And I don't think that is what liberty is all about. So maybe we should go back to some basics.

Like most American taxpayers, they don't spend money they don't have. Maybe the government shouldn't spend money it doesn't have. Maybe we shouldn't be borrowing money because we have to pay the debt on it. And we are not going to live to see it, so we are passing that debt on to our kids yet to be born, to the tune of $70,000 a piece. And that ought not to be.

But that's just the way it is.

I yield back my time.

Mrs. BACHMANN. Thank you to the gentleman from Texas.

Mr. Speaker, it is clear President Obama's $3.9 trillion plan for the budget, for the American people clearly spends too much, taxes too much, borrows too much for our kids and our grandkids.

There is a man that we respect and admire. He hails from West Chester, Ohio, the eighth district. He is the leader of the Republicans in the House, but more importantly, he is the leader on the issue of fiscal restraint for the American people.

He stood right down here in the well, Mr. Speaker, he held up so the American people could see what 1,100 pages of a bill looks like. He held those 1,100 pages and made the incredible statement that not one person in this chamber had a chance to read this bill before we were expected to vote on it. There was no true debate on this stimulus bill that was passed earlier this year, $1.1 trillion. And now the President has a budget for $3.9 trillion that spends too much, taxes too much, borrows too much.

Leader JOHN BOEHNER stood on this House and demonstrated to the American people just how massive this is.

I yield now to our leader, a man that we respect and admire, from the eighth district of Ohio, leader JOHN BOEHNER.

Mr. BOEHNER. Let me thank my colleague for yielding, and thank the rest of my colleagues for participating in this discussion about the budget.

Before we get to the budget, you know, when I held those 1,100 pages up and indicated that no one had read the bill, it was pretty clear no one had because if someone had read the bill they would have realized there were 50 words in there that protected AIG executives, to make sure they were going

to get their bonuses; more proof that we ought to actually read what we pass here on the House floor.

The discussion, though, is about the budget. And I have seen a lot of things over the years that I have been in politics, whether it be a Township Trustee in West Chester, or in the State House, or the 18 years I have spent in Washington. But I have never seen a legislative document more audacious, more far reaching, and, frankly, more bizarre than the budget that has been submitted by President Obama, because it does spend too much. It is pretty clear, when you look at the giant increases in spending. But it is not just that it spends too much. It taxes too much. There are nearly $2 trillion worth of new taxes that are imposed on the American people in that budget. Whether it is the national energy tax, for those who would drive a car, or those who would produce something with electricity, or someone who would flip on a light switch, every American is going to pay a higher tax.

But even with all the spending and the much higher taxes, look at what happens. Look at what happens to our debt. Even after $2 trillion of new taxes, the national debt will double over the next 6 years under this proposal, more than what has happened in the 43 presidents that preceded President Obama over the last 220 years.

Now, there was a lot of criticism of President Bush, criticism of the Republicans, that we didn't have a big enough handle on spending. Frankly, I agree. We should have had a bigger handle on spending.

But having said that, over the next 6 years, President Obama's budget is going to make President Bush look like a penny pincher. And look at the debt. And what is going to happen here, with all of this debt that is piled on the backs of our kids and grandkids, means that in about 10 years, 70 cents of every tax dollar that comes to Washington is going to be used just to pay the interest on the national debt, just the interest. 70 cents of every dollar.

So what happens to our national defense? What happens to our Homeland Security? What happens to Medicare or Medicaid, Social Security and all of the other government programs that we have? There is not going to be any money for it, because all of the debt that is going to get built up, interest has to be paid on that debt and the fact is, it won't happen.

This budget, we need to start over. And I had a press conference earlier today where I suggested to the President, why don't we just start over? Why don't we sit down, as Democrats and Republicans, and build a budget that restores fiscal sanity and shows the American people we can work together for the good of our country.

We can't buy our way to prosperity. And that is what this budget seems to believe. And I would hope my colleagues would help each other understand the enormous debt that will be piled up if we allow this budget to go into effect.

And I yield back.

□ 1645

Mrs. BACHMANN. Thank you to the gentleman from Ohio, Leader JOHN BOEHNER. We have tremendous respect for Leader BOEHNER and have great admiration for his courage in leading this effort in fiscal restraint. The American people are begging for fiscal restraint, and Leader BOEHNER has emphasized that to our caucus, and is leading that charge here in the United States House of Representatives.

Also joining us today, Mr. Speaker, is a brand new freshman also from the great State of Ohio, our third speaker from Ohio during this hour. Ohioans represent the heartland of our country. Hailing now from Ohio's Seventh District is Mr. STEVE AUSTRIA, who has a lot to say. He represents the Dayton-Columbus area, and he is going to be speaking to us now as a small businessman himself. I yield now to Mr. STEVE AUSTRIA from Columbus, Ohio.

Mr. AUSTRIA. I thank the gentlelady from Minnesota.

We are well represented here today here in Ohio in this Chamber. There is a lot going on in Ohio, and this budget directly affects us, and I appreciate the opportunity to be able to speak today.

Let me just say, as a new Member of this Congress and having served less than 100 days, we have been faced with tremendous challenges and issues before us. I will start out with the second half of the bailout of the financial markets, the TARP bill, which was $700 billion that I felt did not have enough accountability and not enough transparency. The Treasury did not have a specific plan in place when we voted on that bill, and I had deep concerns with that, and I voted against that bill.

The second bill I was asked to vote on was the $791 billion over 10 years, $1.1 trillion stimulus bill that had a tremendous amount of government spending that I felt was not targeted toward where it should be, to small businesses, which are the economic engine of this country. Seventy percent of the businesses across this country are small businesses. We have 900,000 small businesses in the State of Ohio. Yet this plan did not focus on small businesses. It did little to nothing to help small businesses. It was focused on increasing government spending, which I felt was wrong.

We just heard the leader talk about what happens when you don't read a bill, when you don't have accountability, when you don't have transparency, when you don't have a plan. When you don't read a bill, all of a sudden, you run into what we ran into last week with AIG bonuses being paid out of hardworking taxpayers' dollars. Then there was a $410 billion omnibus appropriations spending bill that had an 8 percent increase, or a $32 billion increase, this year when we are asking Americans to tighten their belts and small businesses to make sacrifices. There are almost 9,000 earmarks in it.

Now we are being faced with a $3.6 trillion budget. I think the gentlelady has pointed out very well and right on target that the problem with this budget right now is that it contains too much spending, too much borrowing, which we have already seen in these other bills, but in addition, we are now talking about $1.4 trillion of new taxes that are going to be put on Americans across this country.

There is a cap-and-trade, or what is being referred to as a cap-and-tax, on anything that uses carbon or CO_2. We are going back and are going to raise the estate tax. There is the raising of the capital gains tax, the removing of itemized deductions, the increasing of marginal rates. All of these tax increases concern me in this budget.

Let me tell you, as a former small business owner and as a father of three, I did not come to Congress to begin major spending, running up a deficit, running up debt like we are running up, passing on debt to my three children at home. That is not why I came to Congress. I came to Congress to turn this economy around and to really begin to save jobs, to create new jobs and to be able to sustain those jobs over the long term. I believe it is our small businesses that can do this. I can tell you, as a small business owner, when I look at this budget that we are faced with, I have deep concerns about what is facing me—new taxes, taxes and taxes.

I talked about the cap-and-trade—we have heard that, too—the increase of taxes on those who have incomes of over $250,000 or more, on the so-called ''wealthiest'' Americans of the country. Many of those are small business owners. Over half of those are small business owners in this country. If I am a small business owner and I know I have these taxes coming at me in 2011, I doubt if I am going to be looking at investing in my business and in expanding my business and in taking a risk. I am going to be preparing for that new tax increase that is coming right at me, and I don't believe that is good for our economy. I don't believe that helps our small businesses.

Again, in Ohio, we have over 9,000 small businesses. Seven out of ten of all new jobs are created by small businesses. America's small businesses are the world's second largest economy, trailing only to the United States as a whole according to NFIB. According to a Zogby poll released last week, nearly two-thirds of Americans, 63 percent of Americans, said that it is small businesses and entrepreneurs that are going to lead this country, lead the U.S., to a better future. Well, you know, while we look at what is going on within this budget, it does not make sense what we are doing.

I had an opportunity on Monday to meet with many of our business folks at a luncheon that was sponsored by the U.S. Chamber. We had the rotary

there, and we had the local chambers there. I had a chance to talk with some of our small businesses about this budget and what we are facing, and they had deep concerns. I mean they are struggling right now. Americans are struggling right now. They are making sacrifices. Businesses are struggling to make it from paycheck to paycheck, payroll to payroll. They cannot get financing. They cannot get the credit necessary to keep their businesses moving forward. What are we going to do? We are going to go out and propose a budget that is going to increase spending, increase borrowing, run our debt up to $3.9 trillion on the conservative side, and increase taxes by $1.4 trillion on all Americans. I believe it is the wrong way to go. I think we can do better. I think the American people expect better and deserve better, and we can produce a better bill than what we have before us.

I thank the gentlelady. I yield back my time, and I thank her for the opportunity to speak today.

Mrs. BACHMANN. I think, Representative AUSTRIA, those are wise words, and thank you for sharing those with us this afternoon. I appreciate your work.

Mr. Speaker, we are joined now by a great gentleman and a longtime advocate for the people in his district, the Second District in Tennessee. He has been serving as a faithful Member of Congress for 21 years, Mr. JIMMY DUNCAN, who is a tremendous gentleman, serving the people of Knoxville and the surrounding community. I yield now to Mr. JIMMY DUNCAN of Tennessee.

Mr. DUNCAN. Well, Mr. Speaker, thank you very much.

I first want to thank the gentlelady from Minnesota for giving me this time. She has been a real leader in this battle to try to restore some type of fiscal sanity to this government, and I can tell you this:

I represent a little over 700,000 people in East Tennessee. Fortune magazine said in 2000 that the Knoxville area had become the most popular place to move in the whole country based on the number moving in in relation to the fewest moving out. For many, many years now, we have had a tremendous movement in of people from all over the country and, in fact, of many from around the world. About half of the people I represent have moved from someplace else, so I have got a real cross-section of people from almost every State in this country. Over these last few weeks, I can tell you, from spending more time at home than I do up here, that people in East Tennessee think we have just gone almost crazy up here, throwing around trillions just almost in a meaningless, haphazard way.

The gentlelady from Minnesota showed this chart a while ago which says President Obama's budget spends too much, taxes too much, borrows too much. No truer words, Mr. Speaker, were ever said on this floor.

The Congressional Quarterly just yesterday came out with a chart, showing that we are going to add $1.840 trillion to our national debt just this year, and then we are going to add another one $1.370 trillion next year and another $970 billion the year after that. In 3-years' time, we are going to add over $4 trillion to our national debt under the most optimistic scenario by the estimate of the Congressional Budget Office.

That comes on the heels of several weeks ago when this Congress—most of us in the Chamber right at the moment voted against it—voted to raise the national debt limit to $12.104 trillion. That is an incomprehensible figure. Nobody can humanly comprehend that much, but we are going to hand over $4 trillion to that. What it means, Mr. Speaker, is this:

In just a few years, we are not going to be able to pay all of our Social Security and veterans' pensions and all of the things that we have promised our own people. I used to say—and I have heard many people say in the last few weeks even—what we are doing to our children and grandchildren is terrible—and it is—but actually, I think now we are doing it to ourselves because I think that, in 10 or 15 years, if that long, we are not going to be able to pay all of these things we have promised our own people. So I think it is really sad what we are doing to the American people because we are spending too much, taxing too much and borrowing too much.

Joe Scarborough said on his national television program just this morning: We are like a doctor who has diagnosed diabetes in a patient but who has then prescribed a diet of cotton candy. He said: We are like somebody making $100,000 a year who has suddenly gone out and bought ten $1 million houses. He said repeatedly something that I have said many times over these last couple of months: We can't afford it. We are spending money that we do not have, and every place in this world and throughout history, when a government has gotten in the position that we are in, you either have staggering inflation or staggering deflation, and one is just about as bad as the other. I don't have a crystal ball to know which one we are headed into. My guess would probably be staggering inflation. What we are doing is reckless, and what we are doing is dangerous. We passed a stimulus bill, and it had some good things in it, but once again, we were spending money that we did not have.

The Washington Post, which favored the stimulus bill, had a front-page story in which they said it was going to mean a massive financial windfall—those are their words—for Federal agencies. Then they had another story a couple of days later in which they said tens of thousands of new jobs would be added on or new hires would be added on by Federal agencies. That is who is going to benefit from this stimulus package—first Federal agencies, then State agencies. So bureaucrats all over the country are going to come out just fine, and maybe a little bit is going to trickle down to everybody else, but this is not who is hurting. This area is one of the wealthiest areas in the country, this Washington, D.C., northern Virginia, southern Maryland area. Yet they are going to receive a massive financial windfall according to The Washington Post.

On Lou Dobbs last week, he said 4 million jobs had been lost in the private sector in the last year alone. Four million jobs lost. Yet government payrolls had expanded by 151,000. Now, because of what we passed up here, government payrolls are going to expand once again.

There have been so many exaggerations over what is going to be done with this money. A couple of weeks ago, a daily newspaper in Montana reported that the two Montana Senators had put out a press release saying that 40 jobs were going to be created because of a $1.3 million portion of the stimulus package. The paper went to that agency, and that agency said: No, we have already got almost full employment. We are going to add two people because of this, and the rest of it is going to be spent on the employees they already have. So I think a lot of people are going to be disappointed over some of this money that we are spending, and we are spending, as I said, money that we do not have.

Now, two of the Members from Ohio—my colleague Mr. TIBERI and the new Member, Mr. AUSTRIA—both mentioned coal and utility bills and things of that nature because it has such a great effect on their State. We have powerful people in this body who are attempting to cut way back and who are attempting, hopefully, to even eliminate coal in this country. Well, I can tell you this: Anybody who is supporting that is going to really hurt the poor and the lower income and the working people because coal provides over 50 percent of our energy in this country today. If we cut way back on coal, we are going to double or triple or quadruple our utility bills, and we are going to hurt a lot of poor and low-income people.

□ 1700

I have noticed throughout the years that most of the environmental radicals and environmental extremists in this country come from very wealthy or very upper income families, and perhaps they don't realize how much they hurt the poor and the lower income and the working people when they destroy jobs and drive up prices. But if they cut way back on coal, that's exactly what is going to happen.

Our leader, Mr. BOEHNER, mentioned another thing. He said that this bill—and we heard a presentation from the ranking member of the Budget Committee just this morning which said that the President's budget has $1.9

trillion in tax increases in that budget. Jim Cramer, the famous stock man—he's on television every night, and he has been a six-figure contributor to the Democratic Party—he described the President's budget as the greatest wealth killer in history. And I will tell you, that is a pretty serious charge coming from that source: the greatest wealth killer in history.

And we just don't have enough people who understand—there is waste in the private sector but a business who continually wastes money cannot stay in business very long. But a government agency that wastes money, they use that as a justification for getting increased funding the next year.

So every dollar we can keep in the private sector is going to do more to create jobs and hold down prices because money in the private sector is spent so much more efficiently than this money that is turned over to government. Governor Edward Rendell, who is a former chairman of the Democratic Party, when he was mayor of Philadelphia, he testified before a Congressional committee and he said government does not work because it was not designed to. He said there is no incentive for people to work hard, so many do not. There is no incentive to save money, so much of it is squandered. That pretty much summed up the reason that money in the private sector is spent so much more efficiently than money turned over to the government. So every dollar we can keep in the private sector will do more to create jobs and hold down prices.

So we certainly don't need a budget that increases taxes by $1.9 trillion. It has been proven all over the world that when you let government get too big, what you do is you create this elite class at the top, you wipe out the middle class, and you create this huge starvation, or underclass, and certainly we have all traditionally in this country had the biggest middle class in the world because we kept our government—it has been very difficult, but throughout history we have kept our government one of the smallest in proportion to the GDP in this Nation.

I know there are some other people who want to speak. So once again, I want to thank the gentlelady from Minnesota for her hard work and her leadership in regard to the fiscal condition of this government. We need more people like her in the Congress, and it is an honor to serve with her, and I thank her for giving me her time today.

Mrs. BACHMANN. I want to thank Mr. DUNCAN for standing strong for restraint. When you have got donors to the other party who are standing up and saying this is a wealth killer, that is a wake-up call. As a matter of fact, we just had one of the former commerce secretary appointees, Senator JUDD GREGG, say of this budget that it clearly spends too much, taxes too much, borrows too much from our kids and grandkids. He said himself that this spending bill will bankrupt America. It will bankrupt our country.

And it caused me to think—I was writing some notes down. I was thinking about the very first Congress. We are the 111th Congress. And I was thinking back to the very first Congress and the founders of our Nation. And I was thinking that they are here in this Chamber, symbolically, and we, as Members of Congress—Mr. DUNCAN who served for 21 years; myself, this is my third year—I think of the first Members of Congress who are here as we symbolically stand on their shoulders and observe their example from the rear-view mirror of history.

And I think about these founders who wrote our Nation's Declaration of Independence to get away from a mother country who abused its taxing authority against the American colonists who then went on to write our great Constitution which was clear as to the limits on government authority. That was the greatest fear that the Founders had was a government that would be tyrannical and reach too far in the pockets and in the freedom of the American people.

The very same day that our founders, the first Congress, passed that Constitution, known across the world, they also passed the 10 amendments to that Constitution. And those amendments were written for one reason. It wasn't to limit the freedom and the power of the American people as individuals, it was written to limit the power of the Federal Government over the individual. And the 10th Amendment, the last of those 10, reserved to the States all power not expressly given to the Federal Government in the Constitution.

This spending bill that President Obama is putting forward to the 111th Congress would shock the founders of our Nation. I believe it would shock them because they might say that they bled and died and sacrificed their fortune and their sacred honor so that what? So that we could selfishly consume material wealth sufficient to bankrupt our Nation? That hardly seems what America is about or what America was founded upon.

Well, Mr. Speaker, joining us now is Dr. PAUL BROUN. He is a great patriot hailing from the State of Georgia. I appreciate Dr. BROUN. He represents Athens, Augusta, and northeast Georgia hailing from the Tenth Congressional District.

I yield now to a great physician, a great friend, a great patriot, Dr. PAUL BROUN.

Mr. BROUN of Georgia. I thank the gentlelady for yielding.

Promises made, promises broken. This administration has made many, many promises to the American public and has broken promise after promise after promise.

We were promised that wasteful spending would decrease and be eliminated. But what do we see? We see a huge increase in the size of the Federal Government. We have been promised that those wasteful programs of the Federal Government would be cut and eliminated. What do we see? We see a bigger growth of the Federal Government, and we see more wasteful spending and a huge increase in the size of the Federal Government.

We were promised that any bill that has earmarks in it would be vetoed. Well, the omnibus bill—I call it the ominous omnibus bill—was nothing but earmarks. The whole bill was nothing but paybacks to the folks who elected the leadership here in Washington today, and that promise has been broken.

And now we have a budget. Leader BOEHNER was here just a few minutes ago and spoke about the increase of the Federal debt. And I want to make it clear something that he said that is very important to the American people, should be important to the American people. The deficit spending, the debt that has been created with this budget alone, is greater than all presidencies combined. Every one of them combined. This one budget is greater than all of those. We can't continue down this road.

This budget bill is a steamroll of socialism that has been shoved down the throats of the American public. It is going to strangle the American economy. It is going to choke the American people economically.

We have been promised that 95 percent of Americans were going to get a tax cut. We saw that in this recent stimulus bill where the tax cut is $1.10 per day. That's it, $1.10 per day. I'm a physician, and I don't believe in smoking. I think everybody should quit. But you can't even buy a pack of cigarettes for that amount of money.

And not only that, but this cap-and-tax issue that's being proposed in this budget is going to tax every single American family by over $3,100 per family. Let me repeat that. Every single family is going to pay an increase in their cost of living by $3,100 per family. We can't afford that. It is going to hurt the poorest of people in this country. It is going to hurt our seniors who are living on a fixed income. It is going to hurt small business because of this class envy and class warfare that's being proposed by this administration.

We have seen promise after promise broken by this administration. And not only that, we are creating a debt for our future generations so that their standard of living is going to be much less, much lower than ours today.

As Mr. DUNCAN was talking about, we are either going to have hyperinflation or deflation. I think we're fixing to head for hyperinflation. We have seen in the past that gross deficit spending by governments has created hyperinflation to the point that people almost literally had to have a wheelbarrow to take the currency to the grocery store to buy one loaf of bread. That's where we're heading today. Warren Buffet just 2 weeks ago said that we're off the cliff.

I think we're headed towards a marked prolongation of this recession, a deepening of this recession, and very probably a severe depression.

Franklin Delano Roosevelt, when he was spending taxpayers' dollars like a drunken sailor, did nothing but prolong that Depression. That's exactly what this philosophy that's being promoted here in this House and in the Senate across the way and by this administration is going to do.

In fact, the only thing that got us out of the Great Depression was the creation of a manufacturing entity in America to supply the needs for World War II. Are we going to need a world war to get us out of this depression that we're headed towards? I hope not.

But this deficit spending is totally irresponsible. It is unconscionable that we would have this kind of philosophy promoted in this Congress. It is going to hurt the people who can stand to be hurt the least, and that's the poor people, the retirees, those on fixed incomes.

This cap-and-tax policy is going to raise the price of all goods and services: medicines at the drug store, which is going to hurt our elderly; it is going to raise the price of groceries at the grocery store for everybody, and that's going to hurt all of us.

We cannot continue down this road. We have to put a stop to it. The steamroller of socialism that's being shoved down the throats of the American public that's being driven by NANCY PELOSI, HARRY REID and Barack Obama, it needs to hit a speed bump. It needs to hit a stop sign. And the only people in America that could put up that stop sign, that speed bump up is the American public to cry out, No, we're not going to put up with this. We want bipartisanship. We Republicans and Democrats to come together and solve the problem.

And small businesses are going to be hurt markedly by the tax increases, and that's going to cost jobs. We're not creating jobs.

We have been promised by this administration that we were going to invest in our infrastructure. Well, the stimulus bill had only a miniscule amount of the—this huge deficit spending geared towards infrastructure which would, at least, create some jobs in the private sector.

But where are the jobs being created by bigger government? Bigger socialism. Taking our freedom away, taking our money away, taking our future away and taking our children and our grandchildren's future away. Because this budget spends too much. It taxes too much. It borrows too much. And we've got to put an end to it. It is up to the American people to cry out to Members of Congress to say, No, absolutely no. We're going to stop this.

So I encourage people to contact their congressman, contact their senator and say ''no'' to this budget.

And I thank the gentlelady for yielding.

Mrs. BACHMANN. I thank the gentleman from Georgia, Dr. PAUL BROUN. I have such great respect for Dr. BROUN. I appreciate his words. He's made the hue and cry that the American people need to know that this budget is historic by any measure. We would agree. The Obama presidency is historic, Mr. President. It is historic in the amount of debt that will be accumulated.

Leader BOEHNER stood on this floor just a few moments ago and stated that the debt in this country will double in just 6 years. It spends more than all the previous Presidents put together. And Leader BOEHNER said this: He said that when a dollar flows in to the Federal Government, 70 cents of that dollar will be needed just to pay for interest.

This is absolutely unsustainable. Pretty soon we will have currency equal to Zimbabwe's if we continue down this road because of currency devaluation. This is what we're seeing. We're looking at essentially a doubling of the debt under what the Obama administration wants to put together. But what we hear over and over again from the Obama administration, they say this is a debt that we inherited. Is it really? We need to look at the facts.

□ 1715

The facts tell us something different. January of 2007 is when Congress was run by the Democrat majority. Republicans ran it up until 2007 January. At that point, both the House and the Senate took over and were run by the Democrats. At that point, we saw the Federal deficit begin to rise and skyrocket. Discretionary spending was rising and then skyrocketing, and mandatory spending was rising and skyrocketing. We had the stimulus bill that was passed, an over $152 billion.

Speaker of the House PELOSI, Majority Leader REID and Senator Obama all voted ''yes'' for every one of these spending measures that has gotten us into the place we're in. Did they inherit this mess or did they help create this mess? The American people need to decide.

We have been down this road before. As a matter of fact, President Roosevelt's Treasury Secretary said it best when he said, ''We have tried spending money. We are spending more than we have ever spent before and it does not work. I say after 8 years of the administration we have just as much unemployment as when we started and an enormous debt to boot!''

Mr. Speaker, we've been down this road before. We've all heard the saying that, if you don't learn from history, you are doomed to repeat it. Unfortunately, the Obama administration appears to making that same mistake.

Now, to speak to the American people is great man, a wonderful physician, a man I'm just getting to know. His name is Dr. JOHN FLEMING. He's serving the people of Louisiana's Fourth District from the big city of Minden, Louisiana. He's a freshman, and Dr. JOHN FLEMING has been a physician for 32 years and also a small business owner.

And I yield, Mr. Speaker, to Dr. FLEMING.

Mr. FLEMING. Well, I want to thank the gentlelady from Minnesota. Thank you for your work and leadership, particularly in this area. And by the way, I love watching you speak because I think I can learn a lot of tips from you. So I do appreciate that.

I also want to reflect on my colleague from Georgia that just spoke, a physician, who made a lot of good comments about the tilt that we have right now going towards socialism, certainly liberal socialism at the very least.

You know, it's true, Mr. Speaker, that we've spent in this bill and prior bills over the last 2 months, it's evident that our government is spending too much, taxing too much, and borrowing way too much. Remember, that the Congress just passed a $787 billion stimulus package, $410 billion omnibus appropriations bill loaded with over 9,000 earmarks, and remember, our President promised that he would not support earmarks. Now the administration has unveiled a $3.6 trillion Federal spending plan, a spending plan that the nonpartisan CBO, Congressional Budget Office, has now determined will produce $2.3 trillion of more red ink than the President initially predicted.

I want to turn the camera and the people across America to this picture here and explain really what it is. These are kids in Germany in 1923, and they're stacking what looks like bricks. What they are, in fact, stacking is their currency. That's Deutsche notes right there, and in 1923, the value of the currency in Germany as a result of cranking out money, cranking out money, printing paper to pay back war reparations they couldn't pay back, it made the currency so dilute that it took a wheelbarrow, literally a wheelbarrow of cash just to buy a loaf of bread. That's just how bad inflation can be, and we all know the end of that story. It ended up into Nazi Germany.

I also bring your attention to this. This is, believe it or not, a $10 billion bill. It can be found in Zimbabwe, the same problem, trying to solve their fiscal problems by printing more money. And if you keep printing more, you get a situation like this where a $10 billion bill is required to buy an egg. Yes, Mr. Speaker, that's what this bill will buy. However, that's only a few weeks ago. Today, they have something—in my hand, you can see a $100 trillion bill, believe it or not. And what is it worth? The same value as confetti.

Now, we might think, well, these kind of tragedies cannot happen to us in America. Well, is that true? Just today, the Chinese announced that they do not like our dollar. They feel like that even though they're one of our largest debtors, they no longer trust us in our debt.

Mrs. BACHMANN. Reclaiming my time, I yield to the gentleman from

New Jersey's Seventh, Mr. LEONARD LANCE.

Mr. LANCE. Thank you very much, and thank you for taking the lead on this extremely important issue.

Overspending and over-taxation are terrible factors in the American economy today, but from my perspective the worst factor is levels of debt, and I think that this is, in effect, generational theft.

The Congressional Budget Office, in calculating the proposals of the Obama administration, indicate that spending will hit about 28.5 percent of GDP during fiscal year 2009, and this is a record amount. CBO also estimates that next year spending will be 25.5 percent and at 23 and 24 percent over the course of the next decade.

As someone who tries to be a student of American history, over the last 40 years, the level of debt has been roughly 20 percent, and this is an historic average. And yet over the course of next several years we increase this dramatically. Let me repeat the figures: 28.5 percent in this fiscal year, and similar amounts in the next 2 fiscal years.

I believe that this spending is too great, and I hope that the administration will review its budget and working in a bipartisan capacity to bring this amount down.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 146, OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009

Mr. POLIS (during the special order of Mrs. BACHMANN), from the Committee on Rules, submitted a privileged report (Rept. No. 111–51) on the resolution (H. Res. 280) providing for consideration of the Senate amendments to the bill (H.R. 146) to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1404, FEDERAL LAND ASSISTANCE, MANAGEMENT AND ENHANCEMENT ACT

Mr. POLIS (during the special order of Mrs. BACHMANN), from the Committee on Rules, submitted a privileged report (Rept. No. 111–52) on the resolution (H. Res. 281) providing for consideration of the bill (H.R. 1404) to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COLON CANCER AWARENESS MONTH

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

Mr. BOREN. Mr. Speaker, I don't come to the House floor very often to speak. In fact, last year I addressed this body only a handful of times. I think that I am much more effective in representing my constituents by developing relationships in a personal setting rather than arguing my viewpoint on the House floor. But today marks a special time of year.

Mr. Speaker, the month of March is colon cancer awareness month. I think that it's only fitting that the month of March, a month where Congress has the most legislative work days, is devoted to an illness that is often relegated to the back burner of cancer awareness. Obviously, colon cancer is not an issue that garners a lot of headlines, but colon cancer has had a dramatic effect on my life, as it has millions of Americans.

I bring a picture of my mom up. Eleven years ago, my mom died of colon cancer. She was a vibrant woman. She was filled with joy. She was filled with optimism. This horrendous disease took her from Earth far too early. Because of colon cancer, she never had the opportunity to hold her granddaughter. She never had the opportunity to attend my wedding and see me marry my beautiful wife, Andrea. It's a tragedy that has forever left a void in my life.

You know, she was like so many mothers. She was always so proud of her son. She was always pushing me. She always cared about my grades. She always cared about how I did in school. And I was probably not the best student but she kept after me. She kept telling me how smart I was, and she kept pushing me.

The last memory I have of my mother is in a hospital room dying from this disease. She didn't get to see me become a Congressman. And like all Americans who have felt the pain and fear that comes with losing a loved one to cancer, I wouldn't wish that grief on anyone.

The reality, Mr. Speaker, is that I am not alone. This disease kills tens of thousands of Americans every year. It is the third most diagnosed cancer and one of the leading causes of cancer death in the United States. The American Cancer Society estimates that 150,000 Americans will be diagnosed with colon cancer in 2009, and out of that 150,000 citizens, over 50,000 of them will die from it.

What is so shocking about these deaths is the vast majority of them could have easily been prevented with a simple routine screening called a colonoscopy. That is 50,000 moms and dads and sons and daughters that could still be enjoying the great gift of life if they would have just taken the time to get a routine colonoscopy by their 50th birthday.

Mr. Speaker, a colonoscopy takes under 1 hour to complete, and the results you receive will literally save your life. The American Cancer Society estimates that if detected early, 90 percent of all colon cancer deaths could be prevented.

Now, just, if you will, take a look at this board here. Look at the stages. Now, the stage where my mom was diagnosed is stage IV. There's about an 11 percent survivability rate and at stage I, 90 percent, and despite the effectiveness of this colonoscopy that can figure this out, only 50 percent of Americans use this procedure.

I think that's a very shocking statistic. Compare that prevention rate with breast cancer, where over 80 percent of women get a routine mammogram, and you can see why I work so hard to spread the word on preventing this disease.

But there is some outstanding news. The outstanding news is that there is hope ahead in fighting this killer. The Centers for Disease Control, along with groups like the American Cancer Society and the Colorectal Cancer Coalition, have taken it upon themselves to raise awareness about this disease.

Specifically, the American Cancer Society has launched a campaign to push the number of Americans who get screened for colon cancer from 50 percent to 75 percent by the year 2015. It's a lofty goal, but it's a goal that's worthwhile. In fact, a few of my colleagues have introduced important legislation aimed at reaching this mile marker.

One particular piece of legislation that I hope will receive strong consideration in the House Energy and Commerce Committee is my legislation, H.R. 1330, the Colon Cancer Screening and Detection Act of 2009. My legislation is pretty simple. Just like a mammogram, my bill would require every health insurance plan in America, both group and individual, to cover a preventive colonoscopy before the deductible. This legislation is very badly needed.

One of the top reasons many Americans do not get screened is the cost. The average cost of a typical colonoscopy is over $1,000. That wouldn't be a concern to many citizens who are currently covered under a private health insurance plan, but most health insurance plans have deductibles exceeding $1,000, or worse, they have a restrictive cap on preventive care, sometimes as low as $250, and that's the issue.

We have thousands of Americans who are covered by insurance plans that pay little to none of the costs associated with a colonoscopy, so they never get one. It's a shame. We live in the

greatest country on Earth, and many of our citizens choose not to get a highly successful, life-saving, preventive test because their health plan doesn't cover it.

I'm aware that the health insurance industry is totally opposed to my legislation. They will argue that my bill will dramatically increase the cost of insurance, but there is little evidence to support their claim. They said the same thing when Members of Congress pushed hard to require insurance plans to cover mammograms in an effort to increase the rate of early diagnosis of breast cancer; yet almost every single State in America requires insurance companies to cover a mammogram, not subject to the deductible.

Furthermore, it has been well-documented that once colon cancer has progressed into the latter stage, the health care costs for treatment skyrocket and the survival rate plummets.

Now, let's look at the board again that I brought up earlier. Look at this stage I through IV, and I'll make my point here. With such a high success rate if detected early, it makes financial sense but it also makes moral sense to find and treat colon cancer as early and as soon as possible.

I believe that an industry, which is one of the most profitable in America, should lend its services toward preventing illness, not hampering our citizens' ability to discover it. Requiring health insurance plans to cover a colonoscopy is a commonsense approach to fighting colon cancer.

In fact, many in Congress have voted in the past to extend Medicare beneficiaries this very benefit. In July of 2008, Congress passed the Medicare Improvements for Patients and Providers Act. That, among other things, addressed the glaring deficiency in colon cancer prevention found in the Medicare program, and the language that was inserted into that bill to address colonoscopy access is very similar to the bill that I have introduced. That Medicare legislation, which passed the House of Representatives overwhelmingly, is a great piece of legislation that I think will save thousands of lives.

And in closing, before I turn it over to one of my colleagues, I want to encourage all Americans that are 50 and over who have not had a colonoscopy screening to get one, and if you have a family history like myself, I think you need to start earlier.

With increased awareness and some policy changes here in Congress, I believe that we can save tens of thousands of lives.

You know, colon cancer is a silent killer, and Mr. Speaker, with the help of colleagues like Congresswoman KAY GRANGER and Representative PATRICK KENNEDY I know who's an advocate on this issue, it is my hope that we can make a dramatic impact on this terrible and painful disease.

And I would like to call my colleague, Representative GRANGER, up and maybe she wants to share some of her thoughts about Colon Cancer Awareness Month, and I know representing Texas and Fort Worth of course, being an alum of TCU, I'm very proud of her leadership on these health issues. We've also worked together on tribal issues. I want to thank her and would like to yield to Congresswoman KAY GRANGER.

Ms. GRANGER. Thank you to my colleague DAN BOREN. Thank you so much for your hard work on this.

Mr. Speaker, I rise today to speak on the important issue of colorectal cancer, as Congressman BOREN also did.

□ 1730

Colorectal cancer is the third most commonly diagnosed cancer and the second most common cause of cancer deaths in the United States. Every 3½ minutes, someone is diagnosed with colorectal cancer. Every 9 minutes, someone dies from colorectal cancer. This is a disease that affects both men and women.

This year, an estimated 149,000 new cases will be diagnosed, and an estimated 50,000 deaths will be caused by this cancer. The real tragedy is that many of these cancer cases and deaths occurred needlessly because the vast majority of colorectal cancer deaths can be prevented through proper screening and early detection.

That is why I introduced a resolution recognizing March as Colorectal Cancer Awareness Month and commemorating the 10th anniversary of the first designation of March as Colorectal Cancer Awareness Month.

The more we talk about this disease, the more we encourage our family, our friends, and our neighbors to get screened, and the more lives we save.

I hope my colleagues on the Energy and Commerce Committee will discharge House Concurrent Resolution 60 from committee soon so that leadership can schedule the resolution for floor consideration.

Less than half of those who should be screened for colon cancer are screened. Bringing House Concurrent Resolution 60 to the floor next week will encourage even more discussion about this disease that is preventable when detected early.

But talking about colorectal cancer and recognizing Colorectal Cancer Awareness Month aren't enough. We need to increase Federal funding for early detection and screening. Along with my colleague from Rhode Island, PATRICK KENNEDY, I've introduced a bill that would authorize funding for early detection, screenings, and make preventive care a priority.

Specifically, the Colorectal Cancer Prevention, Early Detection, and Treatment Act, H.R. 1189, would establish a national screening program for colorectal cancer for individuals over 50 years of age or those who are at high risk. It would authorize State funding for these screenings and create a public awareness and education campaign on colorectal cancer.

Despite scientific evidence supporting the benefits of screenings, screens for these diseases in this country remain low. Every 5 seconds, someone one who should be screened for colorectal cancer is not. When it's diagnosed late, the survival rate for colorectal cancer is only 10 percent. When it's diagnosed early—before it spreads—the survival rate is 90 percent.

Early detection screening saves lives, and if everyone over 50 years of age were screened regularly for colorectal cancer, the death rate for this disease could plummet by 80 percent.

In addition to screening saving lives, early detection saves money. Treatment costs for colorectal cancer are extremely high and could be greatly reduced if mass screenings occur.

Colorectal cancer treatment costs totaled roughly $8.4 billion for new cases in 2004. The cost of two-thirds of these colorectal cancer cases are borne by the Medicare program.

The Lewin Group recently conducted a comprehensive study of the potential cost savings to Medicare and found that every 10 years a colorectal cancer screening program will result in savings of about 1½ years worth of Medicare expenses. If screenings were increased among people 50 years and older in the United States, it would save billions of dollars in Medicare expenditures. It would also save thousands of lives.

The Colorectal Cancer Prevention, Early Detection, and Screening program ensures that people who are screened will get the full continuum of cancer care, including the appropriate followup for abnormal tests, diagnostic and therapeutic services, and treatment for detective cancers.

If you have not already, I urge you to cosponsor the Colorectal Cancer Prevention, Early Detection, and Treatment Act, and join me in observing Colorectal Cancer Awareness Month. Observing Colorectal Awareness Month provides us with the opportunity to discuss the importance of early detection and screening. It also provides us with the opportunity to thank the thousands of volunteers and national and community organizations for their work in promoting awareness for colorectal cancer.

DAN BOREN, I thank you for your time and your work on this.

Mr. BOREN. Thank you. I think you're hearing the same thing over and over again—my colleague, KAY GRANGER, talking about early detection, talking about how important it is to go and get that test.

We lost my mother. But if you look back in our family history, my grandfather had colon cancer, my grandmother had colon cancer. They did catch it early. So if you're someone out there who's watching this afternoon and you haven't gotten it done and you're thinking maybe you should do it—even if you're not at that 50 marker, if you have someone in your family who has been diagnosed in the past—

think about going and getting that test.

You know, Mr. Speaker, Katie Couric, the anchor of the CBS Evening News is a strong advocate for colon cancer awareness. She lost her husband to this disease and since then has led a personal campaign to bring awareness to this issue.

A few years back, she told a compelling story at her old job on the Today Show about a family that lost a loved one to this disease. I think it's a compelling story that I would like to share on the House floor today.

Mr. Speaker, Michael and Erin Stennis learned the hard facts about colon cancer in the worst possibly way. This is their story.

Michael Stennis, an ex-football player, was the picture of health—43, fit, a businessman who owned a chain of successful restaurants. He and his wife Erin had been married for 14 years and had two gorgeous children.

His wife discusses her husband's persona this way, ''He had a lot of strength of character. He was amazing. He wasn't afraid of voicing his opinions. He loved his friends, and his children were his life. He was the consummate family man.''

Mr. Speaker, you can tell that Michael was an all-American guy. Yet, it's hard to believe such a vibrant man would have such a difficult fight ahead of him.

Three years earlier, when he was just 40, Michael started experiencing irregular bowel habits and rectal bleeding. Like many Americans, he thought it was nothing serious. His wife began describing what happened, and said this, ''He had blood in his stool. He went to the doctor. Unbeknownst to me, the doctor suggested that he have a colonoscopy.

''My husband, being the very macho man that he is, did not want anything invasive. He just could not imagine that type of procedure taking place. So, like thousands of other Americans, he came home and said, 'It's been taken care of.' And that was it.''

A few years later, Erin realized that something was very wrong with her husband. She said, ''It had gotten to the point where he was having such severe pain. Because he was an athlete, he sucked it up. He would say to himself, 'If I feel something, oh, you know, I can work it out.' But it got to the point where the pain became so severe that he had trouble moving.

''Finally, in November of that year,'' she said, ''I walked into our bedroom and I saw him hunched over in the closet. Something was very wrong.''

So she finally got Michael to go in for the colonoscopy. And then they got the results. It was the evening of their daughter's Thanksgiving pageant. They got a call from their family doctor and friend, Peter Waldstein.

She described the scene this way: ''My husband was on one side of the room and I was on the other side. His cell phone went off and I could see him on the phone and I could see the change in his face. It was our dear friend Peter calling to tell us both the news. We knew from that moment on that our lives had changed forever,'' she explains.

He was diagnosed with stage IV colon cancer. The cancer had spread from Michael's colon and had metastasized to his liver. It was a devastating prognosis.

After a long 20-plus month fight with this horrendous disease, Michael Stennis died. He was 45 years old.

Mr. Speaker, this is a story that is told countless times across America. It is a story of a young and vibrant individual who has seen his or her life end far too early because of this horrendous disease. It's a sad case—a case that is very similar to the one that took my mom's life. It's a story similar to the one that took former White House Press Secretary Tony Snow's life. I think it's Congress's duty to do something about this.

My colleagues and I have introduced multiple pieces of legislation aimed at addressing this terrible cancer. But we need Congress to begin the process of examining it.

Every year, this disease takes thousands of lives. It is my hope that, with the support of groups like the American Cancer Society, the Colorectal Cancer Coalition, and my colleagues, we can make an impact.

I can't tell you how much I have personally lost from this—how many times I want to pick up the phone and I want to call my mom.

This is a real human face. These are real people that are dying. They don't have to be dying. All it takes is a simple test. My mom waited too long. She got the test too late.

I don't want this to happen to some other family in America. So I need your help, all those in Congress, all of my colleagues, but I also need the American people to write your Member of Congress.

I introduced this legislation in the last Congress, the 110th Congress. I got four cosponsors. People were scared about the insurance companies. But, let me tell you what. When given the choice between my mom and the insurance companies, the choice is very easy. We need to help these families. This is why I came to Congress.

□ 1745

I didn't come to Congress just because it is fun. I came to Congress to do something. This is what it is all about. Someone once said public service is about helping people. Let's help these families.

H.R. 1216, YOUTH PREVENTION AND TOBACCO HARM REDUCTION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Indiana (Mr. BUYER) is recognized for 60 minutes.

Mr. BUYER. Mr. Speaker, it is pronounced ''Buyer.'' My family is Alsatian; so if you go back in my ancestry, I know the gentleman is new here to the Congress, it was de Buyer. So my sense is that the gentleman will remember it for a while.

I come to the floor here to talk about a very pivotal issue that will be facing the public health of our country, and this is the issue of tobacco. Members of the House will be presented with a choice here relatively soon about which Federal regulatory structure over tobacco products we should use.

Now, it is interesting, for a long time the issue was whether we should regulate tobacco or not regulate tobacco. There is now this growing concensus that the Federal Government in some way should regulate tobacco, and now we are trying to figure out with regard to who should do that regulation. Should it be the FDA under Health and Human Services; or, as Mr. MCINTYRE and I are proposing, that it be a separate agency under Health and Human Services, we call it a harm reduction agency, that will focus on reduction of the risk associated with many different types of tobacco products.

So I believe that the critical issue to be considered is, how do we measurably and effectively reduce the disease and death associated with tobacco use while products remain legal and over 45 million Americans have not, cannot, or will not quit?

Keeping the American tobacco consumer and the public uninformed about the differences in risk between smoking cigarettes and using nonburning forms of tobacco or other nicotine products will not help our Nation to overcome the death and disease attributed to tobacco use.

Telling current tobacco smokers to ''Just Say No,'' to quit now, is not the most effective way to save lives. Creating a regulatory scheme that discourages and in fact chills the development of new, lower risk products is directly opposite of what many in the scientific and public health communities even advocate today. But those are the underlying tenets of what is referred to as the Waxman tobacco legislation called the Family Smoking Prevention and Tobacco Control Act.

What do experts say about Mr. WAXMAN's approach on tobacco?

Well, the prestigious health organization, the Royal College of Physicians, says, ''The current situation is perverse, unjust, and acts against the rights and best interests of smokers and the public health. Harm reduction has the potential to play a major part in preventing death and disability in millions of people who currently smoke and who either cannot or will not otherwise quit smoking. These smokers have a right to be able to obtain and choose from a range of safer nicotine products, and they have a right to accurate and unbiased information to guide that choice.''

From the American Association of Public Health Physicians, ''In the judgment of AAPHA, the current bill in its form will do more harm than good in terms of future tobacco-related illness and death. The current bill,'' referring to the Waxman bill, ''with all its seemingly promising elements, has so many restrictions on Federal regulatory authority that it will be unable to effect favorable change. This bill is based on the false premise that cigarettes can be made safer and that all tobacco products are equally harmful. This bill places barriers to truthful communications about the relative risk of less hazardous smokeless tobacco products and near insurmountable barriers to the development of new lower risk products.''

Now, these are two examples of organizations that have some growing concerns about the Waxman legislation. Now, in the face of that there is a growing consensus that significant harm reduction policies and programs, when combined with prevention and cessation, are, in my belief and that of MIKE MCINTYRE, the chief cosponsor of North Carolina, that it is the key to a significant reduction in disease and death from tobacco use.

So the Waxman legislation, despite the years of characterizations and representations by its proponents, does not incorporate in any meaningful way a comprehensive prevention, cessation, and harm reduction strategy. Actually, on the contrary; for a very long time, those of whom believe that a harm reduction strategy in fact threatens cessation and prevention programs. I look at this and say that they should all work together, that four fingers and a thumb makes a hand. And so, without the phalanges, do you really have a hand? So I believe that they all should have to work together, and that is what we are seeking to do here is having a harm reduction strategy that incorporates prevention, education, and cessation.

I am also greatly concerned that the Waxman legislation continues to ignore the evolution of opinion in the scientific and public health communities, and relies on tactics taught and thought that were effective in the early 1990s, such as it includes provisions that the Supreme Court had thrown out with regard to restrictions on First Amendment on advertising these issues. I was really concerned about it, and Mr. WAXMAN believes it is okay. I have great, great concern here.

Congressman MIKE MCINTYRE and I have introduced H.R. 1216, the Youth Prevention and Tobacco Harm Reduction Act. This legislation imposes significant regulatory oversight within the Department of Health and Human Services over tobacco products, and incorporates many of the provisions included in HENRY WAXMAN's legislation.

It includes serious policy and programs of prevention, cessation, and harm reduction, which we believe will lead to saving thousands of lives over the next decades. It will squarely address the issue of tobacco use by minors through additional resources and enforcement at the State levels.

In fact, Mr. MCINTYRE's and my legislation is even stronger in the protections for minors on two points. Number one, we say unto the States that with regard to the Master Settlement Agreement and monies that were supposed to be spent by the States on tobacco cessation and education and prevention programs, at the end of the Master Settlement before it was signed there was this last-moment agreement. Rather than dictating unto States on what percentage of the monies are to be spent on tobacco prevention and cessation programs they said, well, we will just leave it to the discretion of the States. The CDC then every year publishes a report with regard to what the percentage that States should be spending, States are not spending on those programs. So Mr. MCINTYRE and I come in, and we are dictating unto the States that they are to spend their Master Settlement Tobacco Agreement on programs to help children.

The other point that Mr. MCINTYRE of North Carolina and I have is on protecting children. We are also saying to the States that we want you to treat tobacco like alcohol. So where it is illegal for a minor to possess alcohol, we also say: States, you should make it illegal for minors to possess tobacco.

With that, let me yield to a major cosponsor of this legislation. This is bipartisan legislation. It is an alternative to Mr. WAXMAN. And, actually, what Mr. MCINTYRE and I were really hopeful is that our bill here would have been adopted in the Energy and Commerce Committee as a substitute. If we could have combined our effort with that of Mr. WAXMAN's, we would have 435 votes here on the floor, and we could make this a reality and make our society a healthier and safer place.

I want to thank the gentleman for his efforts. He is a strong advocate of our agricultural policies and is very concerned with regard to ensuring that the Federal regulatory oversight from Health and Human Services does not interrupt with growing practices by our farmers.

Mr. MCINTYRE. I would like to thank Mr. BUYER, who is the principal sponsor of this responsible tobacco regulation legislation. I was pleased to be the original cosponsor with him.

In our legislation, we certainly want to make sure that this is an issue of fundamental fairness. This is not an anti-public health alternative. In fact, as Mr. BUYER was just saying and as we were just discussing in our interchange a few moments ago, in fact we have even stronger regulation to prevent youth smoking.

I have a son. When he was in high school, and he was now in law school, but who actually served on the Campaign for Tobacco Free Kids. So we understand that, and this is a strong statement, even stronger than Mr. WAXMAN's proposal against youth smoking. But it also recognizes that the FDA is understaffed and underfunded and overworked right now, and we are not in a situation where we need the FDA to come out on the farm and start regulating farmers. And, from that perspective, I wanted to principally speak in the next few moments as chairman of the Subcommittee on Rural Development, Biotechnology, Specialty Crops and Foreign Agriculture. The specialty crops over which our subcommittee has jurisdiction include tobacco.

Now, we may soon see H.R. 1256, which is Representative WAXMAN's bill to implement FDA regulation of tobacco products and leaf scheduled for consideration under suspensions of the rules on the House floor. This process will allow for no amendments or alternatives to be presented on this incredibly important and complex issue of tobacco regulation.

I urge my fellow Members to vote against the Waxman bill when it comes up on suspension so that we may consider an alternative bill, so that we may be able to consider the bill that Mr. BUYER and I are discussing tonight that does even more than Mr. WAXMAN's bill while preserving a vital economic engine for many communities throughout the United States, including my district in Southeastern North Carolina.

H.R. 1261 is the Youth Prevention and Tobacco Harm Reduction Act that we have introduced together, and is actually a better approach to regulating tobacco and preventing minors from using tobacco products than the Waxman bill.

The Waxman bill will grant the FDA, the Food and Drug Administration, wide authority to dictate to manufacturers and growers dramatic changes in product design and leaf cultivation.

The tobacco industry contributes over $36 billion each year to the U.S. economy, employing over 19,000 individuals nationwide. This is not exactly the time to cause even thousands more of our fellow citizens to lose their jobs or to yet cause another problem with our Nation's economy. In my home State of North Carolina, over 8,600 people are employed by the industry, with a Statewide economic impact of nearly $24 billion. Mr. WAXMAN's manufacturing and FDA on the farm provisions will put many companies and growers out of business, and we absolutely cannot afford to lose any more jobs.

Our bill, H.R. 1261, specifically protects growers by preventing any government agency from requiring changes to traditional farming practices, including standard cultivation practices, curing processes, seed composition, tobacco type, fertilization, soil, recordkeeping, and any other requirements that affect farming practices. The last thing that our farmers want to see is another government bureaucrat coming out on the farm walking around, snooping around about the soil and how he is growing his crops.

In addition, our bill does more to protect public health and prevent minors from smoking even than the Waxman bill does. H.R. 1261 considers cutting-edge scientific research by promoting a harm reduction strategy to move smokers to less harmful tobacco products.

According to applied economics, the use of these reduced harm tobacco products increases the average probability of smoke cessation by over 10 percent; and I am sure my colleague will be speaking more to that aspect of this bill.

□ 1800

H.R. 1261 specifically addresses youth tobacco by encouraging States to penalize minors for purchasing and possessing tobacco products. Under current law, retailers are prohibited from selling products to minors. But unlike with the purchase of alcohol, minors are not penalized for underage purchase and possession of tobacco products. And our bill clears that up and also allows for penalties in that regard.

The bill also calls upon States to increase their percentage of the Master Settlement Agreement dollars to fund tobacco cessation and public health programs. In the past 10 years, States have spent just 3.2 percent of their total tobacco-generated revenue on tobacco prevention and cessation programs. Our bill would allow that to be increased.

H.R. 1261 is a commonsense approach to tobacco regulation that will both protect the public health and protect the jobs in our vital sector of the tobacco economy. I urge my colleagues to vote note ''no'' on Waxman and give yourself a chance to consider a more viable and reasonable economic alternative that does even more to protect our youth.

In closing to my colleague, I will say for our colleagues who may be in their offices or their staff that may still be in their offices this evening, we do have a chart that compares both bills. If we want to talk about, all right, what are the reasonable alternatives, one by one we go through the different segments of the bill to explain so that a real comparative analysis can be done. And that is what this is about. It is fundamental fairness in how we pass legislation so it is not just rushed through under suspension but we get a chance to actually analyze and compare these two bills, and that we do it in a way that will best achieve the goal here of protecting the public health, particularly of our young people, and protect jobs and not cost our economy any more jobs than our country, unfortunately, has already lost.

And with that, I yield back to my colleague. And thank you for your great work on this bill.

Mr. BUYER. I thank the gentleman for his help and his support on the bill. This is an issue about the public health of our country and the fact that we have a bipartisan approach here, a bill that we seek to decrease the mortality and morbidity rates is extremely important. There are over 100 nations around the world that are struggling with this issue. Tobacco is a legal product. It is the smoking that really hurts and harms and kills people. It is not the nicotine. And so what we are trying to do is to migrate people from smoking products to smokeless products. The very large risk differential, it is the difference between combustion and noncombustion products.

The gentleman understands that. And he is embracing the harm reduction strategy from a public health perspective. And he also wants to make sure that we work in concert with our growers, that we have very sound export policies with regard to our trading partners around the world so we don't have any World Trade Organization violations, while at the same time we are cognizant of illicit trade issues. The gentleman is an expert in these areas. And I welcome his support. And I thank him for being here tonight.

What I would like to do is I'm going to share a chart that the world has never seen. And I am hopeful that here in the United States we can continue to lead the world and to make the world a healthier place. And so what I'm going to do here is I want to talk about our harm reduction strategy and to talk about the risk differential among a continuum of risks. So the best way for me to do this is to put a chart up so all the Members can have a look at this. And I will talk about it here for a second.

I have continuum of risk here at the top, along then with the relative risk of chronic disease here on the side. And what I have done is what is not on the chart, I don't put cigars or pipe tobacco in here. That is outside of the regulation of not only our bill but also of Mr. WAXMAN's bill. But pipe and cigar is the most toxic. If I were to go on this chart, what I put on this chart listing 100 percent as the most toxic, under that which of tobacco products are to be regulated by our bill would be your nonfiltered cigarettes, so that would be your roll-your-own cigarettes or a Lucky Strike or other forms of generic cigarettes that are nonfiltered.

So I think common sense is going to tell you if there is not a filter on it, you're going to smoke it, you're going to inhale a lot of toxic substances and carcinogens deep into your lungs.

The next, as we look at continuum of risk, among available products that are on the marketplace here in the United States in North America, so you have your nonfiltered cigarettes. Next are your filtered cigarettes. That kind of makes sense. If I'm going to put a filter on it, I'm going to reduce the risk between those two types of instruments that deliver nicotine. So that is what the key here is. People want access to their nicotine. And it is the smoking that harms them. And so how do you reduce the harm? And so what drives some people a little crazy here is that can you really say that there is a safer type of cigarette? Well, if you want to take a science-based approach, you really have to be very honest about this and say, well, among the types of cigarettes, there are different types of cigarettes as a delivery device of nicotine that are safer than others. But they are all not entirely safe. But there is a risk differential. And it should be discussed. So we have from nonfiltered to filtered cigarettes.

What I don't have here, which sort of comes up next, is you actually have vented filtered cigarettes. But what we are finding out from the science-based approach is that if you put vents into the filters, even though you're trying to reduce the smoke and a lot of the bad, toxic substances, people will draw on that cigarette a little harder, and so they are sucking it deeper in their lungs. And that is not a good thing.

Next we have our tobacco-heated cigarettes and electronic cigarettes. The reason I put question marks with regard to both of these types of nicotine delivery devices is that with regard to tobacco-heated cigarettes there are a couple of products that are out on the market. Philip Morris has the Accord and Reynolds American has the Eclipse. So these are out on the marketplace. We do know that these types of nicotine delivery systems are a much less riskier product than say your strictly just filtered cigarette or your nonfiltered cigarette. But where do they fall on the chart? There isn't enough science to tell us exactly where. We know it is better. It is not completely safe, but it is better. And we don't know exactly where, but we know it is falling downward on the continuum of risk chart. So we really do need some science here to tell us where the electronic cigarette and tobacco-heated cigarettes fall on that.

So that is part of the reason we want to create, under Health and Human Services, a separate agency that will focus our Nation's expertise on tobacco. And I want to be able to do that without people believing that, well, if FDA is regulating tobacco, that somehow that it is an okay product. No. This is a high-risk product. And what is important is that somehow we get to the American people they get informed, they can make an informed choice among an array of products along the continuum of risk.

So after electronic cigarettes, if we can truly move an individual out of smoking, if they are looking on how I can gain my access to nicotine, I think people know that, hey, the surgeon general is right. There is some risk that will accord anything that has to do with smoke. If you can transition, or migrate, a population from smoking to a smokeless product, I assure you, we can take out up to around 80 percent, based on the science, almost 80 to 90 percent of the health risk can be taken away.

Now the American public needs to know that. So you say, okay, what's

the difference between a U.S. smokeless product and Swedish Snus? Well, the difference is the U.S. smokeless product is fermented, and the Swedish Snus is pasteurized. So if you can actually move to the Swedish Snus, you can eliminate about 98 percent. Think about this. Ninety-eight percent of the health risks can be taken away, yet people can still gain access to nicotine.

Now, if you wanted to go on a little bit further, there are dissolvables of tobacco that have no nitrosamines. That is the really bad stuff, and you can remove that and you can still gain access to your nicotine. And these dissolvable products that are just being introduced and tested in the marketplace are these Orbs or a tobacco stick or a strip that you can lay on your tongue and you can gain access to the nicotine.

Now, I assure you, you don't gain as quickly the access to the nicotine and get the sensation upon the brain as you would smoking the cigarette. But you can gain access to the nicotine, and people then can make an informed choice, gosh, I can gain access to my nicotine, I don't get it as quickly, I can get it, but, gee, maybe it is worth it for me to live a few more years and enjoy my family. I can enjoy my nicotine and, gee, I'm not going to die from smoking. You see, that is extremely important. And as we move people and then migrate them down from this continuum, you can move then to therapeutic, there are therapeutic methods to gain access to nicotine, through the gum, the patch, the lozenges, and then for the individuals who seek to quit.

And that is part of the process of what we are doing here is we want to incorporate a harm-reduction strategy to inform a population that if you want to gain access to your nicotine, it is the smoke that is really going to kill you. So if you can get them off of smoking and move them to smokeless products and then move them from there to therapeutic and then pharmaceutical to eventually cessation and quitting.

Now, that is part of the harm reduction strategy. And what I believe is extremely important is when we have this as a strategy, you have about 40 million smokers over here on this end of the chart, and you only have about 2 million down here that are actually trying to quit. In the meantime, of the filtered cigarettes, about 80 to 85 percent of the individuals who are smoking the cigarettes are smoking lights or ultralights. Now why are they buying lights or ultralights? Because somehow they believe that if they smoke a light or ultralight that it will be less harmful for them. You see, people are trying to make an informed decision, and they think it will be less harmful for them. The reality is these are products that are going to be harmful to you. I think people need to know and understand that.

So what we are hopeful here is that in our legislation, we create this Harm Reduction Center under Health and Human Services where we take our great minds and we do science. We do science on the entire array of products along a continuum of risk, and we inform the public so that the public, when they buy these products, that we can actually migrate our population from combustion to noncombustion products and hopefully quitting, while at the same time, we want to make our investments in education and prevention programs, not just for children and minors, but also for adults.

What is important here, what we are finding, is that when people migrate from smoking to smokeless, some fear that, wow, if somebody starts here, the smokeless product, will they actually migrate this direction on the chart, headed up the chart? The reality is it is not what is happening in the marketplace. So that is why we have created an alternative public health position for tobacco.

My good friend, Mr. WAXMAN, I applaud his perseverance over the years and his persistence. His legislation has sort of an abstinence-only approach on tobacco. I respect Mr. WAXMAN. We have had a good working relationship over the years. And I really was hopeful that he would incorporate this harm reduction in his bill. Now, he said, ''STEVE, I have got harm reduction in my bill.'' I said, ''well, HENRY, you may have it in the bill.'' But what he has are unrealistic standards that products that may gain access to the marketplace. He has a two-tiered, a two-pronged tiered test, one that will test at the individual and one at the public with regard to the impact of a particular product. It will almost be impossible for new products to gain access to the market.

If we truly wanted to make our society healthier, what we should be doing is encouraging people to move from combustion to noncombustion products. And we can do that, if I can take out 80 percent of the health risk, we are making our country healthier and hopefully then move to cessation.

That is why I call this the continuum of risk chart. And it is open and free to the world to use this chart, to scrutinize the chart. And I'm hopeful that other legislative bodies around the world will incorporate harm reduction as a strategy for a nation for them to be healthier.

The harm reduction policies advocated in H.R. 1261 are an important method to figure out how we can satisfy the nicotine cravings among all of these legal type products.

What I would like to share are what some of the scientists actually say about tobacco harm reduction as a public health strategy. From the American Association of Public Health Physicians, dated 2008, ''tobacco harm reduction is taken to mean encouraging and enabling smokers to reduce their risk of tobacco-related illness and death by switching to less hazardous smokeless tobacco products.''

□ 1815

You see, the reason I don't have advertising restrictions in my bill is I think it is extremely important. Mr. MCINTYRE and I created this bipartisan piece of legislation for a purpose. We want to make sure that people are informed with regard to their entire array of products, tobacco products. And you need to be able to inform them as to what products have the higher risk, which ones have less risk.

And what really concerns me is, if you make, let the FDA do this, of which the FDA it is counter to their culture, even, to somehow say that one cigarette, this is a safer cigarette among an array of cigarettes that are harmful. That is a very, very challenging endeavor for them. And so it is why some in the public health community are a little concerned.

The International Journal for Drug Policy, their quote, ''Numerous alternative systems for nicotine delivery exist, many of them far safer than smoking. A pragmatic public health approach to tobacco control would recognize a continuum of risk and encourage nicotine users to move themselves down the risk spectrum by choosing safer alternatives to smoking without demanding abstinence.'' That is the International Journal of Drug Policy, and that is exactly what we are trying to do here.

There is another quote from the American Association of Public Health Physicians, ''In practical terms, enhancement of current policies, based on the premise that all tobacco products are equally risky, will yield only small or barely measurable reductions in tobacco-related illnesses and death. Addition of a harm reduction component, however, could yield a 50 to 80 percent reduction in tobacco-related illness and death over the first 10 years, and likely a reduction of up to 90 percent within 20 years.''

Now you see why Mr. MCINTYRE and I are so excited about this alternative approach, because abstinence only does not achieve the goals to make a society healthier with regard to tobacco. And this is exactly what we are trying to achieve, that is also being endorsed here by the American Association of Public Health Physicians.

The Royal College of Physicians in 2007 stated, ''Harm reduction is a fundamental component of many aspects of the medicine and, indeed, everyday, life, yet for some reason, effective harm reduction principles have not been applied to tobacco smoking. It is very clear that for most of the major health effects of tobacco, smoking is many times more dangerous than smokeless tobacco use.''

The American Council on Science and Health stated, ''The American Council on Science and Health believes that strong support of tobacco harm reduction is fully consistent with its mission to promote sound science in regulation and in public policy, and to assist consumers in distinguishing real

health threats from spurious health claims. As this report documents, there is a strong scientific and medical foundation for tobacco harm reduction, which shows a great potential as a public health strategy to help millions of smokers.''

With regard to—here is another one from SmokeFree Pennsylvania. ''Although smokeless tobacco is just as addictive as cigarettes and should not be used by those who are not addicted to nicotine, cigarettes are about 100 times deadlier than smokeless tobacco products.''

Here is a quote from Britton and Edwards, The Lancet, in 2007. ''The risk of adverse effects associated with snus,'' now snus is pasteurized product, Swedish snus, ''is lower than that associated with smoking, overall by an estimated 90 percent. Whatever the true overall hazard, use of low nitrosamine smokeless products is clearly substantially less harmful than tobacco smoking.''

Why am I pulling out these quotes? I am pulling out these quotes because what has been talked about as those who support the Waxman legislation is that somehow all of these products are equally harmful. That is false. That is what I want to convey to everyone. They are not equally harmful. And it is extremely important that the public be informed about all that these types of products, along a continuum of risk, so people can make informed choices. We do that every day. We make decisions on what kind of automobile we want to drive. We do the continuum of risk. How about what we eat, what we drink? We make choices and decisions every day. Should I put on my seatbelt, should I wear a helmet. All kind of things. We make judgments.

When I look at the farmers, my gosh, there are all types of risk out on the farm, and a lot of judgments are made along a continuum of risk along with the farm machinery.

We make these judgments. Why don't we do that as a public health strategy for tobacco? It only makes sense. And what I am really hopeful here—I had a really good discussion last week with Mr. WAXMAN about some tweaks on amendments, some of which he didn't agree to of which I was hopeful.

I really appeal to my good friend from California because we could combine, and I shared this with him. We could combine our efforts here. If he would endorse this harm reduction strategy with his bill, we could get this to the President's desk. I really believe that this could pass in a very large number.

I remember years ago when Joe Kennedy and I combined our efforts together, and when we would come to the floor it would pass 435 to nothing. And I was really hopeful, I had an earnest effort here, good discussions with Mr. WAXMAN, and I told him I would take a good hard look at his bill and I would recommend some changes, and I was really hopeful that he would combine a harm reduction strategy with his abstinence only approach, and we would truly have the four fingers, a thumb that will make a hand. But without this, he is only going to have, I don't know what you call it, a thumb and a palm. I guess he is only going to have a palm. And that is really not going to be good. So I want to build a hand and not just a palm to help our country.

The other point I have is, Madam Speaker, I would submit for the RECORD a letter from the American Council on Science and Health from Dr. Elizabeth Whelan dated March 12, 2009, and, dated October 18, 2008, the AAPHP Tobacco Harm Reduction Resolution, titled Resolution on Tobacco Harm Reduction.

AMERICAN COUNCIL
ON SCIENCE AND HEALTH,
New York, NY, March 12, 2009.

Hon. STEVE BUYER,
Rayburn House Office Building,
Washington, DC.

Hon. MIKE MCINTYRE,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE BUYER AND REPRESENTATIVE MCINTYRE: On behalf of the more than 400 scientists who advise our organization, and the hundreds of thousands of consumers we represent, thank you for your work on H.R. 1261. Our scientists understand the urgent need to reduce the dreadful toll of cigarettes on the American people—with over 400,000 smoking-related deaths each and every year in our country. Your bill is a tougher, science-based alternative to Rep. Waxman's HR 1256.

H.R. 1256 will not only fail to reduce the ravages of cigarette-induced disease and death—it will likely worsen it. The new regulation of tobacco ''additives'' will not lower the toxic and carcinogenic mixture induced by the combustion and inhalation of cigarette smoke. The enhanced restrictions on lower-risk tobacco products, such as smokeless tobacco and ''clean'' nicotine—which have been shown to assist addicted smokers in quitting—will condemn the over 40 million addicted smokers to the same old ''quit or die'' pair of options.

Successful quit rates are under 20% utilizing the currently-approved remedies. The Waxman legislation would codify this failed policy into law.

Perhaps the worst aspect of this Waxman approach is that it gives FDA responsibility for overseeing tobacco issues. This will allow the cigarette makers to cloak themselves in the mantle of being ''FDA Approved,'' shielding them from liability for their irresponsible marketing schemes and manipulation of cigarettes' addiction capabilities.

Your bill—H.R. 1261—will obviate most of the detrimental and counterproductive effects of the Waxman bill. Truthfully telling the American consumer about lower-risk tobacco products—harm reduction rather than ''quit or die''—along with stringent marketing restrictions and attention-getting warning labels, and the establishment of a tobacco-regulation section in the Department of Health and Human Services—not the FDA—will all be of major benefit in reducing the toll of cigarettes in America.

Sincerely,

DR. ELIZABETH M. WHELAN,
President.

RESOLUTION ON TOBACCO HARM REDUCTION

Whereas there is substantial scientific evidence that selected smokeless tobacco (ST) products can satisfy the nicotine addiction of inveterate smokers while eliminating most, if not all, risk of pulmonary and cardiovascular complications of smoking and while reducing the risk of cancer by more than 95% and

Whereas transitioning smokers to selected ST products will eliminate environmental tobacco smoke and fire-related hazards and

Whereas current ''abstain, quit, or die'' tobacco control policies in the United States may have reached their maximum possible public health benefit because of the large number of cigarette smokers either unwilling or unable to discontinue their addiction to nicotine, and

Whereas there is evidence that harm reduction works and can be accomplished in a way that will not increase initiation or impede smoking cessation and

Whereas health-related agencies and organizations, both within the United States and Abroad have already gone on record endorsing Harm Reduction as an approach to further reducing tobacco related illness and death, and

Whereas current federal policy requires tobacco product labeling that leaves the incorrect impression that all tobacco product present equal risk; and

Whereas certain tax policies put ST products at a competitive disadvantage, compared to cigarettes; and

Whereas harm reduction approaches to reducing tobacco related illness and death promise to be more politically and financially viable than alternative approaches because harm reduction approaches can secure the support of many tobacco-industry-related stakeholders.

Be it Therefore Resolved that the American Association of Public Health Physicians go on record as favoring Harm Reduction as a central component of public health efforts to reduce tobacco-related illness and death and

Be it further Resolved that such efforts shall encourage the following approaches:

1. Product labeling to inform consumers of the relative risk profiles of the various classes of tobacco products.

2. Governmental and health-organization sponsored health education to educate consumers to the risk profiles of the various classes of tobacco products

3. Revision of taxation schemes at federal, state, and local levels to reflect risk profiles and costs to society of the various classes of tobacco products

4. Regulation of the manufacturing and marketing of the various classes of tobacco products reflective of their respective risk profiles and costs to society

Be it further Resolved that funds be established through taxation of tobacco products to facilitate government-sponsored (as opposed to tobacco company sponsored) research and program evaluation to refine our understanding of the relative risk profiles of the various classes of tobacco products, market trends, and the impact of governmental policy and programming on tobacco product consumption.

The last point I would like to make is the appeal that my good friend, MIKE MCINTYRE, made to the Members. And the appeal is that we have a choice before us. The choice before us is to take an abstinence only approach to tobacco, or do we really combine forces and use a harm reduction strategy, coupled with cessation prevention education efforts. It should all be together.

And I asked the chairman of the Energy and Commerce Committee, if he would protect the right that this substitute be heard here on the floor, just as he permitted this substitute to be

made in the Energy and Commerce Committee. He said that his intent was to bring his tobacco bill to the floor under suspension. I appealed to my good friend not to do that. Allow Congress to work its will, just as you did at the committee.

When this bill came before the committee, it was all Republicans voted for it and all Democrats voted against it. I was surprised by that. I was surprised by that because we, Mr. MCINTYRE and I, looked at this from a bipartisan perspective, and we were seeking to improve public health. And when you try to work to improve public health from this perspective this isn't one of these fights about socializing medicine or something that defines political parties. This one really surprised me that within the committee, that there was a partisan vote. That should have never, ever have happened at the committee.

And what I am hopeful here is that Mr. WAXMAN, when he makes his appeal to the Speaker for his legislation to come to the floor, that he actually goes through regular order, that he goes to the Rules Committee, and that Mr. MCINTYRE and I be permitted to have our bipartisan substitute be debated here on the House floor.

And please, do not bring—this is too important of a public health position to come up on suspension. This is a bipartisan bill. And to bring it up on suspension denies the rights of a lot of Members for this public, harm reduction strategy in which we seek to improve public health.

So, if, in fact, if Mr. WAXMAN brings his tobacco bill to the floor, my appeal would be to all Members to vote against the suspension. Now, the purpose of voting against the suspension isn't necessarily on the substance of the bill itself. It is about the process. We have got the process and procedure and you have substance. To bring a bill this important on public health under suspension and denying the right of a substitute, now we have a process issue. And Mr. MCINTYRE and I will be appealing to Members to vote ''no'' on suspension. We shouldn't be suspending the rules and denying amendments and the substitute here on this floor. The Congress should work the will of the American people, and that is, that all views and opinions and amendments and substitutes should be made in order here. And what this has really been done now it is narrowed down to two positions.

And since Mr. WAXMAN will not incorporate this, the least we can do is have this issue heard here on the floor. And that is my appeal.

So let me conclude with this. Mr. WAXMAN, I appeal to my good friend, allow this to come to the floor. Do not put your bill on suspension. If your bill comes to the floor on suspension, then Mr. MCINTYRE and I are asking for all Members to vote against the suspension and for the clear purpose that our right to be heard.

I will yield back.

THE IMPORTANCE OF TRAVEL IN OUR COUNTRY

The SPEAKER pro tempore (Ms. FUDGE). Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 60 minutes.

GENERAL LEAVE

Ms. BERKLEY. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the Special Order of business travel.

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

There was no objection.

Ms. BERKLEY. A few weeks ago, Madam Speaker, I came to the floor of the House and gave a very spirited defense of my congressional district which encompasses my hometown of Las Vegas. I did that because my community was under horrific attack by Members of this body, and it did us tremendous financial damage.

I wanted to speak more than 5 minutes to talk about the importance of travel in this country, the importance to our economy, and why we should be encouraging people to travel, and why we should be encouraging businesses to continue to conduct their meetings in destination areas like Las Vegas, but there are so many others. And I would like to talk to you a little bit about my community. But before I do that, I think I would like to yield to my very good friend, RON KLEIN from the great State of Florida, who also depends on tourism as its lifeblood in its economy.

Mr. KLEIN of Florida. I would like to thank the gentlewoman from Nevada for calling us together tonight because I think, as we realize, all over the United States, tourism, the flow of people, the flow of goods that go with the people, the fact that people come from all over the world to our great, wonderful attractions, whether they be in Las Vegas, or whether they be in Florida, where I am from. I am from the southeast coast of Florida, Miami, Ft. Lauderdale, West Palm Beach, all over Florida and I know that all over the United States there are some just unbelievable places to go. And the good news is there are actually some good buys right now.

But besides that, the more important part though is that tourism is a very, very important part of our economy. It is important on so many levels. Economically, let's just start with the jobs. I know that you feel so strongly about, Congresswoman BERKLEY, the jobs that are created in the hospitality industry, the construction jobs that go along with it, all the ancillary services and support and the food and the, all the entertainment and equipment and things like that. They are very much a part of our economy all over the United States.

Certainly it is not just where the people actually travel to. It is the fact that the things that supply the equipment, the buildings, all the support services come from 50 States. Every State is impacted by a strong tourism trade. And it is just very exciting to be part and to live in a community where we have tourism as such an active part.

Being from South Florida, we not only draw people from all over the United States to Florida, but we get people from all over the world, as you do as well. And I know just from the Latin American community, the European community, Asian community, they come to our beaches, they come to our attractions, our wonderful hotels, the great quality of life, the diversity of our culture, the diversity of the people in Florida, incredible restaurants to choose from. But, you know, obviously, in struggling times we know it affects everybody. It affects the discretionary dollar.

But I think one thing we do want to encourage, and certainly with the economic stimulus package that has now been presented, we are now beginning to work through some of these difficult issues with the banks and the credit which have a lot to do with supporting our economy throughout the United States. This is going to take a little bit of time.

□ 1830

But I think everyone should have that confidence level to know that, as Americans, we are going to get through this. The goal is to contract what is going on right now.

The reality is, at the same time, people still need to get out; they still need to do business, and certainly, as we know, even as unemployment has moved up a little bit, we still have over 90 percent of Americans who are gainfully employed. There are wonderful opportunities to travel to our great places all over the United States, to spend a few dollars, to stay in a wonderful place, to have family time, business time, to eat a good meal, and it is just all very exciting because we do have this great infrastructure and this great entertainment system in place, but it is the lifeblood, in many ways, of our country's economy.

I just want to thank you for not only being a leader in understanding tourism, but also, in the recovery and reinvestment bill that we did, there is so much in there which is going to help support getting our economy moving again and in building that confidence to know that people should travel and should enjoy the tourism industry—our hotels, our properties and just get a great benefit out of it. So I would like to thank you for calling us together. I am glad to support this great initiative that you have put out there.

Ms. BERKLEY. Well, I really appreciate your being here. I knew, as the Representative from south Florida, that your economy has probably been hit the same way that Las Vegas has. Could I ask you a question?

Mr. KLEIN of Florida. Absolutely.

Ms. BERKLEY. What we have found is that we know leisure travel is down because of the recession and that it's a little bit more challenging for families to go on vacation now, and I can understand that, but where Las Vegas has been particularly hit is in the business travel. Since the first of the year, we have lost 341 conventions. The impact on Las Vegas has been devastating. I'm wondering if you're seeing an impact on business travel as well.

Mr. KLEIN of Florida. If the gentlelady would yield, I would be more than happy to respond. Thank you for yielding to me.

The answer is, yes, there has been an impact. We have a lot of hotels that do a lot of business travel. We have convention centers in Miami, in Fort Lauderdale and in West Palm Beach, of course, and in the rest of Florida, also in Orlando, which is a huge destination.

Ms. BERKLEY. Yes, they're the second best in the United States.

Mr. KLEIN of Florida. I don't know if it's the second best. It may be the best. Maybe we have the second largest number of hotel rooms, but again, great choices all the way around.

Yes, Florida has been hit hard. A lot of people travel to Florida and plan business conventions 1 year, 2 years or 3 years in advance. There have been some cancellations.

Ms. BERKLEY. What does that do to the job market in south Florida?

Mr. KLEIN of Florida. What it does, of course, anywhere is if, in fact, a hotel has a certain less number of room nights—of which we know ''room nights'' are the number of rooms times the number of nights for a particular convention—and if a convention has 100 rooms and there are 5 nights, which is 500 room nights, that's a big impact. It's not just the hotel. It's the food that goes with it. It's all of the hospitality.

Ms. BERKLEY. Taxicab drivers.

Mr. KLEIN of Florida. Absolutely.

Ms. BERKLEY. Dry cleaning.

Mr. KLEIN of Florida. That's right, and there is some great shopping in local communities, of course, that goes with it.

Ms. BERKLEY. I love shopping.

Mr. KLEIN of Florida. You know, it has had an impact. Again, I think that our businesses are doing what a lot of businesses are doing right now. They're clamping down. They're making sure that their systems are running as efficiently as possible, but they are great optimists, and the properties are just wonderful. We have a new one—I won't give a particular plug—but it's down in Miami. It's the Fontainebleau——

Ms. BERKLEY. Oh, yes.

Mr. KLEIN of Florida. Which is a world famous hotel.

Ms. BERKLEY. And they're also building in Las Vegas.

Mr. KLEIN of Florida. That's right. They are. They're the same owners. They just put $1 billion into a property down there, but it's not just that hotel. There are so many wonderful hotels. We have large hotels, boutique hotels. Again, people love to come to the beaches and relax.

Ms. BERKLEY. And you can get a good deal right now.

Mr. KLEIN of Florida. And you can get a very good deal, so keep that in mind if you're looking to travel.

But it is true. This economic downturn has made a lot more rooms available, and that does have a broad impact, which is why I am so supportive of these initiatives that we are taking right now to rebuild confidence in the economy.

The President's Reinvestment and Recovery Act is very much a part of recognizing, yes, we have to fix the banks and that, yes, we have to fix the mortgages. We are beginning to really move in some positive directions there. Yes, we had to do a stimulus plan, and the stimulus plan may not be perfect, but it is designed to be monitored very carefully so that, as we look every 30 days, we ask: Is it creating jobs? As for all of these outcome measurements that we're expecting, the key to all of this is that, if it's not working in creating jobs, it gets cancelled, and we move on to something else, but it's all about, in our local communities, doing things that will get the economy up and running, making people feel better about themselves so they can buy and sell businesses and houses.

Mr. FARR. If the gentleman will yield——

Ms. BERKLEY. We have been joined by Congressman SAM FARR from California, who happens to chair the tourism caucus in Congress. Welcome, and thanks for being part of this.

Mr. FARR. Thank you very much for inviting me. I enjoy being part of this tag team that is really trying to give a different message than has been given.

I think the press has really done a disservice in sort of criticizing business travel, because everybody knows we're in tough times, and so they feel like, well, people shouldn't be out recreating with a corporate budget. On the other hand, when you stop and cancel those conventions that have been in your city, in the backlash, we've lost 20 percent of the hotel market. Twenty percent of the hotel market has reported that, just in that 20 percent, cancellations have exceeded $220 million for January and February. Now, when you have a domestic travel industry that employs 7.5 million people, when that industry falls off——

Ms. BERKLEY. Did you say 7.5 million people?

Mr. FARR. Just in the domestic travel. Just domestic travel.

Ms. BERKLEY. Interesting.

Mr. FARR. If you break it down to business travel that we're talking about tonight, it's 2.4 million American jobs. That's $240 billion in spending and $39 billion in tax revenue, which is the TOT—the Transit Occupancy Tax—and sales tax that those folks in their business travel spend at places like we all represent. I don't represent a big convention area. I represent the very small Monterey peninsula, but our little county does $2 billion in travel and tourism, second only to agriculture. It is very important.

Ms. BERKLEY. My husband and I went to a Reno physicians' association meeting in Monterey, and it was an absolutely delightful place to have a convention.

Mr. FARR. Those associations, the small ones like your husband is involved in, have been canceling. So what has also affected the big conventions in your communities that can handle some of the largest conventions in the world trickle down to the smaller communities that handle the smaller ones. This impact, this negative message that got out about domestic travel, is just contrary to what you have just talked about.

This stimulus package was about stimulating jobs, not about losing jobs. It was about keeping and creating more jobs. If there is any industry that can pick up a lot of labor quickly when things are going good, it's the travel and tourism. It's the restaurant workers. It's adding additional workers—dishwashers and people who wait on tables, to pick up the hotel services, to pick up the delivery services, the flowers, all of this. Somehow this is kind of looked at as, well, if you can have that kind of luxury, then you must not be sympathetic to the losses that are going on. We see those losses because those people are unemployed.

Ms. BERKLEY. Exactly. Well, I think, if I'm hearing you correctly, you're saying that business travel is very much a part of the economy of the United States of America, and without it, we are going to have thousands, if not hundreds of thousands, of people unemployed. Those are our fellow citizens.

Mr. FARR. Travel and tourism is the largest business in the world, and it is expanding faster than any other business. Every country is trying to do more of it. You see the advertising on our television sets about islands in the Caribbean, about going to Spain or about going to Australia and New Zealand, all of those travel promotion ads. We don't do that. The United States, unfortunately, isn't running any ads in other countries, saying, ''Visit the United States.''

I and the other co-Chair, ROY BLUNT, of the Travel and Tourism Caucus have a bill. It is a bill to essentially provide grants to States and local communities to do that kind of destination marketing. We know that a lot of Canadians——

Ms. BERKLEY. Put me on.

Mr. FARR. What I just wanted to mention for both of you—because I am very, very sympathetic to the problems of Las Vegas. Las Vegas is the biggest convention city in the United States, and because of the bad press, all of these businesses have canceled. You've pointed out what is happening to the

unemployment. It has also had huge foreclosures in Las Vegas. It is a town that is probably, as a city, more affected by this economic downturn than any other city.

Ms. BERKLEY. And I'm sure Florida is right behind us.

Mr. FARR. I was home last weekend. It was interesting that people were telling me, if you want to travel now and go by air anywhere in the United States—say I want to go from the West Coast to the East Coast—they said book your travel through Las Vegas. The prices for air travel going through Las Vegas are the cheapest in the United States.

Ms. BERKLEY. Yes. Yes. We're practically giving away rooms in order to attract people to our community. I don't think the three of us, any of us, are suggesting that companies should be using taxpayers' dollars in order to fund business travel.

Mr. FARR. No, absolutely not.

Mr. KLEIN of Florida. No. I would just support what you're saying.

First of all, I think your idea of branding of the United States as a place for travel and tourism is a wonderful idea. You see the Philippines. You see, you know, countries do this. In Florida, we have something called Visit Florida, which is a public-private partnership, set up a number of years ago, which brands Florida and promotes it in different places.

I support the idea of branding the United States as a place and then, obviously, letting local communities co-op together, putting leverage those dollars and doing it. I think you're all right.

One other point: We're talking about big. Let's also talk small. In your community, I'll bet there are lots of small businesses—bed and breakfasts and lots of other things—that are just wonderful places. These are people who are very dependent and who are also in cooperation with our large properties.

Mr. FARR. What is very interesting about this is that travel is really educational. I mean this city, I think, is a must for any child in school who is learning about American history. In making it interesting, it comes alive. I mean the city of Washington may be the best family tourism city in the world because most of the things here are free—going to the museums, visiting all the monuments—and you can't help but recognize the Capitol when you see it. You've seen it in books. You've seen the Washington Monument and the Lincoln monument. This city makes it exciting. So you think about how many different ways one gets educated by visiting someplace else, knowing more about themselves.

I was a Peace Corps volunteer, and I was living in another culture and was experiencing all that newness in food, in dance, in music, in language that made me realize the strengths of my culture in America but also some of the weaknesses—the family values issues where people really stick together in families. I find that travel and tourism is an eye opener, and I represent Carmel where I live, which is a small, little town of 4,000 people. Everybody has heard of Carmel. It's just a charming, little town.

The mayor of Carmel, not Clint Eastwood but one of the other mayors, was telling me that, and asked me the question: What do you think is the number 1 question asked for things that people want from the city government? I always say: Well, where is Clint Eastwood's restaurant? He said: No, that wasn't the question. That wasn't it. The number 1 ask from the government of Carmel was for a copy of their zoning ordinance. That just shows that the tourists come and shop, not with just their pocketbooks, but they shop with their eyes and their minds. They looked at why they wanted a zoning ordinance, and so many Japanese asked for it that we had to have it translated into Japanese. The people said: If this city can look so cute, why can't our city incorporate some of these ideas?

So that's what, I think, of travel and tourism. Obviously, businesses use these opportunities to take their associations—the dental association or the plumbers' association—and go have a conference.

Ms. BERKLEY. Las Vegas can accommodate everyone from the Baptists—because there are Baptist conventions in Las Vegas. I know that sounds unusual, but there are—to medical conventions, to dental conventions, as you said. We also are the site of some of the biggest conventions in the world—CES, the homebuilders, the shopping center convention every May. I mean these are huge conventions. Why do they come to Las Vegas? Why do they come to south Florida? Because we can accommodate this. We have got the best hotels. We have got the best transportation. We have got the best restaurants, the best shopping and the best facilities for conventions, large and small.

For the American business community to be turning their backs on us, not only is it bad for our business; it is bad for theirs because, contrary to what a lot of people think, a lot of business gets done in those meetings.

I know that the Congressman has got beautiful beaches, but that is an amenity that people take advantage of after they've done their business. Las Vegas has world-class entertainment and some other amenities as well. People don't concentrate on that. They're there to do business, and we make it possible for them in these business meetings to conduct serious business, and I am sure it's the same with your district as well.

Mr. FARR. Well, I think that we're all in the media. We have to get elected in the media, and we have to go out and take risks. It seems to me that what we need to do is realize, as a country, that we should not be condemning businesses that are doing things to help people have jobs.

□ 1845

The service industry is not always the best paying industry, and these are great jobs for students, great jobs for people coming up with limited skills at the entry level. The wonderful thing about it is that there is no sort of degree requirements so you don't have to have a college degree or Ph.D. to manage a big resort. If you have skills and you are able to deal with people and some business management skills, you can achieve that.

I think that what we're doing by watching people condemn business travel right now is we're just shooting ourselves in the foot.

Mr. KLEIN of Florida. If I can add to that, I think let's talk the positives. We've been talking about a little bit of the risk side. But I think what we're all saying is the same thing. And that is the business side that gets done at conventions or travel to any one of our communities or any one of the 50 States, the notion of either playing golf in Florida or going to any one of the entertainment venues that any of us have or the ecotourism or the beautiful sceneries that attracts us, this is where business gets done. This is where families spend vacations.

And this is a time and place where people need to recognize, even though times are a little tough, business is going on, the economy is still going on, people are living their lives. You make maybe a different choice than maybe you did before, but there are great opportunities. But like everything else, supply and demand. Right now, you might even get a better buy than if you had planned a year ahead of time. And that's okay. That's just part of the deal, but that still makes the flow. That still makes the hotel full, it still makes the restaurants full, the suppliers and all of those things go.

I think it is a very exciting opportunity. And again, I just see this as an opportunity as we talk about these things back home what we're doing here in Washington on fixing the credit on the reinvestment act and the recovery act, this is all about putting all of the pieces in place so that everything will turn. And it will turn. It's just a matter of whether it is this amount of time or this amount of time. But we're going to get through this. And if it's a matter of going forward and planning the next trip, the next business meeting or whatever, that needs to go forward because every business needs to be in the best possible place when things start clicking again on all eight cylinders.

Mr. FARR. In January and February, the travel and tourism, the business travel was so far down that we lost $1 billion. Now, $1 billion is a lot of jobs of people that were laid off. And I think, unfortunately, we didn't have anything in this stimulus package precisely for travel and tourism. But if

you want to jump start a lot of jobs in America, this is the industry that has the most jobs when you think of all of the venues that you talk about.

Ms. BERKLEY. I would love to make two points, and it dovetails beautifully with what both of you are saying. I know you just mentioned that legislation that you're either introducing or thinking of introducing that would put some dollars into advertising the United States of America abroad so people will come and travel in the United States, which I think is a wonderful idea. And you're right, we're light years behind other countries in promoting our own.

But there are smaller ones that I was wondering what you thought of.

I tried to get in the stimulus package—and wasn't able to do so—but a $500 tax credit for business travel. If you're a business traveler and you want to bring your spouse, I think we should be—I think there should be a tax credit that will encourage men or women to take their spouses. It doubles the number of people that are coming to any one of our communities, and it also will help stimulate the economy and also keep families together. So I think that's wonderful.

The other thing—and we call it the three Martini lunch—but the reality is it is so much more important and significant than that. I would love to see a 100 percent deductibility of meals tax. I am sure the same is happening in your towns as mine, the restaurant business is kaput. People aren't coming to the towns so obviously restaurant business is down. Wouldn't it be a good idea for a business to help stimulate business? Most small businesses don't have boardrooms. What they have is the back booth of the local deli. And if they could get a 100 percent deduction on their meals, I would think that would not only help them to do their business, but it would also help the restaurant business as well.

Mr. FARR. We have a bill that's annually introduced by NEIL ABERCROMBIE, the Representative from Hawaii, and it is obviously in Hawaii's best interest to have a lot of tourists. That's what supports their infrastructure. And he's introduced the business travel deduction for spousal travel and also increasing the meal deduction. We have just been unable to get it out of the Ways and Means Committee. Maybe now as part of the stimulus we could encourage things like that.

Ms. BERKLEY. Heaven knows I have tried. I am a member of the Ways and Means Committee, but I am going to keep pushing this because I can't think of anything more stimulative to the tourism business and the restaurant business. And I know NEIL has been remarkable and, of course, NEIL ABERCROMBIE represents Hawaii. It has also been very hard hit, and he's down here every day fighting for the interests of his community, and, of course, Hawaii depends on tourists and business travelers.

Mr. FARR. What I like what both of you really understand—and I think this is the difficulty that the industry has—is that it is the biggest industry there is in the world, and yet it is not looked at as an industry because it is made up of parts. What are the parts? We can name them all night. But you just think about it. It is the rental car business, they have their own association; it is the hotel business, they have their own association; it is the airline business, they have their own association; it is the amusement parks, they have their own association; the restaurants, they have their own association; it is the Federal Government because we have national parks which are destination areas and tourism is essential for us to sustain those parks on the fees collected at the gates and the rates paid for the services.

So we're all in it, but what is more important it is really about America.

What I love about travel and tourism is that it is the spirit of our country. And as I say, I think that we travel within America to look and see what regions look like. We don't just go to see—we don't go to California to see what Californians look like or Florida to see what Floridians look like. It's really not just the people—people are the character. But it is also—and the arts, obviously, the creative arts. But it is these physical attractions: the beaches of Florida, the incredible expansion of ideas.

I think that one of the greatest shows that I've ever seen in my life—I have been raving about it. I saw it last summer. I was driving through Las Vegas on the way to our Denver convention. I stopped in Las Vegas and had never been there. And I went to Cirque du Soleil. That is a show that I think is—it is the epitome of creation, of musical talent and acrobatic talent; and it is something that every child would just love to see. I was just so disappointed—I went late at night—that I didn't have my grandchildren with me.

Ms. BERKLEY. Every time I go—I've seen all of the Cirque du Soleils a number of times. Whenever we get company in town, we take them to the Cirque du Soleil. Although we have got so many—we have Cher, we have Bette Midler. You name it, we have got it in Vegas. But every time I go, I see something new. There is so much on that stage going on. Going once simply isn't enough.

So I should invite you as my guest to come with your grandchildren. And I would be glad to host you.

Mr. FARR. If I had enough money, I would rent the whole theater and invite the whole world because I think it is something that everybody should see. It is a tribute to mankind's creativity.

See, I think that's what this is all about. You're not going to get a Cirque du Soleil in every city. You're going to have to travel somewhere. We always say in California that a tourist is anybody who is more than 60 miles away from home. So it makes most commuters in California tourists for a moment, because they are actually spending their money in another city when they go out for lunch, and they might go shopping there on their way home.

Mr. KLEIN of Florida. Every time I see Congresswoman BERKLEY, there is not enough infectious energy there of her passion for what she does. You are probably the greatest representative that Las Vegas has ever had because of your beliefs in the industry.

Ms. BERKLEY. I am wearing roulette earrings right now. So I take this very seriously.

Mr. KLEIN of Florida. The issue with tourism, though, as you just said, it's ecotourism. It is environmental. It is the culture. It is the arts.

I see on the other side of the Chamber is the congressman from Ohio. I'm from Ohio originally. They have the Rock and Roll Hall of Fame in Cleveland, Ohio.

But everywhere you go in the United States, there is the opportunity for tourism. And the most important recognition of this is it is about who we are as Americans, it's about the rest of the world getting a piece of our culture. We export a lot of great things in our entertainment industry. But bringing people to the United States, getting a feeling for what we're all about, our democracy, our values that express themselves in the way we maintain our national parks, the way we—the Everglades, which is one of the great creations. The Grand Canyon. These are all things that when people leave the country——

Mr. FARR. The Big Sur coast.

Mr. KLEIN of Florida. I think we could all go on for a while.

Ms. BERKLEY. Congressmen, I would go so far as to say it is patriotic to be traveling.

Mr. KLEIN of Florida. I would agree. It is patriotic for Americans to see America. And it is also a wonderful way of showing what America is like to people around the world because when they go home and they can share their experiences of what they have seen and what they have felt and what Americans are like and what this particular destination, this ocean, this Grand Canyon, Lake Erie, any combination of things that are part of who we are as a country, I think it adds so much to us as America. It promotes our interests worldwide as well.

Ms. BERKLEY. I believe that the Congressman from Ohio, who is here for another Special Order, has moved to join us in conversation.

Mr. LATOURETTE. I absolutely am moved by the conversation. And one of the things that puzzles me as we go through this financial mess is that people have decided to target trips and conventions and destinations and tourism, and that's exactly the wrong message.

I don't know how it is in your part of the world. In Cleveland, where we have the Rock and Roll Hall of Fame and we

have great hotels, There are people who have to work in the hotels, there are people who cook the food, people who serve the food. And when you choke down and just make fun of people that go and have conventions or go traveling, you really are cutting off your nose to spite your face because you are drying up those jobs and you really are having a huge impact on the local economy. And I don't know any local economy that doesn't have as a component a healthy dose of dollars from tourism.

And so as people sort of say this is bad, that's bad, don't do this, one thing that they shouldn't target is, in fact, people need to travel, people need to have meetings, and people need to rent rooms and eat meals.

I thank the gentlelady for yielding.

Ms. BERKLEY. We've been joined by one of our newest and finest Congressmen from the State of Florida (Mr. GRAYSON) who also represents a tourist-based economy in his district.

Mr. GRAYSON. I rise today to bring attention to the fact that there is increasing evidence to support the idea that taking vacations is necessary for your health.

Ms. BERKLEY. Your health?

Mr. GRAYSON. Your health. In times of economic uncertainty, it may seem hard to justify taking a vacation, but more than ever it is important to do so for your health.

The United States is a Nation of hard workers, but research shows that about a third of us in this country don't take all of the vacation days that we're entitled to. But according to Take Back Your Time, which is a nonprofit organization that studies issues related to overwork, there are 137 different countries that mandate paid vacation time, and the reason, typically, is health. The United States is not one of them.

With the number of Americans who said they would take a vacation is at a 30-year low, we need to take a look at the benefits of making that vacation that people have dreamed of a reality.

It is abundantly clear that individuals who take vacations are at a significantly lower risk for illness and disease. Likewise, those who do not take vacations are at a heightened risk of illness and disease. Even individuals without health problems can benefit from taking a vacation because it helps them to sleep better and it helps them to relax.

Ms. BERKLEY. When people come to Las Vegas, we don't want them sleeping.

Mr. GRAYSON. So it is sleeping afterward to make up for that.

A 2006 study was conducted to measure the benefits of taking vacations, and after a few days of vacation, the study found each participant was averaging more sleep and better quality sleep every night. There was also an 80 percent improvement in reaction times. And these benefits continued after they returned home. There is evidence that individuals who take vacations perform better at their jobs and they have higher job satisfaction.

The research has made such an impression that there is legislation being proposed here that would require a paid vacation time in the United States. It is currently called the Minimum Leave Protection Family Bonding and Personal Well-Being Act, and it would mandate 3 weeks of vacation every year.

I think that Americans need to relax. They need to consider this evidence about what is good for their health and their well-being, and they need to take time off. And as the Congressman from Orlando, I recommend they take a few days off at Disney World.

Ms. BERKLEY. I have also been in your fair city, and when my kids were little, younger, we had wonderful family vacations in Orlando. It was quite a treat for us. So you do have a beautiful community and people should be flocking there.

□ 1900

So we're discovering today that not only is this good for the economy, not only is tourism and business travel almost patriotic, but now it's also good for your health.

So I thank you very much for adding that component to our discussion.

Mr. GRAYSON. Thank you, too. I was in Las Vegas last year. I had a great time.

Ms. BERKLEY. Good. I hope you left a little money on the table.

Mr. FARR. I think it's important to realize that when we wanted to in Congress—we're essentially the one spouse, the father or the mother is serving in Congress, and taking away from the normal—we're not living with our family during the week. We're here in Washington. We go home on weekends.

But in order to get us to bond together with your new freshman class and all the rest of us, we took a retreat. Essentially, that was business travel. We went to Williamsburg. We did that as Democrats, and the Republicans the following week did the same thing.

And so why did we do that? We didn't think of ourselves going on a vacation or going on a boondoggle. It was really about how to do our professional lives better and incorporate our families so that we can incorporate them in our business. And I think that that's real important.

And what's happened in this economic crisis is the press has made that kind of experience for businesses and even for government, that you shouldn't be doing that; you should feel very guilty.

Ms. BERKLEY. Congressman, I think we've had——

Mr. FARR. I feel guilty about the people that are getting unemployed because nobody's going out to a restaurant or to——

Ms. BERKLEY. I feel exactly the way you do, but I think it's more than just the media. I think that Members of Congress and the administration have also contributed to this feeling that maybe there's something wrong about traveling.

But I think we've turned the corner, and it's becoming very obvious to me, especially in President Obama's latest comments about the importance of traveling and how much he appreciates the travel industry and how important business travel is. Members of Congress also appreciated it as well, and I'm really glad that you brought that up.

Mr. FARR. I think this last statement about how it's good for our mental health is absolutely true.

Ms. BERKLEY. We could use some good mental health in Congress, that's for sure.

Mr. FARR. And for the Nation. I think we need to be proud of who we are, and you know, going to a ball game is a tourist experience.

Ms. BERKLEY. It's a wonderful experience.

Mr. FARR. And if you went to that ball game out of town, you really would be a tourist. If you go in your hometown, it's something you do because it's a local activity, but it really is an experience. You being in that ballpark, you spent money to get there. You're spending money on food. You're spending money on programs, on the paraphernalia. That's all part of the tourist experience.

Ms. BERKLEY. It's as American as apple pie. Ball games, sharing them with your kids, with your spouse, I mean, what could be better? And if you could bring your whole business team with you, too, that's a wonderful way to bond and be more effective as a team.

There was something you said earlier, but I wanted to share something very personal. You know, even though we're friends, and you know, we know each other here in Congress, sometimes we don't know about each other's personal background. But something that you said touched a chord with me because it seemed like you were talking about my own family.

My parents were driving across country. Everything we owned was in a U-Haul hooked up to the back bumper of our car. And my father was a waiter when I was growing up. We lived in upstate New York. We drove across country because my dad had a letter of introduction to get a job in a restaurant in southern California.

We stopped in Las Vegas for the night, and obviously we never left. And on a waiter's salary, my dad was a waiter at the old Sands Hotel which was very famous for the Rat Pack and just a very exciting time in Las Vegas' history. But on a waiter's salary, he was able to put a roof over our head, food on the table, clothes on our back, and two daughters through college and law school. That's not so bad on a waiter's salary. As a matter of fact, he's 84 years old now, still working, and very proud of his accomplishments.

That's what the tourism industry and that's what business travel means to

me. It uplifts families. It gives people jobs. They don't have to be lavish jobs. We're not talking about people that make millions of dollars. We're talking about people, middle-income families, that make enough money because they are part of the tourism industry, because they are part of the business travel industry, that they can support their families.

And then, I'm a first generation college-goer. No one in my family ever went to college until I did, and it changes lives. And making sure you've got that job, that good job security, you have a healthy economy, that's what we're talking about. And business travel is so much a part of this country and so much a part of our economy.

Mr. FARR. That's a very moving story, and just God bless your dad. What a wonderful person he must be.

My daughter said something to me that really touched me just a couple of weeks ago. She said, Dad, I'm so thankful that I have a job. And she used to be a waitress. And she said, I just know so many people that have been laid off, even some of her friends who have been waitresses, college graduates who are coming home but in between finding a job are doing—she said, you know what you and Mom could do, she said next time you go out, tip a little bit higher.

Ms. BERKLEY. You know, I worked my way——

Mr. FARR. This is my daughter saying this, give more to the people. I mean, when you think about that service and that tipping and that concept of giving, I think it's so fundamental to our American culture that, as we said, travel and tourism isn't a luxury. It's a part of the American culture, the dream, to enjoy oneself.

Ms. BERKLEY. We are joined by the other Congresswoman from Las Vegas.

Mr. FARR. We've got the dynamic duo here. This is incredible.

Ms. BERKLEY. Congresswoman DINA TITUS has joined us.

Mr. FARR. Well, welcome. You're a new freshwoman, fresh Congresswoman to this, and it's exciting to see you so interested in travel and tourism, obviously representing Las Vegas, and I'll let you talk.

But I also have to say that from what I've heard, the best deal in America is to take your family to Las Vegas right now. And as you said, they're almost giving away hotel rooms, and air travel, if you go by air, is just dirt cheap. And the experience that one can have, it's probably in some cases cheaper than staying at home.

Ms. BERKLEY. It's the best bang for your buck, there's no doubt about it. And as we keep saying, not only can you have some fun, you can actually get some business done. So we want to encourage all of those conventions that had second thoughts, that decided to cancel their trips to Vegas, their conventions, their conferences, think again. Come back. You can have a wonderful conference and enjoy yourselves as well and save your company some money by doing it.

Mr. FARR. Smaller businesses, you can come to Monterey peninsula, Monterey——

Ms. BERKLEY. The aquarium——

Mr. FARR. We have got a lot of great places to visit.

Ms. BERKLEY. As you know, my in-laws live in your district. So we go up and we visit them often. It's a wonderful place to be.

Mr. FARR. Welcome to this discussion.

Ms. TITUS. Well, thank you so much for letting me join you and thank you, Congresswoman BERKLEY, for organizing this and giving me an opportunity. I know you've been talking about some of the issues already, and nobody is a stronger advocate for tourism and activities in Las Vegas than my colleague SHELLEY BERKLEY.

So I just want to add the fact that, yes, Las Vegas is a wonderful bargain and a wonderful place to come. You know, it just kind of added insult to injury when people canceled the convention, paid a cancellation fee, and then went to another city and paid a higher rate. That makes no sense whatsoever.

In Las Vegas, we have fabulous convention facilities. Nobody can feed a room of 5,000 eight courses and serve the line on time like you can in Las Vegas. So we do want you to come back.

And I was touched by the story of your daughter because that is so true. We shouldn't be thinking of this just in terms of statistics, and the statistics are staggering, but we need to think of it in terms of people.

Many of the people who live in District 3 work in the tourism industry. It's not just along the famous Las Vegas Strip, but we have the Red Rock Casino. We've got the Green Valley Ranch. We've got the new Inn that's opened, a lot of areas outside of the strip that are in District 3. So those are jobs.

Las Vegas, Nevada, has the highest unemployment rate it's had in 25 years. You know, we used to think we were recession-proof, and if you had two nickels to rub together you'd come out there to try to change your luck. That's not been the case recently. As people lose disposable income, they're not coming. Those tourism dollars aren't there, and people are losing jobs. If you lose a job or you lose hours on your job, or those tips aren't there, if you have one member of the family who is a tip earner then that leads to another problem which is the housing foreclosure.

So when you're talking about where to have your convention and what the pluses are to having it in Las Vegas, remember, those are very real people who are making those beds, serving that food, dealing those cards, dancing in that chorus line. Those are real folks that live in the district, go to school there, obey the laws, and just try to do the right thing.

So I'm very glad to be here tonight to add my voice to the notion that we've got to do more business travel and to put Las Vegas back on the list of preferred destinations.

Ms. BERKLEY. Well, you know, you and I have lived in Las Vegas for an awfully long time and have been very active in the community. I know that Las Vegas has this reputation and the people think of it as a gaming community, and indeed, we do have the best gaming on the planet. The most fabulous hotels, restaurants, you name it, we've got it, great entertainment, but there's much more to our community than that.

And I was just heartsick when Las Vegas was attacked so savagely over the last few weeks here in Congress and frightening businesses. They didn't want to come to us for fear there would be some kind of taint.

Now, you and I know you raise families in Las Vegas. There's Saturday soccer. We have per capita the most churches and synagogues and mosques of any other city in the United States. It's a wonderful place to raise a family, but we can't raise our families unless people come and spend their tourist and their business dollars in our town.

Ms. TITUS. Well, you're so right, and if you look at our population, you know, we're very American. The rest of the country is becoming more like us. We have the fastest growing senior population, fastest growing Hispanic and Asian population, fastest growing school age population. We really are a southwestern city, and so to try to paint us with just those kinds of, oh, descriptions or adjectives or hyperbole is just not fair. We are a good community, a place to live, and we are a family and go to work, go to church, go to school. So I want people to see the other side of Las Vegas, the real people side of it.

You know, I hope to do something along those lines to change the conversation a little in my role on the Homeland Security Committee. You know, there's no place that has more high-tech security personnel and equipment than Las Vegas. Everybody's heard of the ''eye in the sky'' and everywhere could learn something from us in how those giant hotels deal with emergency situations and what we would do in the case of an emergency on New Year's Eve when we have all those people on the Las Vegas Strip watching fireworks.

So I'm trying to get some more cooperation between government and the private sector to come and look back of the house to see what all those things are that we have to offer just to change the conversation, so you can see another side of Las Vegas.

Ms. BERKLEY. Well, I think that's a great idea, and you know, we are a southwest town with a bit of a kick, and we love our kick. I mean, it's just a wonderful community. You didn't grow up there. I grew up there. A great town, great facilities, great convention town, get a lot of business done, almost patriotic to do this.

When we heard from Congressman GRAYSON, he was talking about your health depends on coming to Las Vegas and Monterey and South Florida.

□ 1915

There are so many communities in this country that have really been hard hit because businesses aren't holding conferences. You can go to Miami, Atlanta, Atlantic City, New York, Hawaii, Las Vegas, Monterey. You name it.

We've got to get people traveling again and we've got to get our business community to come back and start conducting their business as they've become accustomed to. And, again, the caveat is we are not suggesting that these companies use taxpayer dollars in order to do their travel. But that is just a little itty bitty speck on business travel.

Mr. FARR. You can use your tax refund to do travel, if you get one.

Ms. BERKLEY. Absolutely. Ninety-five percent of the American people will be getting a tax cut.

Mr. FARR. I want to build on your comment about homeland security because as co-Chair of the Travel and Tourism Caucus, we've been looking at Las Vegas, too. One, you have the largest hotel capacity in the United States. I believe that the goal is to have 100,000 rooms.

Ms. BERKLEY. No, we're at 140,000 now.

Mr. FARR. Well, you think about that. That means, theoretically, 140,000 people could check in and check out in the same day. And so your airport is one of the most sophisticated airports in the United States. And you're starting to—which I think is a marvelous concept—look at wouldn't it be a lot faster to move people if, when they check in their baggage to go to Las Vegas, that that baggage then is in their room when they check in. When they leave their room, they leave the baggage there and it's at the like baggage pickup when they go home. The idea is that, one, for security purposes. You do this perimeter screening and you don't have to do it in the airport.

Secondly, they find what slows people down is sort of schlepping the bags. You've got to go pick them up and then you've got to lift them and you've got to get into a vehicle. That just slows things down. If people didn't have to carry all that luggage, they could move a lot of people a lot faster.

So there's a lot of lessons to learn here on just how—and, frankly, we've also taken from the hotel industry the way TSA—the agents who are at the gates—could learn much more hospitality treatment of not being rude to passengers. Just have a little bit more of a professional flare while they also do their security business.

So there's a lot we're learning from your city that has applications throughout this United States. I hope that we can model it. I wish that the United States would talk more and the President would talk more—whomever the President is—but President Obama would really talk about the fulfillment of the American Dream and the realization of the greatness of our country by encouraging people to really see more of it and experience it. His city of Chicago is a big tourist draw and convention draw. He understands that.

Every community has a soul. Every community has something that can build upon that is really great. I think we are still in the developmental stages of trying to pull out the essence of that soul—what the natives in that community do, the historic aspects of the community. People settled there and built a town, and there's something in that that will attract people to come and see it.

There's so much opportunity to expand in travel and tourism—we just have to take it away from something of being a luxury item. It's not that anymore.

Ms. BERKLEY. Well, I think DINA knows that President Obama has announced that he's coming to Las Vegas in the spring. I believe that he's going to be using that opportunity to say exactly what you're saying, Congressman, that it's part of the American Dream, this travel, and encourage people not only to do leisure travel, which Las Vegas is famous for, but business travel as well. And we're famous for that as well.

Ms. TITUS. I think travel is so educational. I certainly agree with what you're saying about how it enriches a person's life.

When I was growing up, my father would put my sister and me in the car—the station wagon—and we would drive across country, hitting all the National Parks. So that is something that I don't guess we do too much anymore.

If you want to look for the heart and soul of a small community, take that trip. Because there are places around the country that have the biggest rubber band ball or the biggest stack of pancakes or the biggest ear of corn, country fairs and home cooking and boiled peanuts. That's the way you really learn about this country and learn who your neighbors and fellow countrymen are.

Education is a great result of that kind of travel. That also builds tolerance and understanding when you can see and know people who aren't necessarily just like yourself. That comes from travel.

Mr. FARR. What I've also noticed is that people are very interested in what we call ''watchable wildlife.'' The history is you go to zoos to see animals. But they really want to see them in the out-of-doors in their natural state.

Ms. BERKLEY. We have some wildlife in Las Vegas, you know.

Mr. FARR. The national parks and the national forest. But I was in Big Sur last weekend and I was talking to one of the hotels there. They were telling me that people—and they charge a lot for their rooms. But people call up and say, If I book a room in this hotel in Big Sur, can I see a condor? Because there are very few condors and we're monitoring them and we have a radio device on them, we know where they are. So the answer is ''yes'' because we know where they are. We can guarantee that you will see a condor. Other people will want to know about seeing sea otters.

So, living on the coast, what you realize is that natural flora and fauna—redwood trees that are native—that people want to come and see the out-of-doors. What I find is that you can't make people an environmentalist, so to speak, in appreciation for a living environment until you have been there and then also had it explained to you. Once you do, you get it.

So this whole issue of why do we need to fight global warming and what is it doing to our natural systems, you can understand that once you get that experience in the national parks or get that experience being out-of-doors.

So it's really all our culture. It's sort of the creativity of what you have done in Las Vegas, plus areas that just have the natural environment preserved in its natural state. Both add to this mosaic of travel and tourism.

Ms. BERKLEY. I think that is so eloquently put. I also want to remind people, especially the business traveler, that it's a good break from your business meeting if you come to Las Vegas. We have Red Rock Canyon, which is spectacular; we have the Grand Canyon, that is even more spectacular; and, of course, the Hoover Dam.

So you can do your business, you can do your gambling, you can eat the finest food, and then you can go outside of the city and enjoy the natural wonders of this beautiful, beautiful country of ours.

Ms. TITUS. I would mention along these same lines that Las Vegas plays a big part in other things that you don't think about. Right now there's a big emphasis on renewable energy. Certainly, we are the sunniest State in the country in Nevada. Everybody goes to Las Vegas for the wonderful weather. They're calling me every day to tell me how warm it is there compared to how cool it is here.

But the architecture that relates to that renewable energy is very interesting. A very famous book was written about the architecture of Las Vegas a number of years ago. They can go back and write another one now because there was a time not too long ago that of the top 10 LEED-certified green buildings in the country. Seven of those projects were along the Las Vegas Strip.

So it's quite interesting to look at it just from an architectural environmental standpoint, as well as just from the beauty of the decor. So that is something also we have to offer.

Ms. BERKLEY. Well, I think we have spoken for about an hour. We have had a very spirited discussion and I think a

very enlightening and educated one. I hope that the people that are watching come to appreciate the value of travel on vacation, family travel, just a getaway for the two of you, or, more significantly, for the discussion tonight, business travel, which is so important to the economies of every State in the Union.

I don't know whether you knew this—I'm sure you do as chairman of the Tourism Caucus—but in 30 States tourism is the first, second, or third most important industry. For a city like ours and a State like ours, obviously it's number one. But for 30 other States we're talking first, second, or third. That is huge.

We want to invite everybody back. Do those business meetings. Stop canceling. Stop being foolish. Enjoy and do your business in Las Vegas, in Monterey, in Florida, Atlantic City, New York, Miami. We need you.

Mr. FARR. Be healthy. Explore more.

Ms. BERKLEY. That's perfect. And thank you all for sharing this hour with me. I've learned things from everybody that has participated. I appreciate everything that you have said. Thank you so much.

Mr. LOBIONDO. Mr. Speaker, I rise today to join with my colleague from Nevada, Ms. BERKLEY, and to thank her for holding this special order tonight. I agree that corporations who accept taxpayer funded bailouts should curb lavish expenses that do little to improve their profitability. However, legitimate business functions held at casino-hotels in Atlantic City, Las Vegas, and elsewhere should not be the subject of criticism by the media and government officials.

In my district, Atlantic City casinos are our region's single largest employer. Unfortunately, like most businesses, they are suffering in the current economic climate. Gaming revenue is down to its lowest point in more than a decade, thousands of employees have been laid off and construction projects have ground to a halt.

Corporate gatherings, conventions and other functions bring thousands of business travelers to Atlantic City, filling our retail outlets, restaurants and hotel rooms. The continuance of these legitimate business functions is critical if our region is going to pull out of this recession, put people back to work and expand our economy.

That is why I am outraged by the administration's latest salvo against our casino-hotels and the thousands of workers they employ. Forcing non profits and local governments who receive stimulus funds to abstain from holding legitimate events at casino-hotels is appalling. In my district, several nonprofits and government agencies hold important community outreach events at gaming properties in Atlantic City because these convenient venues are often the only ones able to accommodate large numbers of people. For instance, our local Workforce Investment Board regularly holds job fairs and workforce development seminars at casino-hotels in Atlantic City. Under the administration's new rules, these services would likely have to be curtailed at a time when they are critically needed and the economic recovery of our region's largest employer would be further delayed.

I call on the administration to back down from this flawed, unjust, and unwarranted policy and instead partner with us to get our travel based economy in Southern New Jersey, Las Vegas and other destinations back on track. I also urge the media to immediately cease their hyperbolic attacks on legitimate corporate travel in this country. I thank the gentle lady from Nevada who Co-Chairs the Congressional Gaming Caucus with me for her leadership and I look forward to working with her and all of our colleagues to get our economy moving again.

AIG BONUSES

The SPEAKER pro tempore (Mr. POLIS). Under the Speaker's announced policy of January 6, 2009, the gentleman from Ohio (Mr. LATOURETTE) is recognized for 60 minutes.

Mr. LATOURETTE. I thank you for the recognition, Mr. Speaker. I want to thank the minority leader for granting us this hour. I'm going to be joined by at least two other Members, Mr. TIBERI and Mr. AUSTRIA, also of Ohio.

We're going to talk a little bit about what occurred last week and the week before. I know the Speaker will remember that the Capitol was sort of roiled, and our constituents continue to be upset, as well they should, over the news that somehow, after getting billions of dollars of taxpayer funds, the insurance company, AIG, awarded $170 million in bonuses.

A lot of people came to the floor last week and said they were shocked. As I said last week, I'm really shocked at the shock. Because I can't figure out how some people in this Chamber and at the other end of Pennsylvania Avenue can be shocked when they approved the language that authorized the bonuses.

Just a little bit of history here, Mr. Speaker. When the economic recovery plan or the stimulus bill was making its way through the United States Congress, there was an amendment offered by two Senators, a Democratic Senator from Oregon, Senator WYDEN, and a Republican Senator from Maine, Senator SNOWE. That would have put a limitation on bonuses like in the AIG case and in other cases that basically said that if you're receiving billions of dollars in taxpayer funds to bail you out, perhaps you shouldn't be giving millions dollars away in bonuses at this moment in time. If you're not taking the taxpayer money, you run your business the way you see fit.

Well, that amendment by Senators SNOWE and WYDEN was adopted by a voice vote in the Senate and was included in the Senate version of the stimulus bill. So I read about it in the newspaper and I thought: Okay, the bill is in pretty good shape.

When the bill went into the conference committee—and, Mr. Speaker, I know you know this, but for those who may not be conversant with how things work here, we pass a bill over here, the Senate passes a bill over there, then each House appoints a few Members and they meet in a room and they sort out the differences between the two bills and then we eventually get a conference report.

Now, in years past—this is my 15th year in the Congress—that conference committee always included Republicans and Democrats. We, being Republicans, were in the majority party for 12 years. The Democrats would come into the room, the Republicans would come into the room, the Representatives would come into the room, the Senators would come into the room, and we'd hash out the differences and then at the end of the process everybody who's on the conference committee would sign the report, and that's what you have.

Sadly, even though people have discussed this being the most transparent administration, the most transparent Congress in the history of the country, no Republicans were invited into the conference room. Clearly, what we have seen—sadly, what we have seen—is that this Congress is about as transparent as this envelope. We are not being included. You know what? We don't have to be included. We are in the minority, and clearly the majority party can write legislation as they see fit. But what they can't do is what happened last week.

So in this conference room all of a sudden somehow the Snowe-Wyden language is removed that would have stopped these bonuses from happening. And the words behind me—they're only about 50 words on the chart behind me—were inserted.

This language specifically authorized the payment of millions of dollars of bonuses to people at AIG and anywhere else. So anybody who voted—when it came to us back in the House for a vote, this language was included in the bill.

So the reason I said I was shocked at people's shock is that anybody that voted for the stimulus bill voted to give and authorize and protect the bonuses at AIG and any other company that has taken billion of dollars through the bailout program.

We don't know—and I know the Speaker will remember last week we were on the floor for about an hour trying to figure out how it did it happen. We started with I talked about the fact that there's a face book. There are 435 Members of Congress, 100 Senators. We began crossing them out. We got down to about 520 during the course of that hour. I indicated we would come back and report to the Speaker the progress of this search. I'm pleased to report to you that we have made significant progress. My friends and I are going to talk about that this evening.

First of all, we can remove all 178 Republicans because there were no Republican Representatives in the room. We can also remove all 41 Republican Senators because they were not in the room. And I mentioned that we also have this Senate race that is unresolved in Minnesota so we can cross off

Al Franken and Senator Coleman. They are not the culprits in this particular case.

So we got down to a smaller group that we are going to talk about. But then our group expanded because there are a couple of news reports out that there were people from the administration that were also participating in these negotiations. So we had to add a few suspects to figure it out.

What is disappointing is that in a transparent administration, in a transparent Congress, people make mistakes. Everybody makes a mistake. I probably made three before lunch today. But when you make a mistake, you should say: I made a mistake.

□ 1930

What is not acceptable is to compound the mistake by pretending you didn't know about it; and then when you are caught, you come up with some goofy piece of legislation like we had on the floor last week to tax people at 90 percent.

And I have got to tell you, that was political theater. It never is going to become law. These people that are so outraged about AIG executive bonuses, they are going to get their bonuses because that bill is not going anywhere. My friend STEVE AUSTRIA is going to talk about that in just a second, but that is never going to become law. That was to provide cover for people who voted for the Economic Recovery Bill, because they found out, sadly, that they had authorized these 50 words that protected the AIG bonuses, and now they are shocked.

Now, on our side, I have to tell you that we were kind of saddened. Even though we don't need to be invited into the rooms, we don't have to be invited to negotiate, before the stimulus bill came to a vote in the House a motion was made, and the motion said that before any Member of Congress is asked to vote on the stimulus bill we are going to have 48 hours to read it. Every Member of this House, every Republican and every Democrat that was here voted to give the Members 48 hours to read the bill. And if you think about that, Mr. Speaker, that is probably a good idea, because the bill was over 1,000 pages long.

Well, sometime between Tuesday when every Member said we are going to get 48 hours, and Friday when we voted on the bill, people forgot that promise. And on our side, at least, we were given 90 minutes, 90 minutes to read 1,000 pages to determine whether or not we could be supportive of the President's most important domestic economic policy position.

I voted ''no,'' and I don't have any problem with the fact that I voted ''no.'' There were some good things in the stimulus bill, there were horrible things in the stimulus bill. But I couldn't go home to Cleveland and say to people, yeah, I voted for it, because I didn't read it. And I don't think any Member of this Chamber read the bill. If they did, more power to them, but I doubt everybody read the thousand pages.

But what that leads to is an embarrassment, and the embarrassment is everybody that voted for the stimulus bill voted to give the bonuses to AIG. And then to cover their tracks, they come up with this, oh, let's tax at 90 percent.

Which, if you think about it, that is pretty silly, too, because let's say the guy at AIG got $5 million in the bonus. Under that bill, he still gets to keep one-half million dollars. So if you are so outraged, why don't you take all of the money away from them? Forget about the Constitutional arguments and the bills of attainder and all that other business. It was political theater, and it makes you sad when that happens.

So we are going to spend the remainder of our time this evening attempting to sort of ferret out who was in the room. And I have good news, because the Secretary of the Treasury was at the Financial Services Committee today, Mr. Geithner, and the Secretary was asked if he was in the room when this happened and he said he was not. So we can cross off the Secretary of the Treasury; he was not in the room when this was done.

Last week, during the course of the debate on Ms. KILROY's resolution saying that the administration was doing everything that they could to stop these bonuses, we asked the chairman of the Financial Services Committee, Mr. FRANK of Massachusetts. He said he wasn't in the room, so he is off the list as well. And the Speaker actually indicated the other day, Speaker PELOSI, that nobody from the House did it, and so we have to look elsewhere, I guess. And we are going to talk a little bit about that.

But first, to sort of set the table on this bill, this 90 percent tax bill that was political theater, that was a farce, that was a fig tree to cover people who had made a mistake, I want to yield for a minute to my friend STEVE AUSTRIA from Ohio just to talk about what we think the prognosis is for this tax bill.

Mr. AUSTRIA. I thank the gentleman from Ohio for yielding, I think next to the leader, our senior Member from Ohio. I thank you for yielding. And it is an important issue.

Being a new Member of Congress, having served less than 100 days in Congress, to be faced with what we are facing right now, the amount of spending, the amount of borrowing, the amount of debt that is accumulating. I didn't come to Congress—I have three sons at home—to pass this type of debt on to our children.

But specifically talking about the bailout, talking about AIG and what has happened, one of the first bills that I was asked to vote on was the second half of the TARP, the financial market bailout, the $700 billion bailout, something that I felt when I was running for office looking from the outside in was a bad idea, for government to get involved, to not have accountability, not have transparency, and not have a plan; have, as the gentleman from Ohio described, a plan that was brokered behind closed doors by a small group of individuals. As a Member of Congress, I have to tell you that my views haven't changed.

On that particular bill, when we voted on that bill I could not find answers on how the $350 billion, the first half of the $700 billion bailout, how that money was spent, could not find as far as any type of specific plan from the Department of the Treasury on how they were going to turn around the financial markets. There was no accountability, and I had a real problem with that with the TARP bill.

Now, as the gentleman from Ohio talked about with the stimulus bill, language that was inserted in a bill, and which Leader BOEHNER stood on this floor and held up 1,100 pages, approximately, that not one Member had the opportunity to read before we voted on, to me, that is a terrible reason to be passing a bill. We should have had an opportunity to read that bill and understand what was in it before we voted on it.

But when you have no accountability, when you have no transparency, when you have no specific plan on how you are going to use that money to turn the financial markets around, when you have no opportunity to read the stimulus or spending bill, what that equals is disaster. And that is what we saw last week. We saw outrage. We saw the American people beginning to understand for the first time what was happening here in D.C. when 160-some million dollars of bonuses were paid out to executives and employees, of their hard-earned money, $170 billion of their hard-earned taxpayer money that was used to bail out the same company.

I do believe we had some opportunities to do better. In an effort to try to resolve this situation, one of the things that I did was stand up with 14 members of our freshman class and introduce a bill to try to get that money back; doing in a different way, rather than raising taxes at 90 percent, getting 100 percent of that money back, asking the Department of the Treasury to use every resource they had available to get that money back within 2 weeks; to ensure that any future contracts, that the Department of the Treasury would sign off on those contracts and know what we are using that bailout money for. After all, the government now owns, I believe it is, 80 percent of AIG.

Unfortunately, we haven't had any hearings on that bill, and it doesn't appear as though it is going to move. The opposite side decided they were going to come up with a different solution with a 90 percent tax, to try to move that forward.

But what is happening here, and I know many people are getting their

quarterly statements, their financial statements, they are beginning to see their accounts, their 401(k) and retirement accounts, their children's education funds, their savings accounts. They are down significantly. We have had calls into our office where people have lost 40 percent, 50 percent of their money, and they are very concerned as to what is happening with the financial market bailouts. And I think we have an opportunity and we have an obligation to turn things around, to ensure that the taxpayers' dollars, the $700 billion that passed this body and is being used to bail out the financial markets, that there is accountability on the how that money is being spent, that there is transparency, so we know exactly what is happening, that there is a plan in place so that we can better understand.

What we are finding out is that some of the dollars that have been spent were bad investments. I am looking at testimony from Elizabeth Warren from the Congressional Oversight Panel to the Senate Banking Committee, that talks about how the Treasury invested about $254 billion in assets that were worth only approximately $176 billion, a shortfall of $78 billion. We can do better than that.

When you talk about the $165 million bonuses that were paid out to these employees—and I am looking at a news article, this is from the New York Post last week, ''Fully, 73 executives got $1 million or more each, of whom 22 were paid at least $2 million, while seven got $4 million, and one lucky duck pocketed a cool $6.4 million.''

We can do better than that. The American people expect us to do better than that and deserve better than that. But what all this is doing is creating uncertainty in the market when you don't have a plan and there is no accountability for these dollars.

In my prior life before being a State legislator for 10 years and coming to Congress, I was a small business owner, I was a financial advisor. And one thing I can tell you that is certain is that our financial markets, our businesses, they don't like uncertainty. And we are seeing big fluctuations in the market right now, we are seeing a lot of downturn in the market right now I think because of that uncertainty.

I think because of public pressure, the American people stepping forward and saying enough is enough and being outraged about this, that we are finally starting to see a plan brought forward that we hope will help resolve some of this problem that has transpired as a result of this legislation.

I will yield back my time to the gentleman from Ohio. I thank you for the opportunity to speak on this, and thank you for bringing this issue forward. It is very important.

Mr. LATOURETTE. I want to thank my friend from Ohio (Mr. AUSTRIA). Your comments really bring out why that tax piece of legislation that was political theater, that was a fraud was such a lousy piece of legislation.

If we take the fellow, or it might have been a woman, that you have just identified that got $6.4 million worth of bonuses, the Democratic tax bill that used the Tax Code to punish people for the first time, at least in my memory, to that extent, that person still got to keep $640,000. Why? Why? If they shouldn't have gotten any money, they shouldn't have gotten any money. So why do you give them just 10 percent?

I promised, Mr. Speaker, that we would attempt to move forward and try to solve this mystery. Now, it would be easier if somebody would just come forward and say ''I did it.'' You know, ''I did it. I am Professor Plum; I am Colonel Mustard, and I did it.'' But we don't have anybody that has been forthcoming on Capitol Hill or down at the White House or at the Department of the Treasury, except for Mr. Geithner and BARNEY FRANK and the people that I mentioned that were not in the room when this happened.

So with apologies to our friends from Hasbro, we have sort of put this in the form of the game of Clue, which a lot of us, Mr. Speaker, played as we were growing up, we play with our kids. And if you are not familiar with the game of Clue, Mr. Speaker, basically a crime is committed and the junior detectives have to try and solve the crime. And the successful person, the winner, identifies where it happened, who did it, and with what weapon.

Now, we start with a pretty good advantage here this evening because we know what the weapon is. We know that somebody took out the language that would have prohibited these bonuses that were paid out and put in the language that is over Mr. TIBERI's shoulder. And so we know it was done in writing, and the weapon at the bottom of this chart was a pen. So we are one-third of the way there, and now we just need to figure out where it took place and by whom.

And just to sort of go around with the whoms, we don't have Colonel Mustard, we don't have Ms. Scarlet, but what we do have are people who were either conferees or made observations or news accounts that we will get into in a minute indicate were in the room.

Beginning at the bottom on my right is CHARLES RANGEL of New York, who is the chairman of the Ways and Means Committee; he was a conferee, he signed the conference report.

Next is Rahm Emanuel, who is the President's Chief of Staff, used to serve with us here in the Congress representing a part of Illinois in the United States Congress.

At the top, the former president of Harvard University, Larry Summers, who is now an economic advisor to President Obama.

At the top is Senator DODD. Now, I have to say Senator DODD in a lot of early news accounts was blamed for it. I am feeling kind of bad for Senator DODD, because the last thing I saw him say was that, ''Somebody at Treasury said to put it in, and so my staff put it in.'' But clearly Senator DODD is getting fingered for a lot of this. But if he did it, he should say so. If he didn't do so, he should say, ''I didn't do it.''

Over in the upper left-hand corner is the Speaker of the House, Ms. PELOSI of California. Again, the news accounts kind of indicate that this took place in her office, but we are not going to get there yet.

HARRY REID, if you read, Mr. Speaker, yesterday's Roll Call, people have expressed concern as to the fact that he appointed himself as the majority leader in the Senate as a conferee, and that he may or may not have ties to AIG, and some questions are being raised.

And, at the bottom is DAVID OBEY, the very distinguished chairman of the Appropriations Committee who was also a conferee and in the room at least some of the time.

□ 1945

But let's talk for just a minute, Mr. TIBERI. Can you shed any light based on what you know or what you have heard that may help us sort of narrow this thing down?

Mr. TIBERI. Thank you for your leadership. I would certainly like to thank you for bringing this matter to light this evening and last week. I know both of you have shared the same experience that I have shared back in my district. People are dying to know what happened and when? Who was responsible for this? As you said, the Senator from Connecticut has said that somebody from the administration or somebody from Treasury instructed them to put this language in the bill.

I think it is interesting to note the language behind me that you talked about earlier wouldn't have gotten in the bill if, if we had transparency from the beginning, something that the new President has talked about, talked about during the campaign, talked about repeatedly during the campaign. In fact, as both of you know, our Speaker of the House talked about transparency before she became Speaker and how this was going to be the most transparent House ever, the people's House, and the fact is, not only on this legislation, but this certainly demonstrates it, but on countless pieces of legislation, there has been anything but transparency. And transparency has led to what this chart is really all about, and that is finding out who knew what when?

People in my district are outraged that this language ended up in this stimulus bill without anybody knowing about it, anybody but apparently the author of the amendment, but most everyone else, allegedly, didn't know about this important wording that allowed AIG officials to receive millions of dollars in bonuses.

In fact, I don't know if the gentleman has an answer for this, as I digress a bit, there was a news report today that

over half of the bonuses that were paid to AIG went to non-Americans.

Mr. LATOURETTE. Taking 1 minute of my time. I have not seen that news report. The news report that I'm familiar with—and if that is true, that is kind of shocking—is that 11 people of the 73 didn't work for the company anymore. So you have 11 out of 73 who aren't even at AIG anymore, and so if they are retention bonuses, they didn't work so well, because they don't work for AIG anymore.

I yield to the gentleman.

Mr. TIBERI. We are getting more questions on the table than answers. And that is what happens when you don't have transparency. That is what happens when backroom deals are cut, backroom deals on this stimulus bill that was done back in February.

In fact, Mr. LATOURETTE, I will quote from a Los Angeles Times article back in February that in the first major piece of legislation pushed by the President, transparency was missing. In fact, the President has no constitutional authority to set rules for Congress. But he suggested he would use his influence to see that Congress doesn't conduct its work ''in the dead of night and behind closed doors,'' which is exactly what happened in this process.

The Times article goes on to say, Mr. Speaker, maybe we can add a picture here to your graph, important negotiating sessions devoted to the stimulus took place in a congressional office outside public view, Representative HENRY A. WAXMAN (D) Beverly Hills said he was in the meeting about the stimulus plan Tuesday night in the office of House Speaker NANCY PELOSI (D) San Francisco. Among the participants was White House Chief of Staff Rahm Emanuel.

So, one person who says he was in the meeting in negotiations was the chairman of the Energy and Commerce Committee. But still, my question back to you would be, do you have to be in the meeting to instruct conferees in the dead of night in one of these offices to put something in this bill? Because you could still have the Treasury Secretary instruct everybody else that this is an important measure by telephone, couldn't you?

Mr. LATOURETTE. Well, you could. And taking back my time, I will tell you that there are telephones, but the gentleman is making our task much more difficult if you continue to widen the net and now we have to deal with Mr. WAXMAN and others. But sure, conceivably.

I would just say that today—I don't think it was under oath, but you're not supposed to lie to Congress—the Treasury Secretary did indicate that he only found out about it on March 10, which is pretty amazing, and that he understands that staff did it, but he really doesn't know a lot about it, and he knows he didn't do it. So, yeah, it could have been somebody outside the room.

Mr. TIBERI. If the gentleman will yield, certainly I think as we continue forward having a special investigation, an Inspector General report trying to get to the bottom of this, if someone doesn't come forward and say, yes, this is the language that I wanted, and this is the reason why, and X number of people that were paid were paid retention bonuses, and by the way, we weren't able to retain them, and by the way, over half the bonuses were paid to non-Americans, which is outrageous in the first place.

Mr. LATOURETTE. Taking back my time, I thank the gentleman for that. And I hope we don't need to have an investigation. I would hope that whoever screwed up would come forward and say, do you know what? I did it. And then tell us why he or she did it rather than hiding behind the skirts of staff and hiding behind this bogus tax bill that we did last week. I would really hope somebody would come forward and do it.

But the other thing I would tell my friend is we don't need to wait for an investigation. Tomorrow in the House Financial Services Committee chaired by the aforementioned Congressman FRANK of Massachusetts, a number of us have filed something known as a ''resolution of inquiry.'' And the resolution of inquiry requests the Treasury Department to provide to the Congress, not to me, not to the Republicans, but to the Congress, all documents that they have in their possession that will help us identify—if the person won't come forward and say, ''I did it,'' then this resolution of inquiry would direct them to give us the documents so we can figure it out and not add expense on top of the taxpayer in trying to ferret out who did this thing.

Again, I wish somebody, as I said last week, would just man up and say they did it.

Mr. TIBERI. Would the gentleman yield? And you're being far too modest because the resolution does much more than that. And in fact, in reading a poll today, over half of the American people believe that AIG should be broken up. And part of your resolution does just that, if you want to expand upon that.

Mr. LATOURETTE. Well, that's exactly right. The resolution not only asks for documents, but it indicates that the American public now own, as Mr. AUSTRIA has indicated, 80 percent of AIG. And quite frankly, I will say something bad about the Republican administration. I thought President Bush and his Secretary of the Treasury were wrong in asking for this $700 billion. The mantra was that these institutions are too big to fail. Well, most Americans now recognize that they are too big period. And as a result, they should be broken into pieces, going back to Teddy Roosevelt and the trustbusters. Let's break these things apart.

So we do have legislation to divide this thing up. And I hope that it is favorably considered. And as you mentioned, about 60 percent of the American public think that is a good idea.

Mr. TIBERI. I know that you're pushing that legislation. You have many cosponsors. But some think we are too busy to deal with that important legislation. I think you have a chart that demonstrates maybe we are not.

Mr. LATOURETTE. We are not. And I do want to—well, let's do that now, and then we will come back to seeing if we can move along in the game of Clue. And maybe if the gentleman will help me.

Mr. TIBERI. The gentleman from Ohio has a chart that just shows an amazing——

Mr. LATOURETTE. And you could sort of be my Carol Marol. I would appreciate that.

Last year we used the chart that Mr. TIBERI is going to give me a hand with. And people may remember back home that gasoline prices started high and they ended up even higher. And for the entire month of August, we spent time on the floor arguing that perhaps we should have an energy policy in this country that considered everything, renewable energy, solar, wind, geothermal, nuclear in the mix, together with additional exploration for fossil fuels which we are going to need in the near term at least. But we were told we were too busy. We were very, very busy here in the United States Congress. And so we didn't have a chance to get things going.

As, Mr. Speaker, you will remember, the Republicans did such a bang-up job in the majority that they threw us out in the 2006 elections and installed the Democratic majority. And we are honored to have Speaker PELOSI being the first woman to serve in that position since the beginning of the country. So when Ms. PELOSI and her colleagues became the majority party, gas was about $2.22, and the most important piece of legislation that folks thought we could discuss here on the floor was congratulating the University of California-Santa Barbara soccer team for winning something. Now I like soccer. And I'm sure that everybody's parents of that team are proud. And gas was only $2.22. So, okay, let's congratulate people.

Then gas went up to $2.84, and the most important thing that we had to do on the floor that day was to declare it—that was about September 6—declare it National Passport Month. And I began getting calls, I'm sure you guys got calls from people saying, Hey, it's really costing a lot of money to fill up my tank. Well, gas went up to $3.03, and on that day, the new majority determined that the most important thing we could do was commend the Houston Dynamo soccer team for I suppose winning something as well. And we are told that as elected officials you really have to get the soccer moms. And I guess this was an attempt to really make sure we had the soccer moms squared away, because we passed two pieces of legislation dealing with soccer.

Then gas went to $3.77. And so clearly, we are going to talk about gas prices now, right? No. We declared it National Train Day was what we did then. And then gas goes up a little more to $3.84. And what did we do that day? Oh, we passed the Great Cats and Rare Canids Act. And I didn't know—talk about reading things, I know what a cat is. I didn't know what a canid is. It is a dog. And so we celebrated Dog and Cat Day when gas is $3.84.

It goes up to $4.09, and the most important thing to do is to declare the International Year of Sanitation. That's what we did around here. Then the price of gas goes up to $4.14. My phones are ringing off the hook. So clearly, we are going to talk about gas prices then. No, we passed the Monkey Safety Act here in the United States Congress. So you would think that maybe people would be chastened by that when we are no longer talking about gas prices. And sadly I hope we don't go the way that we did in the 1970s. Now that gas is down to about $1.89, I hope we don't forget about when it was $4 a gallon and make those serious investments in renewables and get us off of carbon-based fuel and make us not dependent on countries around the world that don't like us.

Well, this year, as everybody knows that isn't living under a rock, we have a little bit of an economic crisis going on. And you would think that we would attempt to deal with that in a constructive way. On January 6 of this year, which was the first day of the 111th Congress, that is the opening day of this Congress, the stock market, the Dow Jones industrial, was at 9,015 points.

We get to January 20, and that is the day, of course, our new President, Barack Obama, became the 44th President of the United States. It was a very exciting day. All of us were pretty happy about it. But the stock market took a little dip. Now that is not President Obama's fault, because he was just getting sworn in that day. But the Congress, however, had a responsibility because we had already been in almost 1 month now by the time you get to February 2. The stock market goes down to 7,936, and the most important thing we can do on the House floor is to pass a resolution supporting the Goals and Ideals of National Teen Dating. That was a pretty important issue back in Ohio. I'm glad we took care of it.

The stock market dips a little bit further, and on that day, I guess because it didn't go down quite 100 points, and so we commended Sam Bradford for winning the Heisman trophy. Now, I'm sure that Mr. Bradford's family is proud of him. I'm proud of him. And anybody that wins the Heisman trophy is deserving of our congratulations. But when the stock market is in the tank and people are losing their 401(k)s, I don't know if that is the most important thing, but now it takes a precipitous dip down to 7,114, and, oh, son of a gun, 2 years in a row, we passed the Monkey Safety Act. And I don't want to make light of it this time because there was a horrible situation in Connecticut where a woman was attacked by a chimpanzee and suffered horrible injuries. And so clearly our thoughts and prayers with her, and that is a terrible event. However when the stock market is down to 7,114 and people have lost their life savings, clearly, the Monkey Safety Act was not the thing that was foremost on the mind of my constituents.

Actually, the interesting thing to show you how busy we were on that date of February 23, and it had only been 8 days before that the chimpanzee attacked the woman, and so we, as the greatest legislative body in the world, rushed in 8 days to pass the Monkey Safety Act. Then it went down a little bit further, and we, you know, like the soccer moms, we like animals, and so we passed the Shark Conservation Act on that particular day, not dealing with the economic crisis.

Then we sort of roll out to March 9. And this probably was my favorite resolution. We supported pi. And when I read the schedule that morning, I like pie, just look at me. And I thought what kind of ''pie'' is it going to be? Well, it is not p-i-e, it is p-i, which you know, Mr. Speaker, is 3.1416. And apparently we felt that when the stock market had lost 3,000 points in value in 2 months, rather than helping our constituents deal with that and using the full might of the United States Congress to get to the bottom of that, we recognized pi here in the United States Congress.

So I don't think—and this has been sort of tongue in cheek, but I don't think we are too busy.

Mr. AUSTRIA. And I appreciate you pointing this out, because while all this is happening, the three of us represent the State of Ohio, there are real families out there that are hurting right now that we are asking to make sacrifices.

□ 2000

There are over 900,000 businesses in the State of Ohio, and small businesses that make up 70 percent of our workforce out there across this country that are struggling to make payroll, they can't get financing. They can't get debt. And instead of dealing directly with their problem, I mean, you laid out what has been happening here in Congress. But in addition to that, we passed the $700 billion TARP bailout with no accountability, in my opinion, not enough transparency. There was no specific plan by the Department of the Treasury. Then we passed the stimulus bill which contains the language that allows the bonuses to be paid out that you pointed out earlier; not an opportunity for any Member of this Congress to read that bill before we vote on it and pass it.

And then, you know, our constituents back home, hardworking Americans across this country are getting their quarterly statements and they are seeing their account values down. They are struggling to make it right now. And they turn on the television and they see that these executives from AIG are getting $100 million of bonuses of the $170 billion bailout that we gave to them of hard working taxpayers' dollar. These are the same officials that, you know, and were probably involved in a lot of these risky investments that brought AIG down to begin with.

And so what does the House do? We then rush a bill through to try to regain some of that money for our mistakes by trying to pass a 90 percent tax on this money to try to get it back, 90 percent of it back.

And I am reading from The Hill today, seeing where the headline on the front page here is ''House Bonus Bill Is Buried By the Senate.'' That despite the public outcry, despite the reaction that the House had in trying to get that money back, which I don't think we ever should have been in that position to begin with, that bill appears to be not moving in the Senate right now.

I yield back.

Mr. LATOURETTE. I thank the gentleman for his observations. And if the gentleman would go to the jump on Page 8, you will find a quote from the President of the United States, President Obama that I think sort of echoes at least my sentiments. And he said we shouldn't use the tax code to punish people and that is why he is not in favor of this bill, which is why that bill was a piece of political theater to give cover to people who are embarrassed because, by voting ''aye'' on the economic recovery package, they specifically authorized, with the amendment that is on the chart that we were talking about before—thank you Mr. TIBERI—that specifically authorized this paragraph, these 50 words. And when you voted for the economic recovery bill, you voted to give the people at AIG and everywhere else the bonuses. And then, you know, because nobody read it, we are shocked. And so now we are going to use the Tax Code to punish people.

But you know, the President has said that is wrong, and apparently the Senate majority leader has said it is wrong.

Before we go back to our exercise in Clue, however, as we want to narrow this thing down if we can, because we are going to come back every week until somebody has the—I promised my wife I would be really tactful this evening and not use words that people find offensive. So somebody has the courage to stand up and say I did it and here is why I did it and sort of, you know, be a grown up about it.

But you were here, you have been here now to four or five terms, Mr. TIBERI, and I am going to yield to you. I mean, is it your experience as a Member that we are just so busy that we don't have time to deal with gas prices?

Mr. TIBERI. I think the gentleman is right on target here. And as stocks tank, let me tell you, it impacts everybody. It impacts those police officers that protect our streets, firefighters, who are working in a courageous line of work, teachers in Ohio, as you know, who are part of a state teachers retirement system. As someone whose dad lost his pension and health care and job in high school, when someone sees their pension related to the stock market tank, sees their moms and dads seeing their children's college funds absolutely go into the ground, this is important. It impacts every single family out there as this market has tanked. And what are we doing? We are debating the Shark Conservation Act. In fact, the last several weeks, to your point, we have debated noncontroversial issues that have passed nearly unanimously, and not taken up the hard stuff like your resolution that could come to the floor.

In fact, let me just add one thing. Today the leader, JOHN BOEHNER, put together a working group with respect to savings, and I was part of that group. And we unveiled a blueprint that will help American families and American savers. And unfortunately, based upon past history, that piece of legislation will not see the light of day. And it is not like we are spending a lot of time around here passing substantive pieces of legislation. And when we do, we don't get to read it.

And what else was in that stimulus bill that was as controversial as this? We don't know. That may be another exercise for us to find out what other controversial measures, in addition to the game of Clue, I think we know it was the Speaker's Office, based on press reports, but maybe it was the Senate leader's office. Maybe it was on the other side of the Capitol.

Mr. LATOURETTE. Taking back my time. I want to get back to that, but before I do, the gentleman's point is right on the money. In the last 2½ years, the American public can rest assured that they will not go into a post office in this country that doesn't have a name on it because we spend a lot of our time naming Post Offices. But what they can't rest assured is who put those 50 words in the economic recovery bill that authorized the payments of bonuses to these AIG officials; and now they are horrified, shocked and everything else.

And just before we leave this, so that the three of us don't get a lot of e-mails and hate mail from animal lovers, all three of us want sharks to be conserved, and all three of us think that we should have safe monkeys in this country. But we don't, none of us think that it is the most important issue facing the country last year or this year.

Now, back to the Clue, and I think that Mr. TIBERI makes a pretty good point because we do have—when you play Clue you try to collect clues. And there have been some clues recently. And I want to refer to one. On Anderson Cooper, a show on CNN, Dana Bash, who some of us see as a reporter that covers politics here in Washington, I have a transcript of her reporting on the night that this happened, that the crime happened. And I will submit it for the RECORD, Madam Speaker.

And Dana Bash says, ''well, Anderson, as we speak, the White House Chief of Staff, Mr. Emanuel, and the President's Budget Director are inside Nancy Pelosi's office.''

Mr. TIBERI. Not to interrupt, but should we add the Budget Director to the chart?

Mr. LATOURETTE. Well next time we come back we are going to put the Budget Director because he is up there too. And then she goes on to report, and, in fact, they have been coming up on 8 hours straight. Eight hours straight shuttling between the House Speaker's Office, and that is why we can't get quite to the Speaker's office yet because of this reporting. But maybe we will get there a little bit later. Shuttling between the Speaker's office and the Senate majority leader, HARRY REID's office urgently trying, attempting to broker a compromise between House Democrats and Senate Democrats. And you know what is interesting about that sentence is I didn't hear the word Republican in there. So this was Democrats negotiating with Democrats negotiating with Democrats. And we now know that we had the President's Budget Director was here for 8 hours shuttling back and forth, a little shuttle diplomacy, together with the President's Chief of Staff, Mr. Emanuel, who was also there. So I think we are getting closer.

And if it is all right with you gentlemen, I would like to exclude Mr. OBEY because I don't think his fingerprints are on this. And Mr. RANGEL, I do have an observation from Mr. RANGEL, who indicated that, Mr. RANGEL, in this same report, and actually this was in the Congressional Quarterly, House and Senate Democratic negotiators met in the Speaker's Office—and we are really getting close to the Speaker's Office here, Madam Speaker—with the White House Chief of Staff, Emanuel and White House Budget Director Peter Orzag into the evening Tuesday, breaking at 9 p.m. and then Chairman RANGEL is quoted in this reporting, ''it is so difficult to talk with a body that is controlled by three people. You have no idea.''

So I think that the distinguished chairman of the Ways and Means Committee is expressing frustration that three people, basically, figured out how to spend $792 billion in an economic recovery package and okayed these 50 words that authorized the payment of bonuses to AIG and other people similarly situated. So I think we are getting a little closer.

Mr. TIBERI. I think what he is saying is three Members of the Senate. We have two Members of the Senate on the Clue board, so I keep, you know, I keep wanting to take names off, but maybe we should add another picture there. We have got to figure out who the other Senator was that he is speaking about.

I do think we can take off the chairman of the Ways and Means Committee, Mr. RANGEL. I feel pretty confident he wasn't the one.

I think we can take the chairman of the Appropriations Committee off. But I am thinking we need to add a couple too.

Mr. LATOURETTE. Well, I do too. And let me just get to that for a second. And there was another article that appeared on March 19, and the headline is that the ''White House Staff Botched It''. And this was, appeared in something called the Huffington Post, which is clearly not a conservative Republican organization. But I would submit this for the RECORD as well.

It quotes an AIG executive, well, the article says according to AIG, the payments were okayed by the White House last Thursday. Why? Because it appears that David Axelrod, now we have got to add somebody else, senior policy advisor to the Obama administration and Rahm Emanuel grossly underestimated how infuriating this would be.

The quote from the AIG executive is this: ''We were not authorized until Thursday night,'' that, is to give out these millions of dollars in bonuses. ''We were negotiating with the Treasury and the Federal Reserve. Treasury indicated that they needed it cleared by The White House as well. We hit the go for the payments on Friday,'' after they got the clearance from the White House.

Mr. TIBERI. I think again it is important to note, interrupting, and I apologize for interrupting, what Mr. AUSTRIA said earlier in which Americans are beginning to find out and are very troubled with, is that the American people own 80 percent of AIG. So somebody had to approve it with the Federal Government, and maybe that is the smoking gun.

Mr. LATOURETTE. Maybe. Well, the smoking pen. We have got the pen.

Mr. AUSTRIA. Point of clarification. I assume the pen has been eliminated, right?

Mr. LATOURETTE. We know it is the pen.

Mr. AUSTRIA. Well, somebody had to put that in there and write it in there. Somebody had to use the pen.

But no, I appreciate the point that the gentleman from Columbus made. Or is Columbus correct?

Mr. LATOURETTE. New Albany, I think.

Mr. AUSTRIA. I wanted to make sure I got that right for Central Ohio. But I think that is a very important point.

When the government owns 80 percent of a company and not knowing what is going on and we can't get an answer as to who put this language in. I mean, I appreciate the gentleman from Ohio with this game of Clue because I think that it is as good as any

other methodology that I know of trying to figure out who is responsible for putting that language in because we are not getting the clear answers. We are not getting a specific answer to that question.

Mr. LATOURETTE. I thank the gentleman. And I think we are making some progress because we have a weapon, it was the pen. We are getting down in the suspect list. And I am comfortable, if you gentlemen are comfortable saying that this crime was committed either in the Speaker's Office or in the Senate leaders office because all of the—

Mr. TIBERI. Or the conference room.

Mr. LATOURETTE. Well, the conference room was where the conferees met. Well, I'd say the conference room too. I think we know it didn't happen in the Appropriations Committee or the Ways and Means Committee. The Banking Committee is still out there. And the reason that the Senate Banking Committee is still out there is that the person that really came under the harshest scrutiny at the beginning was the Senator from Connecticut, Senator DODD. And I would just suggest, Madam Speaker, that he has a vested interest in finding this out just like we do, because when you don't know who did it, when you won't help us find out who did it and have people come clean, people begin to circulate ugly rumors. And I have heard, for instance, that the distinguished chairman of the Senate Banking Committee is one of the largest recipients of campaign contributions from AIG. Now people will say, oh, well, he must have done it because he got campaign cash. Well, I think that is unfair to the Senator, quite frankly, and I think that he should join with us and let's find out who did it.

Today, and Madam Speaker, I will submit an additional document from the Hartford Courant, if I may, into the RECORD. And today, this article starts with ''No wonder Senator Dodd went wobbly last week when asked about his February amendment ratifying hundreds of millions of dollars in bonuses to executives at AIG. Dodd has been one of the company's favorite recipients,'' so an ugly rumor is out there. But it turns out that Senator DODD's wife also benefited, in that she was employed by an AIG subsidiary.

□ 2015

So, look. I don't know who did it, and I hope that the Senator from Connecticut didn't do it, but now people are throwing mud at him and are basically saying, you know, to the average Joe Sixpack at home, well, of course he did it. You know, he got a bunch of cash from him, and his wife used to work for one of their companies, so of course he did it. So the Senator should come out and identify—somebody knows who did it. That's the problem. So just tell us. Move on. They screwed up. Move on.

Madam Speaker, I'll ask how much time we have left.

The SPEAKER pro tempore. The gentleman has 10 minutes remaining.

Mr. LATOURETTE. I thank the Speaker.

Mr. TIBERI. Will the gentleman yield?

Mr. LATOURETTE. I'm happy to yield.

Mr. TIBERI. Clearly, to your point in this exercise, most would point the finger at the Senator from Connecticut—

Mr. LATOURETTE. Right.

Mr. TIBERI.—which probably means he didn't do it, which probably means it's somebody else, because he is the most obvious choice having played the game.

Mr. LATOURETTE. Well, taking back my time, I am a big fan of Agatha Christie's, and as you read through those books, you're sure it's the butler or somebody else, and it's never the butler. So, you know, I don't think we can exclude the Senator, but I'm with you. I think, you know, when everybody is shooting at the Senator from Connecticut, it's probably somebody else.

Mr. TIBERI. Well, yielding back to me again—and I appreciate that—I think what we found in his comments last week in that impromptu press conference is that, one day, he said he didn't know anything about it, and the next day, he said, ''Well, yes, I did do it, but it was at the direction of somebody in the administration.'' Obviously, he doesn't want to throw somebody under the bus, but he has already been thrown under the bus, so I would hope that we could end this rather quickly with: Who is it?

Mr. LATOURETTE. Right.

In just taking back my time, what troubles me about this is, the last time I checked, the Constitution does not let anybody in the administration write a law. So somebody could have suggested it at Treasury, said the President wants it, the Secretary wants it, whatever the facts are, but the fact of the matter is that nobody at Treasury can write legislation. That is the job of the United States Senate and of the United States Congress.

Mr. TIBERI. Will the gentleman yield?

Mr. LATOURETTE. Oh, I'm happy to.

Mr. TIBERI. To your point, I would like to submit this for the RECORD as well. It's a Los Angeles Times article from February.

[From the Los Angeles Times, Feb. 14, 2009]

PRIVATE TALKS FOR PUBLIC STIMULUS; OBAMA HAS SAID HE WANTS CONGRESS TO WORK IN THE OPEN. BUT HE ISN'T TROUBLED BY THE RECENT NEGOTIATIONS

(By Peter Nicholas)

WASHINGTON.—Upending Washington's entrenched ways of doing business is proving tougher than President Obama may have assumed.

The nearly $800-billion stimulus bill served as a test case.

During the campaign, Obama released a position paper stating his commitment to open government. As president, he said, he would not only insist on transparency in his own administration, he would press Congress to revamp its practices as well.

Obama has no constitutional authority to set rules for Congress, but he suggested he would use his influence to see to it that Congress doesn't conduct its work ''in the dead of night and behind closed doors.''

In the first major piece of legislation pushed by Obama, transparency was missing.

Important negotiating sessions devoted to the stimulus took place in congressional offices, outside pubic view. Rep. Henry A. Waxman (D–Beverly Hills) said he was in a meeting about the stimulus plan Tuesday night in the office of House Speaker Nancy Pelosi (D–San Francisco). Among the participants was White House Chief of Staff Rahm Emanuel.

''We had to do some hard bargaining,'' Waxman said.

The abundance of private deliberations made for some comical moments.

Rep. Dave Camp (R–Mich.) was walking through the Capitol on Wednesday on his way to a public meeting in which Senators and House members were supposed to hash out differences over the stimulus. As he passed the Rotunda, Camp spotted Senate Majority Leader Harry Reid (D–Nev.) holding a news conference announcing that a deal had already been struck.

''This is the largest spending bill in the history of the United States, and I believe the public business should be done in public,'' said Camp, who had been appointed to the 10-member conference committee created to reconcile differences between the two chambers.

''President Obama made that commitment repeatedly in his campaign,'' he said.

Obama aides say that the president is still committed to transparency in government.

He reiterated the pledge during the transition, posting a promise on his website to ''restore the American people's trust in their government by making government more open and transparent,'' and cited closed conference committee sessions as a practice ripe for overhaul.

But the White House isn't apologizing for how the stimulus bill was handled. Given the dismal economic climate, White House aides said, the country needed a stimulus bill—fast.

Press Secretary Robert Gibbs, asked abut the private negotiations, said that Obama wasn't troubled.

''He's pleased with the process and the product that has come out,'' Gibbs said while briefing reporters Friday. ''I think when the process is done, the American people will be proud of the product that we believe and we hope will begin to stimulate the economy.''

Democratic leaders said the bill was handled according to procedures and customs that have been in place for years, including when Republicans controlled Congress.

Waxman said Congress' treatment of the bill was fairly standard. Could Congress have demanded that all negotiations play out in public? Waxman said that would have been impractical.

''There are too many moving parts in this bill,'' Waxman said. ''We would be sitting in an open conference committee meeting for weeks, if not a whole month, to process all the amendments that would have been offered.''

Again to your point, this says the President has no constitutional authority to set rules for Congress, ''but he suggested he would use his influence to see to it that Congress doesn't conduct its work 'in the dead of night and behind closed doors,' '' when in fact, in this particular exercise, as we know and as your chart indicates and as the Senator from Connecticut has indicated, these words came from the administration and were put into the

stimulus bill in the dead of night. We still don't know who in the administration. We don't know everybody who was in the room from the administration, so the administration can claim they have nothing to do with Congress.

Based upon the documents from the press that we have submitted tonight and that you have submitted tonight and based upon the shuttle diplomacy that occurred during the days before the stimulus vote, there were top administration officials involved, in the room, writing the bill in the dead of night, with no transparency, no Republicans, no press, no C–SPAN, with nobody witnessing what was being done. The product you have at the end of the process are these 50 words that nobody in America is taking credit for. Your resolution tomorrow will begin to get to the bottom of this, unfortunately, if someone does not come forward.

Mr. LATOURETTE. Well, taking back my time, I do hope that in the markup of the resolution of inquiry tomorrow that we do see transparency and bipartisanship. Both Republicans and Democrats on that committee want to answer the question as much as we do and as much as, I'm sure, Senator DODD would like to have this cloud lifted from his shoulders, and so I hope it moves in that direction.

I have to tell you I am not optimistic. I mean I will not be surprised when I get a telephone call tomorrow that the Financial Services Committee has somehow made it impossible for that to see the light of day, which it can by a majority vote—they have the votes—and we'll see what happens. But you know what? I'm a big fan of Chairman FRANK's, and he is a fair man, and I think he'll give it fair consideration tomorrow. I look forward to that telephone call.

Mr. AUSTRIA, is there anything you want to say before we leave here?

Mr. AUSTRIA. If you would yield for just a moment.

Mr. LATOURETTE. I would be happy to.

Mr. AUSTRIA. Let me just say, as a new Member up here from Ohio—I mean I served 10 years in the State legislature. I've been here less than 100 days. I'm just starting my third month. I have never seen this kind of process where bills are rolled out, where language is stuck in that we don't have the opportunity to read before we vote on it, and where language is put in and no one will take responsibility for that language.

I think the American people out there are looking at this, scratching their heads, saying: How can this be? How can it be that language is put in a bill, and nobody has an opportunity to read that bill, and nobody wants to take responsibility now for that language?

I appreciate the exercise that the gentleman from Ohio has gone through tonight to make the point, and I appreciate your offering that resolution. It shouldn't take 14 Republican freshmen to stand up and say, ''we want accountability for this dollar,'' and offer legislation that we would hope that the administration would stand behind, but it doesn't seem to be getting any traction. I hope your resolution moves tomorrow because, you know, the American people deserve answers. I think you've made some very good points tonight, and I appreciate the opportunity to participate with both gentlemen from Ohio.

Mr. LATOURETTE. Well, listen. I thank you.

Mr. TIBERI, would you like to close?

Mr. TIBERI. Let me just, again, thank you for your leadership on this. I would hope that we don't have to come back next week and add pictures and subtract rooms, but I am willing to do that if nothing occurs tomorrow. I certainly would not want to be in the majority—a Democrat in a competitive district—having to defend a ''no'' vote on your resolution tomorrow and a ''yes'' vote on a bill that allowed these 47 words to go forward and millions and millions of dollars to citizens and noncitizens of a failing company that should go into bankruptcy or should be split up into several different companies. This is an outrage. Americans are outraged. We will get to the bottom of this, and at the end of the day, I predict that we will find out who was responsible for that pen.

Mr. LATOURETTE. Well, I thank both gentlemen for participating.

Madam Speaker, I thank you for your courtesy.

To reinforce Mr. TIBERI's point, I think Senator DODD has a vested interest in helping us with this because, currently, it looks like ''Senator DODD in the conference room with a pen.'' Now, I don't think that that is true, so I hope that whoever did this will tell us about it.

Dana, what is happening?

Dana Bash, CNN Senior Congressional Correspondent: Well, Anderson, as we speak, the White House chief of staff and the president's budget director are inside House Speaker Nancy Pelosi's office.

And, in fact, they have been here coming up on eight hours straight—eight hours straight—shuttling between the House speaker's office and Senate Majority Leader Harry Reid's office, trying to urgently broker a compromise between House Democrats and Senate Democrats in order to get the president's stimulus package to—to his desk by this week.

And I just spoke to a Democratic source who says that, in these talks, they are narrowing their differences.

(BEGIN VIDEOTAPE)

Bash (voice-over): House Democrats are not happy that Senate Democrats cut some $100 billion in spending from their stimulus package, tens of billions slashed from Democratic priorities, like education.

But House Speaker Nancy Pelosi is now signaling, they will likely have to live with it.

Rep. Nancy Pelosi (D–CA), Speaker of the House: As President Obama cautioned the nation, that we cannot allow the perfect to be the enemy of the effective and of the necessary. And we will not.

CQ—

Late into the Evening * House and Senate Democratic negotiators met in the Speaker's office with White House Chief of Staff Rahm Emmanuel and White House budget chief Peter Orzsag late into the evening Tuesday, breaking at 9 p.m., working intensely to firm up an overall cap for the package and sort through differences.

''It's so difficult to talk with a body that is . . . controlled by three people. You have no idea,'' Ways and Means Committee Charles B. Rangel, D–N.Y., said as he left the meeting, noting that the health and spending portions of the bill were proving most difficult to reconcile.

''There's no obstacle that's come up that we cannot resolve with a lot of pain,'' he said.

As Senate Finance Committee Chairman Max Baucus, D–Mont., left the meeting, he said that $800 billion was the ''ballpark'' limit for the conference report, and that the final figure might come in a little lower than that. Baucus said that getting a deal by the weekend was the goal understood by everyone involved.

[From www.theleftcoaster.com, Mar. 19, 2009]

WHITE HOUSE STAFF BOTCHED IT

Folks, Geithner, Bernanke, and the Bush Treasury Department knew about the AIG bonuses for months. According to AIG, the payments were OK'd by the White House last Thursday. Why? Because it appears that David Axelrod and Rahm Emanuel grossly underestimated how infuriating this would be.

''We weren't authorized until Thursday night,'' the AIG executive said. ''We were negotiating with the Treasury and the Federal Reserve. Treasury indicated that they needed it cleared by the White House, as well. We hit the go button for the payments on Friday.''

For the new administration, the bonuses were a distraction from what senior aides called the main focus: getting the economy working and people back to work. ''People are not sitting around their kitchen tables thinking about AIG,'' Axelrod said. ''They are thinking about their own jobs.''

Bad decision Dave.

Their message to the president when the group assembled for their first extended conversation about AIG in the Roosevelt Room on Sunday was not optimistic: They told him they had ''done and will do what we legally can,'' Axelrod said.

But Obama made clear at that meeting that he was unwilling to throw up his hands. He instructed Geithner and the others to seek legal ways that the government might recover the bonuses. And he made plans to tell the public what he thought the next day.

That decision ran counter to the belief among some in his inner circle that the bonus issue while an outrage was a small problem compared with the economic issues confronting his young presidency. ''The first and most important job we have is to get this economy moving again,'' Axelrod said. ''As galling as this is, it doesn't go to the main issue.''

What you see is a fine example of poor decision making clouded by being inside the White House bubble. After spending two years out on the campaign trail ensuring that your message and actions mesh with what people are thinking, Axelrod is now inside the bubble and cannot see that the optics of this fiasco do matter to people, because he assumes naively that people will look beyond it due to an overriding fear of their own situations. He also assumes his boss can talk his way out of anything, when in fact Obama has surrounded himself with two tone deaf lops in Geithner and Summers.

DODD'S WIFE A FORMER DIRECTOR OF BERMUDA-BASED IPC HOLDINGS, AN AIG CONTROLLED COMPANY

(By Kevin Rennie)

No wonder Senator Christopher Dodd (D–Conn) went wobbly last week when asked about his February amendment ratifying hundreds of millions of dollars in bonuses to executives at insurance giant AIG. Dodd has been one of the company's favorite recipients of campaign contributions. But it turns out that Senator Dodd's wife has also benefited from past connections to AIG as well.

From 2001–2004, Jackie Clegg Dodd served as an ''outside'' director of IPC Holdings, Ltd., a Bermuda-based company controlled by AIG. IPC, which provides property casualty catastrophe insurance coverage, was formed in 1993 and currently has a market cap of $1.4 billion and trades on the NASDAQ under the ticker symbol IPCR. In 2001, in addition to a public offering 15 million shares of stock that raised $380 million, IPC raised more than $109 million through a simultaneous private placement sale of 5.6 million shares of stock to AIG—giving AIG a 20 percent stake in IPC. (AIG sold its

Clegg was compensated for her duties to the company, which was managed by a subsidiary of AIG. In 2003, according to a proxy statement, Clegg received $12,000 per year and an additional $1,000 for each Directors' and committee meeting she attended. Clegg served on the Audit and Investment committees during her final year on the board.

IPC paid millions each year to other AIG-related companies for administrative and other services. Clegg was a diligent director. In 2003, the proxy statement report, she attended more than 75 percent of board and committee meetings. This while she served as the managing partner of Clegg International Consultants, LLC, which she created in 2001, the year she joined the board of IPC. (See Dodd's public financial disclosure reports with the Senate from 2001–2004 here.)

Dodd is likely more familiar with the complicated workings of AIG than he was letting on last week. This week may provide him with another opportunity to refresh his recollections.

THE PRESIDENT'S CHALLENGE TO CONGRESS

The SPEAKER pro tempore (Mrs. DAHLKEMPER). Under the Speaker's announced policy of January 6, 2009, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes.

Mr. BLUMENAUER. Thank you, Madam Speaker. I appreciate the opportunity to address the House this evening because tomorrow is going to be a very important day as we move forward with a markup in the Budget Committee to deal with priorities that are going to be facing this Congress.

Before I begin my presentation, I would like to recognize the gentlewoman from Houston, Texas (Ms. JACKSON-LEE), if I could yield to her for a 3-minute presentation. I know she has some information that she would like to share with the House, and I would recognize her at this time.

DR. DOROTHY HEIGHT'S 97TH BIRTHDAY

Ms. JACKSON-LEE of Texas. Allow me to thank the distinguished gentleman from Oregon and to emphasize the point that he just made of the importance of the budget markup and also of the very important issues that he comes to the floor to discuss this evening.

There is another important event that occurred today, and that was the 97th birthday of Dr. Dorothy Height. I don't think I have to remind my colleagues of how important a person Dr. Height is today and how important she has been over the years. She is now the chairman and president of the National Council of Negro Women, but she was the only woman present at the 1963 March on Washington. She has previously been an icon, working with Presidents as far back as Franklin Delano Roosevelt. A civil rights leader she is, but an empowerment of women is her calling. She has led the National Council of Negro Women now for decades.

Today, at that very building—really, at the only building owned by African Americans on Pennsylvania Avenue, women gathered from around the Nation to celebrate Dr. Height's birthday.

Dr. Height was a pillar in the civil rights movement, standing alongside of A. Philip Randolph and Martin Luther King and numbers of others. She has also been someone to encourage women to participate in the governmental process, to be educated, to stand strong. She is a spokesperson for the unempowered, and of course, she is a mentor to so many of us. She is a friend of the Congressional Black Caucus, of the NAACP and of the National Urban League. When there is an issue of concern, you have the need to call Dr. Height. She is also a recipient of the Congressional Gold Medal along with many, many other awards.

I am privileged today to be able to stand on the floor of the House to recognize an American icon, a patriot, a woman of valor and courage.

Madam Speaker, it is again my great pleasure to salute Dr. Dorothy Height for a happy, happy birthday, now some 97 years old, and to thank my friend and colleague for allowing us to share this with all of our colleagues and to celebrate, again, a life that has been worth living and is still worth living—a champion of the people.

Dr. Dorothy Height, happy birthday.

I yield back to the gentleman.

Mr. BLUMENAUER. Thank you. I appreciate the gentlelady making that presentation.

Madam Speaker, the President of the United States has issued a challenge to this Congress and to the American people that is embodied in the budget that he outlined before us when he addressed this Chamber in his first joint session of Congress and has followed up with in his budget submission. He has given a challenge to us to deal with the great interrelated problems of the day.

He has suggested that we move forward to deal with health care in terms of fundamental reform for all Americans, for dealing with energy instability and global warming, to deal with the incredible budget deficit that he has inherited to try and stabilize the fiscal situation of the United States, and to deal with investing in education in the future.

What I would like to do this evening is address the element of the budget that speaks to climate change, global warming, energy independence, and investing in our energy future.

It has been interesting listening to our Republican friends who have been told by Mr. BOEHNER, the Republican leader, that they are not to be legislators, that they are to be communicators, evidently deciding that dealing with the messy problems of government with energy, with the budget, with the nuts and bolts that the American people sent us here to address might be a little too risky. So, instead, they're talking about communicating some of their concerns.

We have heard the mantra about the President's budget—taxing too much, spending too much and borrowing too much. We have not heard constructive alternatives, and they certainly have not acknowledged that the policies of the Republican majority and the Republican President, when they were in charge for the last 8 years with the Bush administration and in charge for a dozen years in the House of Representatives, actually created these problems.

Spend too much? These are people who understand spending. They produced record budget increases, increasing spending faster than Bill Clinton, faster even than one of the favorite whipping boys they have—the Great Society of Lyndon Johnson.

Borrow too much? Well, these are people who, when President Bush took office, were faced with the daunting prospect of a $5 trillion budget surplus. That was the official estimate. Remember, there were smart people concerned with what would happen if we paid off the national debt. What would be the instruments for insurance and pensions and other commercial transactions? Well, they solved that problem by turning a $5 trillion surplus, with a pattern of reckless spending and ill-considered tax cuts, to a record deficit. It was a $5 trillion surplus, and they added $5 trillion to the national debt. They have given President Obama a record $1.8 trillion deficit that he is struggling with now.

They know about spending too much. They know about borrowing too much because much of this was money borrowed from the Chinese, the Japanese and the Europeans. Under their watch, the current accounts and the balance of all of the goods and services and trade in and out of the United States increased from 3.6 percent to over 5 percent, a 40 percent increase—rather sobering—and it is contributing to the instability that we face.

Well, these people are, hopefully, going to stop communicating long enough tomorrow to maybe roll up their sleeves and help us deal with very specific opportunities as part of the

President's challenge dealing with climate change, carbon pollution and the opportunity for energy independence.

□ 2030

This is critical for the same reasons that the Republican talking points are circulated because the situation today—with our carbon pollution, energy instability, climate change—is a tax on the future.

Last year, we shipped some $700 billion overseas to pay for imported oil, a sum that was taken away from our economy, much of it borrowed money. It is, in the future, it is a recipe for disaster as we move forward. They know that as we are in a situation today where we're talking about disasters that are consequences of this climate instability—we have seen a dramatic increase in weather-related events in terms of drought just in terms of natural disaster. We saw last year $200 billion of costs associated with natural disasters, much of which is related to this climate instability, unpredictable weather events, and 220,000 lives were lost. And, going forward, we know we are facing greater and greater challenges.

The budget that has been advanced by the President that we will be discussing has the opportunity for us to carve out some room for some area that deals with—whether it's cap-and-trade, a carbon tax—some mechanism so that it is no longer free for people to pollute the atmosphere with carbon.

We know that it is not free in terms of environmental consequence. We know that it is not free in terms of weather instability, in terms of drought, the permafrost in Alaska that is no longer perma, roads that are buckling, seaside villages that are washed away, and we watch as sea levels continue to increase in the United States placing millions of Americans at risk who live immediately adjacent to our coastlines and people around the world who are going to be susceptible to storm surges. We're looking at a situation now where these challenges are going to bear directly on the quality of life of Americans and our economic stability.

It is clear that over the last 20 years, these concentrations of gasses that trap heat in the atmosphere, raising the temperature of the planet, the case now is largely settled. The consensus of the environmental community is that we have—global warming is a reality and we have consequences that we must deal with.

It is important that we have an opportunity in this Congress to exercise our responsibility to do something about the costs and consequences of climate change. We are feeling them today, and they are going to be even more devastating on people in the future.

Lake Mead is less than half the level that it has been in recent years, putting tremendous stress on water supplies in the southwest. The City of Las Vegas, for instance, is looking at rather elaborate and expensive alternatives to try and maintain their lifestyle in the middle of the desert.

We're watching increased forest fires year after year. These costs are increasing exponentially placing large areas, not just in the southwest, but the flame zone is stretching across the country.

There is increased damage from forest pests that are moving into new habitat as a result of the climate change.

And then there are the costs that we bear to national security. As we look at conflicts that relate to water and drought in sub-Saharan Africa, in the Middle East, these bear a cost burden on the United States. We very likely have to deal with those conflicts in the future.

There is also a very critical cost that is occurring. As the ocean absorbs increasing amounts of carbon dioxide, the ocean acidifies. We're bleaching the coral reefs—the coral reefs that have been likened to the rain forests of the ocean; that reduces the ability of plankton to form calcium carbonate, reduces the ability of the ocean to absorb carbon and threatens the food chain on which not just aquatic life, but increasingly large numbers of people around the world rely.

There are significant health consequences as we look at the impact of severe heat waves. We watched thousands of people die in the Midwest, in Europe, particularly in France, with heat waves of just a few years ago. We are quite certain, and the research is clear, the models predict, and are, in fact, proving to be the case that as these intensify in magnitude and duration, we're going to have further increases in mortality and morbidity especially amongst the young, the frail, the elderly and the poor.

We're watching impacts on air quality, a tax on Americans now, dealing with regional ozone pollution, respiratory infection, aggravation of asthma and premature death.

These extreme weather events are having, especially along the Gulf and Atlantic coasts, severe events that have intensity of precipitation that is increasing the risk of flooding, greater run-off and erosion, and the potential for adverse water quality.

The people who are—increasing numbers of whom are who are subjected to these problems of disease and injury to floods, storms, droughts, and fires, this is a real cost today and is one that is going to increase in the future.

Madam Speaker, there are opportunities for us to be able to make a difference, restructuring our economy, dealing with climate change, reducing carbon pollution, in ways that will make a fundamental difference in terms of how America works. At a time when our economy is in free fall, what better opportunity for us to be able to create economic opportunities at home, new green jobs that can't be exported, building a smart grid, weatherizing homes, new jobs from exporting green technology that we create, and reducing the costs for American families through energy efficiency. Remember, it is not the rate but the bill at the end of the day.

We have an opportunity to increase economic competitiveness with a more efficient economy, and energy independence means we can stop sending our money overseas to people who don't like us.

Now, I see that I have been joined by my colleague from New York. Mr. TONKO has been a leader, both in terms of the private sector position, and for years in the New York Assembly before he joined us in Congress. He chaired relevant legislative committees dealing with these issues.

And we're honored to have him join us this evening, and I would like to recognize him for his observations about the opportunity as we move forward with a new budget, dealing with opportunities to reduce carbon pollution and usher in a new economic era.

Mr. TONKO. Thank you, Congressman BLUMENAUER. And it is with great interest that I join you because I listened to your commentary about the important factors associated with this transformation in our economy.

I think it is so important for us to focus on the fact that as we grow American power, as we grow energy sources that are American produced, we are creating American jobs for the benefit of American working families.

So this is a totally American agenda where we can grow that energy security and advance great opportunities in the workplace as we enhance our environment and provide for sounder energy policy.

You know, I am reminded that over the last 50 years, the major growth, over ½ of the growth of our Nation's GDP, is related to developing and emerging technologies that were then adopted into all sorts of institutional outcomes.

That investment, that growth in our GDP, explained by emerging technologies only required a 3 percent, on average, investment in R&D; 3 percent of our GDP was invested in R&D. So when we think of that research and development opportunity at that mere 3-percent level, and to recognize that that meant well over ½ of our growth in the Nation's GDP, that is a powerful statement. Imagine what happens when we are willing to invest a greater amount into R&D.

I am tremendously encouraged by the Obama administration because of its embracing the important role that science can play, treating science and technology as vibrant components in our comeback as an economy.

We also know that as we look at history, we can understand fully that it was technology and reform and transformation and innovation that produced the success stories here in this country. As we moved from an internal

combustion engine to the development of electricity, we created an unprecedented amount of jobs. As we developed the automobile, it created millions of manufacturing jobs. And certainly millions more were employed by building those power plants and dams and our Nation's electric grid.

So just as we moved into that era of job creation and job enhancement and technology advancements, think of the green-power revolution that can really transform how we address our economy. There can be no strong comeback without our investment in energy. And I think that's what this is about: American jobs producing American power for America's families.

Mr. BLUMENAUER. Well, I appreciate your sketching that vision of the future with a look towards the past. And if there was ever a time that the American economy needs a little rebalancing, it is now. We're looking at a financial services sector that is going to be shrinking. I think we've seen the consequence where there is a certain amount of this economic growth, which was a result of developing exotic financial products, having desk jockeys figure out new ways to charge fees, and subprime loans, what happened with predatory loan lending, and in some cases, outrageous credit card practices.

Well, this is not arguably adding to the store of national wealth. And what you described was several instances in our history where we were developing and implementing new technology. We were adding value to the economy, real value to the American productivity. The family had more tangible activities. And people were involved with jobs that created value.

Well, we have seen study after study that indicates precisely what you have described is going to occur if we are able to make that transition.

The State of California is already one of the most energy efficient in the Nation. In fact, if the entire United States was as efficient on a per capita basis as California was just a few years ago, energy consumption in the United States would be reduced 32 percent.

Well, one wonders, well, then California may not have the economic upside of dealing with a cost-effective energy reduction. Well, that would be wrong. California has analyzed the economic impact of their plan to reduce greenhouse gas emissions to 1990 levels in the course of about the next decade.

□ 2045

That's a 30 percent reduction from business as usual emission levels projected for 2020, about 15 percent below today's level, and they found that the economic benefits would increase economic production overall for their State $33 billion. It would increase their gross State product $7 billion. It would increase personal income—and this is critical in terms of the savings to individuals and increased earnings from green jobs—$16 billion. On a per capita basis, Californians would be ahead $200 each per year, and there would be more than 100,000 new jobs. Oh, and by the way, they calculate billions of dollars—between $4 and $5 billion—a year savings in health costs.

So I think what you have described, we can see in a State like California where there's been extensive study, that there's an opportunity to really realize that vision.

Mr. TONKO. Well, having come from NYSERDA—you mentioned my role in the New York State Assembly as energy chair for 15 years, but then I moved over to NYSERDA, the New York State Energy Research and Development Authority, where I served as president and CEO. I saw firsthand that research and development equaled economic recovery. It provided many, many opportunities to advance science and technology and create jobs from the trades on over to the inventor and innovator, the engineering groups that would design specific new products and then deploy them where they were success stories into the commercial sector.

I think that when we talk about these opportunities we're reminded of a report that came out in 2005 from National Academies and it was entitled, Rising Above the Gathering Storm. And let me just read the three basic categories that they thought were of the most meaningful path that America should follow: investment in basic research; innovation as the path to reducing our dependence on foreign oil; and improving science, technology, engineering, and math education.

Now, right there in a nutshell is a major impetus to a new era of job creation. We can bring about a much more vibrant outcome for the manufacturing sector simply by retrofitting new energy innovation to that workplace, providing for, if not cheaper, smarter outcomes, which then wins at the global marketplace.

I think that our manufacturing sector can grow great potential with an energy revolution, not only in the direct impact of jobs created in that arena, but the ripple effect that then circulates into and impacts into many of our sectors of the economy.

I looked at a project when I was still in the State Assembly to work with our dairy farms in upstate New York. They were impacted by prices that simply were very marginal. They did not give them much of a profit, if one at all, and we needed to, in New York State, look at ways to cut the costs of milk production for our dairy farmers.

I thought, well, they're dealing with a perishable product, they have energy costs that are sometimes difficult to manage because they can't deal with peak and off peak necessarily, with Mother Nature taking hold in their operations. And so we worked on energy retrofits with Cornell University, with NYSERDA, with the local utility, and with the farming community, with farm representatives, the farm bureau.

We came up with programs in a demonstration project that saved somewhere between 30 and 40, if not greater, percent in demand just in that setting of our dairy farm operation. We then moved to some 70 farms from the success of that demonstration, and all were very pleased with the outcome.

And without even adjusting the rate, as you had made mention just earlier, they paid much less for their bill because the demand was reduced significantly, and they're dealing again with a perishable product that has a heating and cooling process, that is a costly one in terms of energy consumption.

So here we created a much stronger outcome, and believe it or not, with that more comfortable setting, that because of some of the fan work that had been done to cool the barn and, again, regulate the energy consumption, you had a more comfortable setting for the herd, and production per cow was greater.

So all around it was a win-win-win situation, and we were utilizing a state-of-the-art, shelf-ready technology. Think of the many other applications that are out there looming that we can then advance through resources that come when we put together a system that checks the pollution impact on our environment and produces through that, resources that grow jobs, grow opportunities, grow discovery, grow innovation, grow demand reduction, and then move forward to creating this all-American agenda that impacts, finally, the American family in very positive measure.

Mr. BLUMENAUER. That's a very impressive story, starting with reducing environmental pressures to right through the food chain, production chain, reducing costs, increasing productivity. And I would assume that it is also safe to say that there is a hidden advantage in the long term because application of strategies like this reduce long-term demand.

Nothing is more costly for individual consumers than having to go and make massive capital investment for future production capacity. The cheapest kilowatt is one that we don't have to generate, and this would be an example where you were saving future generations as well.

Mr. TONKO. And I hear you, Congressman BLUMENAUER. I think that in this country, beyond any other, with consumption per person, energy demand per person so high above the average, there is a greater bit of opportunity here than in any other world Nation that is a manufacturing leader in the world.

So we have with this gluttonous dependency on petroleum-based, fossil fuel-based economy of ours to move forward aggressively, and just a simple 1 or 2 or 5 percent reduction in demand is monumental coast to coast. And so this is about job creation in a way that grows significant jobs from all sectors. From the blue collar and white collar jobs of today, all can be transformed to some degree to a green collar work environment.

Just yesterday in Albany, New York, at the State Education Department, a subcommittee from the Science and Technology Committee of this House, headed by Chairman HINOJOSA, went to Albany to conduct a hearing on improvements in the Workforce Investment Act. The reauthorization is before us as we speak. We're looking at how we can better improve that act and also bring about today's thinking on green collar opportunities, green collar opportunities in the energy world.

And part of the witness table included a representative from GE's wind division. They talked about the Federal Department of Energy's forecast of some 500,000 jobs in that industry that will require those who are site managers, site operational people, to those who are wind technicians to be able to learn the trades, learn the maintenance and retrofitting and installation opportunities and skills to bring about this revolution of sorts. There will be those, too, that are required to come up with the next generation of equipment that is, you know, today in the labs percolating in a way that is just, again, a revolution waiting to happen.

This is smart thinking. This is smart policy. These are progressive measures that then take this country into that world leading status.

You know, as a kid I remember the space race. I remember the Sputnik situation. We were competitive. We were going to beat Russia to the punch. We were going to make certain that we landed a person on the Moon. That came with a vision that was followed up with a sense of policy, that drove us with resource commitment. We have that same opportunity today, a golden opportunity made green in a way that will spark this innovation economy, that will transform a lot of the work opportunities out there and provide the bottom line benefits to American working families.

I think the middle class Americans who have just realized the largest investment in a tax cut in the Nation's history through the recent recovery act will now stand yet another chapter of gain here with this sort of thinking.

Mr. BLUMENAUER. I love the phraseology, ''a golden opportunity turned green.'' I think that is well-said, and your analogy to the space race that we had with the former Soviet Union I think is a perfect analogy. It sparked a birth of technology. It encouraged us to invest in education in grade school, high school and college and post-secondary. It was a spurt of innovation that led to a whole host of new products and increased productivity.

And you rightly point out that we are currently the largest consumer of energy in the world on a per capita basis. Sadly, we waste more energy than any other country on the face of the planet. It doesn't have to be that way, and in your State and mine, there are people hard at work developing new technologies and techniques to be able to essentially mine these energy sinks that we have with old residential and industrial buildings, wasteful practices, to be able to harvest the energy, to be able to recycle it, to lower bills and be able to have longer term productivity. This new energy opportunity seems to me to be unparalleled.

I want to just make one additional observation about the fact that change is coming. Now, there are some that say, well, maybe we don't want it in this budget, maybe we are not ready for cap-and-trade or a carbon tax or facing up, as virtually every other developed country has done, and indeed over 900 cities across the country decided they weren't going to wait for the Bush administration. They were going to be Kyoto compliant. They were moving ahead with their own plans, including mine in Portland, Oregon, where we reduced greenhouse gas emissions for four consecutive years and actually are almost Kyoto compliant now.

Well, the Bush administration not only turned its back on its global responsibilities by not only not ratifying Kyoto and working with it, but not offering an alternative, just basically saying we'll go our own way, we'll ignore it. They ignored the problem in this country. The EPA administrator, Johnson, was in the most effective witness protection program in history. I think he appeared before one congressional committee. I only saw him once during his tenure, but they refused, EPA under President Bush and Administrator Johnson, refused to accept their responsibility under the Clean Air Act. You know, the Massachusetts Supreme Court case said don't delay further on dealing with tailpipe emissions, don't deny a decision to the State of California to try and do something about it.

Well, the Obama administration understands that nonaction is not an option and that they are following the law finally and dealing with the potential of regulating carbon emissions under the Clean Air Act.

Well, I think if we took a census of people in the business community, they would rather that Congress stepped up with a regulatory process, whether it's cap-and-trade or carbon tax or some variation, so that they had certainty and that we have a chance to move forward rather than just doing it in a regulatory process administratively.

But one way or another, the head-in-the-sand approach of the prior administration and former congressional leadership that was going to deny the reality of global warming and our responsibility is a thing of the past.

□ 2100

The question is: How are we going to do it and how soon will we move forward so that we can reap the benefits and avoid the consequences?

Mr. TONKO. Absolutely. I think the strategy is one that will be produced in very thoughtful exchange here in the House and in the Senate and working with the administration.

I think the resources you talk about, the garnering of resources, these can be applied in so many measures. I saw from my days in the assembly as Energy Chair, to my time as NYSERDA president, a huge sea change in thinking from even the business community, where they came to NYSERDA looking for opportunities for energy efficiency installments into their operation. They were hard hit by some of these economic pressures.

When we think of it, it was an energy crisis that kind of drove this economic crisis. When gas prices were rising severely, when petroleum prices were rising severely, when the cost of running our factories and the cost of running our workplaces and the cost of maintaining our homes kept rising because of those fuel costs, then people came into an energy crunch. That drove this economic recession that has been so long and deep and now inherited by this administration as we now struggle with the Recovery Act to come forward with a solution.

Doing nothing would have meant what—500,000 to 600,000 job losses per month? So it took action—just like this will take action. As the President has said, energy reform is required for our economic recovery. Health care reform is required for our economic recovery.

So this opportunity for energy reform, where we retrofit our factories and provide for cheaper outcomes and more efficient government, in partnership with our private sector, making certain that we embrace our intellectual capacity, that is what this is all about.

I saw what we could do just in housing stock alone with efficiency measures that range from weatherization to home audits that produce all sorts of insulation requirements and those kinds of investments that, again, produce jobs in our neighborhoods.

I saw what NYSERDA was doing through Hudson Valley Community College, one of the large community colleges in the capital region of New York State. They partnered with NYSERDA. We set goals. We put programs together. We made certain resources were there and then went forward with training people that might be construction management majors at Hudson Valley Community College and learning state-of-the-art PV and solar application for rooftops.

Training the workforce of the future, taking people through various work incentive programs, through our PIC—our Private Industry Council, and making certain they were connected to the community college opportunity, training them at Hudson Valley as educators, then reaching out to other community colleges and creating that network of trainer doing the work with the future trainer. And all of them

then working with unemployed, underemployed, people transition that needed new skills developed that were highly skilled in the workforce, addressing our curricula in pre-K–12, addressing the opportunities for matriculation at our colleges and certification programs. All of this is very important to building the human infrastructure that then goes out there and becomes that green energy team in all of our neighborhoods, all of our States across the Nation, making certain that we spark that kind of job creation and dedication to a cause that has us reducing our demand, that then has us producing something other than a fossil-based economy, and generating situations of power and energy needs that do not pollute and add to our global warming situation and to our carbon footprint. All of that is a spectacular outcome that is achievable with the proper focus, laser-sharp focus, commitment to resources, and advancement in progressive policy.

Mr. BLUMENAUER. Congressman TONKO, we are fortunate to have your 15 years of committee leadership and your work at NYSERDA to be able to bring to bear in a practical sense how we implement that vision. I could not agree with you more. Frankly, I am excited that the American public understands this.

Now there are those that try and distort what public opinion is, what the public will or will not do. You have given concrete examples in your State of New York of how these pieces fit together. We find that more than 75 percent of the Americans in Gallup's annual environmental poll for this year say they are in favor of increased government financial support and incentives to produce energy from alternative sources, while just 8 percent say that government should do less. Thirteen percent said the government has it right exactly.

The same survey showed that Americans largely endorse government efforts to increase alternative energy production through the use of financial support or incentives directly in line with the stated objectives of this administration.

Now these are majorities of Democrats, 86 percent; Independents, 79 percent; even Republicans, 63 percent, all support these renewable energy investments like you describe.

I was also struck by a second poll of over 2,000 Americans conducted by the Yale Project on Climate Change and the George Mason University Center for Climate Change Communication where they found that the American public strongly supported a wide variety of climate change and energy policies.

Ninety-two percent supported more funding for research on renewable energy sources such as solar and wind; 85 percent supported tax rebates for people buying energy-efficient vehicles or solar panels; 80 percent said the government should regulate carbon dioxide as a pollutant; and 69 percent said the United States should sign an international treaty that requires the United States to cut its emissions of carbon dioxide 90 percent by 2050, not the 80 percent that we deal with.

And we find in the same survey a large majority of Americans also supported policies that directly stated, told the Americans that there would be an economic cost. Seventy-nine percent supported a 45-mile-per-gallon efficiency standard for cars, trucks, and SUVs, even if it meant that a new vehicle would cost $1,000 more to buy. Seventy-two percent supported a requirement that electric utilities produce at least 20 percent of their energy from wind, solar, or renewable sources, even if it cost the household $100 a year or more.

Seventy-two percent supported government subsidies to replace old water heaters, air conditioners, light bulbs, and insulation, even if it cost the average household $5 a month in higher taxes. And 63 percent supported a special fund to make buildings more energy efficient and teach Americans how to reduce their energy use, even if that added an extra $2.50 a month to their electric bills. Finally, 67 percent said the United States should reduce its emissions of greenhouse gasses, regardless of what other countries do.

It seems to me this is pretty compelling evidence that the American public is starting to get it.

Mr. TONKO. Not only that, Congressman BLUMENAUER, I think with that intensity that you just shared with us, it tells me that that should push elected representatives here in the House and Senate to respond to their constituents in a way that is thoughtful and progressive because that is the message I believe is imparted by such polling results.

People know that we have precious little time to correct some of this. But they also know that there's a great outcome. I believe the youngest generations in today's society are going to compel us to think outside the barrel. I think they are going to push us and say it's time to think outside the barrel and do things appropriately.

I will give you an example. Again, at NYSERDA we got involved in a school project across the State at several schools. We would install solar systems at the school to, A, ease the burden on the property taxpayer; B, invest in the children's education so they could see firsthand what was happening and to inspire them; C, to inform the educator to take the teaching staff and allow them to incorporate into their classroom activities the discussion of renewables, of solar, of the opportunities to become independent—energy independent.

What a remarkably successful program. We need just to grow that. But, again, it's resources. States sometimes are confined or restricted. If we have a strong partnership with Federal Government, then we can do that multilayering of government to respond in a way that advances this stretched thinking to allow us again to measure in green terms what the future can be and to see that so many of these opportunities are on that shelf, ready to be applied, tells us that there's a great bit of opportunity out there looming—looming large.

And so I think that polling statistics and the data that are exchanged here tell us that there's a new day coming. As we invest in this coming budget, I believe you're going to see a commitment to a new world where we are that energy-secure Nation. And as we grow our energy security, I'm firmly convinced we grow our national security. Because our involvement, our dependency on the Middle East, for instance, for our supply of oil and petroleum finds us depending on some of the most troubled spots in the world that have unstable governments, that then control our destiny for what is a basic need out there—the energy to light and heat our homes, to power our manufacturing centers, and our workplaces.

When we are dependent in such huge measure on that sort of importation, it only causes great concern and challenges us to think in these bolder terms. And so I think we need to take that energy palette and paint it in bolder shades of green.

Mr. BLUMENAUER. I love your verbiage, including ''thinking outside the barrel.'' I think that is a very powerful concept. I think you sketch the larger challenge that we face. We are addressing with the President and with our leadership in Congress a threat to our planet, as you say—national security, shipping lots of money to people who don't like us very much, financing both sides of the war on terror; and, dealing with fundamental restructuring of our economy.

There aren't very many times when people in Congress—there have only been less than 12,000 men and women who have ever served in this body for the entire history of the United States. There are few times when there are fundamental existential challenges to our society, to our way of life. We are in one of those moments right now with the economy, with our national security, and with the threat to the planet.

As you have described, there is an opportunity now for the United States Congress to lead. In a sense, part of it, and I know from a little experience with some of the civic leadership in the State of New York—and it's certainly true in my home State of Oregon—that there is leadership in the private sector, in churches, in synagogues, college campuses, in businesses large and small. People who are young, who are of a real activist environmental bent, but also people of the greatest generation, people who grew up in the Depression and World War II, who understand about conservation, understand about recycling, understand about working together to meet challenges. We have a

wide range of Americans that are already out there.

It will be interesting, in my judgment, to see if Congress is able to exercise the courage, the vision, and the leadership to catch up with our constituents.

Mr. TONKO. Let me tell you, part of my congressional district includes Schenectady, New York, dubbed ''the city that lights and hauls the world.'' They did locomotive manufacturing. We are a center of innovation, with names like Edison and Steinmetz.

So that Greatest Generation was involved in the manufacturing end of that thought process, that seed that was planted, that invention that was sparked in Schenectady, and they were there manufacturing so that they could light and haul the world.

So along that path of my district where the Erie Canal gave birth to an industrial revolution, where we inspired the westward movement, where this necklace of communities called mill towns emerged because of all of the centers of invention and products that were manufactured, this great generation knows what happens when you are at the front of the line where you are the leader in the world. And this is our chance to assume the leadership mantel of a new century of thinking. Just as we did over a century ago to create some of these ways to address energy needs, we are now at a new juncture that can, again, produce that passage that allows us to impact the entire world with the developments that we can inspire simply by committing resources, whoever it is as a nation, whatever nation assumes that leadership status—and someone will—they're going to control, I think, that global setting. And it should be the U.S.

We as a country not only have the challenges placed before us in terms of a tough economy that now we are working to bring back, a tough job inherited by this President, but he is doing a very thoughtful, remarkable job with keen focus, and includes energy transformation as part of that comeback.

□ 2115

Not only are we challenged, but we have that capacity, the intellectual capacity and the history of having been pioneers, people who have taken that leap of faith and who have seen science and all sorts of experimental procedures as a good thing.

This administration, this House's leadership through Speaker PELOSI and the many chairs understand that we have that capacity, and they are leading us in the right direction. I am convinced.

Mr. BLUMENAUER. Congressman TONKO, well said. I deeply appreciate you joining me this evening.

We are going to have an opportunity to deal with these issues tomorrow with the budget markup and this next week. And as we have committees moving forward, as you say, moving in these various directions, I look forward to working with you and deeply appreciate your reasoned voice and your experience. It is going to make our legislation better.

Mr. TONKO. Well, I know you stand for progressive policies in Oregon, and you personify that very well. So it is a pleasure to work with you in this House, and we are going to go forward and have a very innovative budget.

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

PRESIDENT OBAMA'S BUDGET SPENDS TOO MUCH, IT TAXES TOO MUCH, AND BORROWS TOO MUCH; AND, THE GIFT OF LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Madam Speaker, I appreciate the privilege of being recognized to address you here on the floor of the United States House of Representatives, this Nation's great deliberative body that we are.

I listened with interest to the gentlemen who have made their presentation in the previous hour, and I think back as we start this discussion, this 60-minute Special Order about what has taken place in the country. And many of us watched the President do his press conference. I wouldn't be very surprised if President Obama has at this point reached the threshold for press conferences in his career that would match that of Ronald Reagan's. Ronald Reagan didn't believe in coming before the American people a lot of times in a row. That is clearly not the case with President Obama, Madam Speaker.

We are here dealing with a full-court press across this Nation that seeks to, as the President seeks to, sell his budget to the American people. We have watched the Congressional Budget Office come out with their estimates on what this budget is going to cost. I have watched the target move. I have watched the irresponsibility of the spending grow. And if you add up the cumulative total of the money that has been spent, taxpayers' money borrowed and spent, I don't really know anybody that has that full total. We need to put it down here on the floor and ring it up every day, just like you put the little thermometer up when you have got a fund-raising drive for a new library. The only thing will be that there won't be any new libraries for our children and grandchildren if we continue on this path.

I recall, Madam Speaker, the President making a statement that, in order to repair this economy, we need to construct this multi-legged stool, and the stimulus plan is only one leg of a multi-legged stool. That is by his words.

So I made the remark then that one leg of a multi-legged stool that wasn't a milking stool, that would be one leg. It wasn't a two-legged stool, I have never seen one of those. There would be no practical reason to have a two-legged stool, it would fall over. And so a three-legged stool, he would have said so. But we know it is multi-legged. So that is at least four, maybe more, with the legs of this stool that he would like to construct to solved our economic crisis at a price tag per leg of $1 trillion to $2 trillion each. And when I said that a month or so ago, there was a significant amount of criticism, that I was exaggerating the President's budget.

Madam Speaker, I submit that, no, now the Congressional Budget Office has exceeded my exaggerated estimate in their objective conservative estimate of what this budget is going to cost this country in debt, and cost the American people.

As I listened to the press conference today, I have been familiar with the term that was trotted at nearly every press conference, of which there have been many, and there are two things we can't get a total on: How much money is being spent, and how many press conferences we have had that set policy for this economy. But I have gotten used to the term that the President had inherited a $1 trillion debt from his predecessor.

Madam Speaker, I point out that no President inherits a debt from his predecessor President. A President can't spend any money. A President can't initiate any spending. In fact, a Senator can't initiate spending. It has got to be initiated, by Constitution, right here in the United States House of Representatives.

That budget, that spending, that deficit for the 110th Congress and the deficit coming into the 111th Congress, that is the Pelosi debt, the Pelosi deficit. That is the money that was appropriated by this Congress that established much of the debt that was inherited by the 111th Congress that would be administered by the Executive Branch, which would be the President of the United States. His job is to carry out the policies we set and take care to enforce the laws with due diligence. But his statement has been he inherited a $1 trillion debt. Today we have another milestone I hadn't heard before, Madam Speaker; and that is, now he has inherited a $1.3 trillion debt.

So the inheritance is growing for the President, but it is shrinking for our grandchildren, unless we consider that they are inheriting debt, as well, and the burden of supporting this government and taking it out of duly-earned profits in future, future years, without a prospect of being able to pay for this, without a plan to come out of it.

And the argument that if we just do something to establish socialized medicine, that will solve our economic problems? I cannot connect the dots on that kind of a statement, Madam Speaker, and it concerns me a great deal.

So the inherited debt, which is not inherited from his predecessor the President, President Bush, but it is debt that is inherited from the 110th Congress and previous Congresses, has grown to $1.3 trillion. But the debt the American people inherit out of this is over $8 trillion, perhaps over $10 trillion. And we are still configuring and constructing more legs of this multi-legged stool that is supposed to bring us out of this economic crisis.

I listened as that language unfolded, and you have to listen very carefully to understand the meaning of the President's words. It is usually an artful job of crafting this ambiguity of language, this ambiguity of language that allows me to pull out of it the meaning that I want to know and hear, and allows someone, my ideological opposite, to draw an opposite meaning from the same words and the same phrase. There are a lot of different ways to describe it. I am going to be generous and call it a classical ambiguity style. And I find myself sometimes turning down the volume and waiting for the newspaper the next day, because you really have to parse all this language and analyze it, and it is hard for me to find time for that. But some of this language is more clear than others.

I intend to take up the issue in a moment of the President's appointment to the Office of Legal Counsel, but prior to doing so I think it would be appropriate to transition into the economic circumstances, and recognize the gentlelady from Minnesota for so much time as she may consume to talk about whatever it be on her mind.

Mrs. BACHMANN. I thank the gentleman from Iowa, also known as the Stunning STEVE KING of Iowa, as stated by national political commentators, who certainly know what they are talking about. STEVE KING is one of our stalwart patriots who is here on the floor fighting on behalf of the American people.

And while we are here tonight to talk about several subjects, we can't avoid the first subject that is on the table. It is the fact that under President Obama's budget that he has put forward, President Obama's budget simply spends too much, it taxes too much, and it certainly borrows too much.

We are very concerned about the excessive spending that is contained in this bill. It is $3.9 trillion. That is almost $4 trillion in spending under this budget deficit. This is an historical Presidency, historical for the amount of spending that is occurring under this President, $3.9 trillion.

Not only is that a huge amount of money just for spending and just for taxing; we know that just the energy tax alone that the President is putting in his budget is $2 trillion in spending. The President's aides just came out within this last week and said that it is not $646 billion, as we thought, it is nearly $2 trillion. That means for people in Minnesota, for people that are watching this evening, Madam Speaker, we are looking at perhaps an additional $4,000 per year out of the gate that every American household will see in increased taxes for energy. $4,000 a year in increased taxes. Who can afford that right now, when 401(k)s are down, when the value of houses are down, when jobs are on the line? We can't afford that, Madam Speaker. The President surely must know that.

But, borrowing too much. Representative STEVE KING talked about the massive borrowing that is coming from under our President's budget. This is what is remarkable. President Obama is borrowing so much of your tax money, Madam Speaker, of the American people's money, that literally President Obama's debt will be more than all previous Presidents combined.

Madam Speaker, you heard me correctly. From George Washington through George W. Bush, the 43rd President, you can add up the debt level of every one of those Presidents. And day after day after day we hear President Obama blaming the previous administration for the current situation he is in; but President Obama will lay so much debt on the backs of the American people that it will trump all 43 Presidents combined. That is historic.

Take a look. These are the figures that are put out, this is the Office of Management and Budget, and these are the figures that the President himself points to. The figures here on the left are the figures for debt prior to President Obama coming into office. These figures on the right are the debt amount that President Obama by his own figures say will be accumulated, $20 trillion in debt by President Obama's own figures.

As a matter of fact, the Congressional Budget Office came out and said so rosy were the President's figures that he undercounted his debt by $2.3 trillion. He has rosy estimates of how great the economy is going to grow, and he has very conservative estimates on how high his debt will grow. We are concerned, we are very concerned about what the future debt load will be on the American people.

I am often reminded of the Founders; and Representative STEVE KING and I stand here tonight in this chamber, Madam Speaker. Together with yourself, we are literally standing on the shoulders of the Founders of this great country are. And it was the Founders of our country, as we look through the rearview mirror of history, who very clearly made it known that our government was to be a Constitutional government formed on limited government principles. And the day that the Founders signed the Constitution, they also signed the first ten amendments to that Constitution; and those ten amendments were given as a gift, a protection to the individual American. Why? Because our Founders were so concerned about the abuse of taxing authority of their mother country, Great Britain. They were so concerned about that abuse of a taxing authority that they said to the American people in the first ten amendments: We want you to know that your Federal Government will be limited in its power. And in the tenth amendment, they specifically said: These limited powers that we are giving to the Federal Government are all the Federal Government will have. Every other power that there is will be given back to the States. We, the Federal Government, won't hold that power. We give it back to the States.

This is very important to realize, because our President doesn't seem to see it that way, Madam Speaker. Our President seems to think that the time and energy and productive years belongs to Uncle Sam and not to the individual. That is a completely different way of looking at the world than what our Founders viewed.

This evening, Madam Speaker, Representative KING wants to turn the subject now to talking about the gift of life, the gift of human life; the issue that our framers talked about in the Declaration of Independence when they called out for inalienable rights and said that we, Americans, were created by a God; that our creator God created us. He gave us inalienable rights, rights that only God can give, rights that no government confer nor can any government take away. That, among those rights are life, liberty, freedom, and the pursuit of happiness.

Tonight, I know that is what Representative STEVE KING wants to speak about, Madam Speaker. He wants to speak about that cherished gift enunciated in the Declaration of Independence, the right to life, and why we are so genuinely concerned about the nomination to the Office of Legal Counsel that President Obama is making and the individual that Representative KING will be speaking of.

□ 2130

Mr. KING of Iowa. Reclaiming my time, I thank the gentlelady from Minnesota for the eloquent presentation on the economic side of this thing and the very smooth transition into the life side. And this is an important issue that sits before this Congress.

Before I go to that issue, I would comment that in looking at the chart of the debt and the cumulative effect of the debt of President Obama's debt compared to the sum total of all the previous administrations, Congress has started, the President signed the appropriations bills, there is another statistic that I saw that was a calculation from the Congressional Budget Office that took this debt in the budget that has been proposed by President Obama and lays it out into the future. The greatest share of our gross domestic product that we have had as debt in a budget was 1945, right at the end of World War II. And this Obama budget projects to be not 100 percent of gross domestic product, but twice as high, 200 percent of gross domestic product is

the calculation that comes from numbers produced by the Congressional Budget Office.

Madam Speaker, I point out another component of this, that yesterday there was a plan that was rolled out that was played off of former Secretary of the Treasury Henry Paulson, who argued that he should have $700 billion to pick up toxic assets from the lending institutions, and that proposal was rolled out yesterday. And here is how this calculates, and that is that the Federal Government—and I want to make this point, Madam Speaker, before we move on, because I think it is so essentially important that we all understand what is taking place in this country with the nationalization of Fannie Mae and Freddie Mac, reaching into the auto makers with the partial nationalization that is going on there, the nationalization of AIG. The taxpayers own 80 percent of the shares of AIG. They are not worth a lot, but taxpayers own 80 percent of them. We have a big investment in Citigroup. And as the Federal Government swallows up financial institution after financial institution, now this administration reaches in to the mortgages themselves, into institutional investors and individual investors, perhaps, to deal with these toxic mortgages.

Now I have argued, and Congresswoman MICHELE BACHMANN and I have signed on to a piece of legislation last fall and argued that we should use private capital to solve this problem with the toxic debt that exists, the toxic mortgages that are out there, those mortgages that aren't performing and that are going in the tank. It is always preferable in a free-enterprise kind of an economy to have private-sector capital come in and rescue.

The rescue fund, the rescue act was a piece of legislation that I introduced that we are original cosponsors of, and one of the things that it does to put private capital into this very thing, these kind of mortgages. It would suspend capital gains taxes on rescue capital that would come in to pick up the toxic debt. Each time that we have pushed out into the middle of the table the argument that we should be either suspending or eliminating capital gains taxes so that investors could come in and pick up these toxic mortgages, and then if they yield a profit, let them keep the profit tax-free, they will reinvest those dollars and pay taxes on their capital at a later date, Madam Speaker, but we can't get that simple idea of suspending taxes on capital gains to stay on the negotiating table any longer than it takes Chairman FRANK's back of the hand to sweep it off.

Why? Why would the most logical proposal that can be devised, and the simplest one at that, that brings free-market solutions and private-sector investor capital that is looking for a place to go, why would it not be part of the plan to resolve this economic downward spiral that we are in? I will submit it is because the people that are in charge of devising the plan don't really believe in the free markets. If they did, they would want investors to come in.

So the White House has proposed a plan that would partner up the Federal Government, the White House and the taxpayers with private sector investment. Now I'm saying that we could get trillions of dollars of private investment to come in and pick up this toxic debt. You don't want to buy it at any more than the market price is. There is no reason to overpay for it. But you want to take it off the books of the banks and the lenders and let them move on and heal up. So here is the proposal, and it works out to be like this. If an investor wants to put $1 down on the table to invest in these toxic debts that we are not supposed to call ''toxic'' anymore, these mortgage-backed securities, that investor can lay $1 down, and the Federal Government will lay $1 down, and then the Federal Government will guarantee another $12 worth of debt. So, if I'm an individual investor, and I can come up with $1, that means the Federal Government puts another $1 in cash up to match it, and then they guarantee the loan on the balance of that, another $12, so we have got a $14 investment here. Thirteen of the $14 are guaranteed by the Federal Government. The risk for the investor is $1 out of $14, 7 percent of the whole. The Federal Government's risk is 93 percent of the whole, and if this thing goes down, if it washes out, we are, as taxpayers, holding the bag for 93 percent of the loss. And the result—oh, wait a minute. What happens to the profit, Madam Speaker? Well, the profits are shared 50/50 between the Federal Government, the taxpayers and the investor.

So if I can come out and put $1 down and somebody else will guarantee or put down $13, and out of that whole $14 worth of investment I'm going to get half of the return off of my 7 percent investment, and the Federal Government gets half of the return off of their 93 percent of their investment, I think you know what has happened here. They have rejected the idea that we should just not tax the profits, and instead, in the lust for sharing in the profits themselves and expanding the role of the Federal Government, they have rejected a free-market solution and come up with a Big Government solution that buys the Federal Government in in a big way with no way back out again and not even a respectable platitude that would give us a way to define it out of the ambiguity of the language that that is what is going to happen.

Mrs. BACHMANN. If the gentleman would yield, what we have seen transpire is nothing short of historic. We have seen, since last year, the Federal Government become the bank of first resort and the bank of last resort. We have seen the Federal Government nationalize banks. We have seen the Federal Government step into insurance agencies, become the insurer of first resort and become the insurer of last resort and nationalize the largest insurance company in the United States, AIG.

And now what are we seeing in the Treasury Secretary's proposal that was just given out yesterday, or maybe it was the evening before that, is this: Now the Federal Government will become a hedge fund. That is essentially what we are looking at. The Federal Government will become a hedge fund. The only thing is that we will have toxic assets in the hedge fund.

How does this work? Again, the taxpayer, John Taxpayer becomes the chump that is holding the bag in all of this. Again, it is the taxpayer that is the forgotten man. Because once again, the Federal Government thinks that the taxpayer is good enough to have to pony up the money for all of these ideas that seem to come out that have a lot more to do with centralized government planning and very little to do resembling free-market capitalism.

We are lurching. We are lurching, Madam Speaker, away from free-market capitalism when you come to the point where the Federal Government now decides to throw the dice and become a hedge fund and the taxpayer is the one who is there for all of the loss but not for the gain. I yield back.

Mr. KING of Iowa. If the gentlelady will yield for a question.

It just occurs to me as you speak of this, let's presume that you had $1 million to invest. And you had been looking at a bundle of these mortgage-backed securities with the idea that you could go in and buy up this bundle with $1 million in investment and then manage them in such a way that you could get your money back out and make a profit. It would be a good thing for our economy. It would be a good thing for the investment in that capital.

Now, if you're ready to invest that $1 million in buying up a bundle of mortgage-backed securities, how would you be able to compete with someone who also had $1 million and who had $12 million from the Federal Government, between them then $13 million, to match up against your $1 million? What happens to the free market in this? And how does someone who doesn't want to participate and make an investment like that in direct competition with the Federal Government, how do they possibly find a profit? How can they compete?

Mrs. BACHMANN. Exactly. And we haven't got the question answered yet. It appears that only large institutional investors, a Goldman Sachs or someone like that, will be able to get in on these sweetheart deals. I don't know too many Joe Averages that will be able to buy into this great deal.

So think of it this way in your example: You have $1 million worth of mortgage-backed securities. How much skin in the game would this private investor

have? Again, public-private? Public is $950,000 worth of Federal tax money to $50,000 worth of investment from the private person. But yet what if the yield is positive? For a $50,000 investment, you could have a $500,000 gain. That is pretty amazing. Whereas the Federal Government would be losing 95 percent, and there is nothing to lose when it comes to the private investor.

Mr. KING of Iowa. And reclaiming my time, the gentlelady mentions the institutional investors. And we have also watched the institutions on Wall Street such as Goldman Sachs, AIG, Citigroup and let me see, Lehman Brothers, and Merrill Lynch. The list goes on and on. It occurs to me that some of the same names and faces are inside the room when these decisions are made over and over again.

I think back to AIG, and the situation that flowed across this floor that would go back and back tax those retention bonuses that were paid to the executives. Who makes that decision? Who had the opportunity to say ''no''? Some of the same people that are configuring this program now. It looks like it is designed for the institutional investors.

Mrs. BACHMANN. And if the gentleman would yield on AIG, let's not forget what AIG was. Once the American Government came in and federalized AIG, AIG was essentially a pass-through entity, meaning Federal tax dollars passed through AIG, went directly to Europe and made whole foreign investors. So this is what the taxpayer was paying for. The taxpayer gave money to bail out foreign investors.

My question is, foreign investors were made whole 100 percent across the board. Goldman Sachs—and I'm not trying to pick on them—but they were made whole $13 billion, 100 percent. My question, Madam Speaker, is will the American taxpayer be made whole 100 percent? And when will they be made whole, if ever?

Mr. KING of Iowa. We know that there won't be any opportunity for the American taxpayers to be made whole.

And I'm asking for the taxpayers to wake up. Take on this personal responsibility. Get out the tea bags. The American people can come together and say, enough is more than enough. This is too much. And it is time to put the brakes on this.

Mrs. BACHMANN. If there is one final thing I can add to the gentleman's remarks. It was amazing this afternoon. President Obama had made a statement when he was with the prime minister of Australia. And he was asking Congress to give more power to the Treasury Secretary. As if they don't have enough already, he wants more power to the Treasury Secretary, which means more power for himself, because the Treasury Secretary represents the President.

He wants more power for what? So that if a private corporation becomes in trouble—we are not talking about a bank now. We are talking about a private corporation that becomes in trouble, he wants the Treasury Secretary to have unilateral authority, on his own decision, to walk into a private business and essentially nationalize it, take it over and reorganize.

I'll tell you what. If investors are worried now about the Federal Government coming in, opening up private compensation contracts and deciding to lower the amount of the wage value, you ain't seen nothing yet. Because the Federal Government is going to come in with its Marxist view of economics and make a decision about who is allowed to make what wage based upon what government thinks. This is one of the scariest ideas to come down the pike.

Mr. KING of Iowa. As I reflect on your discussion about this attitude about the Federal Government deciding what executives should be paid, what businesses are viable and which ones should be nationalized, I recall there is a fine and stellar company that is domiciled in Minnesota that had one of their pieces of their investment that was nationalized. It was a rice processing plant in Venezuela. A Hugo Chavez move, that took over a rice plant in Cargill in Venezuela. And this is a pattern. I think if you would read the story about that and then bring it back and just change the names, the places and the dates, put some American companies in there, I don't think you could discern the difference between the specter of what is hanging out for the American businesses that is coming out of the White House and what has actually happened to Cargill in Venezuela.

Mrs. BACHMANN. And we also have a great institution in Minnesota, a great bank, Twin City Federal. Twin City Federal took some of the TARP money, some of the Federal bailout money. They did so because they felt if they didn't they would appear weak because the money was supposed to be only given to strong banks. Twin City Federal made the remarkable move about 1 month ago to return the TARP money. And people didn't know if a bank even had that ability to return the money. But they said they wanted to. They wanted nothing to do with TARP.

I think now they are very happy that they got out of that program now that they see the Federal Government has no hesitation to step into a company and now go in and renegotiate the wage contracts between upper management and high-end employees.

□ 2145

Mr. KING of Iowa. I thank the gentlelady. And it occurs to me that at some point, that the NBA, the professional baseball leagues, the NFL, hockey players all are going to eventually come under this scrutiny, and maybe even the Hollywood actors and actresses. If there is something that you can dictate what it is, the wages and benefits of executives in private business, then there is no line by which you wouldn't cross to tell anybody in America what they could or couldn't make.

Mrs. BACHMANN. And it makes me wonder if we will have politically correct wage decisions that will be made. For instance, if you are an executive at a wind-powered plant, is it okay for you to make $800,000 a year; but if you are the president of an oil company, we don't like you so you are only going to make $60,000 a year. You wonder what kind of decisions are coming down the road.

And again, this has nothing to do with free market capitalism or getting our country back in order. This has everything to do with the banana republic and bringing our country's finances down the road to bankruptcy.

I yield back.

Mr. KING of Iowa. And the point that is being made, the undercurrent of this point that is being made is what the gentlelady from Minnesota made at the beginning of this hour, and that is, getting to the foundational principles of life, liberty and the pursuit of happiness, these rights that come from God that are clearly articulated in the Declaration of Independence and flow through the Constitution that are part and parcel of our law and our culture and rooted in biblical values. These are the things that have made this a great Nation, along with property rights and free market capitalism, the rule of law, which is God's law transferred into this country. And so today it brings us to this point, this point of the subject of the law itself and how it is interpreted, how the Constitution is interpreted, the profound constitutional questions and how the laws that are written within the parameters of the Constitution are interpreted, and how the President himself is advised by the Office of Legal Counsel. And I will submit that the President's appointment to the Office of Legal Counsel is one of the most important appointments that is ever made. And it is an appointment that, according to the Newsweek magazine, the Office of Legal Counsel is the most important government office you have never heard of. This is the job that advises the President and other branches of government on all constitutional questions, evaluates executive orders as to their constitutionality and anything that might come before the President for a signature, a piece of legislation that would come out of here, for example, Madam Speaker, that is also something that would come under the purview of the Office of Legal Counsel.

The President issued, he rescinded the Mexico City Policy on January 23rd of this year, and that Mexico City Policy is a policy that prohibited Federal dollars, our tax dollars, yours and mine and everybody across this country, from being used to fund abortions overseas. That is the Mexico City Policy. I think the President wanted to issue his

Executive order on January 22, the anniversary of Roe v. Wade, but out of respect for the hundreds of thousands of Americans that poured into this city to make their case about the protection of innocent unborn human life, I think out of the fear of backlash, plus he was a little busy signing his Executive order that closes Gitmo a year to the day, it will be on the anniversary of Roe v. Wade on 2010. But on January 23, the next day, he issued the Executive order that rescinded the Mexico City Policy, opened up the door to compel American taxpayers to fund abortions in foreign countries, under the guise of what shall we call it, population control, reproductive rights.

And then, on top of that, we have the appointment of Dawn Johnson to the Office of Legal Counsel to advise the President on executive orders, constitutional questions, and someone who comes to this job with a real track record, a track record of a built-in bias as an assistant to the Office of Legal Counsel, under President Clinton, and someone who has made a whole series of outrageous statements, mostly that have come in conjunction with her doing her job as a legal counsel herself. So these are not, this is not talk that is coming along in the coffee shop. This is language that flows out of legal briefs that she has written.

Mrs. BACHMANN. And if we could just speak a little bit more about the importance of this office, the Office of Legal Counsel. The gentleman had quoted from Newsweek magazine. Newsweek went on to say that this role as Office of Legal Counsel acts as a kind of mini Supreme Court. This office is the President's legal counsel, for all practical purposes. They issue opinions, much like judicial opinions, kind of a mini Supreme Court. Newsweek went on to say its carefully worded opinions are regarded as binding precedent, as final say on what the President and all his agencies can and cannot legally do. I can't think of a more important office to whisper into the President's ear about where the President will come down and stand on issues.

The other thing to recognize, the Office of Legal Counsel is a training ground, so to speak, for future Supreme Court justices. This individual that the President has nominated for this position, previous occupants were Antonin Scalia, William Rehnquist. This is very important that we know who this person is that will be whispering in the President's ear.

Mr. KING of Iowa. Reclaiming my time. I thank the gentlelady for that further clarification of the Office of Legal Counsel, the most important government office that most have never heard of, Madam Speaker. And so, as we saw this appointment be made, and looked through some of the documentation of Dawn Johnson, we put together a letter to the President. And this letter is dated March 24 of this year. And there are 62 cosigners on here, both of us, MICHELE BACHMANN and myself included. And it addresses a letter to the President and it says, essentially, Mr. President you stated when you rescinded the Mexico City policy, that no matter what our views, we are united in our determination—and this is a continuing quote—to prevent unintended pregnancies, reduce the need for abortion, and support women and families and the choices they make. I will just close that quote there.

If it is your intent, Mr. President, that we really reach for those kind of goals, and another component of that statement, we must work to find common ground. Close quote.

I hope the President picks up on this. There is no way to find common ground with an individual who holds such utterly biased views. And this is, in my judgment, one of them.

And this is a quote from Dawn Johnson, and the notion of legal restrictions as some kind of a reasonable compromise, perhaps to help make abortions safe, legal and rare, which is a statement that has come out of a many leading Democrats, including Hillary Clinton. This proves to be nonsensical in her view. And I think it is the rare part that she objects so much too. And she goes on to quote in a different location, progressives must not portray all abortions as tragedies. Absent unforeseen technological and medical changes, abortion is unlikely to become truly rare, and certainly not nonexistent.

In other words, this is a rejection of the position, the most, I will say the most friendly position that I get from people that do not support the protection of innocent unborn human life. At least they will concede that there is a moral abhorrence to it, and it should be minimized if they aren't willing to eliminate. And that was something that Hillary Clinton said. But this statement by Dawn Johnson, I think, makes it clear, Madam Speaker, that she says that abortion will never be rare and safe, legal and rare, as a matter of fact. It will not be. And that just opens up the door to further dialog on this particular issue. There are many issues that I would object to. But I focus this on the abortion side.

And another one of these statements that we carry to the President is this: And this, Madam Speaker, is among the most offensive statements that the American people are asked to accept as part and parcel of the package that you get when the President appoints someone to be, to head of the Office of Legal Counsel who carries this kind of a bias against the people who stand up for innocent human life. And this is her statement on abortion regulation. The State has conscripted her body for its own ends because the State has an interest in babies being born. If a State is not interested in that, you will see a civilization ultimately die. So she goes, recognizing a compelling State interest in protecting the fetus would provide States with an open-ended invitation to force pregnant women to act in whatever ways the State determined were optimal for the fetus, thereby, and I pay attention to this, thereby reducing pregnant women to no more than fetal containers. That is a remark of contempt towards mothers, toward the cherished role that they have in bringing these young children to birth and nurturing them with all the love they possibly can. It is offensive to me to think that someone has called my mother a fetal container.

Mrs. BACHMANN. If I could add to the gentleman's remarks. I think that the other thing that is glaring in this statement by Ms. Johnson is the fact that she said, recognizing a compelling State interest in protecting the fetus. I would just like to remind her that the State is not only interested in protecting the fetus, the State is also interested in protecting the woman. Many States all across the United States of America have laws known as women's right to know because there is an intention that women who are abortion-minded know what the consequence of that decision will mean. Many women become infertile for life. Once they have an abortion they can never bear another child after that. And many women don't know what the consequences of an early abortion will be. That is a violent act. An abortion is a violent act to a woman's body.

Also, women have tremendous emotional pain that they may deal with, not just for an afternoon, or not just for a weekend, they may, for the next 10 years, suffer with depression and all manner of disorders that they may have to deal with emotionally for years and years because they didn't fully comprehend the consequences of their decision.

And while women should never be viewed as fetal containers—I have never heard any more crass language in my life than the imagery that Dawn Johnson brought up—it is also true that babies are more than a product of tissue. Babies are a gift. Just as women are a gift, babies are a gift. Human life is to be cherished, not discarded.

Mr. KING of Iowa. And reclaiming my time from the gentlelady from Minnesota who has lived her life in demonstration to that commitment to life, your own children and the numbers of foster children that you have nurtured, you are the woman that lives in Minnesota and had so many children but always knew what to do. And I have not quite figured out how to put that into the proper alliteration, but that is the concept.

Mrs. BACHMANN. We had great kids, Representative KING. That's how we did it, and a great husband.

Mr. KING of Iowa. It definitely helps to have a good husband. I remind my wife of that, and I appreciate that comment.

Going back to this, as you mentioned, it was the Office of Legal Counsel is a perfect position to whisper

things into the ears of the President, to get the President's attention, to be on his agenda, to make legal arguments, to make arguments that are going to help him rationalize and set the policy, a policy like the Mexico City.

Mrs. BACHMANN. And to help him make his statements for him because these are written statements that become binding precedent within the President's office. This is an amazing amount of power.

Mr. KING of Iowa. Written statements with binding precedent, and the ability to write that into statements or whisper into the President's ear fetal containers, Mr. President.

Mrs. BACHMANN. It also binds the administrative agencies. So this has power throughout the entire Presidential administration. Every agency, every department would be bound by these statements.

Mr. KING of Iowa. And it would limit the ability of each of the agencies to react to the very policy that this Congress has established, this Congress might establish. And this kind of pejorative language has no place in law. And it has no place in the dialog of America. It has no place in families and humanity, has no place in nurturing little children, and it has no place in taking care of the mothers, the brothers and the sisters with the idea that a fetal container, that reduces the unborn child, that innocent little baby, to being a term that hardly makes it as a medical term.

These aren't the only comments that have been made by Dawn Johnson. I just picked them up as they come along. There is quite a stack here. And I don't know if I will get through them all, Madam Speaker, but here is one that is also indicative of a similar kind of language in the previous quote where Dawn Johnson, again, the President's appointee to head up the Office of Legal Counsel, the argument says the argument that women who become pregnant have in some sense consented to the pregnancy belies reality. I would like to think that most women who are mothers have consented to the pregnancy. Not all, but most. The large number of women who never receive proper information about contraception and others who are the inevitable losers in the contraception lottery, no more consent to pregnancy than pedestrians consent to being struck by drunk drivers. Pregnant mothers equivalent to being struck by drunk drivers when they become pregnant? That reduces this thing down into an act of almost negligent violence, if not willful violence. I think it is an act of love.

□ 2200

Mrs. BACHMANN. It almost seems contrary to feminism because feminism empowers women and believes that women have the capability to give consent, informed consent. The way that this is written by Dawn Johnson, it appears that she is saying that women are without capacity to give consent even in an area of becoming pregnant.

Mr. KING of Iowa. Reclaiming my time, even when they make that decision themselves.

I as a new grandfather myself 3 weeks ago today, I think of those children who are loved and wanted and planned and of those families who are not able to have children and who are lined up to adopt children who might become available. There are many more families in this country who are waiting for a child to come along who they can adopt and nurture into the bosom of their family and raise as one of their own than there are unwanted children in this country.

Mrs. BACHMANN. And if I could just correct the gentleman, my opinion is that every child is a wanted child. That is one of Planned Parenthood's trademarks that, I believe, is one of the biggest myths that has been perpetrated in the last 40 years—every child a wanted child——

Mr. KING of Iowa. By God.

Mrs. BACHMANN. As if there are unwanted children. Every child is a wanted child.

I can attest to the fact that there are open arms for every child who is born. If a child is considered less than perfect, has a physical or a mental disability, there are homes all across the United States that are begging and pleading and waiting for a child. None of us can ever forget the words of Mother Teresa, who said, ''If you don't want the children, I want the children. Give them to me. I will take them,'' this diminutive, little nun from Calcutta who was willing to take any child from across the planet. Here in the United States, we have willing, open hearts that would take every child who is born in this country.

Mr. KING of Iowa. Reclaiming my time, raising up on the point made by the gentlelady from Minnesota, it is true that every child is both wanted as is wanted, but also, every child is planned and wanted by God. It is his will, and we need to acknowledge that will and nurture and love these children with all of our ability and with all of our will.

It takes me to another quote by Dawn Johnson. This one fits right in with the category. Perhaps it is more egregious. This is the infamous KKK quote where she says, ''The terrorists' behavior of petitioners,'' meaning those people who are praying for life outside the abortion clinic, ''is remarkably similar to the conspiracy of violence and intimidation carried out by the Ku Klux Klan against which Congress intended this statute to protect.''

Madam Speaker, I am watching my constituents by the hundreds on these 40 days of Lent, praying outside Planned Parenthood in Sioux City, Iowa throughout these 40 days, and they have been labeled now to be similar to the KKK by the prospective head of the Office of Legal Counsel who would be whispering these terms into the President's ear and writing legal opinions and bringing influence on the enforcement effort of the Federal Government, bringing that up against people who are exercising their first amendment rights of freedom of assembly and religion to protect innocent life.

Mrs. BACHMANN. This is a remarkable statement because it seems to invoke the worst hate speech that you could possibly make. To call out those who are praying on behalf of life and to liken them to terrorists and to call them terrorists, that seems to me invoke a hate speech and also a form of bigotry, religious bigotry of the worst order.

This really calls into question for me the President's judgment in choosing someone like Dawn Johnson, who used this type of language, and putting her in the position of being Office of Legal Counsel. I think it is shocking and a stunning choice, and it really calls into question President Obama's judgment in this selection.

Mr. KING of Iowa. Reclaiming my time, the gentlelady has articulated this, I think, very well.

We'll add these expressions up together: pregnant mothers are the equivalent of being hit by drunk drivers; that abortion will never be rare; the equivalent of the KKK are people who are demonstrating and protesting that we should protect and support innocent human life.

I'll put another one up here and add another quote to that. This is another quote from Dawn Johnson.

She says, ''The experience of an abortion is no longer traumatic. The response of most women to the experience is relief.''

I don't have any experience with that, but that is not the message that I get from the people I talk to who come to this city. The strongest leaders in the pro-life movement and always among them will be women who have had abortions and who have suffered the trauma, the psychological trauma of abortion. They don't feel relief. They feel compelled to pray and march and demonstrate until Roe v. Wade is overturned, and we can protect innocent life in this country as God intended.

Mrs. BACHMANN. I would add that, with all due respect, this is one of the most ignorant comments that I have ever heard—that the experience is no longer traumatic. Speak to anyone who deals in the aftermath of dealing with women who have had abortions.

My best friend runs a crisis pregnancy center. She has given her life and has poured her life out because she loves women and she loves abortion-minded women. She wants to meet them at the point of their deepest crises. She has told me that, for women who come in who are considering abortion and also for women who have had an abortion and who come to her, it is

completely traumatic. They agonize as they walk into the clinic. They agonize, the women who have had previous abortions, after they have had the abortion. It is traumatic.

There are reams of scientific papers that have been done that speak loudly to the trauma that the woman has experienced, let alone the trauma that the baby has experienced. That baby's life was taken in cold blood. That baby was murdered in cold blood. Not traumatic? It was traumatic for that innocent child, but it was equally as traumatic for the mother. The mother realizes and understands what has occurred. This is traumatic. To make that statement, to me, is heartless at worst and ignorant at best.

Mr. KING of Iowa. Reclaiming my time, the trauma that has been visited upon many, many thousands of women in this country has brought about the beginnings of an entire organization, of a movement that has significant inertia and membership, and that is called Women Deserve Better. They come to this city continually and make the case that women deserve better. They deserve proper psychological and medical counsel. They deserve to be treated with respect. They deserve to understand what is going on, and they do not deserve to be told that they are going to feel relief or that it used to be but is no longer a traumatic experience.

Mrs. BACHMANN. That is the cruelest thing that could be done to a woman who is in crisis—to tell her that this is an easy quick fix and that you will experience relief. Women are strong, capable, intelligent people. They can handle the truth, and they deserve to be given full scientific evidence of the procedure they are about to undergo if that is the case. We need to respect women, and these statements do not reflect a true respect for women.

Mr. KING of Iowa. But they may reflect the majority of the input that is going into the ears of the President as these decisions are being made, and they would reflect the position of the Office of Legal Counsel if Dawn Johnson is confirmed by the United States Senate.

Now, we can expect that these ideas—this philosophy, this pejorative approach—is not balanced and that they do not bring a sense of legality or legal scholarship or constitutional analysis. They bring a bias into this discussion. These kinds of biased positions would be reflected throughout the President's positions because he is the one who has chosen her. It does reflect his positions to some degree.

Mrs. BACHMANN. I would say that this reflects his position completely because we know, from the President's previous votes when he was a State Senator in Illinois, he was the most pro-abortion State Senator in Illinois. His voting record here in the United States Senate was that of the most pro-abortion United States Senator.

He fully supported partial birth abortion, one of the most gruesome, cruel procedures of infanticide one could ever imagine. Also, he voted for the Born Alive Act, which meant that he stood on the floor, as a matter of fact, in the Illinois State Senate and argued that children who were born, born alive, did not necessarily have a right to live, that as to those children who were born alive after a ''botched'' abortion, the doctor would have the right to kill that baby after it was born, and now President Obama voted in favor of that unthinkably gruesome bill.

Mr. KING of Iowa. And he argued in favor of it.

The foundational principle that he argued for, Madam Speaker, was: A woman who sought to have an abortion had a right to a dead baby even if they botched the abortion and the baby survived.

That is not a moral principle. That is not a legal principle. It is a myopic principle that is pulled up within the political lobbying that comes out of Planned Parenthood. It cannot be based on anything moral; it cannot be based in law. The philosophy of the President was also reflected during the campaign trail when he was speaking as if his daughters got pregnant—out of wedlock, I presume is what he was referring to.

He said, ''I don't want my daughters punished with a baby.'' I listened to that tape tonight to be sure I heard it right. Those are the words of the President of the United States. He actually said, referring to his daughters, ''I don't want them punished with a baby.''

I don't believe a baby is punishment. I believe a baby is a gift and that the people whom I know who love their children as we do ours and our grandchildren as we do ours see them all as gifts, all as gifts from God.

Mrs. BACHMANN. One of the most gruesome quotes—and I don't know if the gentleman has this one—is when she is referring to her beliefs and to people who are like-minded.

She said, ''Progressives,'' which would be far-left liberals, ''must not portray all abortions as tragedies. Absent unforeseen technological and medical changes, abortion is unlikely to become truly rare and certainly not nonexistent.''

In this statement, she is lamenting the fact that abortion could become rare. She wants abortion to occur. When do you ever hear anyone say that they don't want abortion to be rare? But that is what Dawn Johnson is saying.

When President Bill Clinton was running for President, he said he wanted abortions safe, legal and rare. Hillary Clinton said the same thing when she was running for President. Barack Obama—I'm not sure what his words were, but those were the words of the people running for President. Dawn Johnson is refuting that. She doesn't want abortion to be rare. She wants to see abortions occur. That is in the realm of the macabre. I am amazed at that statement.

Mr. KING of Iowa. I thank the gentlelady.

I have one more shocking statement made by Dawn Johnson. Now, remember, this is the person who would be doing the constitutional analysis, making that decision and making the same thing as a legal opinion, a binding legal opinion to the entire executive branch to one degree or another. She would have the ear of the President. I think Dawn Johnson has a major flaw in her jurisprudence even though she is probably very well trained. This is what she says about the difference between the Bush administration and the Clinton administration on balance.

She calls the Bush administration's claims to executive power ''extreme, extraordinary, implausible, illegitimate, appalling, and abusive.'' By comparison, as to the Clinton administration, ''I do not have any specific criticisms of the Clinton administration in these regards.'' Well, I think that tells us about the lack of partisanship that is there.

Let's see. I was looking for a quote. I have it in front of me. I will take it back to the slavery issue where Dawn Johnson said, ''Statutes that can curtail a woman's abortion choice are disturbingly suggestive of involuntary servitude, prohibited by the 13th amendment, in that forced pregnancy requires a woman to provide continuous physical service to the fetus in order to further the State's asserted interest.''

Slavery? I could read through that Constitution dozens of times over. I could pour through this case law over and over again. I invite the law school creative people. I don't know who would come up with the idea that the opportunity to be a mother was equivalent to slavery.

For a couple of minutes, I will yield to the gentlelady.

Mrs. BACHMANN. You know, I would say that this heavy tax burden that the Obama administration is laying upon the American people has more to do with involuntary servitude than the fact of a woman who has the opportunity to carry an unborn child to term and to give life to that baby. Most women consider that a privilege and a blessing, and they pray for that opportunity so that they can have the chance to share in the joy of motherhood together with their husband, to be able to bring life and to cooperate with God and bring life into the world.

Life is a beautiful thing. It is precious. It is something not to be wasted. It certainly cannot be equated with involuntary servitude, which is slavery. Slavery is what we are looking at right now with the debt burden that we are seeing from the Obama administration, where we are looking at having more debt under President Obama than under all previous 43 Presidents combined. That is involuntary servitude when a person has to work three-quarters of the year just to pay their tax bill, and that is what we are looking at

down the road for our kids and grandkids, because this Obama administration is clearly spending too much, taxing too much and borrowing too much.

□ 2215

Mr. KING of Iowa. I thank the gentlelady.

And I would just remind the gentlelady, the Speaker, that we have, by letter, called upon the President to withdraw the name of Don Johnson to head up his Office of Legal Council for these reasons that we have argued here tonight, for a multitude of reasons that we didn't get to in the time that we had, for moral reasons, constitutional reasons, statutory reasons, reasons of logic, common sense, and understanding the nature of humanity; for reasons that we want to see this Nation continue to ascend in all of the levels of morality, and economics, and national defense, and culture, and vision so that this country can be moved to the next level of its destiny that's positive, one that we can be proud of, one that will carry us forward and make our children proud, one day that our children can come to the floor of the House of Representatives, somebody's children, the next generation, and say, We stand on the shoulders of our forefathers, our predecessors, the people who stood up for life, the people who stood up for what is right, the people who stood up for the Constitution and the principles of life, liberty, and the pursuit of happiness that are embodied in the Declaration of Independence; and the argument that these rights come from God, and they are not to be torn asunder by someone who is a liberal activist who would lay out this list of offenses against life and family itself, the very core and foundation of American life.

That is what we have going on here. No good can come of it. This is the reminder that we have. This is the letter with 62 signatures that we sent to the President to withdraw the name of Don Johnson, appoint someone with a Constitutional understanding and a commitment to those principles and not an activist. We don't need an activist to head up this Office of Legal Council. We need someone who will understand the Constitution and the law and respect life.

And with that, Madam Speaker, I would thank the gentlelady from Minnesota.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HILL (at the request of Mr. HOYER) for today from 1:30 p.m. to 3:30 p.m. on account of official business.

Mr. WESTMORELAND (at the request of Mr. BOEHNER) for today on account of illness.

SPECIAL ORDERS GRANTED

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

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

Ms. WOOLSEY, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. SABLAN, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

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

Mr. POE of Texas, for 5 minutes, March 31.

Mr. JONES, for 5 minutes, March 31.

Mr. GOODLATTE, for 5 minutes, today and March 25.

Mr. ROGERS of Michigan, for 5 minutes, today.

Mr. BROUN of Georgia, for 5 minutes, today.

Mr. ROE of Tennessee, for 5 minutes, today.

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

Mr. KRATOVIL, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 25, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1025. A letter from the Secretary, Department of Agriculture, transmitting the Department's report entitled, ''2008 Packers and Stockyards Program Annual Report,'' pursuant to the Packers and Stockyards Act of 1921, as amended; to the Committee on Agriculture.

1026. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, monoester with 1,2-propanediol, polymer with a-[4-(ethenyloxy) butyl]-w-hydroxypoly (oxy-1,2-ethanediyl) and 2,5-furandione; Tolerance Exemption [EPA-HQ-OPP-2008-0620; FRL-8396-9] received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1027. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, polymer with a-[4-(ethenyloxy) butyl]-w-hydroxypoly (oxy-1,2-ethanediyl) and 1,2-propanediol mono-2-propenoate, potassium sodium salt; Tolerance Exemption [EPA-HQ-OPP-2008-0617 FRL-8397-2] received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1028. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, polymer with a-[4-(ethenyloxy) butyl]-w-hydroxypoly (oxy-1,2-ethanediyl), sodium salt; Tolerance Exemption [EPA-HQ-OPP-2008-0621; FRL-8397-1] received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1029. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, 2-hydroxyethyl ester, polymer with a-[4-(ethenyloxy)butyl]-w- hyroxypoly (oxy-1,2-ethanediyl); Tolerance Exemption [EPA-HQ-OPP-2008-0618; FRL-8396-7] received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1030. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, polymer with a-[4-(ethenyloxy) butyl]-w-hydroxypoly (oxy-1,2-ethanediyl) and 2,5-furandione, sodium salt; Tolerance Exemption [EPA-HQ-OPP-2008-0619; FRL-8396-8] received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1031. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus Mycoides Isolate J; Temporary Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2005-0303; FRL-8400-2] received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1032. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Benfluralin, Carbaryl, Diazinon, Dicrotophos, Fluometruon, Formetanate Hydrochloride, Glyphosate, Metolachlor, Napropamide, Norflurazon, Pyrazon, and Tau-Fluvalinate; Technical Amendment [EPA-HQ-OPP-2007-1170; FRL-8402-1] received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1033. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorimuron-ethyl; Pesticide Tolerances [EPA-HQ-OPP-2007-0301; FRL-8402-6] received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1034. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Recordkeeping and Reporting Requirements for the Import of Halon-1301 Aircraft Fire Extinguishing Vessels [EPA-HQ-OAR-2005-0131; FRL-8779-6] (RIN: 2060-AM46) received March 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1035. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's ''Major'' final rule — Implementation of a Dose Standard After 10,000 Years [NRC-2005-0011] (RIN: 3150-AH68) received March 19, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1036. A letter from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule — Direct Investment Surveys: BE-11, Annual Survey of U.S. Direct Investment Abroad [Docket No.: 080731960-81629-02] (RIN: 0691-AA66) received March 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1037. A letter from the Acting Assistant Secretary Legislative Affairs, Department of

State, transmitting the Department's report required by the Omnibus Appropriation, Public Law 105-277, Section 2215 on ''Overseas Surplus Property''; to the Committee on Foreign Affairs.

1038. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1039. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1040. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1041. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1042. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1043. A letter from the Chief Operating Officer/Executive Secretary, U.S. Agency for International Development, Bureau for Latin America and the Caribbean, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1044. A letter from the Chief Operating Officer/Executive Secretary, U.S. Agency for International Development, Bureau for Latin America and the Caribbean, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1045. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Contiguous United States Distinct Population Segment of the Canada Lynx [FWS-R6-ES-2008-0026] [92210-1117-0000-B4] (RIN: 1018-AV78) received March 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1046. A letter from the Director, Administrative Office of the United States Courts, transmitting the fourth annual report on crime victims' rights, pursuant to 18 U.S.C. 3771, section 104(a); to the Committee on the Judiciary.

1047. A letter from the Acting Trade Representative, United States Trade Representative, transmitting the 2009 Trade Policy Agenda and the 2008 Annual Report on the Trade Agreements Program as prepared by the Administration, pursuant to 19 U.S.C. 2213, as amended; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 1259. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the distribution of the drug dextromethorphan, and for other purposes (Rept. 111–49). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 1575. A bill to authorize the Attorney General to limit or recover excessive compensation paid or payable by entities that have received Federal financial assistance on or after September 1, 2008 (Rept. 111–50). Referred to the Committee of the Whole House on the State of the Union.

Ms. PINGREE of Maine: Committee on Rules. House Resolution 280. A resolution providing for consideration of the Senate amendments to the bill (H.R. 146) to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes (Rept. 111–51). Referred to the House Calendar.

Mr. POLIS: Committee on Rules. House Resolution 281. A resolution providing for consideration of the bill (H.R. 1404) to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes (Rept. 111–52). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DAVIS of Alabama (for himself, Mr. ALEXANDER, Mr. MAFFEI, Mr. HIGGINS, Mr. CAO, Ms. CLARKE, Mr. MCGOVERN, Mr. SNYDER, Mr. LEWIS of Georgia, Mr. RODRIGUEZ, Mr. CARNAHAN, and Mr. FRANK of Massachusetts):

H.R. 1677. A bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes; to the Committee on Ways and Means.

By Mrs. BONO MACK:

H.R. 1678. A bill to amend the Internal Revenue Code of 1986 to allow a bad debt deduction to doctors to partially offset the cost of providing uncompensated care required to be provided under amendments made by the Emergency Medical Treatment and Labor Act; to the Committee on Ways and Means.

By Mr. BRADY of Pennsylvania (for himself, Mr. DANIEL E. LUNGREN of California, Mrs. DAVIS of California, Mr. HARPER, and Mr. MCCARTHY of California):

H.R. 1679. A bill to provide for the replacement of lost income for employees of the House of Representatives who are members of a reserve component of the armed forces who are on active duty for a period of more than 30 days, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Standards of Official Conduct, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARCURI:

H.R. 1680. A bill to authorize the Secretary of Health and Human Services to make grants to promote professional retrofit installation of fire alarm detection systems and other fire detection and prevention technologies in nursing homes, hospice facilities, and other appropriate facilities; to the Committee on Energy and Commerce.

By Mr. BOSWELL:

H.R. 1681. A bill to improve the coordination between the Department of Defense and the Department of Veterans Affairs to better provide care to members and the Armed Forces and veterans; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONAWAY (for himself and Ms. SUTTON):

H.R. 1682. A bill to amend title 23, United States Code, to require States to develop and implement highway bridge management systems; to the Committee on Transportation and Infrastructure.

By Mr. MCDERMOTT (for himself, Mr. BLUMENAUER, Mr. LARSON of Connecticut, and Mr. STARK):

H.R. 1683. A bill to amend the Internal Revenue Code of 1986 to reduce greenhouse gas emissions by requiring a Federal emission permit for the sale or use of greenhouse gas emission substances, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. BROUN of Georgia, Mr. SHUSTER, Mr. MCCLINTOCK, Mr. FLEMING, Mr. YOUNG of Alaska, Mr. BROWN of South Carolina, Mr. SMITH of Nebraska, Mr. DUNCAN, Mr. COFFMAN of Colorado, Mrs. LUMMIS, Mr. LAMBORN, Mr. GOHMERT, Mr. MANZULLO, and Mr. PUTNAM):

H.R. 1684. A bill to preserve the rights granted under second amendment to the Constitution in national parks and national wildlife refuge areas; to the Committee on Natural Resources.

By Mrs. MCCARTHY of New York:

H.R. 1685. A bill to provide for the acquisition, construction, and improvement of child care facilities, and for other purposes; to the Committee on Education and Labor.

By Mr. LYNCH:

H.R. 1686. A bill to provide for the protection and integrity of the United States mail; to the Committee on Oversight and Government Reform.

By Mr. BOCCIERI (for himself, Mr. RYAN of Ohio, Ms. KAPTUR, Mrs. SCHMIDT, Mr. WILSON of Ohio, Mr. LATOURETTE, Mr. AUSTRIA, Mr. SPACE, Mr. LATTA, and Mr. JORDAN of Ohio):

H.R. 1687. A bill to designate the Federal building and United States courthouse located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the ''Ralph Regula Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Ms. BORDALLO (for herself and Mr. AUSTRIA):

H.R. 1688. A bill to amend title 10, United States Code, to ensure that commissioned officers who serve in a reserve component of the Armed Forces are able to retire in the highest grade in which they have successfully served; to the Committee on Armed Services.

By Mr. BOUCHER (for himself, Mr. UPTON, Mr. DINGELL, Mr. BARTON of Texas, Mr. RAHALL, Mr. WHITFIELD, Mr. MURTHA, Mr. COSTELLO, Mr. HOLDEN, Mr. POMEROY, Mr. DAVIS of

Alabama, Mr. DOYLE, Mr. HILL, Mr. BUTTERFIELD, and Mr. WILSON of Ohio):

H.R. 1689. A bill to accelerate the development and early deployment of systems for the capture and storage of carbon dioxide emissions from fossil fuel electric generation facilities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. DELAHUNT, Ms. BORDALLO, Mr. FARR, Mr. SESTAK, and Mr. MCGOVERN):

H.R. 1690. A bill to amend the Coastal Zone Management Act of 1972 to authorize the Secretary of Commerce to make grants to coastal states to support voluntary State efforts to initiate and complete surveys of coastal waters to identify potential areas suitable for the exploration, development, and production of renewable energy, and for other purposes; to the Committee on Natural Resources.

By Ms. DELAURO (for herself, Mr. BARTON of Texas, Mr. ACKERMAN, Mr. ARCURI, Mr. BACA, Ms. BALDWIN, Mr. HILL, Ms. BEAN, Ms. BERKLEY, Mr. BERMAN, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BORDALLO, Mr. BOREN, Mr. BOSWELL, Mr. BOYD, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BRALEY of Iowa, Mr. BURTON of Indiana, Mr. CAPUANO, Mr. CARDOZA, Mr. CARNEY, Ms. SHEA-PORTER, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CHANDLER, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. COOPER, Mr. COURTNEY, Mr. CROWLEY, Mr. CUELLAR, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DAVIS of Tennessee, Mrs. DAVIS of California, Mrs. HALVORSON, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Ms. EDWARDS of Maryland, Mr. DOYLE, Mr. EDWARDS of Texas, Mr. ELLISON, Mr. ENGEL, Mr. MASSA, Ms. ESHOO, Mr. ETHERIDGE, Mr. FARR, Mr. FATTAH, Mr. PALLONE, Mr. FRANK of Massachusetts, Mr. GERLACH, Mr. NYE, Mr. GONZALEZ, Mr. GORDON of Tennessee, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIFFITH, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HARE, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HIMES, Mr. HINCHEY, Mr. HINOJOSA, Ms. HIRONO, Mr. HOLDEN, Mr. HOLT, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. MATHESON, Mr. BARROW, Mr. SARBANES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KAGEN, Mr. KANJORSKI, Ms. KAPTUR, Mrs. DAHLKEMPER, Mr. MEEK of Florida, Mr. KENNEDY, Mr. KILDEE, Ms. KILPATRICK of Michigan, Ms. KILROY, Mr. KIND, Mr. KLEIN of Florida, Mr. KUCINICH, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LOBIONDO, Mr. LOEBSACK, Ms. ZOE LOFGREN of California, Mrs. CAPPS, Mrs. LOWEY, Mr. LYNCH, Mr. MACK, Mr. MAFFEI, Mrs. MALONEY, Ms. FUDGE, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCINTYRE, Mr. MEEKS of New York, Mr. MELANCON, Mr. MICHAUD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. MORAN of Kansas, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. MURTHA, Mrs. MYRICK, Mr. NADLER of New York, Mrs. NAPOLITANO, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. ORTIZ, Mr. PASCRELL, Mr. TONKO, Mr. PAYNE, Mr. PETERSON, Ms. PINGREE of Maine, Mr. PLATTS, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. REYES, Mr. RODRIGUEZ, Ms. ROS-LEHTINEN, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SESTAK, Mr. SHERMAN, Mr. SIRES, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SNYDER, Mr. SPACE, Ms. SPEIER, Mr. SPRATT, Mr. STARK, Mr. STUPAK, Ms. SUTTON, Mrs. TAUSCHER, Mr. TAYLOR, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TOWNS, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WEINER, Mr. WELCH, Mr. WEXLER, Mr. WILSON of Ohio, Mr. WITTMAN, Mr. WOLF, Ms. WOOLSEY, Ms. TITUS, Mr. ALTMIRE, Mr. RUPPERSBERGER, Mr. MCNERNEY, Mr. CLYBURN, Ms. MARKEY of Colorado, Mr. HALL of Texas, Ms. KOSMAS, Mr. ROGERS of Alabama, Mr. FILNER, Mr. SOUDER, and Mr. POLIS):

H.R. 1691. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTENBERRY:

H.R. 1692. A bill to amend the Consumer Product Safety Improvement Act to exempt ordinary books from the lead limit in such Act; to the Committee on Energy and Commerce.

By Mr. GORDON of Tennessee (for himself, Mrs. NAPOLITANO, and Mr. LEWIS of Georgia):

H.R. 1693. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself, Mr. BLUMENAUER, Mr. LANGEVIN, Mr. ROTHMAN of New Jersey, Mr. DINGELL, Mr. HINCHEY, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. WELCH, Mr. MAFFEI, Mr. ISRAEL, Mr. CUMMINGS, and Mr. PAYNE):

H.R. 1694. A bill to amend the American Battlefield Protection Act of 1996 to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes; to the Committee on Natural Resources.

By Mr. LOBIONDO (for himself and Ms. GIFFORDS):

H.R. 1695. A bill to amend title 10, United States Code, to reduce the minimum age for receipt of military retired pay for non-regular service from 60 to 55; to the Committee on Armed Services.

By Mr. PALLONE (for himself, Mr. SIRES, Mr. MORAN of Virginia, Mr. ROTHMAN of New Jersey, and Ms. CASTOR of Florida):

H.R. 1696. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic and North Atlantic planning areas; to the Committee on Natural Resources.

By Mr. PALLONE (for himself, Mr. GRIJALVA, and Mr. HONDA):

H.R. 1697. A bill to ensure the coordination and integration of Indian tribes in the National Homeland Security strategy and to establish an Office of Tribal Government Homeland Security within the Department of Homeland Security, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. LOEBSACK, Ms. GIFFORDS, Mr. BLUMENAUER, and Ms. BORDALLO):

H.R. 1698. A bill to establish the Green Bank to assist in the financing of qualified clean energy projects and qualified energy efficiency projects; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself, Mr. SESSIONS, Mr. PETRI, Mr. YOUNG of Alaska, Mr. BURTON of Indiana, Mr. LINDER, Mr. WU, Mr. BISHOP of Georgia, Mr. GENE GREEN of Texas, Mr. HOLT, and Mr. KIND):

H. Con. Res. 78. Concurrent resolution expressing the support of the Congress regarding the need to facilitate State innovation in national health care reform; to the Committee on Energy and Commerce.

By Mr. CLAY:

H. Con. Res. 79. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued to honor Wilton ''Wilt'' Chamberlain; to the Committee on Oversight and Government Reform.

By Ms. HIRONO (for herself, Mr. ABERCROMBIE, Mr. FALEOMAVAEGA, Ms. BORDALLO, and Mr. SABLAN):

H. Con. Res. 80. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha; to the Committee on House Administration.

By Mr. PENCE:

H. Res. 277. A resolution electing a minority member to a certain standing committee; considered and agreed to.

By Mr. MCGOVERN (for himself and Mr. DANIEL E. LUNGREN of California):

H. Res. 278. A resolution recognizing the paramount need to address the threat of international terrorism and protect the international security of the United States by reducing the number of and accessibility to nuclear weapons and preventing their proliferation, and directing a portion of the resulting savings towards child survival, hunger, and universal education, and calling on the President to take action to achieve these goals; to the Committee on Foreign Affairs.

By Mr. BRADY of Pennsylvania:

H. Res. 279. A resolution providing for the expenses of certain committees of the House of Representatives in the One Hundred Eleventh Congress; to the Committee on House Administration.

By Mr. FORTENBERRY (for himself and Mr. ELLISON):

H. Res. 282. A resolution recognizing the 30th anniversary of the peace treaty between Egypt and Israel; to the Committee on Foreign Affairs.

By Mr. PETERS (for himself, Mr. LEVIN, Mr. DINGELL, Mr. HOEKSTRA, Mr. UPTON, Mr. STUPAK, Mr. KILDEE, Mr. EHLERS, Mr. ROGERS of Michigan, Mrs. MILLER of Michigan, Mr. SCHAUER, Mr. CAMP, Mr. WAXMAN, Mr. WEXLER, Mr. KLEIN of Florida, Mr. KIRK, Ms. GIFFORDS, Mr. ADLER of New Jersey, Mr. BERMAN, Ms. BERKLEY, Mr. HODES, Mr. FILNER, Mr. CROWLEY, Ms. KILROY, Mr. SHERMAN, Mr. YARMUTH, Mr. COHEN, Ms. WASSERMAN SCHULTZ, Mr. SCHIFF, Mr. NADLER of New York, Mr. MOORE of Kansas, Ms. HARMAN, Mr. KAGEN, Ms. SCHAKOWSKY, Mr. POLIS, Mr. HASTINGS of Florida, Mr. GRAYSON, Mrs. LOWEY, Mr. AL GREEN of Texas, Mr. SESTAK, Mrs. DAHLKEMPER, Ms. ROS-LEHTINEN, Mr. ELLISON, Mr. CONNOLLY of Virginia, Mr. ACKERMAN, and Mr. MILLER of North Carolina):

H. Res. 283. A resolution honoring the life, achievements, and contributions of Rabbi Charles H. Rosenzveig; to the Committee on Foreign Affairs.

By Mr. PETERS:

H. Res. 284. A resolution expressing the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad; to the Committee on Armed Services.

By Mr. SHIMKUS (for himself and Mr. KUCINICH):

H. Res. 285. A resolution congratulating the people of the Republic of Lithuania on the 1000th anniversary of Lithuania and celebrating the rich history of Lithuania; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

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

H.R. 18: Mr. LATTA.

H.R. 22: Mr. BLUNT, Mr. DONNELLY of Indiana, Mr. MELANCON, Mr. CUMMINGS, and Mr. YOUNG of Alaska.

H.R. 23: Mr. PAYNE, Mr. LYNCH, and Mr. THOMPSON of Mississippi.

H.R. 153: Mr. ROGERS of Kentucky.

H.R. 154: Mr. HARE.

H.R. 186: Mr. SESTAK.

H.R. 199: Mr. BURTON of Indiana and Mr. BARTLETT.

H.R. 211: Mr. KILDEE, Mrs. MILLER of Michigan, and Mr. INSLEE.

H.R. 235: Mr. BLUNT, Mr. NYE, Mr. HALL of New York, Mr. DINGELL, Mr. MICA, Ms. TSONGAS, and Mr. HIMES.

H.R. 389: Mr. FILNER.

H.R. 442: Mr. BARRETT of South Carolina.

H.R. 503: Mr. LYNCH.

H.R. 510: Mr. PUTNAM and Mr. MURTHA.

H.R. 537: Mr. PLATTS.

H.R. 556: Mr. GEORGE MILLER of California.

H.R. 562: Mr. WILSON of South Carolina.

H.R. 618: Mr. CONAWAY.

H.R. 621: Mrs. SCHMIDT, Mr. JOHNSON of Georgia, Mr. GORDON of Tennessee, Mr. YARMUTH, and Mr. GUTHRIE.

H.R. 627: Mr. BISHOP of Georgia.

H.R. 648: Ms. SPEIER.

H.R. 658: Mr. SALAZAR.

H.R. 676: Mr. MEEK of Florida, Mr. LUJÁN, and Mr. LOEBSACK.

H.R. 722: Mr. FARR.

H.R. 731: Mr. MITCHELL and Mr. BOOZMAN.

H.R. 734: Ms. WATERS, Mr. WILSON of Ohio, Ms. MCCOLLUM, Mr. PAYNE, Mr. BISHOP of Utah, Ms. Titus, Mr. CUMMINGS, and Mr. POMEROY.

H.R. 745: Mr. BARROW and Mr. MARSHALL.

H.R. 775: Ms. GRANGER, Mr. ROSS, Mr. PETERSON, Mr. MILLER of North Carolina, Mr. GRIFFITH, Mr. TEAGUE, Mr. GRAYSON, Mr. HALL of New York, and Mr. MCCAUL.

H.R. 776: Ms. HIRONO.

H.R. 789: Mr. SESTAK, Ms. SCHAKOWSKY, Mr. MCGOVERN, Mr. COHEN, and Mr. GRIJALVA.

H.R. 795: Mr. MICHAUD and Ms. BALDWIN.

H.R. 816: Mr. CARTER and Ms. PINGREE of Maine.

H.R. 832: Mr. PASCRELL.

H.R. 847: Ms. VELÁZQUEZ.

H.R. 891: Mr. GRIJALVA, Ms. TSONGAS, and Mr. STARK.

H.R. 899: Mr. JOHNSON of Georgia.

H.R. 933: Mrs. BLACKBURN.

H.R. 949: Mr. LOEBSACK.

H.R. 952: Mr. MCGOVERN, Mr. SCHIFF, Mr. ALTMIRE, and Ms. SHEA-PORTER.

H.R. 980: Mr. HASTINGS of Florida and Ms. ESHOO.

H.R. 985: Mr. POE of Texas and Mr. BOOZMAN.

H.R. 1016: Mr. HASTINGS of Florida, Mr. HEINRICH, Mr. NYE, and Mr. RODRIGUEZ.

H.R. 1018: Mr. WAXMAN.

H.R. 1050: Mr. ISSA, Mr. SMITH of Texas, Mr. AKIN, Mr. GINGREY of Georgia, Mr. KING of Iowa, Mr. BROUN of Georgia, Mr. SHIMKUS, Mr. FLEMING, and Mr. LUETKEMEYER.

H.R. 1062: Mr. MANZULLO and Mr. LOBIONDO.

H.R. 1080: Mr. PIERLUISI.

H.R. 1126: Mr. LANGEVIN, Ms. TITUS, and Ms. WOOLSEY.

H.R. 1167: Mr. HONDA and Mr. GUTIERREZ.

H.R. 1185: Mrs. CHRISTENSEN, Ms. FUDGE, Mr. SESTAK, Mr. DEFAZIO, and Ms. JACKSON-LEE of Texas.

H.R. 1188: Mr. PRICE of Georgia, Ms. SLAUGHTER, Mr. KIRK, Mr. BARRETT of South Carolina, Mrs. TAUSCHER, Mr. LARSEN of Washington, Mr. HELLER, Ms. SPEIER, Mrs. BONO MACK, Mr. JACKSON of Illinois, Mr. MURPHY of Connecticut, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 1189: Mr. SESSIONS, Ms. SHEA-PORTER, Mr. THORNBERRY, and Mr. BERMAN.

H.R. 1195: Mr. CARNEY.

H.R. 1197: Mr. SPACE.

H.R. 1203: Mr. SIRES, Mr. ALTMIRE, Ms. GINNY BROWN-WAITE of Florida, Mr. BOOZMAN, Mr. KING of New York, Ms. FOXX, and Mr. WESTMORELAND.

H.R. 1204: Mr. CONAWAY and Mr. SESTAK.

H.R. 1205: Mr. HELLER, Mr. FILNER, Mr. GORDON of Tennessee, Mr. HOLDEN, Mr. MARSHALL, and Mr. PENCE.

H.R. 1207: Mr. MILLER of Florida and Mr. BLUNT.

H.R. 1209: Mr. HARE, Mr. MICA, Ms. GRANGER, Mr. HENSARLING, Mrs. BLACKBURN, Mr. CARTER, Mr. NEUGEBAUER, Mr. POE of Texas, Mr. MOLLOHAN, Mr. BOYD, Ms. SCHWARTZ, Mr. HILL, Mr. GORDON of Tennessee, Mr. STUPAK, Mr. CHANDLER, Ms. SUTTON, Mr. FOSTER, Mr. BRADY of Pennsylvania, Mr. ETHERIDGE, Mr. ELLSWORTH, Mr. MILLER of North Carolina, Mr. BAIRD, Mr. HIGGINS, Mr. BRALEY of Iowa, Mrs. MCCARTHY of New York, Mr. FATTAH, Mr. MELANCON, Mr. RANGEL, Mr. WILSON of Ohio, Mr. MURPHY of Connecticut, Ms. CORRINE BROWN of Florida, Mr. KILDEE, Mr. DRIEHAUS, Mr. RODRIGUEZ, Mr. CARNAHAN, Mr. REYES, Ms. HARMAN, Mr. POMEROY, Ms. BEAN, Ms. WASSERMAN SCHULTZ, Ms. KILROY, Mr. DICKS, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. HODES, Mr. NEAL of Massachusetts, Mr. KLEIN of Florida, Ms. JACKSON-LEE of Texas, Mr. COHEN, Mr. ISRAEL, Mr. ROTHMAN of New Jersey, Mrs. DAVIS of California, Mr. HOLDEN, Mr. MINNICK, Ms. CLARKE, Mr. KANJORSKI, Mr. THOMPSON of California, Mr. LIPINSKI, Mr. SIRES, Ms. GIFFORDS, Mr. KRATOVIL, Ms. EDWARDS of Maryland, Mr. LYNCH, Mr. BLUMENAUER, Mr. KAGEN, Mr. CROWLEY, Mr. DONNELLY of Indiana, Mr. SESTAK, Mr. BOCCIERI, Mr. CONYERS, Mr. DINGELL, Mr. LARSON of Connecticut, Mr. SARBANES, Mr. YARMUTH, Mrs. DAHLKEMPER, Mr. BOSWELL, Mr. DAVIS of Tennessee, Mr. DOGGETT, Ms. FUDGE, Mr. BERRY, Mr. HEINRICH, Mr. ARCURI, Mr. CAPUANO, Mr. DOYLE, Mr. MCMAHON, Mr. ROSS, Mr. ABERCROMBIE, Mr. RAHALL, Mr. BOREN, Mr. LOEBSACK, Mr. SCOTT of Georgia, Mr. WU, Mr. CARDOZA, Mr. MOORE of Kansas, Ms. KOSMAS, Mr. PERLMUTTER, Mr. TOWNS, Mr. PALLONE, Mr. JOHNSON of Georgia, Mr. TEAGUE, Mr. SHULER, Mr. CUELLAR, Mr. SKELTON, Mr. POLIS, Mr. ALTMIRE, Mr. INSLEE, Mr. COSTELLO, Mr. COOPER, Mr. LANGEVIN, Mr. MATHESON, Mr. OBERSTAR, and Mr. COURTNEY.

H.R. 1214: Mr. PETERSON.

H.R. 1223: Mr. DAVIS of Illinois.

H.R. 1232: Mr. GRIJALVA.

H.R. 1240: Mr. MURPHY of Connecticut.

H.R. 1242: Mrs. EMERSON.

H.R. 1256: Mr. THOMPSON of California, Mr. FARR, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 1294: Mrs. MYRICK and Mr. OLSON.

H.R. 1310: Ms. CLARKE, Mr. MCMAHON, Mr. BUTTERFIELD, Mr. TONKO, Mr. MINNICK, Mr. SPRATT, Ms. WATERS, Ms. LINDA T. SÁNCHEZ of California, Mr. JACKSON of Illinois, Ms. CASTOR of Florida, and Mr. JOHNSON of Georgia.

H.R. 1317: Mr. ROGERS of Michigan.

H.R. 1326: Mr. COHEN and Ms. SCHAKOWSKY.

H.R. 1341: Mr. MAFFEI, Mr. LEWIS of Georgia, Mr. PASCRELL, and Mr. MEEK of Florida.

H.R. 1349: Mr. KAGEN, Mr. BILBRAY, and Mrs. CAPITO.

H.R. 1361: Mr. PETERSON.

H.R. 1392: Mr. GINGREY of Georgia.

H.R. 1402: Ms. BERKLEY.

H.R. 1403: Ms. FOXX and Mrs. MYRICK.

H.R. 1404: Mr. HEINRICH, Mr. THOMPSON of California, Mr. DEFAZIO, Mr. INSLEE, Ms. HERSETH SANDLIN, and Mr. BAIRD.

H.R. 1410: Mr. SESTAK.

H.R. 1428: Mr. SESTAK.

H.R. 1433: Mr. WITTMAN.

H.R. 1434: Mr. WITTMAN.

H.R. 1444: Mr. DOGGETT and Mr. PRICE of North Carolina.

H.R. 1452: Mr. BISHOP of Georgia.

H.R. 1454: Mr. MICHAUD and Mr. WITTMAN.

H.R. 1457: Mr. SESTAK.

H.R. 1461: Ms. LINDA T. SÁNCHEZ of California.

H.R. 1470: Ms. BEAN, Mr. PAUL, and Mr. PETRI.

H.R. 1479: Mr. GUTIERREZ.

H.R. 1483: Mr. SESTAK.

H.R. 1499: Mr. DOYLE and Mr. GALLEGLY.

H.R. 1509: Mr. ARCURI.

H.R. 1520: Mr. WITTMAN and Mr. WOLF.

H.R. 1521: Mr. MACK, Mr. CHAFFETZ, and Mr. RODRIGUEZ.

H.R. 1547: Mr. KLEIN of Florida and Mr. BOOZMAN.

H.R. 1548: Mr. BRADY of Pennsylvania, Mr. WILSON of South Carolina, and Mr. PETRI.

H.R. 1549: Mr. HODES and Ms. SHEA-PORTER.

H.R. 1550: Mr. KILDEE and Mr. DONNELLY of Indiana.

H.R. 1570: Mr. PLATTS and Ms. JACKSON-LEE of Texas.

H.R. 1575: Ms. HIRONO and Mr. SHERMAN.

H.R. 1577: Mr. SIMPSON, Mr. ROGERS of Kentucky, and Mr. MITCHELL.

H.R. 1582: Mr. PLATTS.
H.R. 1584: Mr. ORTIZ and Mr. MICHAUD.
H.R. 1600: Mr. BURTON of Indiana and Mrs. MALONEY.
H.R. 1616: Mr. TOWNS Ms. LEE of California, Mr. NADLER of New York, Ms. MCCOLLUM, Ms. DELAURO, Mr. BERMAN, and Mrs. LOWEY.
H.R. 1619: Mr. KENNEDY Mr. DAVIS of Alabama, Mr. CARNAHAN, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 1628: Ms. GINNY BROWN-WAITE of Florida.
H.R. 1636: Mr. LATHAM and Mr. BRALEY of Iowa.
H.R. 1646: Ms. LINDA T. SÁNCHEZ of California and Mr. BLUMENAUER.
H.J. Res. 39: Mr. LAMBORN.
H. Con. Res. 16: Mr. LAMBORN.
H. Con. Res. 55: Mr. HERGER.
H. Con. Res. 60: Mr. KING of New York, Mr. MICHAUD, Mr. STUPAK, Mr. CHAFFETZ, Mr. LATTA, Mr. TAYLOR, Mr. ALTMIRE, Mrs. BACHMANN, Mr. CALVERT, Mr. CUMMINGS, Mr. EHLERS, Mr. Griffith, Mr. GRIJALVA, Mr. HODES, Mr. KILDEE, Ms. LEE of California, Mr. LOBIONDO, Mr. NUNES, Mr. PUTNAM, Mr. ROONEY, Ms. ROS-LEHTINEN, Mr. SESTAK, Mr. YOUNG of Alaska, Ms. HIRONO, Mr. THORNBERRY, Mr. BERRY, Mr. LYNCH, Mr. ROSS, and Mr. LEE of New York.
H. Res. 20: Mr. LAMBORN.
H. Res. 156: Mr. CAO.
H. Res. 182: Ms. WATERS.
H. Res. 230: Mr. GONZALEZ, Mr. HINOJOSA, and Mrs. NAPOLITANO.
H. Res. 232: Mr. WESTMORELAND, Mr. KENNEDY, and Mr. COFFMAN of Colorado.
H. Res. 234: Ms. KAPTUR, Mr. HEINRICH, and Ms. GIFFORDS.
H. Res. 238: Mr. BOOZMAN.
H. Res. 244: Mr. OLSON.
H. Res. 247: Mrs. CAPPS, Mr. EDWARDS of Texas, Mr. THOMPSON of California, Mr. DEFAZIO, Mr. AKIN, Mr. BERMAN, Mr. ANDREWS, Mr. REYES, and Mrs. TAUSCHER.
H. Res. 249: Mr. ROGERS of Michigan, Mr. TEAGUE, Mrs. BACHMANN, Mr. ALEXANDER, and Mr. GALLEGLY.
H. Res. 251: Mr. POSEY and Mr. CASTLE.
H. Res. 252: Mr. BECERRA, Mr. NADLER of New York, Mr. FILNER, Mr. MURPHY of Connecticut, Ms. SPEIER, Ms. MATSUI, Mr. COSTELLO, Mr. HOLT, Ms. WATERS, Mrs. BACHMANN, Mr. VISCLOSKY, and Mr. MCNERNEY.
H. Res. 267: Mr. MICA, Mr. MCNERNEY, and Mr. MCDERMOTT.
H. Res. 271: Ms. DELAURO and Mr. MOORE of Kansas.
H. Res. 273: Mr. SMITH of New Jersey and Ms. LEE of California.
H. Res. 274: Mrs. DAHLKEMPER and Ms. BORDALLO.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. PETERSON

The provisions that warranted a referral to the Committee on Agriculture, in H.R. 1404, the Federal Land Assistance, Management and Enhancement Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

OFFERED BY MR. RAHALL

The provisions that warranted a referral to the Committee on Natural Resources, in H.R. 1404, the Federal Land Assistance, Management and Enhancement Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendment to be offered by Representative GEORGE RADANOVICH to the Senate amendment to H.R. 146, the Omnibus Public Lands Management Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendment to be offered by Representative NICK RAHALL or a designee to H.R. 1404, the Federal Land Assistance, Management and Enhancement Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, MARCH 24, 2009 No. 50

Senate

The Senate met at 10 a.m. and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

PRAYER

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

Let us pray.

Eternal God, the source of our strength, and the King above all gods, thank You for Your presence that sustains us throughout our days. Lord, let that presence guide our Senators in every situation and place. Make them instruments of Your peace and love, as they serve You by serving our Nation. Look with favor upon their efforts to meet the daunting needs of our times and to leave a legacy of excellence and integrity. Bless also the members of their staffs. Lord, each one has distinctive needs that only You can meet. In those matters that unsettle them, give them wisdom, grace, and power. We pray in Your loving name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK BEGICH led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 24, 2009.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, we will proceed to a period of morning business for up to 1 hour. The Republicans will control the first half; the majority will control the second. Senators will be permitted during that time to speak for up to 10 minutes each.

Following morning business, the Senate will resume the postcloture debate on the motion to proceed to H.R. 1388, the national service reform legislation.

The Senate will recess from 12:30 to 2:15 for the weekly caucus luncheons.

As I announced yesterday, we have to finish the national service legislation this week, because we have to be on the budget next week. For those of us who have been in the Senate for a while, frankly, the budget is kind of an ugly thing. We have no rules, other than that the time for debate is limited. But at the end, it is a free-for-all where we can offer amendments, and there is no limitation to them. We have to finish that legislation before we take the Easter recess.

As I told everyone yesterday, we have to finish this bill today. I hope we can start legislating early today. I spoke to the managers of the bill yesterday, Senator MIKULSKI and Senator ENZI, who was held up in a snowstorm. I talked to Senator MIKULSKI and she thought the bill could be finished in 1 day. I hope those who are wanting to use this time would allow us to start this legislation so that we can offer some amendments today and finish it in a reasonable time. I hope we don't have to work into the weekend. There are important things people have scheduled.

This is our last weekend prior to the Easter recess. I hope we can have thoughtful cooperation. If there are amendments, offer them, but let's complete this as quickly as possible.

RECOGNITION OF THE REPUBLICAN LEADER

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

THE BUDGET

Mr. MCCONNELL. Mr. President, a lot of people are still justifiably upset that executives at bailed-out businesses received multimillion-dollar bonuses compliments of the American taxpayer. The Senate will continue to press the question of how to make sure this doesn't ever happen again. But already there are some clear lessons we can draw from this experience. Perhaps the most important one is this: If we can't keep track of $165 million, then it is going to be even harder to keep track of a trillion dollar stimulus bill, and it is going to be even harder still to keep track of the $3.6 trillion that the administration is proposing in this budget we will be voting on next week.

Americans have already heard enough about this budget to know that it taxes too much. That verdict was validated by an unexpected source last week, when the President's own Transportation Secretary, Secretary LaHood, said he doesn't think it is a good idea to raise taxes in a recession.

Americans know this budget spends too much, that the spending figures are simply staggering, and that much of the spending is borrowed money. They

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

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know what this, in the end, means. It means that in the middle of a recession, when most Americans are rushing to pay down their credit cards, this budget does the exact opposite; it runs up the national credit card to an extent that we have never seen in our Nation's history. That is the point about this budget that I want to talk on this morning—that it simply borrows far too much.

In all the uproar about bonuses, some people may have forgotten about the budget. But with a vote on this funding blueprint fast approaching, it is time to refocus and review where we are.

A few weeks ago, with the Nation still reeling from the size of a trillion dollar stimulus bill, the administration unveiled a budget that made the stimulus bill look like pocket change. In the midst of a recession, the administration proposed a budget that involved major changes to education, health care, and energy. To pay for it all, they proposed the largest tax hike in history and a new national energy tax that hits everybody who turns on a light bulb.

Yet, even with these tax hikes, we still wouldn't be able to pay for all these changes—not even close. A few days ago, we learned that the amount of money we would have to borrow to enact these policies in the midst of a severe economic downturn is even greater than we thought.

According to an analysis by the Congressional Budget Office, the administration's projections were extremely optimistic. The CBO said that based on its projections, the budget would increase the deficit by $2.3 trillion more over 10 years than the administration initially claimed. Now, keep in mind that the total deficit from last year was $459 billion, a record-high figure at the time that only a few months ago everybody agreed was entirely too high for comfort. What we heard from the CBO is that the discrepancy between the administration's budget estimates and the CBO estimates of a deficit over 10 years was more than 4 times the previous record annual budget deficit.

So the administration is asking us to borrow an astonishing amount of money—so much so, in fact, that if we were to pass this budget as it is, the Federal Government, in only 4 years, will have to spend $1 out of every $8 it receives in tax dollars to make interest payments on the debt. It would be as if every worker in America spent the first hour of the workday, every day of the week, working to pay off the finance charge on his or her credit card. Of course, as debt piles up, it only becomes harder to pay down. Under this budget, the debt piles up even more quickly than it has piled up in recent months as a result of all of the spending and all of the bailouts.

As the recession took hold, it took 13 months for the Nation's gross debt to rise from $9 trillion to $10 trillion. It took less than half that time under this administration for the debt to reach the $11 trillion mark. The Nation's debt is at its highest level ever, and it is growing larger and larger. Under the administration's budget, the amount of public debt will double in 5 years and triple in 10 years.

It used to be that our friends on the other side cared quite a bit about the consequences of debt. All this debt is real, and it will have very real and disturbing consequences for our children and our grandchildren. Americans are worried about it, and the CBO report makes them even more worried.

Yet even more worrisome is the fact that so many of our friends on the other side seem completely unfazed by the CBO report that projects oceans of debt as far as the eye can see. I noticed that the Speaker of the House was quoted yesterday, saying that the CBO report wasn't reason to rethink any of the administration's budget priorities. Regardless of the CBO report, she said, ''our priorities are the same.''

The CBO report should have been a wake-up call to Congress. Instead, it is being viewed by some as a mere inconvenience—a distraction from the political goals of those in power. Well, I suggest that if we have learned one thing over the past several months, it is that economic dangers need to be addressed early. In the midst of an economic crisis that could have been averted, Americans expect more from their elected leaders.

This budget borrows too much. Americans are saying so. Congress should listen to those warnings now before it is too late.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, would the Chair inform me when I have 1 minute?

The ACTING PRESIDENT pro tempore. Yes.

THE BUDGET

Mr. ALEXANDER. Mr. President, I will comment on the Republican leader's remarks. I agree with him that this budget borrows too much. We say that publicly on the floor and we say that privately in our discussions. Many of us are afraid that this 10-year budget is a blueprint for our country that our children and grandchildren simply cannot afford.

First, I will say a word about the President's press conference this evening. I hope that during his press conference, the President will reject the bill passed by the House of Representatives last week about the AIG bonuses as not the kind of thoughtful and mature response that the American people deserve from Congress in a time of crisis. It is certainly not worthy of approval from the President of the United States.

I hope the President will focus attention on something that is a mature and thoughtful response and is worthy of the attention of the President of the United States, and that is Secretary Geithner's proposal yesterday to use a partnership of public and private resources to begin to get the toxic assets out of banks, fix the banks, and get credit flowing again.

I voted last October and then again on January 15 to give, first, President Bush and, next, President Obama the money he needed to fix the banks. I could say, at this point, the proposal of the Secretary yesterday at first blush seems to me to be underfunded, undercapitalized by tax dollars and too late. But it is more important to say I believe it appears to be on exactly the right track, that it appears to be well thought out, and that at first blush it seems to be attracting support from the private sector, which it needs to do to be successful.

History shows us some lessons about when we have bank problems—and we have had plenty of them. When I was Governor of Tennessee in the 1980s, dozens of banks failed because of a problem with the Butcher brothers, who were basically kiting banks. But the Federal Deposit Insurance Corporation came in and over the weekend usually recapitalized the banks, got rid of the bad assets, put them back out there, and our economy grew again. That is harder to do today because the businesses are bigger and the crisis is much larger. But the fundamental solution to our economic troubles is the same.

We need to fix the banks and get credit flowing again, and the way to fix the banks is to get enough of the toxic assets out so they can have confidence to lend money, and business can start growing, and people can get jobs again. That is the history lesson.

There is another history lesson, and that is that we need the President of the United States to focus his full attention on fixing the banks and getting credit flowing again. I have used the example of President Eisenhower going to Korea. Someone said to me: Senator ALEXANDER, no one pays attention to history. Well, they ought to.

President Eisenhower said in October of 1952: I shall go to Korea to fix the Korean war. That was in October. He

was elected President, and within weeks he went to Korea. He said: I will concentrate my full attention on this problem until it is honorably ended.

President Eisenhower was a very capable man. He was capable of doing more than one thing at a time. But he knew the country needed him to do one thing and the country needed to have confidence he would do it.

President Obama is extraordinarily capable as well. When I, or others, have suggested he is doing more than one thing at a time, he often says: I can walk and chew gum at the same time. I don't doubt that. I think we may not have had a more impressive President in terms of intellectual ability, and he has impressive people around him.

What we need for the President to do—and tonight would be a good time to start—is to assure us, as President Eisenhower did when he said ''I shall go to Korea,'' and say: I shall fix the banks and get credit flowing again. We know that a President this impressive and this talented, if he decides to throw himself into this problem with everybody he's got for as long as it takes, he will wear everybody else out and he'll get the job done. From the day he makes that clear, confidence in this country will begin to recover at a fairly rapid rate. I say that with great respect to the President and to the proposal Secretary Geithner made yesterday, which I think is mature and thoughtful and the kind of proposal we ought to be focusing on in a bipartisan way.

As to the budget, the budget also makes a difference to whether the economy recovers. It is hard for the economy to recover if the Congress spends too much, if the Congress taxes too much, and especially if the Congress borrows too much. The Republican leader pointed that out in his remarks.

This 10-year budget is a blueprint for a country our children and grandchildren cannot afford. It doubles the public debt in 5 years, and nearly triples it in 10. It grows the public debt to 82 percent of the gross domestic product by 2019. The gross domestic product is the sum total of all our efforts in a year, all the money we produce, and we produce 25 percent of all the money in the world each year, more or less.

This 10-year budget creates more new debt than all the Presidents of the United States from George Washington to George W. Bush combined. Let me say that again. All the Presidents of the United States, from George Washington to George Bush, did not run up as much debt as this President proposes to do in the next 10 years.

By the year 2019, we will be spending more than $800 billion just on interest payments on our debt every year. We only spend $720 billion on Defense in that year. We will be spending more on interest than we do on defense, and we will have enough left over to fund all the Federal spending on education. That is too much borrowing.

What do we do about that? There are a number of things we can do. I suggest we put a limit on runaway debt so that it cannot be more in any year than 90 percent of our gross domestic product. Another idea would be to enact a bipartisan Conrad-Gregg proposal which would say to Congress and the President: We need to set up a special mechanism to deal with entitlement spending—the runaway spending for Medicare, Medicaid, and Social Security, which is the biggest part of our debt problem. The proposal would set up a special commission that would figure out how to bring entitlement spending under control, make recommendations to the Congress, and we would vote it up or down, and act in the same way we close defense bases, which is also very hard to do. The Conrad-Gregg proposal has broad support in the Senate. It has broad support in the House. The President of the United States says he wants to control entitlement spending.

The Republican leader of the Senate, Senator MCCONNELL, in his first address this year, went to the National Press Club and said: Mr. President, I am ready to work with you on entitlement spending. In other words, he wants to bring the debt down in the outyears. But so far we have not seen that priority.

I think the priority today ought to be to fix the banks and get credit flowing again. I support the President's objective to reform health care this year. I think health care has to be reformed in order to bring entitlement spending under control. But why can't we go ahead and work on Social Security? Why can't we pass the Gregg-Conrad bill? Why can't we send sub-signals that we are serious about reducing entitlement spending? Instead, this budget would move $117 billion of funding for Pell grants from discretionary spending to entitlement spending; in other words, move it from the area where we would spend it only if we can afford it to the area where we automatically spend it without having to vote on it. We shouldn't be adding anything to entitlement spending this year.

Finally, new taxation is not good, for this year especially. I care about climate change, but now is not the time to impose a $600 billion tax on electric bills and gasoline prices in the middle of a recession.

Republicans will offer a clean energy agenda based on conservation, nuclear power, electric cars, finding more natural gas, aggressively funding research in solar energy, and finding ways to capture carbon. We can do all that without imposing a new tax on the American people in the middle of a recession.

I look forward to the President's remarks tonight. I hope, as I believe most Americans do, that he rejects the House bill of last week and expands on Secretary Geithner's proposal. I applaud him and I applaud the Secretary for a mature, thoughtful proposal, and I hope the President will, as Presidents must, select the most urgent issue before us and focus on it with all he has until he fixes the problem. He can do that. Only a President can do it, and this President is especially talented. I believe if he makes clear he intends to do it, the country will have confidence that he will get the job done.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I wish to speak and continue the discussion which was raised by the Senator from Tennessee and the Republican leader earlier on the issue of where the budget that has been proposed by the President is going to take us. There are a lot of concerns raised by this budget.

Most of us have been willing to say we understand the President has inherited a very difficult financial situation; that, therefore, we accept the fact, in the short run this year and for much of next year, potentially a lot of money is going to have to be spent very quickly in order to try to refloat the economy. The Federal Government is the only place where there is liquidity right now, and that liquidity is being used aggressively to try to get the economy going again.

The problem the President's budget has is, as we get past this next year, year and a half of recession and we get further down the road in his budget, the budget he has sent up to us continues to dramatically increase spending, dramatically increase borrowing, and dramatically increase taxes.

As we get into the third and fourth year of this budget, instead of seeing the numbers come back down to something that is manageable, we see a deficit running in the 4- to 5-percent range of GDP. We see a public debt-to-GDP ratio in the 60- to 80-percent range. These are numbers that cannot be sustained. They add up to massive debt.

This chart shows the situation in fairly stark terms. Historically, the national debt has been around 35 percent of GDP. That is a sustainable level. I think if you talk to most people in the economic area, they will say a government can do quite well if its national debt can be contained at that level.

Unfortunately, under President Obama's proposal, that debt goes straight up, and by the end of the 10-year window which his budget covers, it is at 80 percent of gross national product. That is not sustainable. That essentially means we are putting on the books a debt which we have to pay as citizens of this country, which is unaffordable for the citizens in this country. It has a lot of practical implications which are all very serious and about which we should be concerned.

The most obvious is that when we run up this much debt, somebody has to pay it and that means our kids and our grandkids. They are going to have to pay this debt off. Instead of maybe being able to buy a house, send their

kids to college or live the lifestyle our generation has lived, they are not going to be able to do that because the debt burden on them is going to be so high that burden will overwhelm their ability to live the same quality of life that we have.

Equally important is the effect it probably will have on the value of the money of the United States, the dollar. There are only two ways you can handle it when you run debt up such as this. Either you dramatically raise taxes—and you basically make it virtually impossible for Americans to be productive if you raise taxes as much as this debt would cost to pay off—or you do something called monetizing the debt, which is a technical term for creating inflation. Inflation is a pretty big evil. If you get on a course of inflation, you quickly go into a spiral that is downward as a nation and as an economy. This debt on this present path, as proposed by the President, will lead us to that spot.

There is another problem this creates, equally significant and about which we are already hearing, and that is, for people who are observant and people who look at our Nation, especially if they are lending us money—and the whole world is lending us money, especially the Chinese—they look at our debt and they say: Is it manageable? Can the United States maintain this level of debt and still be a productive country, still be able to be prosperous?

There are beginning to be signs of people saying: No, we are not so sure that is true. We are not sure that is going to be the best thing to happen. So the value of the dollar starts to change and gets decreased. Equally important, people become restive about buying our debt, about financing this great spending spree which this administration has proposed by lending us money. In fact, we have now heard two major statements from the Chinese leadership. The Premier of China has specifically said that he is concerned about the value of his investments in the United States. Remember, China holds the majority of our debt. Now we see, from Mr. Zhou—I believe that is how he pronounces his name—the head of their Federal Reserve, essentially that they are so concerned about our debt situation and our lack of management of our fiscal house that they want to change what is basically known as the world currency reserve from dollars into some other currency. They are suggesting it be something controlled by the IMF, a currency produced by the IMF. That is not a vote of confidence in where we are going as a country by our biggest creditor.

It is unfortunate, very unfortunate, that we have to listen to the views of China and take them seriously on this issue. It did not used to be that way. But, regrettably, whether we like it or not, as we run up all this debt we have to find somebody to buy it because this debt is operating our Government and we as a nation do not have the wherewithal to buy it, we have to sell it to other nations, and the primary nations with currency reserves today are China and Russia and some of your oil-producing states in the Middle East. These are not necessarily nations which are all that sympathetic to our problems, especially when our problems are fairly self-inflicted—and by self-inflicted, I mean this administration has sent up a budget which dramatically increases spending and dramatically increases taxes at the same time it borrows a huge amount of money.

Trying to put this in real-world specifics, if you take all the debt that has been run up in the United States since our Government started, since George Washington—he is over here—through all the Presidents, including George W. Bush, the amount of debt they have put on the books of the American Government, the amount of debt they put on our backs as American taxpayers is $5.8 trillion. In the 10-year budget President Obama is suggesting, he is going to double that number. Essentially, President Obama's proposal puts more debt on the books—actually, in the first 5 years of his administration—than has been put on the books since the beginning of our Government through George W. Bush. That is how quickly and massively the debt of the United States expands under this budget.

At the same time, the tax burden increases significantly under this budget. There is $1.8 trillion of new taxes proposed in this budget. I understand it is the philosophy of the Government that now is the majority in this Congress and in the White House that Americans should pay more taxes. I understand that. I do not happen to agree with it. I think the American people are not undertaxed. I think basically we are a country that has some problems, but they primarily go to overspending. But even if you accept the fact that we have to raise taxes on the American people, which is what is proposed in this budget—there are two major tax initiatives. One would hit small business and one would hit every American. We call it the light switch tax or the national sales tax on energy. You would presume that they would take those revenues and, as good stewards, use them to try to reduce this deficit we are facing which is driving this debt up. But, no, that is not what happens here. They take all these revenues and they use them to expand the size of Government, so Government grows dramatically.

Of course, they have now used up the resources which you might be able to use to try to bring this debt down for the purposes of increasing the size of the Government. They are increasing the size of Government so fast that even though they have the largest tax increase in history built into this budget, their spending increases so much quicker than that, the debt skyrockets.

President Clinton when he came into office raised taxes significantly, too, because that was also his philosophy, but he took those tax dollars and used them—in conjunction, at that time, with a Republican Congress—to reduce the deficit and reduce the debt of the United States. That was proper. If you are going to raise taxes, that is what they should be used for. You should not use them to explode the size of the Government.

Where is this Government explosion occurring? Primarily, the President has proposed to take the spending of the Federal Government, which has historically been about 20 percent of the gross national product, up to 23 percent of the gross national product. That spending increase is not for the short run. In the short run, he takes it up to 28 percent. That spending increase begins in the second and third year of his budget and it goes on forever—23 percent, actually creeping up every year, spending by the Federal Government. Over the last 40 years, the Federal Government has only spent about 20 percent of gross national product. That difference between 20 percent and 23 percent on our economy is a massive increase in spending. The amount of deficits run up because of that spending over the next 10 years will be over $9 trillion.

Just the interest on the Federal debt in the year 2018, as a result of this huge explosion of spending which is proposed in this budget, will be $816 billion. That is just the interest on the Federal debt. Put that in perspective. In that same year, we will be spending less—around $700 billion—on national defense. So we will actually be spending more on financing the deficit and financing the debt than we will on national defense. In the same period, we will be spending probably somewhere around $100 billion on education, if you include Pell grants and student loans. So we will be spending maybe eight times what we spend on education on financing this debt. That is money that is being sent out of the United States. Hopefully, people will still be buying our debt. But it is money being sent out of the United States to people who own our debt. This is just out of control.

Some people have been saying the Republicans are being terrible naysayers about this budget. Yes. Yes, we are, because one generation does not do this to another generation. It is not the tradition of our Nation that one generation goes out and borrows massive amounts of money which have to be repaid by the next generation at a rate which can't be afforded by the next generation and then turns the country over to that next generation and says: Here, we are going to give you a country which has less opportunity for you than we received from our parents because this country is going to have such a huge debt burden on it as a result of all this spending and all this borrowing, and the taxing, which doesn't go to basically reduce the deficit at all; it goes to expand the size of the Government.

It is not fair, really, for us, our generation, to do that to the next generation. That is why we suggested—OK, we will accept the fact that in the short run, over the next 2 years, there is going to have to be a spike in Federal spending and in the debt. But after that occurs, let's get back to what is an orderly process. Let's get back to numbers which are acceptable and responsible. Let's bring the public debt down from 80 percent of GDP, which is where it is when we get out here in 2016, 2011, and that period—not too far away—down to 40 percent of GDP, where it has historically been, down here. Let's take the deficit down from 4 and 5 percent down to 2 percent, which is where it historically has been. Let's put in place responsible policies, not take the spending up to such levels that they simply cannot be afforded because of the amount of debt that goes on the backs of the American people that becomes grossly excessive and unaffordable. This is not an unreasonable request. We are not suggesting that the administration trim its sails this year. We are suggesting that in the outyears there be a responsible budgeting process around here that leads to a fiscally sound policy.

Why do the Chinese not have confidence in our currency? Why are they talking about changing from our currency? Why are they asking whether they should continue to invest in our debt? Because they don't see any policies coming down the pike from this administration which discipline in any way or limit in any way the spending of the Federal Government. Just the opposite—it is an explosion of spending on the entitlement side by over $1.2 trillion and an explosion of spending on the discretionary side by almost $1 trillion.

If we did something constructive around here such as set up the process—which I proposed along with Senator CONRAD, and many people in this Chamber support—which would put in place a disciplining event on our entitlement spending, then these different nations would look at us—and our people could say: Listen, Congress is serious about getting this under control in the outyears. They are not going to pass this massive debt on to our kids. They are actually going to try to put in place some systems to try to address this.

But nothing like this is happening. This budget has none of that in it. Instead, this budget simply expands the costs of the Government and the borrowing of the Government, and then it raises taxes and spends it instead of using it to reduce the size of the debt. It is a policy which is not sustainable.

The term ''not sustainable'' is used around here occasionally. What does it mean? Basically it means that when this policy comes to its fruition, after this budget is passed—and it will pass. The simple fact is, it needs 51 votes and there are 58 Members on the other side. It is going to pass. After it passes and the policies underneath it come in place, the term ''not sustainable'' means we are going to pass on to our kids a government they cannot afford and which will reduce the quality of their life and which may put at risk the value of our dollar and the ability to sell debt, according to the people who are buying it right now, the Government of China.

This is serious. This is very serious. We need to take another look. We need to reorient. We need to sit down and say: How can we do this better? How can we make this work better? How in the outyears—and it is not that hard in the outyears—so we start to close these numbers on the deficit and bring down this rate of growth in debt so that it flattens out? How can we do that?

We are ready to do that on our side of the aisle in a bipartisan way, whether it is something like the Conrad-Gregg bill or something in the area of entitlement reform or whether it is a freeze on discretionary spending as we move into the outyears; whether it is, if you are going to raise taxes, using those taxes to reduce the debt rather than expand programs; living within our means in the area of health care. We are willing to look at all those ideas because if we do not, basically we are going to pass on to our kids a government that will fail them and a government that will obviously not give them the lifestyle that they deserve and that one generation should pass on to the next generation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia is recognized.

FISCAL RESPONSIBILITY

Mr. WARNER. Mr. President, I rise today to state a principle that is known well by those of us who have served in the private sector, and that principle is simply this: What gets measured gets done.

This week, as my colleague from New Hampshire has already stated, we begin work on the Federal budget even as we are implementing the American Reinvestment and Recovery Act.

Both of these actions can either confirm the claims of critics, the skeptics who always say that Washington simply is not capable of managing the taxpayer's money responsibly or it could present us with a tailor-made opportunity to demonstrate that we can combine bold action with innovation and transparency as we work to get our economy and our country back on the right track.

In the near term, the targeted investments included in the Recovery Act are designed to create millions of new jobs.

The President's budget proposals, if they are enacted, will allow us to make longer term investments through the expanded use of electronic health records, the build-out of the smart grid, and through energy-saving improvements to millions of homes and businesses.

Now, I do not think the American people expect miracles—but they can, and they should, expect competence.

So we must put in place the people with the right skills, insist on appropriate measurements, and then demand transparency and accountability.

When I became Virginia's Governor at the peak of an earlier recession, back in 2002, I inherited a $6 billion revenue shortfall in Virginia's $34 billion annual budget.

Our administration made the painful spending cuts, but then we did something else: we used that opportunity to enact long-term budget reforms that continue to save taxpayer money today.

For instance, we renegotiated a number of our State contracts and leveraged our purchasing power. We reduced the cost of light bulbs from 32 cents to 23 cents. Now, saving nine-cents per bulb will not close a $6 billion shortfall, but the State buys an awful lot of light bulbs.

We found similar savings in procurement across much of State government, bundling our purchasing power the same way many major businesses do.

We examined and then eliminated outdated boards and commissions. We consolidated our State information technology activities. We took a whole new portfolio approach to managing our real estate holdings and our vehicle fleet, just as any business would.

These business-like reforms produced almost immediate taxpayer savings. And it accomplished something else as well: it created an expectation of transparency and accountability that resulted in Virginia being independently designated as the Nation's best managed State, and the best State for business investment.

I do not rise today to brag on the Commonwealth of Virginia well, perhaps a little bit. Instead, I rise today to suggest that this same approach—straight talk, tough choices, and an insistence on commonsense reform and accountability—is critically important here and now in Washington, DC.

President Obama has made it clear to Governors and mayors across the country that we need their help for this Recovery and Reinvestment Act to succeed. I commend the administration for insisting that accountability does not simply stop at the State capital, once a Governor releases funds to localities. We must have the same high standards of accountability at the local level as well.

I also am pleased that the administration's recovery.gov Web site conveys a lot of useful information to the taxpayers in a clear and user-friendly way. And by midweek, all but a handful of States are expected to launch similar Web sites of their own.

But as they launch these Web sites, we must make sure that they have standard metrics so we can actually

compare progress from one State to another.

It is also imperative that we keep the pressure on officials at every level of Government to continue to aggressively look for even more creative ways to make these sites more useful.

In recent weeks, I have spoken to key administration officials about what other steps we might take to promote transparency and accountability in implementing the Recovery Act.

If we do this right, it could build a solid foundation to promote longer term fiscal responsibility as we move forward in the Federal budget process.

For instance, I believe we should drill-down and reach consensus on commonsense definitions and metrics. Let me give you an example.

When I chaired the National Governors Association in 2005, we launched a major effort to reform our high schools. I was astonished to learn there was no common definition across the States of 'high school graduate.'

So we spent months working with educators, academics and policymakers to reach a common definition so we could determine whether a high school graduate in Alaska or in New Mexico was meeting the same kind of qualifications as a high school graduate in Virginia.

That now allows us to look at those programs that work—and those that don't—across all of the States.

I believe that experience provides a useful model as we work to develop a common set of metrics that allows us to honestly and effectively track Federal spending, especially with the stimulus dollars where we are ramping up so many new initiatives in such a short time-frame.

To do this, we will need to work through existing organizations, such as the National Governors Association, the Conference of Mayors, the National Association of Counties, and others, as we work to design effective measurement tools.

For example, most of us agree that expanding high speed Internet broadband to rural communities will create jobs. It will allow folks in every region of our Nation to have an opportunity to compete and win in the global economy.

Obviously, as we roll out broadband, we will track our progress by noting how many communities are served and the number of Internet connections that are added.

But what if we also came up with a way to capture information about how many rural businesses were able to launch or grow because of this expanded access to broadband? That information would allow us to measure the true value of broadband to the longer term economic viability of our rural communities.

Or consider our commitment to dramatically expand weatherization improvements to the homes of lower-income Americans. Now, certainly we will tally the number of structures that undergo these energy-saving upgrades, and it should be relatively easy to document the number of workers in the weatherization program.

But couldn't we also come up with some way to measure what one would reasonably expect to be a reduction in the annual demand for Government-funded heating and cooling assistance? And wouldn't that information be helpful as we consider funding levels for LIHEAP and similar assistance in the years to come?

In short, I believe every level of Government should go the extra mile in laying out exactly how the Federal dollars are being spent, and we should honestly measure and disclose program outcomes.

I also think, as we roll out these major expenditures, it is a good idea to link disbursements with predetermined timelines and checkpoints to better track our progress. Let's not wait until all of the money is spent before we determine whether the program works or not.

Consequently, if we do not see appropriate progress, we could delay or defer future payments.

In addition, Federal and State governments also should be encouraged to reach outside their comfort zones and challenge individuals in the private sector to step-up and provide specialized expertise.

Again, within the Recovery and Reinvestment Act, we are going to be ramping up a series of important new initiatives on a very short timeline.

How do we get the expertise from the private sector to engage in this effort? For example, this could be part of the Serve America Act, which we will consider and vote on this week, which will promote and expand public service opportunities for our citizens.

We must try to draw upon the best and brightest to bring them into Government service, even if it is on a part-time basis, as we ramp up these new initiatives.

I am talking about men and women with proven management capabilities, individuals who can move with the speed of venture capitalists to embrace new ideas, or recently retired military leaders who have successfully overseen relief efforts.

This is the type of expertise we need to draw upon if we are going to ramp-up these programs successfully. And as we do this, we must also have the courage to cut back or eliminate programs that cannot prove their worth.

As a former Governor who enjoyed line-item veto authority, I wholeheartedly support President Obama's pledge to conduct a line-by-line review of the federal budget to identify waste and fraud.

I also encourage the administration to conduct a broad-based review of Governmental programs—a review that is horizontal, not just vertical.

Based upon my experience as Governor, and the experiences of countless Fortune 500 companies, I know that an enterprise-wide review could reveal additional opportunities to wring-out significant budget savings.

Typically, one can find sustainable savings in three areas: procurement, technology, and human resources.

That is why it is vitally important that the administration move quickly to appoint its chief performance officer, and that CPO must have the authority to act quickly, along with the chief information officer and chief technology officer. These individuals must have a mandate to work across multiple Federal agencies, and I hope they ruffle a few feathers.

Mr. President, I will say it again: what gets measured gets done.

In the short term, creating an expectation of transparency and accountability will maximize our 'bang for the buck' as we continue to implement the Recovery Act.

And over the longer-term, this focus and genuine commitment to fiscal responsibility will demonstrate that Washington can, in fact, act with both confidence and restraint when it comes to spending the taxpayer's money.

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

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

The legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO CHRISTINE SARBANES

Ms. MIKULSKI. Madam President, I rise to pay tribute to the spouse of one of our colleagues. The entire Senate has now been notified that Mrs. Christine Sarbanes, the beloved wife of Senator Sarbanes, has passed away. I come to the floor with a heavy heart and with fond memories of, indeed, a remarkable person.

Christine Sarbanes was quite a woman in her own right. She was a woman of keen intellect, warm heart, and a compassion for the underdog. She was a woman who was a force in her own very quiet, understated way. If you really liked and admired Paul Sarbanes, which all of Maryland did, you also really loved Christine Sarbanes. Senator Sarbanes often joked that whenever he would come to an event, they would say: Where is Chris? Or they would say: Where is Christine? She often represented him in and around our State.

She had a unique way of talking that brought immeasurable commonsense and practicality but yet a connection to people and their day-to-day needs.

Theirs was a remarkable relationship that I had the good fortune of observing. I have known the Sarbanes family for more than 30 years. I met the young Paul Sarbanes, a spirited reformer, in Baltimore during the 1960s. Baltimore was dominated by political bosses. There were those of us who were bringing a new day, change that one could believe in. We reformers were running for local offices and challenging the machine. The local press nicknamed us the ''shiny brights'' because we saw ourselves as a new force.

Paul Sarbanes was the first to beat the machine, running for the House of Delegates and then for Congress. When he ran for the Senate, I filled the House seat held by Senator Sarbanes. It was the remarkable third congressional seat. That seat was held by Paul Sarbanes, then by me, then by BEN CARDIN, and now by JOHN SARBANES.

One of the joys of Christine's life was to see JOHN take the oath of office and to take the seat in the House of Representatives that his father held.

This was a remarkable couple, as you saw them doing good and having a strong presence in our community. They were really made for each other. These were people who really believed in the life of the intellect, but the life of the intellect lived in the community. They met at Oxford. Christine, like Paul, shared a very modest background. Her dad was an electrician; her mother was a waitress. She was a scholarship girl, as they said in those days, to some of the private schools in England that then took her to a scholarship at Oxford where she won both a bachelor's degree and a master's degree.

The Baltimore Sun has a wonderful article about Mrs. Sarbanes, which I ask unanimous consent to print in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, Mar. 24, 2009]

CHRISTINE SARBANES

(By Frederick N. Rasmussen)

Christine D. Sarbanes, a retired educator, active board member and wife of former Sen. Paul S. Sarbanes, died Sunday of cancer at her Guilford home. She was 73.

''Her life and legacy as a teacher and community servant touched thousands of Marylanders and reminds us all that a life lived for others is the greatest of gifts,'' Gov. Martin O'Malley said in a statement Monday. ''She believed in the dignity of every individual, and that every person has potential that we, as a community, can unlock through literacy and access to higher learning.''

Sen. Benjamin L. Cardin said in a statement that Mrs. Sarbanes' death is a ''tremendous loss to all those who knew her'' and that she had ''enormous grace and presence.''

He added: ''She was extremely likable'' and ''had an ability to relate to people and make them feel good.''

Christine Dunbar was born in London and raised in Brighton, England, the daughter of an electrician and a waitress. After winning a scholarship, she attended Brighton and Hove High School for Girls.

She later earned a bachelor's degree in Literae Humaniores from St. Hugh's College, Oxford University, in 1958, and a master's degree, also from Oxford, in 1974.

It was political activism that brought her and her future husband together, when both were attending Oxford in the late 1950s. He was a Rhodes scholar.

''She came to a meeting of the American Association I headed. I forget what was on the agenda. All I remember of that meeting was that was where I met Christine,'' Mr Sarbanes told The Sun in a 1987 interview. ''She was involved in trying to get women into the [all-male] Oxford Union, a debating society. I became very interested in that and invited her to tea to talk about it.''

Mrs. Sarbanes said in the interview ''People thought it was strange that an American would be so interested in this.''

After graduation, she began teaching Latin at Dana Hall School for Girls in Wellesley, Mass.

After marrying in 1960, Mrs. Sarbanes became a lecturer in classics at Goucher College.

In 1974, she left Goucher. After a four year break, she returned to teaching in 1978, joining the Gilman School faculty, where she continued teaching Latin, Greek and French until retiring in 2000.

Lillian Burgunder, who taught Spanish and art history at Gilman, was a longtime colleague and friend.

''She was a wonderful teacher, and her knowledge of Latin, Greek and ancient civilization was remarkable. She was very intelligent and enthusiastic, and she brought that into the classroom,'' Mrs. Burgunder said.

''She was dedicated to making her kids understand, and it was common to see a child in her office she was helping because she wanted to make sure they understood the material,'' she said.

Nick Schloeder, a former Gilman teacher and coach, who had been an adviser to Mr. Sarbanes for 40 years, was also a colleague of Mrs. Sarbanes.

''I have a rather loud voice, and Christine had the classroom next to mine. I would hear a tap on the door, and Christine would say, 'Mr Schloeder, I'm teaching a Latin class, and you're going to have to lower your voice or get some new stories,' '' he said, laughing.

''There was a great intellectual compatibility between Christine and Paul. Both were very smart, well-educated, and both loved politics,'' he said.

''She was not just a candidate's wife but a member of the inner circle. She was very much a part of Paul's inner circle,'' Mr Schloeder said. ''She was good politically and not afraid to express herself. She had a great political mind and really understood politics.''

Mr. Schloeder recalled that the two were inseparable and determined campaigners.

''When Paul ran for the House of Delegates in 1966, and Congress four years later, the two worked the bus stops and would knock on 500 doors in an afternoon,'' he said. ''And they would do that day after day. I can't imagine them any other way than as a couple.''

In addition to having a full-time job as a teacher, raising her three children, and assisting her husband in his political life, Mrs. Sarbanes found time to be an active board member.

As child growing up in England during World War II, Mrs. Sarbanes developed a lifelong love of books, libraries and librarians.

''There weren't a lot of books in her home, and I think she read every book in the library in Brighton,'' said her son Michael A. Sarbanes of Baltimore.

For the past decade, Mrs. Sarbanes had been a member of the board of the Enoch Pratt Free Library.

''I do not know of anyone who worked as hard for the libraries of our city. Her commitment and dedication was important to the recent opening of the first two new libraries in Baltimore in over 30 years,'' Mayor Sheila Dixon said in a statement Monday.

''To Christine, libraries were a sanctuary and a place of enlightenment and a place that could change people's lives'' said Dr. Carla D. Hayden, executive director of the Pratt.

''She wasn't just a board member but an active board member who headed many committees, including community services. So much of the community outreach programs are because of her,'' she said.

She said the news of Mrs. Sarbanes' death hit her staff ''particularly hard.''

''She was a very warm person, and she mixed that warmth with a practical mind. She was a steady force for us, and everyone knew they could count on Christine,'' Dr. Hayden said.

She served on the Walters Art Museum board in the 1980s and continued to lend her expertise and time to several committees.

Dr. Gary Vikan, Walters director, recalled a conversation with Mrs. Sarbanes after her return from Dublin, Ireland, when she casually mentioned that museums there didn't charge for admission.

''That conversation took place in October 2005, and the next October, we dropped our entrance fee,'' Dr. Vikan said with a laugh.

For more than. 20 years, as a member of the Baltimore Volunteer Group to the U.S. Fund for UNICEF, Mrs. Sarbanes delivered hundreds of presentations and organized fundraisers for the organization statewide.

She was an ''eloquent representative of the highest caliber of the U.S. Fund for UNICEF,'' wrote William Van Pelt, who manages the organization's Office of Public Policy and Advocacy in Washington, in a recommendation for an award several years ago.

''Her interest was educating area children to the wider world and culture of the world's neediest children,'' said Mary Jo Marvin, a member of the Baltimore group. ''We called Christine 'the Whirlwind' because of her boundless energy and torrent of ideas. She was an inspiration to all of us.''

Mrs. Sarbanes was a longtime communicant of the Episcopal Cathedral of the Incarnation. A memorial service will be held at 5 p.m. April 3 at the Enoch Pratt Free Library, 400 Cathedral St.

Also surviving are another son, Rep. JOHN P. SARBANES of Riderwood; a daughter, Janet M. Sarbanes of Los Angeles; and six grandchildren.

Ms. MIKULSKI. It tells the story. Senator Sarbanes has told this story as well. He went to a meeting of the American Association, where he met a young British woman who was interested in getting women in the Oxford debating union. Women were excluded from the Oxford debating union. He saw Christine. He saw her charm, her charisma, her passion, her advocacy for women when it was just coming to the fore. Suddenly, Paul Sarbanes became an impassioned supporter of getting women in the Oxford Union. He was an equally unabashed supporter of getting women in the Senate, which helped me become the first Democratic woman here.

That was the Sarbaneses. They met there. They met on a cause. The cause began their love for each other and their love of this country and the love of making this country a better place.

We all know Senator Sarbanes's remarkable career in the Senate, a man we all admired for his honesty, his integrity, his honor, and his ability to get the job done. Maryland loved him by reelecting him on several occasions, often being the highest vote getter. Christine came back and helped Paul with his career. She also continued her work in our community.

Mrs. Sarbanes was a gifted teacher, a spirited volunteer, and a civic leader, while she was raising a family of four remarkable children: three young men and a wonderful young woman who has a doctorate in literature and is in California. She also was an avid civic volunteer. Her great passion was books. She believed books would change lives. Books changed her life. They helped her win a scholarship, they got her to Oxford, and this would continue.

For her, the world of books was so important, one of her advocacy areas was libraries. If you ever wanted to meet someone who believed in the power and the empowerment of libraries, it was Christine Sarbanes because she believed ideas belong to everybody. Books should be available to everybody. There should be a public institution that no matter who you are, no matter what your economic background, no matter what Zip Code you were born in, you could have access to the great books of our world. That is why she devoted herself to that and was on the board of the Enoch Pratt Library.

She did a fantastic job there. In fact, her memorial service will be held at the Enoch Pratt Library in a few days.

In her work, she also was a teacher. She taught at Goucher College. She taught at one of the more prominent prep schools, and she taught the classics. But in teaching the classics, we should all note that Mrs. Sarbanes was, indeed, a very classy lady.

When we think about her, we will always remember her, again, for being able to light up a room while she worked so hard to light up the lives of others. She will be greatly missed by all of us.

As all of you know, Senator Sarbanes and I shared a very special relationship in the Senate, but that relationship was also shared in the Maryland community with Mrs. Sarbanes. Mrs. Sarbanes was there for everybody, and everybody in Maryland mourns for her.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, when I came to the Senate in 1977, Paul Sarbanes was a colleague who came with me. There is no doubt that this was one of the true sages of the Senate. He was a great man, a brave man, with a tremendous ability, who served with distinction in this body. One of the reasons Paul was so successful in life, not that he couldn't have done it alone, but I think he couldn't have done it as well had it not been for the beautiful and wonderful wife he had. She was a tremendous human being.

I am very moved by her death. All of us feel grief and concern for Senator Sarbanes. Theirs was a close relationship, one that was exemplary to all of us. She was a great supporter of his as he served in the Senate.

I used to kid Paul all the time: Paul, when are you going to smile? When are you going to laugh? He was always so serious. I used to dig him all the time about that. He would get a wry grin on his face. He knew what I was talking about. But he was serious, and so was his wife. She was a great human being.

I personally express my condolences to Paul and his family because I know how close they were. I know how much she meant to him and vice versa.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Madam President, one of the real honors of serving in the Senate is meeting some extraordinary people. I was asked several years ago: Of all the Senators with whom you serve, can you name one you look up to time and again? At the time, I said it was Paul Sarbanes of Maryland. I liked Paul so much and respected him so much. He made such a contribution, not just for his State of Maryland but for the Nation during his time of public service.

My good fortune was not only to get to know Paul but also to meet and get to know his wife Christine. What an extraordinary woman. She was a gifted, thoughtful, articulate person whose background and interest was in the classics. She would lose me in a hurry when we got into a conversation, as we did once or twice, about her area of interest.

I can recall traveling once from London Heathrow back to the United States, picking up a book along the way that was titled ''Rubicon,'' a story on the Roman Empire. I sent it to her, as if she needed my advice or background in that subject. She wrote me the nicest note afterwards thanking me for it.

She was a real lady and a great complement to Paul. The two of them worked so well together representing the State of Maryland and showing what a couple could do together working in public service.

I was so saddened to learn yesterday that Christine passed away. She was such a fine person. I wanted to add my voice on the Senate floor in sympathy for the Sarbanes family and so many people across the State of Maryland who came to know and respect her over the years.

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 assistant legislative clerk read as follows:

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

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I am pleased to rise once again to speak today on the Senate substitute amendment to H.R. 1388, the Serve America Act. As we heard in the statements last night, this legislation has been in the works for a long time, and I was glad last night to see it clear the first hurdle by a wide margin.

This is truly a bipartisan piece of legislation. In my opinion, it is probably the most bipartisan bill we will see on the Senate floor this year. At every stage, Republicans and Democrats have been working together to craft this legislation in order to bring it where we have it today. It is my hope that when all is said and done we will see a broad coalition of Senators voting in favor of the bill.

However, I do know, as of right now, not everyone in this Chamber is convinced this legislation is the right thing to do. So I want to take a few moments this morning to address some of the major arguments I have heard by those who appear to oppose the bill. Although many of these concerns appear to be coming from the Republican side of the aisle, I believe my arguments will be relevant to both sides.

One argument I have heard is that the bill will impose mandatory service requirements on our citizens. I mention this claim first because, quite frankly, it is the easiest to refute. Despite the rumblings of the black helicopters some imagine to be circling overhead, every program in this bill is 100 percent voluntary. In our country, no one is compelled to give service, and this bill will not change that. Instead, it will give new and expanded opportunities for people who voluntarily decide to participate.

Another more substantive argument I have heard is that given our current economic climate and budget deficit, it is simply the wrong time to invest in national service. The Government, these folks argue, does not have a role in these areas. I respectfully disagree with that.

I share the desire of many of my colleagues and, of course, of my constituents to see more fiscal discipline in Washington. But, in my view, an important aspect of fiscal discipline is investing in ideas that work. I support this legislation because I believe volunteer service is such an idea.

As has been stated, 75,000 national service participants leverage an additional 2.2 million volunteers every year—volunteers who are not subsidized by the Government in any way. That is a significant human capital return on what is, relatively speaking, a modest Government investment.

In addition, there have been a number of studies that have shown that for every $1 invested in national service, there is anywhere from a $1.60 to $2.60 return on investment. That is in social benefits paid back to our society, whether it is kids being tutored, vacant lots turned into playgrounds and parks, homes being built, or in the form of disaster relief. It is an investment that pays for itself.

I have also heard people refer to national service as ''paid voluntarism.'' I think this is mostly a question of semantics. We do need to be careful to differentiate between Americans who volunteer for full-time national service and community volunteers who give a few hours episodically throughout the year.

Most current national service participants are spending a year of their lives serving their country full time, and their benefits include a subsistence allowance and an education award. The subsistence allowance is barely a survival stipend, a below-poverty payment that is enough to cover only the basic needs. The education award is a very modest benefit to encourage people to seek higher education opportunities once they have completed their terms of service. But in exchange for this small amount of support, these members dedicate themselves full time to solving problems that span the range of human life: from dropouts to elder care, from homelessness to prison recidivism.

National service is not a job or a career move for these individuals. Indeed, no one is getting rich by participating in these programs. Those who join these programs are motivated to give back to their great country, to engage in their local communities, and improve the lives of those who are in need.

Once again, we cannot discount the fact that the work of those in national service programs has a multiplying effect. If the measure of this legislation was solely to provide national service slots for 250,000 individuals, I do not think we would have much to be proud of. But these national service participants will leverage millions of traditional volunteers and hundreds of millions of dollars of private investment in the nonprofit sector. The success of the program shall not be measured by the number of people who participate but by the work they accomplish.

Other potential opponents of the bill have tried to label this bill as another ACORN bill. Of course, they do so without ever even inquiring whether ACORN currently receives money under national service programs. Although I am not usually one to spoil a good mystery, it has to be stated they do not. In fact, in the first year of the AmeriCorps program, ACORN was forced to return the grant it received under the program because it could not keep its political activities separate from its other work—this was in 1997—and they have not received any funding since.

Make no mistake, I share the concerns of a number of my colleagues who do not want taxpayer funds to directly or indirectly benefit partisan political organizations, abortion providers, or illegal enterprises. While I believe current law prohibits national service funds from being used for such activities, we wanted to make it crystal clear that this would continue to be the case. I believe this was necessary in order to ensure the bill continues to enjoy bipartisan support.

So as part of the managers' amendment, we have included a provision listing in detail the prohibited activities for national service participants. Specifically, under the bill no one will be able to use a national service position to influence legislation, or for union organizing efforts, or to participate in protests or boycotts, conduct a voter registration drive, engage in partisan political activity of any kind, or provide abortion services or referrals. In addition, any organization that has violated a Federal criminal statute is categorically ineligible to benefit under this legislation.

Like I said, I understand the trepidation that some might have regarding these issues. Indeed, a number of so-called nonprofit or service organizations engage in what many believe to be objectionable activities. But I believe this language makes it clear that such activities will not be performed by national service participants. That being the case, I believe every Senator can support this bill without such reservations. I hope this puts the issue to rest.

I am sure we will hear some other arguments raised by skeptics of the bill, and I will do my best to address them as they come up. I am sure the distinguished Senator from Maryland, Ms. MIKULSKI, will as well. I just wanted to take a few moments to make sure people know these concerns have not gone unaddressed by the authors of this bill.

As every Member of the Senate knows, the process of drafting, debating, and passing legislation is not a scientific one. There is no way of calculating all of the variables and finding all the angles in order to produce a perfect result. When any group of Senators works together on a bill—regardless of whether they are from the same or opposing parties—the best anyone can hope for is a final product all the parties will proudly stand behind, even if they do not agree on every single section or provision of the bill.

The Senate substitute amendment represents the efforts of not only Senator KENNEDY and myself but of Senator ENZI and Senator MIKULSKI as well, and others. As I said yesterday, I doubt any bill we consider this Congress will be spearheaded by such a diversity of beliefs and ideologies. As one coauthor of the bill, I do not claim the bill is perfect just the way it is, but I am proud to join my colleagues as we stand behind and work to preserve this product.

I certainly respect and will work to preserve the rights of any Senator to oppose this legislation or propose changes in good faith. The ability of every Member to offer amendments is one of the richest and most important traditions of the Senate. That said, it is my hope we can keep the changes and additions to this bill at a minimum. If we add too much or take too much away from the bill, I think we may jeopardize the coalition we have worked to preserve thus far.

Like I said, I do not claim the bill is perfect. But I do believe, as it is currently written, it has just the right balance to ensure that Members from both sides of the aisle should be able to get on board.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, first of all, I rise to thank my colleague from Utah for his excellent statement. I think he outlines exactly where we are in terms of both the content of the bill and the way we have approached this bill.

It is my belief, as is the belief of Senator KENNEDY, that we govern best when we govern together. That is exactly what the Serve America Act exemplifies. The architects of this legislation are Senator KENNEDY and Senator HATCH, bringing to bear their own passion on Americans being able to give back to our society. Yet, with 16 years of lessons learned on the running of the Corporation for National Service, we have learned a lot.

So this bill, as originally introduced, had not only good ideas and good intentions, but came from lessons learned on how to better focus our efforts, get more of a dollar's worth out of our efforts, and, at the same time, be able to harvest this growing desire of people to serve. This year, there are far more people who are applying for national service opportunities than at any other time in our history.

Senator HATCH has also outlined the very important parameters we have set in the bill: no money will be going to participants to engage in partisan activities, no money going to participants that cannot demonstrate they are providing viable services and meeting the very clear requirements of AmeriCorps.

There are other issues both Senators HATCH and ENZI have worked so constructively on to bring to our attention—great yellow flashing lights around these issues—and we heard them. We not only heard their concerns, I want to thank them because they brought not only concerns to the table but very sound solutions. So I want to thank them for that.

I think on our side of the aisle, we have looked at AmeriCorps, we have looked at what President Obama is calling for, along with Senator KENNEDY, and the wonderful contributions of Senator DODD, and want to expand this program. But we realize there is a

limit. There is a limit to the money we can spend, and there is a limit to our organizational capacity on what we can undertake.

So on our side there was an attempt to find that sensible center to be able to focus exactly on what we want to do in certain basic corps, and, at the same time, to merely make sure, increase the number of people volunteering.

We have taken a look at the education voucher award. It has been frozen for 16 years. We made a modest increase, and our index will be to peg it to the Pell grants. This seems to be a sensible solution. There were those on my side of the aisle who wanted to double or even triple the education award. If we looked at inflation over 16 years, I would have been in that category. Well, in the spirit of compromise and consensus, we all sometimes have to not make the perfect the enemy of the really excellent. Therefore, in 2010, we will raise the education award to $5,350—a $500 increase. That would be less than $50 a year over the last 16 years.

So we trimmed what the education award would be. We looked at how we wanted to triple the number of volunteers. We knew it couldn't be done in a day or a year, so instead, we phase it in over a 7-year period. Again, it was taking what we wanted to do, but organizing it at a pace we knew the taxpayers could afford, and so the corporation could develop the capacity to be able to expand the programs in a sound way.

Then there comes the stewardship idea, which is, how do we make sure we build in certain reporting that really would ensure we were getting a dollar's worth of service for a dollar's worth of taxes? Senator ENZI of Wyoming, the ranking member of the committee, once again brought his very sound accounting skills to the table, and we came up with a way to, again, ensure value for the taxpayer, value for the community, and do it in a way that does not create a lot of micro-processes. We have put a lot of work into this bill.

We don't want to lose sight of the fact that this legislation is to intended to really tap into the idealism of our young people. Idealism doesn't know gender, it doesn't know religion, it doesn't come from a ZIP Code. I believe it is really in the hearts of people everywhere in the world. It is a unique American characteristic to want to help your neighbor. Some people call it the Golden Rule—''Do unto others as you would have them do unto you''—but this is more. This is really saying: I want to take my life my talent, and put it to work in the community and make the community a better place. That is the original purpose of this bill.

Yesterday, I don't know how my colleagues felt, but, gosh, I was buoyed when Senator KENNEDY came on the floor, when he walked in that door with his jaunty cane and his good humor. The cheer that he brought to this body—it was very edifying, very inspirational, very energizing. Senator KENNEDY brings his own unique energy to this.

I have been talking to him about this bill. He is so pleased that the Senate is taking it up. He has been working with us as we have talked back and forth about improvements and so on. I know how strongly he feels about it. If he were on the floor himself today, he would be encouraging us. He would be motivating us. He would be inspiring us to pass this legislation so that we can engage a new generation of young Americans in national service, while at the same time, welcoming the large-scale participation of all generations to address national needs because, again, the desire to serve isn't based on age. It is not only young people who feel it. We all do.

Communities across our country face challenges too numerous to count. If Senator KENNEDY were on the floor, he would be reminding us about rising unemployment, particularly among young people, rising poverty, and falling home prices. At the same time, all of us are aware of the fiscal challenges many States and schools and communities are facing, which means they have to cut back on services just when families and children need them the most.

Some of my colleagues believe we can't afford this legislation at a time when our debt is growing and our economy is struggling, but I say we can't afford not to pass this legislation. This bill offers innovative solutions to those challenges by asking more Americans to give their time to serve their country and their community. It answers the economic challenges of communities and families and what they are facing today. It is a carefully developed and focused solution.

We have learned a lot in the past 16 years since we passed the original legislation about what works and what doesn't work. Senator HATCH spoke eloquently about it a few minutes ago. This bill draws on those lessons and actually puts them to work. We have learned that service can make a big difference in addressing specific challenges and that service opportunities early in life can put young people on the path of lifetime service. We have seen that older Americans want to serve their communities with skills and experience and that social entrepreneurs in the private sector are coming up with very innovative ways to tackle the challenges we face in a way that is affordable.

This bill focuses national service programs where service can do the most good. I will repeat that. AmeriCorps, and these new programs with focused approaches, will focus service programs on where service can do the most good. In other words, following a Marine Corps adage, we are saying to the AmeriCorps volunteers: Be best at what you are best at, and be best at what you are most needed for. Be best at what you are best at, and be best at what you are most needed for. That is why we are talking about an education corps. That is why we are talking about a health futures corps, a clean energy corps, a veterans corps, an opportunity corps focusing on poverty. This is why we are focusing our service efforts.

Social entrepreneurs such as those who started City Year and Experience Corps are the ones who are teaching us many of these lessons. When City Year began, it was about giving a year of service by a young person to do good in the community. That was the aegis of AmeriCorps. Back then, City Year took on all kinds of programs, but as City Year has matured, they found it is better to focus.

City Year focuses primarily on tackling one of our greatest national challenges—the dropout crisis in high schools. In Baltimore City, my hometown, only one in three students who starts high school actually graduates. This is a travesty mirrored in inner cities and rural areas throughout our country. City Year focuses on how to deal with that dropout rate.

Let's talk about Experience Corps. Experience Corps takes older adults and uses them as AmeriCorps volunteers. What they found is Experience Corps works best by working in schools. They are taking adults with years of experience and putting their skills to work, and it is making a difference. I have seen Experience Corps work in my own hometown of Baltimore in a school called Barclay Elementary School that has had its ups and its downs and its sideways. It has had talented teachers, often a good principal, and yet they needed help. In that surrounding community, within the shadow of Johns Hopkins University, Experience Corps works, and in many ways it has helped and assisted with volunteers and others coming from Hopkins. With that blend of volunteers, Barclay Elementary School has improved.

When I asked the CEO of Experience Corps—because the people in this age group can do a variety of things—why education, he told me that's what Experience Corps could do best, where it was most needed. We have learned from programs like this, which is why AmeriCorps will now focus on these very specific core programs.

We also found that this bill will, of course, encourages service learning opportunities for students, because students want to give as well. Working with Senator DODD, who has been such a leader on these issues, we now have Summer of Service opportunities for middle and high school students. These young people want to do it.

College is where so much of our young people's character and experiences are shaped. This bill recognizes that, going the extra mile by allowing the designation of 25 campuses of service which will undertake activities to help students engage in service that

will actually encourage people to go on to public service careers.

This legislation also creates Encore Fellows to help adults transition to longer term public service with a nonprofit organization. These adults are volunteering by choice. They have knowledge and experience, and we just need to get them in the door. This is a way to bring in people who have retired and who have incredible skills, such as that retired accountant who can help a nonprofit get its books together and maybe find new grant opportunities.

Finally, it is to help older Americans get more involved through Senior Corps, RSVP, Senior Companions, and Foster Grandparents. These are excellent programs.

In this bill, we have taken innovation, creativity and lessons learned and come up with a new framework of service.

Right now, our country faces an incredible economic challenge. We see it in homes, families, factories, farms, and communities all over America. But as you look out, you don't see faces of despair. People believe in this country, and children and grandparents know and even believe, also, in great possibilities. So while we are facing these great challenges, we have a great opportunity. This is not the ''me generation'' of a decade ago; it is the ''we generation.'' I think this bill will help us be ''we, the people'' who serve each other.

Madam President, I yield the floor.

The PRESIDING OFFICER. The junior Senator from Maryland is recognized.

Mr. CARDIN. Madam President, first, let me congratulate my colleague from Maryland and my colleague from Utah for their leadership on this legislation. This is extremely important legislation expanding the opportunities for people to serve our country in national service. Both have been leaders on this issue for many years. I am pleased that we are on the verge of really expanding opportunity, particularly for young people, to have a meaningful impact in helping their communities.

I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

(The remarks of Mr. CARDIN pertaining to the introduction of S. 673 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. CARDIN. 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. Mr. 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, as we talk with colleagues and work to gather the votes, some of the naysayers, or those who have questions about the efficacy of this bill, say: So what, people go off and do a little bit of service, they feel good, and then they go off—OK, that is nice, but they could do that anyway.

Well, they could do that, but what is often overlooked is the impact that service has on changing the lives of people who do service. We could talk about examples on my side of the aisle. We have Senator DODD, who joined the Peace Corps. He has given long-term service to the Nation, including his work in Latin America, where he served as a Peace Corps volunteer. He continues that work on the Foreign Relations Committee. Senator ROCKEFELLER went to West Virginia as a VISTA volunteer and was so taken with the poverty and hard times—and inspired by the determination of the people of West Virginia—that he made a go of trying to help them with their economic development and the economic empowerment of the people of West Virginia. He went on to run for public office and became a Governor and now is a Senator. We know of his and Senator BYRD's devotion to West Virginia and, again, their advocacy for those who were left out—the steelworkers, coal miners, and so on. Our democratic members bring those experiences with them.

My own experience is very interesting as well. Yes, I do have a master's in social work and, yes, I did work in social programs. When I got my master's, I didn't only work in those programs that paid; I was also involved in those programs where I saw a need. While I was working in the streets and neighborhoods of Baltimore as a grassroots community organizer, it was very clear to me that people who had addiction problems had very few services to choose from. This was long before we had a drug czar and many of the programs we have today with addiction. I teamed up with a priest in the inner-city neighborhoods of Baltimore, Father Maloney, a Josephite, and we started something called Narcotics Anonymous, to open the doors. Many women came. We found the men and women together didn't get along. They each had their own story and they told them differently. I ran the women's groups and helped to start them.

Those women had a different set of problems. I would go into the Baltimore city jail every Monday night to meet with a group of women to help plan for when they got out of jail. There was no discharge planning. Nobody was saying: How are you going to get a job? How are we going to keep you off drugs? How are we going to get your kids back from foster care? How do we make sure there is no abuse or addiction in the home?

I would meet with them in the jail and work with Father Maloney when they came out. That was indeed quite an experience for a young social worker. I grew up with stories of women who were so poor that many had only gone to the sixth or seventh grade, or they had no education. They had no hope, they had only despair. I worked as a volunteer and helped to get them the service they needed. It had a profound impact on me. When I went to the Baltimore City Council, one of the first things I did was jail reform to try to bring services into the city jail so there would be an organized, systematic way of doing things. So I did jail reform in the city council, now, chairing the Commerce, Justice, and Science Committee, we do prison reform in the Congress and for our Federal programs—to make sure our Federal prisons have the staffing they need; to make sure the people who were there have the opportunity to turn their lives around.

Then, we worked with incredible organizations—often faith-based—for post-prison discharge, so people wouldn't go back into prison. I know what those faith-based programs are. I worked for one of them as a volunteer. My lifelong commitment, starting in the streets and neighborhoods and working with Father Maloney, took me behind the bars to see what those lives were like. At the same time, now, in the Congress, we work for the important addiction services, work to make sure we have mental health parity, because so many people had these problems. Those are the kinds of things I did on my own as a volunteer. At the same time, we wondered what happened to the men. I asked, what happens to the men when they come out of jail? There were very few group homes, and working again with the Episcopal Church, a faith-based initiative, I went on the board of the Valley House. Do you know why it was called that? The 23rd Psalm says: I shall walk through the valley of darkness and I shall fear no evil. That is what it was. Those men were walking through and working through their ''valley of darkness'' as they followed their 12-step program. I saw a building that was tattered, worn, rundown.

The very first thing I did was get some other women on the board, get my own volunteers, and we did our own habitat for healing. We worked with the recovering alcoholics and painted, cleaned, scrubbed, and whatever, got a good cook in there, so that when the men went out to look for a job, they came back to at least a hot meal and fellowship. We cleaned up the family at Valley House and shepherded them out of the valley of darkness and we led them to sitting at the table where their cups began to overflow.

I learned a lot listening to those stories, putting in my own sweat equity. It was not about me; it was about the ''we'' whom we inspired. That is what community volunteer work does. While you are involved, it changes you. You listen to the stories and you know what that is. You want to make a lifelong commitment that the people you meet today you will never, ever forget

tomorrow. Those women I met at the city jail are now grandmothers. I hope those children are finishing school, and I hope their lives were turned around. I hope the men who were at Valley House went through that valley of darkness and went into the valley of life.

As for me, as I tried to help them turn their lives around, they helped give my life direction. That is what we are talking about when we talk about giving back, getting involved, neighbor helping neighbor. For those of us who volunteer, the changes are significant. What I say is, each and every one of us can make a difference. But when we work together we can make change. This is one of the bills that will help do it.

Madam President, I yield the floor.

THE BUDGET

Mr. DURBIN. Madam President, next week, the Senate is going to consider the budget resolution for fiscal year 2010. This may be one of the most important debates of our time. For 50 hours on the Senate floor, we are going to debate making a fundamental change in our economy.

We need to face the facts. This President and this country have inherited the worst economic crisis in 75 years, and I do not exaggerate. No President has faced this kind of a challenge. We see it every day in the jobs that are being lost, the businesses that are closing, the homes going into foreclosure. We watched as our savings accounts dwindled during the decline of the stock market. Retirement plans are being changed. Children are coming back from college because families are worried about making the payment for their expenses. Fundamental decisions about homes, cars, and future expenditures are being withheld because of the uncertainty of our economy.

Passing the economic recovery package that President Obama sent our way was the first step to getting this economy back on track, but it is not the last thing, it is not the only thing. The next step is to pass a smart, fair, responsible budget that makes the economy work again. This is not a separate item. This is a continuing effort that Congress needs to make, joining with President Obama, to show we are serious about putting this economy back on its feet.

The President has proposed a budget that accomplishes that. It restores fairness for middle-class families, it reestablishes responsibility in the budgeting process, and it makes some smart investments in America's future.

This budget begins to repair years of neglect in fundamental national priorities. It makes critical investments that we need for the economy to recover, particularly in the areas of energy, education, and health care.

The President has proposed a return to the balance our country once enjoyed—careful investments in the future while protecting working families who have lost ground over the last decade. If we fail to make a number of critical investments now, it is going to be tougher for America's economy to get back on track.

Many experts tell us that in order for our country to fully recover, we have to take a leading role not only in the Nation but in the world. We need to lessen our dependence on foreign oil and develop renewable energy sources that reduce costs and create jobs.

America still remembers well $4.50-a-gallon gasoline when those overseas who send us the oil decided they would squeeze us, and they did, and we couldn't say anything about it because we have become so dependent on foreign sources.

We also know that the way we consume energy is affecting the world in which we live. We know that global warming is a reality, climate change is a reality, and if we do not use different practices and different approaches with energy, we may leave our kids more than a national debt; we may leave them a planet which is uninhabitable in some places.

We also know we need to make it more affordable for Americans to extend and improve their education so they can reach their maximum potential and compete for good jobs in an increasingly competitive global economy. And we need to address health care costs. Whether it is an individual or a family or a business or a State or the Federal Government, the escalating cost of health care will break the bank no matter what the President's policies might be. We need to address it. President Obama has had the courage and I think the vision to say that has to be part of our agenda.

This budget allows for critical investments in health care. The President's budget will begin the transformation of our health care system by allocating more than $630 billion over 10 years for fundamental health care reforms. How many times have we started this discussion and stopped it? Realizing the health care system in America needs dramatic reform, we find ourselves embroiled in debate and at the end of the day have nothing to show for it. President Obama stepped up in his budget and said: We are going to put the investment on the table to extend health care protection to those who do not have it and make it more affordable for those who do. He made that investment in his budget.

The budget would also support the adoption of health information technology and the widespread use of electronic health records. The Veterans Administration does this. Because they have electronic records, they can make a better diagnosis for a patient, they can avoid errors that might occur while someone is hospitalized, and they can reduce costs. We should do that for our health care system across the board.

The budget also expands research that compares the effectiveness of medical treatment so that patients and physicians have better information on what works and what doesn't.

It would invest $330 million training doctors, nurses, and dentists we need to fill shortages of health professionals, especially in rural communities.

It would invest over $1 billion to step up food safety efforts at the Food and Drug Administration to prevent the kinds of outbreaks of contaminated food we have seen recently, the most recent being peanut butter, but before that a long list of outbreaks in food safety that concern Americans and their families.

This has been an issue I have pushed for a long time in the House and in the Senate, to try to coordinate our food safety effort in Washington so we can get more for our dollar and protect more families.

These investments will come when we need them. Over 47 million Americans do not have health insurance today—47 million people who woke up this morning realizing they were one accident or one diagnosis away from wiping out their savings. One million families in my home State of Illinois, a State of 12.5 million people, have at least one uninsured family member, including 360,000 of those families who earn more than $50,000 a year. They earn 1,000 bucks a week and do not have health insurance.

If you look at the cost of health insurance, you can understand. For some families, even $50,000 a year makes it difficult to protect everybody. Being uninsured is no longer only the concern of the poor. In fact, the poor are taken care of in our Medicaid Program. It is a risk for many of us, many middle-income families. Members of Congress are pretty lucky. We get the same health care protection that Federal employees receive. It is the best plan in the Nation. But my people in my home State are not that fortunate.

Let me tell you about a fellow in Springfield, my hometown. Doug Mayol, since 1988, has owned a small business in downtown Springfield. He sells cards, gifts, and souvenirs. He is fortunate that his only employee is over 65 years of age and qualifies for Medicare and also receives spousal benefits from her late husband. If this were not the case, Doug does not think he could possibly provide health insurance for his only employee.

As for himself, Doug knows, because he has a preexisting condition, that he faces the real possibility of becoming uninsured. Almost 30 years ago, Doug was diagnosed with a congenital heart valve defect. He has no symptoms. But without regular health care, he is at great risk of developing serious problems.

Like most Americans, his health care premiums have risen dramatically in recent years. In 2001, he paid $200 a month for health insurance in Springfield, IL. In 2005, he paid $400. And after he turned 50 years of age last year, his rate shot up to $750 a month. He has a

little business. It is hard for him to pay that.

To keep his insurance affordable, he chose a smaller network of providers and higher deductible, which brought the cost down to $650 a month. Then last year, the payment jumped again to over $1,000 a month. Only by taking the highest deductible has he been able to bring that cost down to $888 a month.

Think about that for a minute. That is $10,000 a year that this small business operator faces for basic health insurance with a high deductible, and he isn't even a costly patient. With his high deductible, the insurance company has never paid a claim for illness or injury beyond routine care. Yet his costs have exploded.

He cannot afford not to have health insurance. Because of his faulty heart valve, he needs antibiotics before undergoing even a simple procedure, such as dental work.

Although Doug should see a cardiologist periodically, he avoids it. He fears it would add another red flag to his medical record. Think about that for a second—avoiding basic medical care for fear it will raise the cost of health insurance. That is a reality for a lot of people in America.

Why, in this wealthiest Nation on Earth, do we accept a system such as this, where a small businessman with insurance has to delay preventive care simply to avoid short-term costs, even though the long-term costs, if something awful happens, will be far greater?

All Americans want the best health care system in the world. Yet we all know that reform is not easy. The process will be complicated. We will have to compromise. And we will have to work together. But we have to start by laying the foundation. President Obama's budget does that.

The President's budget also has a promising vision for education. The budget provides funding for innovations in the classroom, improved student assessment, improved teacher training, principal preparation, programs that reward teacher performance, and a significant expansion of early childhood education. Is there one of these we would question if it were our child or grandchild heading off to a school? We would want all of this as part of the curriculum, as part of the schoolday for that child to excel.

These initiatives will help build America's education system so we can compete globally, and the budget will also change the way we finance higher education. It would finally end the Federal Family Education Loan, FFELs. This is a program that has proven to be outmoded, expensive, inefficient, subject to corruption, and a bad choice for students. A lot of us have known this for a long time.

The first person to warn me about this program was the late Senator Paul Simon of Illinois who retired 13 years ago. It certainly has been an unfortunate situation.

The current student loan FFEL program was an unfortunate choice for Holly Clark from Chicago. Holly wanted to be a teacher. To pay for college and graduate school, she borrowed over $60,000 in student loans. Think about that. She chose this FFEL program because she thought it would lock in low interest rates until she could pay off the loans.

Because of fluctuating interest rates and changes in the program, she now pays 7½ percent interest each year. That is higher than she pays for her home mortgage.

Holly heard about a Federal program that encourages teachers to work in a low-income school for 5 years by forgiving a portion of the debt. She taught for 4 years in an inner-city school, but then the school administrators left and the school became extremely unsafe. She left that job. She still has her loans, and she is not sure what she is going to do to repay them without giving up her teaching career.

That is not what we need. We need young people who will submit themselves to teaching, not walk away from it. We can do better for Holly Clark. The FFEL program has proven to be costly for taxpayers and sometimes unfair to borrowers. The President's budget shifts the origination of student loans to the Federal Direct Loan Program starting in July of next year. We take the middleman out. We take the banker out of the picture because they are taking a profit. That change saves taxpayers $94 billion over the next decade. The banks are going to squawk. The people who have these programs are going to be upset. They are going to hire the best lobbyists they can get their hands on and come and stand out in the hall and beat on us when we come in to vote. But I hope we remember Holly Clark when we are making these decisions and not the folks with the Gucci loafers out in the hallway.

This budget will also make spending on Pell grants mandatory, freeing this essential student aid program from the political process indexing the grants to inflation.

We cannot transform our education system overnight into a world-class system unless we prepare our young people with the best education.

On the issue of energy, the President's budget also provides a downpayment on weaning America from our dependence on foreign energy. The President lays out an aggressive path to reduce the consumption of fuels that contribute to climate change. Left unchecked, scientists predict global warming will lead to more heat waves and droughts over the next century, will result in lower agricultural productivity, threaten coastal areas with rising waters, increase severe storms and flooding and reduce biodiversity. These are real changes, some of which will be irreversible. We have to find a way to address this responsibly.

President Obama's budget proposes a cap-and-trade system to reduce greenhouse gas emissions. We can reduce emissions by 14 percent below 2005 levels by the year 2020, and by 2050 we can cut emissions by 83 percent below 2005 levels.

Some say that is not realistic. They also said President Kennedy putting a man on the Moon was not realistic. We can do it if we have the political will and the guidance of a good President and the cooperation, bipartisan cooperation of Congress.

The revenue generated from auctioning greenhouse gas emission allowances would be used to fund tax credits for working families and programs to green the economy and $150 billion over 10 years to develop clean energy technology that would create jobs. If this budget had already passed and funding were already available, Lee Celske of Aledo, IL, might have been able to put a small portion of that funding to good use. He has figured out how to create green temporary houses out of recycled glass—pretty cheap, as low as $30,000 in some cases—quick to assemble, and he thinks they are a good option for communities recovering from natural disasters. These are energy-efficient temporary homes that can withstand a category 5 hurricane.

The factory that makes the houses would employ 30 high-tech, high-paid, green-collar workers. Over the last 14 months, Lee has presold nearly $2 million worth of houses, relying on loan guarantees from his bank that would underwrite the factory once sufficient sales were in place.

But then, suddenly, the bank pulled out. Lee has done nothing wrong. The idea is sound. The small company is ahead of its schedule on growth targets and it would create precisely the kind of green jobs America needs. Yet his progress has been stopped by a freeze in the credit markets. The President's budget would help finance these entrepreneurs in the green economy.

This budget could create good jobs. It is a smart investment for our future. That is what the President brought to us in the stimulus package. This budget can create good jobs. It is a small investment for the future. That is what the budget continues to bring to us.

There is another element that is important. For too long the Tax Code has favored the wealthiest people in America. At a time when working families, middle-income families are struggling to get by, they were not getting the tax breaks. That was the old way of thinking. That was old politics, old policies. The President's way of thinking is to reach out to provide a tax cut for every American family earning less than $250,000 a year. Ninety-five percent of Americans will not see their taxes increase a single penny under the President's budget. After 8 years of stagnant wage growth for the middle class, with costs for health care, education, and utilities going up, with the unemployment rate above 8 percent and growing, and with as many as 13 million families

at risk for losing their homes, American families need a break. This budget would do that.

I have listened to a number of my friends on the Republican side of the aisle criticize this budget. They say it spends too much, taxes too much, we have to borrow too much. They are ignoring the obvious. This President is committed to cutting the deficit in half in his first 4-year term. When President Bush was elected, he inherited a surplus from President Clinton, a surplus in the budget. It had been a 2-year surplus and it was reducing the debt of programs such as Social Security. We were moving in the right direction. Our national debt that we an accumulated over the history of the United States to that moment when President George W. Bush took office was about $5 trillion. So the President, George W. Bush, came in with a $5 trillion national debt that he had inherited from George Washington until his moment in history and he inherited a budget surplus.

What happened over the next 8 years? Sadly, under President Bush, we saw the national debt of America more than double in 8 years. The accumulated history of the United States had produced $5 trillion in debt. The 8 years of the Bush administration more than doubled that debt. President Bush took the surplus of the Clinton years and brought us to the biggest annual deficits in American history.

Many of those who supported the President's approach, many of those on the other side of the aisle who voted for his budgets—many who stood in defense of President Bush when he said I don't want to count the cost of the war; we will set that aside; we will call it an emergency; we will not put it in the budget—are the same people who made that excuse for 7 years during the wars in Iraq and Afghanistan under President Bush. They saw the accumulated cost of those wars exceed $700 billion and none of it was in the budget. None of it was accounted for. Many on the other side said that was acceptable.

They also supported the President's idea of tax cuts, tax cuts for some of the wealthiest people in America. Taking these things off budget, tax cuts for the wealthy—what happened? We ended up with the worst deficits we had seen in our history. That is what this President inherited. Now that he has promised to reduce the size of our deficit by half in his first 4 years, many on the other side are standing and saying we are destined now for bankruptcy. Where have they been for the last 8 years? Some of the harshest critics of the President's budget were giving a stamp of approval, year after year, to President Bush's budget.

What President Obama is doing is an honest budget, a responsible budget that moves us toward reducing the deficit in a time when the economy is in a sorry situation.

I think that is important. I think it is important we come together on a bipartisan basis to pass that. As to those who think this budget borrows too much, this President is on the right track of reducing the deficit. They have been on the wrong track for a long time. These are policies that they have offered before that did not work. They are yesterday's policies, yesterday's politics. It is time for something new. It is time for real change. Preparing the budget is about making choices and President Obama's budget is a document that makes the right choices. It is a document that is fair, giving tax breaks to working families, putting money into investments so their children can see a brighter future. It is a budget that is responsible. It puts the cost of the war online in the budget so we can track it as part of our real debt. It is a budget that also makes smart investments in America's future.

It is not just a matter of creating a job, a make-work job. This President's vision is to create the kind of jobs in energy and new energy for the 21st century; in education, so our kids can compete in this century, and to make sure our health care system is one that gives us quality care at the lowest cost. That embodies three sensible goals that we in America share.

This budget would bring true long-lasting change to America, and I certainly encourage my colleagues on both sides of the aisle to look long and hard at this budget, realize the good-faith effort President Obama is making with this budget, and join him in charting a course of spending for the next 4 years that will move us out of this recession, create jobs and businesses and give America a smart investment for our future.

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. Without objection, it is so ordered.

RECESS

Mr. DURBIN. Madam President, I ask the Senate stand in recess under the previous order.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:24 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

NATIONAL SERVICE REAUTHORIZATION ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN. Mr. President, I rise in support of the bipartisan legislation before us today, the Serve America Act. I would like to thank Senators KENNEDY from Massachusetts and HATCH of Utah, as well as Wyoming's Senator ENZI and Senator MIKULSKI of Maryland for their hard work on this legislation.

Last week I held a conference call in my office with two very impressive young men who are a testament to what the Serve America Act is all about. Their names are Mark Rembert and Taylor Stuckert. I met them last year in Wilmington, an Ohio city in southwest Ohio that has been devastated by the closure of the Wilmington Airport where DHL employed about 8,000 people—DHL, Astar, and ABX, three national companies.

Mark and Taylor decided they simply could not sit on the sideline while their community struggled to absorb this tremendous economic blow. Instead they founded Energize Clinton County, a nonprofit focused on economic development and environmental awareness.

In the midst of an economic disaster in their community, these two young men, Mark and Taylor, decided to serve. They are examples of what inspired this bill and what service to our country is all about.

I know something personally about City Year, one of the programs within the Serve America Act. City Year is part of AmeriCorps. My daughter Elizabeth served in City Year Philadelphia about 4 or 5 years ago. She was paid $700 a month, as were the six or seven roommates she had in an old house on Baltimore Pike near the VA in Philadelphia. They met every Sunday night to talk about how they were going to, after paying their rent—about $300 a month each—how they were going to figure out how to eat. They pooled their resources and figured out how to do that.

During the day—each day of the week, often 6-day weeks, often more—Elizabeth and other of her colleagues would go into a middle school in Philadelphia and work with local students in some of the poor areas of Philadelphia.

This program mattered to those students she helped. It mattered to my daughter who I said was paid $700 a month for this service in City Year. It made her more reliable, and it made her more strong. It made her more understanding of the community around her, and it taught what so many of these programs over the years, so many of these volunteer service organizations have taught us. Whether it is the Peace Corps or Vista or City Year or Teach America, not just the people who are served by these young people but the people who do the serving, it stays with them the rest of their lives. It matters so much to them as they understand our society even better.

The passage of this legislation will mean even more Americans will be able to answer President Obama's call to service. The Serve America Act will provide opportunities for Americans of all ages and from all backgrounds to

serve. It invests in action and it promotes existing voluntarism by supporting and expanding existing community service and development programs to tackle the problems at the root of the economic crisis. It strengthens programs such as AmeriCorps which, contrary to the wholly unwarranted and counterproductive partisan attacks some of my colleagues have launched against them, have paid for themselves many times over.

Whether your measure is the impact of these programs on their participants, enabling individuals to find a productive path and avoid a less productive path or whether your measure is the tangible work accomplished in communities throughout this Nation; whether your measure is the culture of voluntarism cultivated, choose your measure. AmeriCorps and like programs are a cost-effective means of strengthening our Nation and promoting the old-fashioned values of hard work, empathy, and civic responsibility.

Across the country, the bill would create 175,000 new service opportunities. I am sure successful Ohio programs such as City Year Columbus, Ohio College Advising Corps in Cleveland, the Wood County Corps in Bowling Green would value additional volunteers, and there is no doubt that Ohio would benefit from their work.

Service opportunities will be expanded to incorporate and encourage Americans of every age group: programs such as the Summer of Service Program for middle and high school students, the Youth Engagement Zone Program for young people from low-income areas, and Encore Fellowships for retired Americans. This is not only for young people to volunteer and to serve.

The Serve America Act also invests in nonprofit service organizations that work. These organizations are on the front lines of this Nation's economic crisis. They will play an integral role in our recovery. These organizations empower Americans and spur economic growth at the community level.

Those very organizations embody the values that enable our Nation to remain unified when widespread hardship hits and become stronger in the process of turning that hardship around.

The Serve America Act is part of the change this country called for. It not only creates a catalyst for recovery through a renewed service movement, it recognizes the resources and the programs it will take to get us there.

I was proud to cosponsor the Serve America Act. I urge my colleagues to support it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EMPLOYEE FREE CHOICE ACT

Mr. SPECTER. Mr. President, I have sought recognition to state my position on the bill known as the Employee Free Choice Act, also known as card check. My vote on this bill is very difficult for many reasons.

First, on the merits, it is a close call and has been the most heavily lobbied issue I can recall. Second, it is a very emotional issue with labor looking to this legislation to reverse the steep decline in union membership and business expressing great concern about added costs which would drive more companies out of business or overseas.

Perhaps, most of all, it is very hard to disappoint many friends who have supported me over the years, on either side, who are urging me to vote their way. In voting for cloture—that is to cut off debate—in June of 2007, I emphasized in my floor statement and in a Law Review article that I was not supporting the bill on the merits but only to take up the issue of labor law reform.

Hearings had shown that the NLRB was dysfunctional and badly politicized. When Republicans controlled the board, the decisions were for business. With Democrats in control, the decisions were for labor. Some cases took as long as 11 years to decide. The remedies were ineffective.

Regrettably, there has been widespread intimidation on both sides. Testimony shows union officials visit workers' homes with strong-arm tactics and refuse to leave until cards are signed. Similarly, employees have complained about being captives in employers' meetings with threats of being fired and other strong-arm tactics.

On the merits, the issue which has emerged at the top of the list for me is the elimination of the secret ballot, which is the cornerstone of how contests are decided in a democratic society. The bill's requirement for compulsory arbitration if an agreement is not reached within 120 days may subject the employer to a deal he or she cannot live with. Such arbitration runs contrary to the basic tenet of the Wagner Act for collective bargaining, which makes the employer liable only for a deal to which he or she agrees. The arbitration provision could be substantially improved by the last best offer procedure, which would limit the arbitrator's discretion and prompt the parties to move to more reasonable positions.

In seeking more union membership and negotiating leverage, labor has a valid point that they have suffered greatly from outsourcing of jobs to foreign countries and losses in pension and health benefits. President Obama has pressed labor's argument that the middle class needs to be strengthened through more power to unions in their negotiations with business.

The better way to expand labor's clout in collective bargaining is through amendments to the NLRA rather than eliminating the secret ballot and mandatory arbitration. Some of the possible provisions for such remedial legislation are set forth in the appendix to this statement.

In June 2007, the Employee Free Choice Act was virtually monolithic: 50 Senators, Democrats, voted for cloture; and 48 Republicans against. I was the only Republican to vote for cloture. The prospects for the next cloture vote are virtually the same.

No Democratic Senator has spoken out against cloture. Republican Senators are outspoken in favor of a filibuster. With the prospects of a Democratic win in Minnesota yet uncertain, it appears the 59 Democrats will vote to proceed, with 40 Republicans in opposition. If so, the decisive vote would be mine.

In a highly polarized Senate, many decisive votes are left to a small group who are willing to listen, reject ideological dogmatism, disagree with the party line, and make an independent judgment. It is an anguishing position, but we play the cards we are dealt.

The emphasis on bipartisanship is misplaced. There is no special virtue in having some Republicans and some Democrats take similar positions. The desired value, really, is independent thought and an objective judgment. It obviously cannot be that all Democrats come to one conclusion and all Republicans come to the opposite conclusion by expressing their individual objective judgments.

Senators' sentiments expressed in the cloakroom frequently differ dramatically from their votes in the well of the Senate. The Nation would be better served, in my opinion, with public policy determined by independent, objective legislative judgments.

The problems of the recession would make this a particularly bad time to enact the Employee Free Choice Act. Employers understandably complain that adding such a burden would result in further job losses. If efforts to give labor sufficient bargaining power through amendments to the NLRA are unsuccessful, then I would be willing to reconsider the Employee Choice legislation when the economy returns to normalcy.

I am announcing my decision now because I have consulted with a very large number of interested parties on both sides and I have made up my mind. Knowing that I will not support cloture on this bill, Senators may choose to move on and amend the NLRA as I have suggested or otherwise. This announcement should end the rumor mill that I have made some deal for my political advantage. I have not traded my vote in the past and would not do so now.

I ask unanimous consent that the text be printed in the RECORD, as well as an appendix with suggested revisions to the National Labor Relations Act.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY ARLEN SPECTER

My vote on the Employees Choice Bill, also known as Card Check, is very difficult for many reasons. First, on the merits, it is a close call and has been the most heavily lobbied issue I can recall. Second, it is a very emotional issue with Labor looking to this legislation to reverse the steep decline in union membership and business expressing great concern about added costs which would drive more companies out of business or overseas. Perhaps, most of all, it is very hard to disappoint many friends who have supported me over the years, on either side, who are urging me to vote their way.

In voting for cloture (to cut off debate) in June 2007, I emphasized in my floor statement and in a law review article that I was not supporting the bill on the merits, but only to take up the issue of labor law reform. Hearings had shown that the NLRB was dysfunctional and badly politicized. When Republicans controlled the Board, the decisions were for business. With Democrats in control, the decisions were for labor. Some cases took as long as eleven years to decide. The remedies were ineffective.

Regrettably, there has been widespread intimidation on both sides. Testimony shows union officials visit workers' homes, use strong-arm tactics, and refuse to leave until cards are signed. Similarly, employees have complained about being captives in employers' meetings with threats of being fired and other strong-arm tactics.

On the merits, the issue which has emerged at the top of the list is the elimination of the secret ballot which is the cornerstone of how contests are decided in a democratic society. The bill's requirement for compulsory arbitration if an agreement is not reached within 120 days may subject the employer to a deal he/she cannot live with. Such arbitration runs contrary to the basic tenet of the Wagner Act for collective bargaining which makes the employer liable only for a deal he/she agrees to. The arbitration provision could be substantially improved by the last best offer procedure which would limit the arbitrator's discretion and prompt the parties to more reasonable positions.

In seeking more union membership and negotiating leverage, Labor has a valid point that they have suffered greatly from outsourcing of jobs to foreign countries and losses in pension and health benefits. President Obama has pressed Labor's argument that the middle class needs to be strengthened through more power to unions in their negotiations with business. The better way to expand labor's clout in collective bargaining is through amendments to the NLRA rather than on eliminating the secret ballot and mandatory arbitration. Some of the possible provisions for such remedial legislation are set forth in an appendix.

The June 2007 vote on Employees' Choice was virtually monolithic: 50 Democrats for cloture to 48 Republicans against. I was the only Republican to vote for cloture. The prospects for the next cloture vote are virtually the same. No Democratic Senator has spoken out against cloture. Republican Senators are outspoken in favor of a filibuster. With the prospects of a Democratic win in Minnesota, yet uncertain, it appears that 59 Democrats will vote to proceed with 40 Republicans in opposition. If so, the decisive vote would be mine. In a highly polarized Senate, many decisive votes are left to a small group who are willing to listen, reject ideological dogmatism, disagree with the party line and make an independent judgment. It is an anguishing position, but we play the cards we are dealt.

The emphasis on bipartisanship is misplaced. There is no special virtue in having some Republicans and some Democrats take similar positions. The desired value is independent thought and an objective judgment. It obviously can't be that all Democrats come to one conclusion and all Republicans come to the opposite conclusion by expressing their individual objective judgments. Senators' sentiments expressed in the cloakroom frequently differ dramatically from their votes in the well of the Senate. The nation would be better served with public policy determined by independent, objective legislators' judgments.

The problems of the recession make this a particularly bad time to enact Employees Choice legislation. Employers understandably complain that adding such a burden would result in further job losses. If efforts are unsuccessful to give Labor sufficient bargaining power through amendments to the NLRA, then I would be willing to reconsider Employees' Choice legislation when the economy returns to normalcy.

I am announcing my decision now because I have consulted with a very large number of interested parties on both sides and I have made up my mind. Knowing that I will not support cloture on this bill, Senators may choose to move on and amend the NLRA as I have suggested or otherwise. This announcement should end the rumor mill that I have made some deal for my political advantage. I have not traded my vote in the past and would not do so now.

APPENDIX

SOME SUGGESTED REVISIONS TO THE NATIONAL LABOR RELATIONS ACT

(1) Establishing a timetable:

(a) Require that an election must be held within 10 days of a filing of a joint petition from the employer and the union.

(b) In the absence of a joint petition, require the NLRB to resolve issues on the bargaining unit and eligibility to vote within 14 days from the filing of the petition and the election 7 days thereafter. The Board may extend the time for the election to 14 additional days if the Board sets forth specifics on factual or legal issues of exceptional complexity justifying the extension.

(c) Challenges to the voting would have to be filed within 5 days with the Board having 15 days to resolve any disputes with an additional 10 days if they find issues of exceptional complexity.

(2) Adding unfair labor practices:

(a) an employer or union official visits to an employee at his/her home without prior consent for any purpose related to a representation campaign.

(b) an employer holds employees in a ''captive audience'' speech unless the union has equal time under identical circumstances.

(c) an employer or union engages in campaign related activities aimed at employees within 24 hours prior to an election.

(3) Authorizing the NLRB to impose treble back pay without reduction for mitigation when an employee is unlawfully fired.

(4) Authorizing civil penalties up to $20,000 per violation on an NLRB finding of willful and repeated violations of employees' statutory rights by an employer or union during an election campaign.

(5) Require the parties to begin negotiations within 21 days after a union is certified. If there is no agreement after 120 days from the first meeting, either party may call for mediation by the Federal Mediation and Conciliation Service.

(6) On a finding that a party is not negotiating in good faith, an order may be issued establishing a schedule for negotiation and imposing costs and attorney fees.

(7) Broaden the provisions for injunctive relief with reasonable attorneys' fees on a finding that either party is not acting in good faith.

(8) Require a dissent by a member of the Board to be completed 45 days after the majority opinion is filed.

(9) Establish a certiorari-type process where the Board would exercise discretion on reviewing challenges from decisions by an administrative law judge or regional director.

(10) If the Board does not grant review or fails to issue a decision within 180 days after receiving the record, the decision of the administrative judge or regional director would be final.

(11) Authorizing the award of reasonable attorneys' fees on a finding of harassment, causing unnecessary delay or bad faith.

(12) Modify the NLRA to give the court broader discretion to impose a Gissel order on a finding that the environment has deteriorated to the extent that a fair election is not possible.

Mr. SPECTER. I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. KYL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NATIONAL SERVICE REAUTHORIZATION ACT

Ms. MIKULSKI. Mr. President, I ask unanimous consent that all postcloture time be yielded back, the motion to proceed be agreed to, and that after the bill is reported, I, Senator MIKULSKI, be recognized to call up the substitute amendment.

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

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1388) to reauthorize and reform the national service laws.

AMENDMENT NO. 687

(In the nature of a substitute)

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. I call up my amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI] proposes an amendment numbered 687.

Ms. MIKULSKI. I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.''

Ms. MIKULSKI. 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. CRAPO. I ask unanimous consent that the order for the quorum call be dispensed with.

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

AMENDMENT NO. 688 TO AMENDMENT NO. 687

Mr. CRAPO. I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAPO], for himself and Mr. CORKER, proposes an amendment numbered 688 to amendment No. 687.

The amendment is as follows:

(Purpose: To increase the borrowing authority of the Federal Deposit Insurance Corporation, and for other purposes)

At the appropriate place, add the following:

SEC. ____. INCREASED BORROWING AUTHORITY OF THE FEDERAL DEPOSIT INSURANCE CORPORATION.

Section 14(a) of the Federal Deposit Insurance Act (12 U.S.C. 1824(a)) is amended—

(1) by striking ''$30,000,000,000'' and inserting ''$100,000,000,000'';

(2) by striking ''The Corporation is authorized'' and inserting the following:

''(1) IN GENERAL.—The Corporation is authorized'';

(3) by striking ''There are hereby'' and inserting the following:

''(2) FUNDING.—There are hereby''; and

(4) by adding at the end the following:

''(3) TEMPORARY INCREASES AUTHORIZED.—

''(A) RECOMMENDATIONS FOR INCREASE.—During the period beginning on the date of enactment of this paragraph and ending on December 31, 2010, if, upon the written recommendation of the Board of Directors (upon a vote of not less than two-thirds of the members of the Board of Directors) and the Board of Governors of the Federal Reserve System (upon a vote of not less than two-thirds of the members of such Board), the Secretary of the Treasury (in consultation with the President) determines that additional amounts above the $100,000,000,000 amount specified in paragraph (1) are necessary, such amount shall be increased to the amount so determined to be necessary, not to exceed $500,000,000,000.

''(B) REPORT REQUIRED.—If the borrowing authority of the Corporation is increased above $100,000,000,000 pursuant to subparagraph (A), the Corporation shall promptly submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing the reasons and need for the additional borrowing authority and its intended uses.''.

Mr. CRAPO. Mr. President, today we face very difficult economic threats in our financial industries. It is important that we consider the possibility that our regulatory authorities do not have sufficient authority necessary to deal with potential financial institution failures. As a result, this is not an acknowledgment that anything like that will happen, but there is certainly the threat and concern in our financial markets as to whether we need to have additional protective authorities.

The Federal Deposit Insurance Corporation protects against the loss of insured deposits if a federally insured bank or savings institution fails. It is important to note, though, that depositors who have deposits at these institutions are protected by Federal guarantees, and these guarantees are, in the event of a bank failure, immediately protected by the FDIC. It is not the taxpayers but fees and assessments paid by the depository institutions themselves that cover the cost of this protection. However, the level of borrowing authority the FDIC has to provide this protection has not increased since 1991. At that time, the amount was set at $30 billion. The assets in the banking industry under protection have tripled since that time from $4.5 trillion to $13.6 trillion. Yet the borrowing authority of the FDIC has not been increased.

This legislation does two significant things. It increases the borrowing authority of the FDIC from $30 billion to $100 billion, approximating the percentage increase of the assets under protection and the growth in the assets under protection since the original level was set in 1991. The bill also authorizes a temporary increase in borrowing authority from that $100 billion increased level up to but not to exceed $500 billion based on a process that would require the concurrence of the FDIC, the Federal Reserve Board, and the Treasury Department, in consultation with the President. The reason for this additional authority is because of the extreme difficulties we are facing in our economy now, and we need to ensure that the FDIC has the necessary capacity to deal with any such threats.

This legislation is very important and urgent. The reason I bring it forth on this national service legislation is because we don't have time to wait to consider this legislation. It exists in a freestanding bill form on a bipartisan basis, with Republicans and Democrats in strong support of the legislation. I believe there is strong agreement throughout the financial industries that this kind of increased borrowing authority for the FDIC is helpful and an important piece of the solution to the problems we face today.

As a matter of fact, one of the reasons it is urgent is not only because we need to be sure the FDIC is properly protected or in a position to properly protect depositors and financial institutions but also because in order to deal with this needed fund, the FDIC is currently considering significant increases in assessments to our Nation's banks. These increased assessments in many cases, in some of our smaller and midsize communities, are creating a terrific financial threat to the banks, which, in turn, then reduces the potential of these banks to engage in lending authority, the type of credit activity we want to see happening. So while Congress waits, we see credit being further restricted by the failure of Congress to take this action and free up the FDIC authority.

Again, another one of the reasons I bring the amendment today is because this legislation, even though it is supported on a broad, bipartisan basis, is being caught up with other issues in the Senate that could delay its consideration and result in the imposition of significantly increased assessments on our Nation's banks. That is the cramdown legislation in terms of bankruptcy proposals that have been put forward.

Everyone in this body and throughout Congress and the country recognizes that we are having a difficult time dealing with very controversial proposals about our bankruptcy laws which have become known as the cramdown provisions that may or may not gain support in this Senate for passage. I personally think it is unlikely that the cram-down legislation will ultimately gain sufficient support in the Senate to be passed, but regardless of whether that happens, it is a difficult, controversial issue. This legislation, which is not difficult and not controversial, is being slowed down by being tied with the bankruptcy cramdown provisions. Because of that, it is imperative that we move forward as expeditiously as possible, consider the amendment, and move forward with this piece of the important reforms necessary for us to properly address the credit crisis and the financial threats our Nation faces today.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

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

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

Mr. CARPER. I say to the Presiding Officer, it is kind of ironic that both of us, who are from Delaware, are in the Chamber right now, and I want to start off by telling a short story about the University of Delaware and a visit I had there not long ago. I was invited, as my colleague has been invited, to speak to students and to host and be a part of a townhall meeting a month or two ago.

I opened up by talking to the students for a bit of the time, and then I took questions or comments from the students. I felt one of the most poignant questions was asked at the end of the session. Most of the students there were freshmen, sophomores, and juniors.

One young lady, who asked a question at the end of the session, was a senior. She is going to be graduating in a couple months. The question on her mind is, frankly, on the minds of a lot of graduating seniors at colleges and universities inside of Delaware and throughout our country. I might also add, it is on the minds of a lot of folks who are about to finish high school or who have finished and are still looking for work.

The young lady who spoke recently at our forum at the University of Delaware said: I am going to graduate in

May. I am not sure what I am going to do. She said: There used to be a lot of employers who came to this campus and other campuses looking for people to hire, to come and join them at their companies or at their workplaces. She said: Not so much of that is going on this year, for reasons I think we all understand.

While I am hopeful and encouraged this is not a permanent phenomenon but one that will be short lived, relatively speaking, her concerns are justified. I shared with her that when I graduated from Ohio State many a moon ago I entered a life of service for about 4½ or 5 years with the U.S. Navy. It was a deal I gladly entered into, Navy ROTC. The Navy helped put me through school at Ohio State, and when it was over, I owed the Navy some years of my life. I was very pleased to give that time, even in the middle of a hot war in Southeast Asia.

What I suggested to the young woman that day at the University of Delaware is that if she decided she did not find the job she wants with a company she wants or some other employer she is excited about working for, she should consider spending maybe not just a couple of months but maybe a year or even two in serving.

There are any number of opportunities to serve in Delaware and throughout the country. In fact, in some ways the need for people to serve is greater than it has been in a long time because nonprofits and others are cutting back and there is a need for those who will volunteer and step forward and say: Here am I. Send me. Or what can I do to help out?

I am not sure to what extent she internalized that message and is going to go out and look for opportunities to serve, but I know there is a great need for people who will serve.

For us, part of the challenge is trying to make sure those who want to serve can identify the opportunities to serve, those who want to make a difference in their lives are given some help and guidance in getting to places where they can make a difference with their lives.

The thing I like most of all about this legislation—we talk a lot here about that we ought to be more bipartisan. And God knows I believe that. I know the Presiding Officer feels that way. But one of the great things about this legislation is that it is about as bipartisan as it gets.

I want to take a moment to commend a couple of folks who are on the floor. I see Senator HATCH talking with Senator DODD. Both of them have been very instrumental in this legislation. I commend Senator MIKULSKI, Senator HATCH, Senator ENZI, Senator MCCAIN—I do not know if he is a cosponsor of this bill. He has been a big champion of service over the years. I commend Senator KENNEDY, who I believe was here yesterday. He is a huge champion of this legislation. This legislation enjoys broad bipartisan support.

I say to my friend from Connecticut: Good going. Thank you for being the wind under our wings on this issue for a long time and for continuing to inspire us and encouraging us to go forward.

A couple years from now—maybe not even that long—I hope I run into that young woman again who asked that question at the University of Delaware a month or so ago. I hope she says to me: I took your advice. I looked around and I found a couple of opportunities where I could serve, and I decided to do that for a year or so. At the end of my year or so, the job market improved, the economy improved, and I went to work for some other employer and went on with the rest of my life.

One of the things I look for as an employer, one of the things I look for when there is a downtime, like right now, a downtime in our economy—when a lot of people are looking for employment opportunities and maybe not finding them, and they have some space to fill in their lives—how do they fill up that space? How do they fill up that dead time?

I am always encouraged when I find someone who says: I decided to go out and work with young people to help make sure they were going to be successful in life. I worked with veterans. I worked with Boy Scouts or Girl Scouts. I worked in Boys & Girls Clubs. I mentored. I did all kinds of things.

The idea behind this legislation is to better ensure that those who want to serve—maybe who do not have a lot to do in their lives right now; they have some free time they have not had for a long time because their studies are over—we want to make sure they will have some opportunities, good opportunities, to serve.

I will close with this: These are the words I actually shared with the University of Delaware students the other day. I talked about the sources of joy. We always look for joy. Everybody wants to be happy. Almost everybody I know wants to be happy. There are any number of sources of joy people turn to from time to time.

In my own life, I have always found the best source of joy—the one that never goes away, the one that never disappears, which always can be counted on—the best source of joy in our lives is helping other people, finding ways to give of ourselves to help other people.

For those young people in this country who decide to seize on the opportunities that will be provided through this legislation's enactment, they will have the opportunity to get something. Maybe it will provide good letters of recommendation going forward. Maybe it will provide for a stronger resume going forward. I think even more importantly than that, they are going to do a lot of good for folks with their own lives. They are going to do a lot of good for folks. They are going to help those people who need to be helped, and maybe, as important as anything, the one who serves will enjoy a sense of satisfaction that, frankly, is sometimes hard to come by.

So I again applaud those who provided leadership on this bill, and I look forward to supporting it as we go forward this week. Thank you very much.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, let me begin by thanking my colleague from Delaware for his generous comments. He has been an advocate and strong supporter of the notion of service, and for that I thank him. I also commend my colleague from Maryland, Senator MIKULSKI, as well as Senator HATCH, Senator TED KENNEDY, and Senator ENZI, who have all been strong supporters, over the years, of the idea of providing venues and opportunities for people to serve our country in one capacity or another.

I rise this afternoon to offer my support for the Kennedy-Hatch Serve America Act. Four and a half decades ago, I was with my parents on a very cold January 20, not very far from where I am standing today, watching a young man by the name of John F. Kennedy, at the age of 43, become the President of the United States on the east front of the Capitol. It was a bitter cold day—we had a terrible snowstorm on the day before that January 20, 1961. As a very young boy of 12 or 13 years of age, I listened to the President excite a generation to get involved in things larger than ourselves. I was so motivated by his remarks, as were millions of others, that a few years later when I finished college, I joined the Peace Corps. I traveled to the Dominican Republic, not far from the Haitian border, where I spent 2 years in the mountains of that country working with the people in the small village of Benito Moncion in the province of Santiago Rodriguez. It was a life-changing experience. I came back from that experience a very different person than when I had left.

I was joined by millions of others, who went off and joined VISTA, the military, and community action organizations all across the country. I have been asked so many times over the years why I joined the Peace Corps. Why did other people go into the Marine Corps, the Justice Department, and serve their country? The reason I have given over these last four and a half decades is, because an American President asked me to. It's not any more complicated than that. Someone asked me to serve, and the thought that someone believed I could do something to make a difference was a form of flattery, I suppose, but it also provided the opportunity for me to meet that challenge. It did so by creating the structures that allowed us to step into a program that gave us the opportunity to serve.

That is what we are doing again here today: providing the structure that will allow for people today—who are no different from any other generation of

Americans over our two centuries as a Republic—to be asked to serve. People today want to serve, and they have the same desires and ambitions to make a difference for our country in their local communities, in our States, and in our Nation.

What Senator MIKULSKI, Senator KENNEDY, Senator HATCH, and Senator ENZI have done with this bill is to create the architecture by which when we ask people to serve, they have a place to come. We have a spot for you. We have a place where you can make a difference in our country. That is the brilliance of this idea. This bill expands opportunities not only to college graduates or to those out of graduate school; we actually begin in this bill by offering you the opportunity to serve as a middle school student, a high school student, or someone who does want to go on to higher education. Maybe most exciting of all, we offer these opportunities to people who perhaps have the most to give—the retirees in our country. The individuals who have been at work providing for their families, engaged in business practices by which they developed their wisdom and expertise over the years, and who have now reached a point in their lives where they would like to share that. What a wonderful opportunity for our country to reach out to that generation of retirees and say: Here is an opportunity for you to continue to make a difference.

After I finished the Peace Corps, I came back and served for 6 years in the Army Reserves, the National Guard. That was a good experience. It was very different, obviously, to go off to basic training at Fort Dix, NJ, but nonetheless a very worthwhile experience. So service covers a wide range of activities. In my case, it was the Peace Corps, then it was the Army Reserves, and then it was Big Brothers Big Sisters. I was a Big Brother in my State of Connecticut. So service has been a major part of my life.

I would like to think today that to the extent I have made a difference in this job, it was affected certainly by my family, first and foremost, but also by the people, whose names will never be known by others, who had a huge influence on me. People in that small village in the Dominican Republic, people in my community in Connecticut, people I met in the military service—all have shaped me and taught me the lessons of how serving each other, making a difference in each other's lives, can make a significant difference for many more.

In Connecticut, community members, both young and old, are giving their time.

In Hamden, CT, older Americans such as Mozelle Vann, a retired social worker, are working to make sure elementary school students don't fall through the cracks—one example, one woman, making a difference, affecting the lives of students who are going to be enriched and lead better lives because Mozelle Vann is giving something back.

High school students in Waterbury, CT, are giving back to their communities by taking part in the Youth Health Service Corps created by the Connecticut Area Health Education Center. This organization works with disadvantaged high school students interested in pursuing health careers. Lord knows we need people to move into professions relating to health care. These students complete rigorous training and dedicate their time to working with nursing home residents. So these high school students, in the midst of determining what their futures will hold, are being offered the opportunity to learn about health care services, making a difference in a nursing home that is most likely shorthanded, and serving people in that community.

This past year, residents worked with students to create a Martin Luther King, Jr., commemorative quilt and together discussed Dr. King's impact on our Nation.

There are as many examples as there are communities and individuals whom we represent of people who want to serve and want to give something back.

Senators THAD COCHRAN of Mississippi, my good friend, and I have offered four ideas to this bill, and I am very grateful to Senator MIKULSKI, Senator HATCH, Senator KENNEDY, and Senator ENZI as well, for their willingness to accept these ideas. Representative ROSA DELAURO, the Congresswoman from New Haven, CT, is the author of these ideas in the House of Representatives.

The first of these we call the semester of service, giving students a chance to give something back, learning early the benefit and the value of volunteering, of stepping up and serving your community. The Semester of Service Act is one that will allow the opportunity for children within the educational system to serve our communities. This service-learning will take place right alongside math problems and book reports. With a semester of service, we ask our students to not only consider themselves residents in their communities but resources to them. Just as mine did, I have no doubt that the younger generation will respond to that call.

The Summer of Service Act is also a large part of the bill. The bill provides our middle and high school students unique opportunities to serve during the summer months. Already in Connecticut, more than 5,500 students take part in community service activities linked to academic achievement. With this legislation, that is something we will be able to do across the country.

The bill also includes many parts of the Encore Service Act, a bill Senator COCHRAN and I authored to help harness the enormous experience and wisdom older Americans have to offer in their communities, as I mentioned a moment ago. We have all heard about the challenges posed by the 78 million baby boomers nearing retirement age. Yet Americans are living longer and healthier lives than at any time in our history, and it is time to look at that growing population of experienced, capable Americans of different professions and backgrounds as the asset it is, and to realize what a difference it can make in our country.

Together, the programs included in this bill will encourage older Americans to serve communities with the greatest need, whether through AmeriCorps or through the Silver Scholars Program. The legislation also offers Encore Fellowships for older Americans who have already had full, successful careers to lend their professional expertise and experience to the cause of community and public service. It expands the capacity and builds on the success of current senior programs. So I again commend my colleagues for including that language.

And finally, we can't talk about expanding service opportunities without talking about the AmeriCorps program, which is the heart of national service in our country. The Serve America Act will expand AmeriCorps to include 250,000 members, allowing many more Americans to serve each other. Last year alone, 75,000 AmeriCorps members gave back to their communities, and they brought reinforcements. Those 75,000 members—and this statistic can't be repeated often enough—those 75,000 AmeriCorps members recruited 2.2 million community volunteers. You talk about a ripple effect—having 75,000 people across our country in AmeriCorps who then went out and recruited 2.2 million people in their communities to get deeply involved and serve those communities. That is the benefit. Some discuss the cost of the 75,000 AmeriCorps members, but the fact that they were able to attract 2.2 million people to also serve is tremendously worthwhile. Which is why I am pleased that in this bill, we increase the AmeriCorps education award and peg its increases to the Pell Grant.

I again thank the authors of this bill, of which I am proud to be a leading cosponsor, for the accomplishments they have achieved. As I said a moment ago, this bill is creating the opportunity for Americans to serve. Just as when I was standing on the steps of the east front of the Capitol, 45 or 46 years ago, and heard an American President not only ask us to serve, but provided with opportunities to do so, today we need to provide that same structure, that same ability for people to serve. They want to. People are anxious to. It is something all Americans take pride in, and it transcends party, partisanship, politics and ideology. People want to serve our country. We are benefitting from it in ways we can't even imagine. We need to see to it that this generation is going to achieve or have the same opportunities to fulfill that desire as well.

For all of the reasons I have mentioned, this bill is very worthy of our unanimous support, and I hope it will enjoy that. This is one of those moments when I think all of us, despite our political differences from time to time, recognize the value of this. Whether it is in faith-based organizations, whether it is in community organizations, we are a richer, stronger, more vibrant nation because people have the opportunity to serve each other. There is nothing more gratifying, nothing you will ever do that will give you a greater sense of gratification than knowing you have helped another human being. Particularly in times such as these when people are struggling—losing jobs, homes, savings—they want to know if anybody can help. Every single one of us can make a difference in the life of somebody else. Providing that opportunity today, with the structure that Senator MIKULSKI, Senator KENNEDY, Senator HATCH, and Senator ENZI have created, is just what we need. So I commend them for it.

Let me mention as well that I know MIKE CRAPO, the Senator from Idaho, my good friend and a very valuable member of the Banking Committee, came to the floor and has offered an amendment, a proposal to deal with the Federal Deposit Insurance Corporation. Let me say that I support what Senator CRAPO wants to do. This is an idea that I believe is necessary. The problem here is twofold.

One is, obviously, for this bill, we are hoping to move through without amendments. Members have worked very closely together to construct this bipartisan bill. That in no way diminishes the point Senator CRAPO is making. In fact, we are working on another bill that includes more than just the Crapo amendment, which will be an important addition over the next number of days. We are trying to work it out. I hear there are some differences. I would say respectfully to my colleague from Idaho that I would hope he might reconsider offering the amendment on this bill for the reasons I have mentioned, not because his idea lacks merit—I support the idea—but if we add amendments to this bill, then it is going to make it that much more difficult to get it done.

Secondly, there is more to do than just what the Crapo amendment would suggest, and that is going to require a little more time to put that together. There is no immediate emergency here. I have been guaranteed by the FDIC, that although they would like it to get done, it is not something—I have been told—that in the next number of days or so that unless we act, there is a catastrophic event that could occur. But clearly we need to move on this. He and others have my commitment that we are going to achieve that, but at this hour, at this moment on this bill, I would respectfully urge my colleagues, if required, to table this amendment and preferably to have the amendment withdrawn so we wouldn't have to be in that situation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, before the Senator from Connecticut leaves, I wish to thank him for his contribution and remarks in two areas, both on the Serve America Act and his comments on the Crapo amendment.

First, on the Serve America Act, I wish to say on the Senate floor that we really appreciate the contribution he has made to this bill. When Senator KENNEDY and Senator HATCH were working on it, I know they had three goals: how we could reinvigorate national service, how we could refocus it in a contemporary way, as well as how we could reenergize it.

I think the Senator's ideas were some of the best, involving middle school children and so on. They have been outstanding. That is no surprise because the Senator has been involved with this not only in his own personal life—walking his own talk as a Peace Corps volunteer. I remember when we were putting the original national service bill together, Senator DODD was the Senator who reminded the committee that the poor needed to serve as well. They are not just passive beneficiaries. We always think maybe it is only the affluent and the young who can serve. The Senator from Connecticut was the one who said: Wait a minute. Everybody can serve. It doesn't matter what your age or your income is.

I think the original bill was better because of the philosophy of the Senator. Now we can see that here. It is a philosophy about the empowerment of people. We thank the Senator for that.

On the banking bill, I, too, agree with the Senator. He can offer the amendment, but this could sink the bill in the process. I hope he will withdraw this amendment and offer it on a more appropriate vehicle.

Again, I thank the Senator for his work today and for his work as a Senator.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I am glad the Senator from Connecticut and the Senator from Utah are on the Senate floor. I rise to speak in favor of the National Service Act and to commend the Health, Education, Labor and Pensions Committee for the diligent work they did on this reauthorization.

There are a lot of people who will poke fun at voluntarism or at programs or say we are always creating new things and spending more. This bill, with a bipartisan effort by Senators ENZI, DODD, MIKULSKI, and others, is to ensure that the 40 programs we had under the National Service Act are brought down to 24 programs and to see that meaningful, good programs are empowered.

This bill doesn't pay people to volunteer. It provides capital for the infrastructure for communities to develop the programs for volunteers; for example, Hands on Georgia and Hands on Atlanta. Hands on Atlanta is a program of volunteers that addresses the 52 percent of the young children in Atlanta elementary schools who are not reading at grade level. Volunteers have been mobilized over the last 4, 5 years to give the greatest gift of all—the gift of literacy—and improve the standing of our children.

It is no small secret that one of the reasons our school superintendent in Atlanta was selected the superintendent of the year recently by the national association was because of the dramatic program of bringing people into the school system to help uplift our students. So voluntarism is important to us in the United States, and it is important to our reputation around the world.

Secondly, I support this legislation because I have an affinity for a young lady named Michelle Nunn. A former U.S. Senator from Georgia, Sam Nunn, was a distinguished leader here for 24 years and served our State well. He is personally a good friend of mine. His daughter Michelle has dedicated her life to the organization of volunteer efforts in this country to improve the plight of other people. She now heads the Points of Light Foundation, started by George Herbert Walker Bush, which helps people around the country. For Michelle's everlasting support and contribution to voluntarism, I give her credit.

I also want to take a minute—Senator DODD served in the Peace Corps, and I wanted him to hear this because I want to acknowledge his support on this effort, along with Senators HATCH and KENNEDY. This past Saturday, I attended one of the most moving ceremonies of my life—moving in a sad way but also in an uplifting way.

Unfortunately, a wonderful young lady, 24 years old, from Cumming, GA, Kate Puzey, was killed in Benin, Africa, on March 11. She was a Peace Corps worker who graduated first in her class in high school, was an honors graduate from William and Mary, and she studied French in Paris to learn the language that led her to be able to go to this part of the world and teach this poor African nation about agriculture and other skills. She served since July of 2007 and was in the last 2 months of her service in Benin.

I went to this service because I felt moved. I am ranking member of the African Subcommittee on Foreign Relations. Paul Coverdell, who served in the seat I now hold, was a director of the Peace Corps. I felt moved that morning when I got to go to the service and sit in the back of the room and pay my respects to a great American. I left having listened to 12 eulogies by young people whose lives were changed by Kate. The acting director of the Peace Corps, Ms. Jody Olsen, delivered a beautiful eulogy.

I realized how much voluntarism means to the United States, not just on

our shores but in Africa and on continents around the world. I commend people such as Senator DODD who have given time in the Peace Corps. I ask the Senate to give its unanimous support to this legislation. I dedicate this speech in honor of Kate Puzey, to her life, and what she did as a Georgian and as a volunteer. She joined the Peace Corps and changed the plight, the lives, the hopes, and in fact the future of children in that small country on the west coast of Africa.

God bless the Peace Corps and the life of Kate Puzey. And thanks to those who have volunteered and to the committee that has brought this National Service Act reauthorization to the floor of the Senate.

Mr. DODD. If my colleague will yield.

Mr. ISAKSON. Yes.

Mr. DODD. I thank him for his gracious comments about this young woman. My nephew graduated from college a few years ago and was in Africa for approximately a year and a half. He spent 6 months in Guyana working with the people there, increasing awareness on issues such as HIV/AIDS. These are wonderful examples, like the young woman the Senator described, of people who make a difference.

The great thing about the Peace Corps is not just helping people in a struggling country get back on their feet but it is the experience of returning home from service. It is the lessons learned that we bring back to our communities. There are 180,000 of us who are returned volunteers since the first group left from the south lawn of the White House to go to Ethiopia, and how blessed we are with the richness of opportunities here and the lessons learned.

I commend my colleague for being at that ceremony and reflecting on the impact this one individual made, this young woman, in service of our country. I can't think of a more compelling argument on why this bill being offered by our colleagues deserves our unanimous support. Again, I thank the Senator for his comments.

Mr. ISAKSON. Mr. President, the Senator and I are precisely the same age, and he and I were both inspired by President Kennedy's inaugural address and the establishment of the Peace Corps. It is ironic that the next President who embraced voluntarism in his office happened to be George Herbert Walker Bush. So we had a great Democrat and a great Republican who encouraged us to volunteer to help the plight of others. It is a great tribute to this bill and to America.

Mr. DODD. It is also not widely known—Senator ISAKSON mentioned President Bush and the Thousand Points of Light Program, which he sponsored—that President Ronald Reagan was a strong supported of the Peace Corps, increasing the budget significantly. Loret Ruppe was the director. I served with her husband, who was a Congressman from Michigan. She was a magnificent director of the Peace Corps. Every year of Ronald Reagan's Presidency, he supported the Peace Corps program. So it is a joy to see the bipartisan support that my colleague has mentioned.

Mr. ISAKSON. I thank the Chair and yield back my time.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I thank the distinguished Senator from Georgia. He has been a prime sponsor of this legislation. There are very few people around here I admire any more than I admire him. He is a terrific addition to the Senate. I am honored that he would be on this bill and be willing to speak for it. That means a lot to me, and it is going to mean a lot to the folks in his home State and all over this country. It is the right thing to do. I thank him personally for being such a great Senator.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. 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. HATCH. Mr. President, I wish to take a moment to discuss the role of the State service commissions under this bill and the existing national service system. One of the things that was very important to me when we drafted this legislation was to make sure the States were given a primary role in the program so we would have 50 State laboratories using this program. We didn't just want to add a level of Federal bureaucracy. Time and time again, it has been shown that State governments are more responsive and in tune with the needs of their communities and, with this bill, we will put that resource to good use.

For those who do not know, State service commissions are Governor-appointed public agencies or nonprofit organizations made up of more than 1,110 commissioners—private citizens helping lead the Nation's philanthropic movement. The Nation's 52 State service commissions currently grant more than $220 million in AmeriCorps funds and $28 million in State-based initiatives with State or private funds to support citizen service and voluntarism in America.

In Utah, this role is filled by the Utah Commission on Volunteers, which is overseen by our Lieutenant Governor, a great Lieutenant Governor named Gary Herbert. They oversee the work of more than 8,000 Utahans who participate in national service programs, including the AmeriCorps, Learn and Serve, and, of course, Senior Corps programs, to mention a few.

The Serve America Act will triple the oversight and programming for commissions over the course of the next 5 years, increasing participants from 75,000 to 250,000. Effective grants oversight and planning by commissions is essential to the integrity of these new programs. The State commissions will administer five new corps, five grant competitions, and the Serve America fellows program, which is an individual placement program that will be administratively intensive but vital to get members to rural communities and small organizations.

Increasingly, State commissions take the lead role of managing volunteers and donations in response to natural disasters, which has been particularly important in the gulf coast hurricane recovery and Midwest flood relief.

For example, the Iowa Commission on Volunteer Service last year set up eight volunteer reception centers, staffed with AmeriCorps members, that helped increase and better utilize traditional volunteers in Iowa's historic flooding and tornadoes of last summer. Those centers connected over 800,000 volunteer hours to families who called in for help. These centers became the central points for deployment for faith-based groups, schools, and businesses that sent volunteers to help.

AmeriCorps members often led teams of unaffiliated volunteers after training them to gut and muck out houses, as well as clear the miles of debris that littered the Iowa landscape. This effort was valued at over $13 million by FEMA in savings to the taxpayers, and it is still going on today. In fact, two of the centers are being run for the rebuilding phase and over 1,000 AmeriCorps members will help support the massive rebuilding efforts of this past summer.

I think it is clear the State service commissions are up to the task of overseeing much of the work that will be done under the Serve America Act. I certainly will be glad to see them take on this much larger role that this bill gives them the opportunity to do.

I am a firm believer of one reason why our economy has run so well in the past and one reason why we have a Federal Republic that has lasted all these years is because we recognize that with these 50 States, we have 50 State laboratories to test out these programs. Then we can pick and choose which ones are the most successful and why. It is great to have them competing against each other, having them setting examples for each other, having them open doors for each other. There is a lot to that. This bill basically turns over the effective running of all these funds to State representatives and to State volunteer movements and commissions, State service commissions, if you will.

We will learn a lot from this. We have already learned a lot, but we will learn even more, and as we move toward 250,000 volunteers under this program, that will be extended to probably at least 7 million or 8 million more volunteers, none of whom will be paid for giving this type of service—at least these 7 million or 8 million. We do pay people a small stipend that is less than

the minimum wage, less than the poverty level, but that extrapolates into as many as 7 million people, maybe even more—we hope more—who will actually volunteer at no cost to the Government and save trillions of dollars over the years.

This is a conservative program in many respects and it is a liberal program in the sense that it helps so many people. Conservatives want to help all these people too. I guess the best thing to say is it is neither conservative nor liberal, although it has the best instincts of both sides who come together in the best interest of helping their fellow men, women, and children in this great country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. 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. REID. Mr. President, I am sure there are others who wish to speak on the Crapo amendment. However, either speaking on the Crapo amendment or the bill, we ask people to come over and talk on it. In the meantime, we would be willing to set this amendment aside. If there are other amendments the minority wishes to offer, we are certainly not going to stop them from doing that. I think we should get all the amendments we can on this legislation.

So if there are other amendments people have, there is no stopping them from offering them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KAUFMAN. Mr. President, I would like to begin by thanking my distinguished colleague, Senator MIKULSKI, for her effective leadership steering this bill through the HELP Committee while gaining bipartisan support.

The strong support this bill enjoys is not surprising given her stewardship and, of course, the hard work of Senator KENNEDY who brought us to this point.

I would also like to thank Senators HATCH and ENZI for their work on this bill.

When we work together across the aisle, the end result is a better bill and good governance.

I can think of no bill that better represents the values of America than the Serve America Act.

It will expand the opportunities for Americans to serve their communities and their Nation.

It makes me—and I think all of us here proud that each year over 60 million Americans volunteer, donating over 8 billion hours of their own time, their own lives—to make our country—and the world—a better place.

We are in a time of crisis. Right now, our country needs those volunteers at our schools, hospitals, and shelters more than ever. Nonprofits are doing all that they can to help those who have lost their jobs, their houses, their savings, their retirement.

This bill recognizes the need to reinforce and strengthen this system in a number of ways.

I recently spoke here in the Senate about the need for our country to reset its focus on how best to change the culture of our economy away from a Wall Street profit-first mentality to one that prioritizes jobs and careers that will help our Nation tackle the challenges it currently faces.

I believe that the vitality of our economy rests with our ability to be the world's leader in innovation, and I believe this means that we must do more to attract the best and the brightest to careers in science and engineering.

Those who have dedicated themselves to these fields have much to contribute beyond making our economy competitive; they also contribute to our communities' well-being.

This bill, I am proud to say, recognizes the important role that engineers can play in bettering our communities.

I would like to commend the HELP Committee for expanding the purpose of the bill to include providing service opportunities for our Nation's retiring professionals, including those retiring from the science, technical, engineering, and mathematics professions—also known as ''STEM'' jobs.

Not only will this allow us to tap the unique skills and knowledge of our retired STEM workforce, but it will allow us to strengthen the STEM education pipeline.

This bill will send retired engineers into communities, classrooms, and after school programs, allowing them to share their wisdom and experience with students.

Ultimately, they will help these young people understand not only the important role that science and math can play in their careers, but how they can use their expertise in those fields to solve our country's—and the world's—greatest challenges.

This bill also acknowledges that innovative, community-based service-learning programs that integrate STEM are a successful strategy to engage middle- and high-school students in meaningful hands-on learning opportunities that also help them meet their community's needs.

It specifically allows funds to be used to integrate service-learning programs into STEM curricula at the elementary, secondary, and postsecondary schools levels and then draw on practicing or retired STEM professionals to work in these programs.

In this case, electrical engineers might participate in a program that helps students apply lessons from their math and science classes to expand and improve broadband access in rural communities.

Linking the classroom to real-world applications will help students better understand the role and responsibilities of engineers and scientists in the workplace.

The third way that this bill draws on the expertise and knowledge of engineers is that it allows ''Professional Corps'' programs to be created. These ''Professional Corps'' programs will recruit and place qualified professionals, like engineers, in communities that don't have an adequate supply of these professionals.

For example, an employer would sponsor an individual and pay their salary to be placed in an organization that works with the community to conduct green energy audits of local public buildings or homes in disadvantaged communities.

This would not only reduce a community's carbon footprint; it would also help improve public awareness of engineering's critical role in solving our Nation's greatest challenges—like energy efficiency and energy dependence.

We must—once again—capture the attention of our students and let them see the numerous ways that STEM contribute to our economy and can improve the lives of their fellow citizens—in America and abroad.

Just as I decided to study engineering because I was inspired by ''Sputnik'' and the race to put a man on the Moon, we must inspire our students to work on issues of critical need as well.

The underrepresentation of so many groups in STEM fields is troubling, since diversity is widely acknowledged to spur innovation and creativity.

Innovation and creativity in turn spur the development of new products and new markets, which are essential to maintaining a competitive economy.

Engineers and scientists can have a tremendous impact on the lives of these traditionally underrepresented groups by serving as mentors in their communities.

This bill will encourage our Nation's scientists and engineers to work in and with economically disadvantaged communities to ensure that these fields include rather than exclude, and encourage rather than discourage, traditionally underrepresented groups from pursuing a STEM education.

The Serve America Act will help our young people identify those challenges and provide them with real opportunities to make a difference—opportunities like improving energy efficiency, working toward energy independence for America, bolstering disaster preparedness and response, promoting environmental sustainability, strengthening our education and health care infrastructure, and improving opportunities for economically disadvantaged individuals.

These challenges are daunting, yet I know that if asked, a new generation of engineers and scientists will rise to the occasion.

I stand in proud support of the Serve America Act, as it will inspire multiple generations to volunteer and to engage in national service.

Their generosity will not only strengthen America—but the world. I appreciate my colleagues' allowing me the opportunity to explain how the service opportunities this bill creates are also opportunities for our practicing and retired engineers to serve their fellow citizens—ensuring that that our country's future STEM workforce is strong enough, diverse enough, and motivated enough to tackle the greatest challenges facing America.

I will close by once again thanking Senators MIKULSKI, KENNEDY, HATCH, and ENZI for their leadership.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEMINT. I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. DEMINT. Mr. President, I wish to speak for few minutes on the Serve America Act. I think this is a great opportunity to talk about what is good about a lot of the Members of the Senate. I certainly appreciate and applaud the sponsors of this bill for their good intentions and know their hearts are in the right place. Some of my best friends are supporting this bill. But I think, as we look at what is good about the hearts of many Members of the Senate, we need to recognize this bill does represent a lot of what is wrong with our Federal Government today—a lot of our philosophies, and a lot of our departures from a constitutional form of government.

What works in America today is our civil society—a lot of the volunteer groups that many of us have been a part of. I know for years I spent more time in United Way and a lot of the charity groups, being on their boards back in my community, and I saw what the volunteer arts groups and PTAs and health groups did to build a strong community. Civil society works in America. They are small groups. They are the true engines of character in our country. They promote service and patriotism. In this time where we have seen some of our economic institutions let us down, we have certainly seen our Government and our policies let us down, civil society does not let us down. It works in America today.

It is understandable why Congress would want to get involved. We see that passion to serve, that desire to do something that is greater than yourselves. We look at that working in our civil society and we want to get involved and expand it.

Unfortunately, our history shows us when Government gets involved, it tends to take something that is working and make it not work nearly as well. Civil society works because it is everything Government is not. It is small, it is personal, it is responsive, it is accountable. Civil society must be protected from any effort to make it more like Government.

That is what we are doing with this bill today. This bill centralizes control of important functions of our civil society. There is a downside to good intentions here in Government. The Founders created a limited government and our oath to support and defend the Constitution means that is our focus here. Our oath is to a limited government. The Founders wanted the people to be free from our good intentions. Government charity is anathema to what our Founders intended and what our Constitution stands for. Despite our good intentions, where we try to implement those good intentions and our compassion through the force of Government, we are effectively violating our oath of office here.

Well-intended legislation has left more than half of all Americans dependent on the Government. Today in America over half of Americans get their income from the government or a government source. About 20 percent of the country works for the government or an entity that gets its primary source of revenue from government. Another 20 percent gets their income and health care from Medicare or Social Security. Once you add in welfare and other subsidies, you make it so over half of all Americans are already dependent on the Government. This bill proposes to spend nearly $6 billion over 5 years, which means it will be probably $10 billion, probably more, over a 10-year period. It will have nearly a quarter of Americans working for it, which means it will be the 14th largest company, as far as employees, in the entire world.

What have we done here that suggests we can manage anything like that? Do you see anything in our history as a Federal Government that shows we have the ability to effectively manage something like that without extreme levels of waste and fraud and abuse? Look what we have done recently with the stimulus plan and the bailout plans. As soon as it comes to light what is actually happening with that money, people are outraged at what is going on. Despite the good intentions of this bill, we are creating a huge new government entity that will be unmanageable and violates some of the core principles of our civil society. Every time the Government steps in to solve a problem, it creates three new problems in its place.

This bill is everything wrong with how Congress sees the world. Government will make service organizations less effective, less responsive, and less personal. When the French historian de Tocqueville came to the United States not long after we were founded, one of the things that amazed him about our country that was so different from France was that in his home country when there was a problem, people would say: Someone ought to do it and government should do it; but in America we were different. When someone saw a problem, they went and got a friend and formed a small group and solved the problem themselves. Much of that was motivated by religious convictions that our place in this world is not only to help ourselves but to love and help those around us. That was key.

Jefferson called it little democracies, when he saw these little groups all around America voluntarily doing things to solve problems and make communities better. Burke called them little platoons. Most people who understand America know that those voluntary groups are what made our country great and what sustain us even today. Civil society binds communities, not by its fruits, but by its motives—charity, donations, giving without thought of getting anything in return. This is the selfless sacrifice that happens throughout America today. This is what works.

What does not work is what we are doing right here. The big difference is private service organizations exist for the people who receive the aid. Government service organizations exist for the people who give it—in this case, for the people who are paid to do it. You cannot pay people to volunteer and expect the organization to remain focused on its mission. Charity is a private, moral impulse, not a government program.

Government will not and, by definition, cannot strengthen and replace the civil society. Volunteerism is something that works in America. When we think of America, we do not think of Congress and Presidents, we think of Little League games and PTA meetings and bake sales.

Civil society is America. It responds to needs, meets challenges, and solves problems because it is free from Government. Because volunteers donate their time and money, accountability is acute. I have seen it. I have sat on a United Way board. Every year we evaluate every program and every dollar we have given to someone, and we determine is it working or can we make it more efficient.

If the program is not working, the money goes away immediately. That does not happen here. If the program does not work here, we add more money to it. That is going to happen with every program we start, including the one we are talking about today.

Projects that do not work in a civil society get cut. Organizers who lose or abuse funds are dismissed. It is voluntary. So everyone is invested in its success. We know the large groups throughout America, the Boy Scouts, the Girl Scouts, the United Way, the Salvation Army, the YMCA, Catholic

Charities, fraternal orders, groups such as Kiwanis, Rotary, Knights of Columbus. These are large organizations, but they work because they are locally controlled.

Smaller groups, local arts councils and community theatres, PTAs, youth sports leagues, the animal rescues, the book clubs, crisis pregnancy centers, soup kitchens, food and other clothes drives that go on, church service groups, they are everywhere.

Those are the little platoons, the little democracies that make this country work. For us to presume, in the Congress, that somehow we are going to reach out into all these groups and make it work better is pretty presumptuous based on our history.

Why now? Why at a time in economic crisis with unimaginable debt and spending do we come in and say: We need to spend another $10 billion over the next 10 years to create another Government program to do something that is already working.

At the same time, we are talking about creating this new bureaucracy to replace private voluntarism with Government programming. We are actually cutting some of the incentives for people to give to charity and for the private sector to work. The President's budget actually cuts the charitable donations of the people who give the most to charity in this country. So look at what we are doing. We are making it harder for the private sector to work.

You also look at what we have done over the years, forgetting that a lot of private charity and the motivation to serve God and community is a religious-based motivation. What have we done in this country?

We have essentially tried to purge that motivation from our country. Most public schools, or at least a lot of them, used to sponsor Boy Scout groups. But after being sued for years because the Boy Scouts have God in their pledge and they set standards for their leaders that some do not agree with, the threat of lawsuits essentially means our Government schools have thrown out the Boy Scouts.

More than half our astronauts, half our FBI agents, a lot of the most successful people in this country were trained in the Boy Scouts to serve their community, where their character was developed. But this Federal Government has forced them out of public places. For years we purged religion from our society. Religion was the primary motivation for a lot of civic groups, a lot of services, a lot of charities, a lot of hospitals that were formed, a lot of schools.

But we have said that has no place. Because we have unleashed the ACLU and other groups to constantly sue and intimidate groups, that religious motivation has been moved, has been purged in many cases.

Now we are going to come in and help solve the problem we have created. We want to promote voluntarism, we want to promote community service, when what we have done over the last several decades is essentially tried to destroy the motivation for people to serve a cause that is greater than themselves.

We cannot replace private charity with Government programs. If we try, a lot of people are going to miss meals, suffer cold winters, and leaky roofs. I wish to go back to where I started. I appreciate the motivation, the heartfelt sense of compassion and the patriotism that I know my colleagues feel in sponsoring this legislation.

But I think we need to come to a point as a government that we recognize we cannot do everything. That is why we take the oath to the Constitution to defend and protect the very limited form of Government. This Congress, this Government, does not need to start or expand an organization to a quarter million people, when we are paying people to do work that we decided needs to be done and take those decisions out of the hands of millions of Americans who look around every day and see what they can do to make their families, their communities, and their country a better place to live.

These are not Government decisions. We need to focus on what we were set up to do and do it much better than we are doing, instead of every week coming in here, bringing our good intentions and our compassion and every problem we see across the country we say something needs to be done. Then we say: The Government needs to do it.

That is the fatal flaw of the Congress today, is we forget that sacred oath of office that says: We will protect and defend the Constitution which says this Federal Government has a very limited function. And those functions that are not prescribed in the Constitution are left to individuals and to the States.

This is a huge well-intended mistake we are making. It serves a point that we need to realize this Government needs to stop spending and stop borrowing, stop taxing, and let America work.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, almost every group that the distinguished Senator from South Carolina has mentioned is helped by this bill, and every one of them wants this bill. This bill is basically run by the States. I agree with the Senator, they do it better than anybody else.

As we close today's debate, I want to take this opportunity to focus on the economic case for national and community service, to articulate why the Serve America Act makes sense from an economic standpoint, and to highlight why the bill will generate a good return on investment right when the country and so many individuals need it most.

In today's environment, every bill we consider must be viewed through an economic lens. What role does the legislation play in fueling our economic recovery? How can we cost-efficiently make Government a partner with the private and nonprofit sectors? How can we ensure we support efforts that are effective and shut down those that are not? What are the short- and long-term effects of what we do?

Unfortunately, the economic recession has had a dramatic effect on our nonprofit sector and civil society. In the wake of the downturn, senior centers, soup kitchens, nursing homes, nursery schools, and other nonprofit organizations serving the vulnerable have seen a threefold crisis. As the markets have fallen, wealth has evaporated and decimated charitable donations. By the way, I do not agree with the President's recommendation to cut back on tax benefits to those who give to charity. The State and local budget crunch has hit the nonprofit sector especially hard. And the human need for help from community-serving institutions is skyrocketing right at a time when their resources are shrinking. One report called it America's ''Quiet Crisis.'' I believe that we here in the Senate should give this crisis more public attention and ensure that our civil society and our Nation's volunteers, which are the bedrock of efforts to meet needs in our country, remain strong. We need to help give more Americans opportunities to do good works in hard times.

Research has uncovered disturbing evidence of civil society's growing troubles. Churches, which are typically our Nation's great engines of compassion, deliver social services to the poor and needy. Our country depends on faith-based institutions to meet needs that they are uniquely equipped to meet, far better than distant Government bureaucracies. Unfortunately, churches raised $3 to $5 billion less than anticipated in the last quarter of 2008, crippling efforts to keep pace with growing humanitarian needs. Other nonprofit budgets are shrinking. Chicago's Meals on Wheels, which delivers hot meals to homebound seniors, trimmed its budget by 35 percent; and half of all Michigan nonprofits say their financial support has dropped.

Meals on Wheels is a Federal program. It would not exist without support from the Federal Government. It is handled very well at the local level.

These trends are occurring just as need for help is rising. United Way call centers saw a 68-percent increase over the past year in the number of calls for basic needs, such as securing food, shelter, and warm clothing, and is receiving 10,000–15,000 more calls every month than in 2007.

Lorna L. Koci, services director for the Utah Food Bank, recently visited my office to talk about increasing needs in my home State. The top three reasons people dial 2–1–1 in Utah to reach the United Way call center is for emergency food assistance followed by health care and housing needs. In the

past 6 months, calls requesting food assistance have doubled and food pantry visits by Utah families are up at least 30 percent. Now you can imagine what that is in other States. Utah takes care of our people. My own church has a church welfare plan. No one in my faith should go without food, shelter or clothing. Most of the people served are the working poor, but many families are seeking assistance for the first time. These people were contributors and are now recipients. At alarming rates, needs are growing in Utah and across the Nation.

Addressing this quiet crisis in our civil society is a matter of jobs, not just charity. The nonprofit sector accounts for 5 percent of GDP and 11 percent of the American workforce, with 9.4 million employees and 4.7 million volunteers nationwide. For perspective, the nonprofit sector is greater than the auto and financial industries combined. It contributes more than $322 billion in wages and its workforce outnumbers the combined workforces of the utility, wholesale trade, and construction industries. What happens to our nonprofit sector will have a big effect on our country, both from the standpoint of employment and meeting needs of the most vulnerable in our society.

We have spent a lot of time on the floor of this Senate discussing ways to ''bailout'' industries and to get our economy moving again. I certainly have not agreed with the levels of spending, and I worry about the long-term effects of our actions on the Federal deficit and the national debt. I don't think many of our actions have been wise, in the short term and certainly not for the long term. Thomas Jefferson warned of the moral problem of leaving a crippling debt to future generations. With the changing demographics in this country and the growth of entitlements, we are setting ourselves up for a fiscal crisis of tremendous significance.

Yet the economic debate has almost completely ignored the platoons of civil society, those individuals, volunteers and nonprofit institutions in local neighborhoods and communities that do most of the social service work in our country to meet vital needs and do it at low cost to governments and society.

There also has been so much talk of ''bailouts'' in our debates, let's just bail out this industry or that industry. We need to move from talk of bailouts to a spirit of challenge in our country. Where is the personal responsibility? Where is the support for efforts that truly enlist Americans in local communities to step forward to lend a hand? Our answers are not going to be found in the Federal Government. Our Government can offer resources, but it cannot love a needy child, offer the hand of compassion to help the elderly live independently in their homes with dignity, or help provide the deft human touch that gives hope in times of despair.

So our debates on this floor should no longer exclude our nonprofit sector and civil society and the citizens who stand ready to help in times of trouble. No sector, quite frankly, offers more bang for the buck and generates a better return on investment than investments in our Nation's most precious asset—the talents and skills and enterprise of our people.

Let's first talk about the important task of getting Americans into productive work. Community and national service efforts target two populations that have been hit particularly hard by the economic downturn—our Nation's young people, including college graduates, and older Americans. While unemployment rose for all age groups during 2008, the increase was dramatic for America's young people. And we know from research that youth unemployment rates are a good barometer of the overall health of the economy, since young people typically face the greatest difficulties in finding steady employment, due to their lack of experience. By February 2008, the overall unemployment rate had reached 8.1 percent. The youth unemployment rate for individuals 16 to 19 years old was nearly triple that at 21.6 percent. In particular, African-American youth were the most likely to be unemployed at a rate of more than 36 percent. Remember, during the Great Depression, we saw rates of unemployment for the adult population hovering around 25 percent.

High rates of youth unemployment are detrimental not only to jobless youth but to our economy as a whole. An individual who experiences early unemployment is more likely to have lower future earnings as well as repeated spells of joblessness. This is not the future we want for our young people. The demoralizing effects of long-term unemployment may lead to risky behaviors, such as crime and drug use.

Unemployment rates for college graduates are increasing. In fact, the college graduate unemployment rate has broken the record for college graduates, and some researchers predict the rate, which is at 4.1 percent, will exceed 5 percent in 2009.

Our economic troubles are not just affecting the young. Many older Americans are quickly finding themselves out of work. In January 2009, 5.2 percent of workers 55 and older were unemployed, an increase of 63 percent from last year, with 1.5 million older workers now facing joblessness. In October 2008, one out of every three jobless Americans age 55 and older had been out of work for at least 27 weeks. A decline in the value of retirement funds—nearly $3 trillion from America's retirement accounts over the past 14 months, with the average American losing 34 percent on retirement holdings—has forced many older Americans to return to the job market.

Investing in community and national service to put America—particularly younger and older Americans—into productive work is a low-cost solution to fight unemployment and a vital bridge to permanent, higher paying employment in the private sector. Since the beginning of full-time and part-time national and community service in 1993, an initiative that began with the Commission on National and Community Service under President George H.W. Bush, more than 540,000 Americans have tackled the Nation's most challenging problems, not through Government, but through an extensive network of nonprofit organizations working at the local level. Well known nonprofits such as Habitat for Humanity that builds homes for low-income Americans, Teach for America, which sends bright teachers to the highest need communities, and City Year, which puts young Americans into productive work meeting needs in our Nation's cities.

Every year since 2004, thanks to President George W. Bush's commitment to ramp up national and community service through his USA Freedom Corps after 9/11, our Government has offered 75,000 opportunities to adults of all ages to serve not through some government bureaucracy, but through nonprofit organizations created by the innovation of our people. These public-spirited Americans who give a year of their lives in service to community and country are given a below-poverty monthly living stipend and receive a small award to help defray the costs of college at the end of their year of service.

In addition to creating jobs at lower cost to Government or the private sector, national and community service programs and members leverage impressive resources within their communities. These 75,000 national service participants leveraged 2.2 million traditional volunteers who receive nothing from government to work on behalf of meeting the needs of a nation. As I stated earlier, that is nearly a 1 to 30 ratio of national servicemembers to traditional volunteers. In fact, this is the power of so many nonprofit partnerships today.

It bothers me when I hear comments such as those recently made on the floor: We are forcing Government into everybody's lives. My gosh, we are providing a means of support for people—without making it the minimum wage or without giving them welfare—by helping them become servants and servers to the community at a lower cost. Millions are served without any pay at all because of these programs. How can anybody find fault with these programs?

Imagine placing one national servicemember in a Habitat for Humanity build. That individual, who organizes the building project, recruits, trains and puts to work volunteers, dozens of them at no cost to Government, to ensure home after home rises to meet the needs of low-income Americans. It is a great model. And it is not only about increasing the number of volunteers. In

2007, our national service programs leveraged an impressive $231 million in financial resources to meet local needs. It is a successful model of a public-private partnership, where the private participation in the form of resources and volunteers together outpaces the public.

National service programs also have been shown to meet critical needs in communities. Independent evaluations have shown that teachers in Teach for America have made greater gains in math among their students compared to other teachers; participants in Citizen Schools show higher school attendance, a significant predictor of whether a student will stay on track to graduate from high school, and higher math and English grades; and third graders working with Experience Corps members scored higher in reading tests and exhibited better behavior in schools than children in control schools. African-American men in Youth Corps programs were more likely to have experienced more employment and higher earnings, to have voted in the last election, and scored higher on measures of personal and social responsibility than members in a control group. And 75 percent of former participants in the YouthBuild program, most of whom are high school dropouts, had found gainful employment, were going to school, or were training for jobs. Research has also shown that participants in Youth Corps programs were more likely to secure better employment after completing their service and that former members, particularly African-American and Hispanic males, had higher wages than their peers not in the program.

These are the programs we are helping; programs that are doing all this work for free and making a difference in the lives of children and families. These are the programs that enlist seniors who would like to give back to the community. How can the argument be made that these programs should not be in effect?

The economic benefits of traditional volunteering are also significant. In 2007, more than 60 million Americans—or more than 26 percent of the adult population over 16—gave 8.1 billion hours of volunteer service. The cost of that service, had it been done by paid workers, would have amounted to approximately $158 billion. Volunteering in America rose significantly after 9/11, I believe thanks in no small measure to the leadership of President George W. Bush, who asked every American to give 2 years of service to the country over their lifetimes. Volunteering rose from 59.8 million Americans the year after 9/11, which was a very high baseline, given that we knew volunteering would rise in this year, to 65.4 million Americans from 2004 to 2005. The story here is that America did respond to 9/11 and sustained the wave of service and patriotism for which the President and we in the Congress had hoped. The Mormon mission—which is often for a period of 2 years in service abroad or domestically—was one of the inspirations for the President's 2-year call to service. Almost every young Mormon male serves, as do many adults and females. They learn to care for people and give to communities. The spirit of service remains strong today at around 61 million volunteers within the last year.

We clearly have room to grow the pool of volunteers and the ServiceNation coalition, consisting of more than 125 organizations from the AARP to Colin Powell's America's Promise Alliance for Youth, has endorsed this effort to increase our volunteer base from 61 million to 100 million every year. According to a recent report by AARP, entitled ''More to Give: Tapping the Talents of the Baby Boomer, Silent and Greatest Generations,'' a majority of older Americans are healthy and free of caregiving obligations, and tens of millions of them are prepared to increase their volunteer service in a world they believe they are leaving in worse condition than they inherited. This may be the first generation to believe this and they want to make it right. They have the capacity to do so. The 77 million baby boomers are the longest-living, best educated, healthiest, and most highly skilled generation in our history and represent enormous potential to meet significant needs throughout our country. We should be more creative in enabling more of them to serve.

As the Nation's economy continues to sputter and organizations continue to operate on shrinking budgets, volunteers will become even more essential to the Nation's work. We need to do all we can to harness this productive capacity in these difficult times, and Americans seem very willing to shoulder more responsibilities to get the country moving again.

The Serve America Act gives our country a hat trick—it puts Americans into productive work at low cost to Government, meeting the needs of the Nation, and with no new bureaucracy, since volunteers work through an established network of well-known and trusted nonprofit organizations created by the social enterprise of innovative people. The legislation also targets the two populations most in trouble from the economic downturn—our young people and older Americans. A new volunteer generation fund will tap, train and help deploy more traditional volunteers to meet needs identified by local communities. We saw the wellspring of American compassion in the aftermath of Hurricane Katrina. We need more of those efforts every day, not just in times of disaster.

The bill also creates 175,000 more opportunities for full-time and part-time national and community service, mobilizing our people to tackle problems like the high school dropout epidemic and growing poverty. These 175,000 members, if current leverage ratios continue, would mobilize approximately 5.25 million traditional volunteers to help in these and other vital efforts. Together with the 75,000 who already leverage 2.2 million Americans, we could have around 8 million Americans participating every year in efforts to address specific challenges in education, healthcare, poverty, energy, and the environment. In hard times, we could use their good works.

The Serve America Act also fosters a culture of service among younger and older Americans. Service-learning opportunities in our Nation's schools have been shown to boost student attendance and engagement, which in turn have a positive effect on keeping students on track to graduate from high school. On the other end of the spectrum, the bill also provides Encore Fellowships to older Americans who want to use their lifetime of skills and talents to help meet the country's needs. And national and community service programs will engage not just the young, but older Americans in their full-time and part-time efforts.

Times of trial have always summoned the greatness of the American people. These are such times. Putting millions of Americans into productive work, not through the instrument of the government, but through the innovation of nonprofit and other community serving organizations, is a smart way to foster a spirit of challenge in the country and tap the innovation and expertise of our people. Government cannot stand on the sideline; it has an important role to play in partnering with the private and nonprofit sectors to further enable this innovation and release the energy of more Americans to give back in times of trouble. By putting hundreds of thousands of Americans to work in full-time and part-time national and community service; leveraging millions of additional volunteers to help meet urgent community needs; fostering innovation among the next generation of social entrepreneurs; and engaging nonprofit institutions in helping to meet challenges in key areas, we can help strengthen our economy and do something this country has always done well since its founding—release the energy of millions of Americans to do more good works in hard times.

Mr. President, the distinguished Senator from Colorado is in the Chamber. I know he wishes to speak, so I will turn the time over to the distinguished Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. INHOFE. Mr. President, will the Senator yield?

Mr. UDALL of Colorado. Mr. President, I am happy to yield to the Senator from Oklahoma.

Mr. INHOFE. Mr. President, I have a unanimous consent request.

I ask unanimous consent that at the conclusion of the remarks of the Senator from Colorado the Senator from Nebraska, Mr. JOHANNS, be recognized,

then I be recognized, and then the Senator from Hawaii, Mr. AKAKA, be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, I presided over the last hour and listened to the speeches about this important Serve America Act, and I felt compelled to rise and express my strong support for the legislation as well.

I am a proud cosponsor of this legislation, and I want to particularly thank my colleagues—Senators KENNEDY, HATCH, MIKULSKI, and ENZI—for working in a bipartisan manner to bring this important legislation to the Senate floor.

During these challenging times, we forget that every day millions of volunteers give their time and energy to help others and to make their communities more livable. Thousands of recent college graduates help educate young people in poor and rural schools through the Teach for America program. Millions of men and women join together to build affordable homes or improve health services for those in need throughout America through the AmeriCorps program. Tens of thousands of seniors are foster grandparents to our young people or companions to those who need help with everyday tasks through the Senior Corps program.

These volunteers, as we have been hearing most of this afternoon, are the best of what our country has to offer and the very essence of the American spirit. By working together to pass this bill, we are doing honor to their commitment to civic engagement and public service.

Service to community and country is something that has been an important part of my life. Prior to my career in politics, I served as the executive director of the Colorado Outward Bound School. Outward Bound provides participants with opportunities to test themselves—both physically and mentally—by confronting obstacles and surviving the elements. At the same time, the school teaches participants to rely on each other for support, assistance, and to work better as a team to meet all the challenges that Mother Nature can throw at you.

As part of the Outward Bound program, we considered it important to promote volunteering because we believed it helped strengthen our communities.

Voluntarism also enables young people to develop personal confidence and self-respect, to avoid the temptation to utilize violence to settle differences by instead learning skills and helping others.

I also had the opportunity to work in the House of Representatives with my fellow House Member TOM UDALL, where we introduced legislation to promote volunteer efforts on our public lands. The goal of our piece of legislation called the SERVE Act was to enhance the stewardship of the natural and cultural resources for the millions of people who visit them for recreation and education every year.

We also worked together to give the Peace Corps the resources to expand their ranks. After more than 40 years, the Peace Corps remains one of the most admired and successful initiatives ever put in place. The Peace Corps offers an avenue to better understand other cultures and to do a better job of promoting an understanding of American values by citizens abroad.

Many Coloradans have dedicated themselves to community and national service. For example, Colorado has one of the highest levels of recruitment of Peace Corps volunteers nationwide, including my mother, who served in the Peace Corps in Nepal from the age of 56 to 61.

So we have a great volunteer spirit in this country, and we can do more to expand the opportunities for people who would like to give their time to help others in our communities. The bill before us today, the Serve America Act, does that by building on the very strong foundation built by AmeriCorps and other service programs.

Let me discuss a couple of the important elements of this important piece of legislation.

First, it establishes the Youth Engagement Zone to Strengthen Communities program and the Campus of Service program. By engaging high school students and out-of-school youth in community opportunities, we can instill a spirit of service in our young people that will stay with them for a lifetime.

Secondly, the Campus of Service program recognizes colleges and universities with outstanding service-learning programs, and provides resources to support students who want to pursue careers in public service. So many adults who work in Government, nonprofits, and other public service careers got started because of opportunities they had when they were in school. This program will expand the options available to students, so more young people can find rewarding volunteer experiences, and so we can increase the number of young people who want to pursue careers in public service.

Third, the bill creates a set of focused corps: the Education Corps, the Healthy Futures Corps, the Clean Energy Futures Corps, the Veterans Corps, and the Opportunity Corps.

I wish to take a minute to address one, the Clean Energy Futures Corps. In this program, the participants would do a variety of jobs to help make our communities more energy efficient and to preserve our country's natural beauty. These volunteers might help weatherize low-income households to help residents save money or to help clean and improve parks, trails, and rivers.

I was fortunate I was born into a family with a long tradition of working to protect our country's majestic public lands so future generations could enjoy the spectacular scenery and outdoor recreation activities we appreciate today. So I am pleased that Senators KENNEDY, HATCH, MIKULSKI, and ENZI included preserving our national treasures as a core principle of the Clean Energy Futures Corps.

I am also very pleased the corps will encourage energy efficiency and weatherization efforts. Energy efficiency must play a key role in helping us use energy in a more responsible and sustainable way. If you think about it, the most affordable kilowatt of energy is the one that is not used. This is important, especially for families struggling to get by each week. Energy efficiency and weatherization efforts will help ensure these families do not have to choose between paying their heating bill and putting food on their table.

Community service enriches everyone who participates—those who are being helped and those who are offering their service. Volunteers can change a neighbor's life or transform our entire country.

I support the mission of this bill. I commend President Obama as the driving force in promoting service opportunities for Americans of all ages.

Mr. President, as I conclude, I want to offer some additional remarks that amplify what my good friend from Utah, Senator HATCH, said in response to our good friend from South Carolina.

The Senator from South Carolina came to the floor and expressed his concerns about this important legislation. He suggested that civil society is everything government is not. Well, with all due respect to my friend from South Carolina, I could not disagree more. I think civil society and government are not mutually exclusive. In fact, the Founders designed our formal democratic government systems based on what they learned in the civil society of the early days of our country.

Lincoln—probably our greatest President, the founder of the Republican Party—if I can paraphrase him—said: What we cannot do alone, we do together in self-government to accomplish.

There is an increasing demand clearly in our society that Senator MIKULSKI, Senator KENNEDY, Senator ENZI, and Senator HATCH have heard and want to tap into. Senator ISAKSON was on the floor earlier talking about creating an infrastructure of volunteers that this bill would so importantly promote. He talked about that the corps' participants are only paid stipends and small, cover-your-expenses salaries. So this is not an expensive program for the benefits that are generated.

The Senator from Utah talked about how this is the best of the liberal and conservative philosophies combined. The Senator from South Carolina talked about the great French historian de Tocqueville who identified this

wonderful spirit in America of voluntarism way back in the 1820s and suggested somehow that could only be pursued through what he called the civil society. Well, that spirit is unique to America, I believe, and it is alive and well, and it can be promoted by civil society, by private society, as well as by this private-public partnership that is envisioned in this important legislation.

In closing, I cannot help but think of my friend, a mentor, a leader, the Senator from Arizona, Mr. MCCAIN, who, in expressing the lessons he had learned in his life, talked about why he joined the military. And he put it simply. He said in order to build his self-respect, he wanted to dedicate himself to a cause greater than his own self-interest. That is what this important legislation will do, and it will allow millions of Americans to have that opportunity, to dedicate themselves to causes greater than their own self-interests.

I urge swift passage so we can go to work.

Mr. President, I thank you and yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

AMENDMENT NO. 693 TO AMENDMENT NO. 687

Mr. JOHANNS. Mr. President, I ask unanimous consent to send an amendment to the desk.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. JOHANNS] proposes an amendment numbered 693 to amendment No. 687.

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

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

The amendment is as follows:

(Purpose: to ensure that organizations promoting competitive and non-competitive sporting events involving individuals with disabilities may receive direct and indirect assistance to carry out national service programs)

On page 115, line 15, strike ''1 percent'' and insert ''2 percent''.

On page 115, line 20, strike ''$10,000,000'' and insert ''$20,000,000''.

On page 213, after line 21, insert the following:

SEC. 1613. AVAILABILITY OF ASSISTANCE.

(a) FINDINGS.—Congress finds the following:

(1) Special Olympics is a nonprofit movement with the mission to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy, and participate in a sharing of gifts, skills, and friendship with their families, other Special Olympics athletes and the community.

(2) With sports at the core, Special Olympics is a leader in the field of intellectual disability, and is making impressive strides in the areas of health, education, family support, research, and policy change for people with intellectual disabilities.

(b) AMENDMENT.—Subtitle F of title I is further amended by inserting after section 184 the following:

''SEC. 184A. AVAILABILITY OF ASSISTANCE.

''Notwithstanding any other provision of this Act relating to eligibility, a reference in subtitle C, D, E, or H of title I regarding an entity eligible to receive direct or indirect assistance to carry out a national service program shall include an organization promoting competitive and non-competitive sporting events involving individuals with disabilities (including the Special Olympics), which promote the quality of life for individuals with disabilities.''.

Mr. JOHANNS. Mr. President, I rise today to speak about the need to support programs which help individuals with developmental disabilities such as Special Olympics. The care and treatment of people with developmental disabilities has always been a priority of mine. In fact, it is probably the major reason I am in public service today.

When I was Governor of Nebraska, I made it a priority to reform a piece of the system delivery in our State. Many of these citizens had mental illness and developmental disabilities. One of my major achievements was signing a bill into law which increased the use of community-based services for these citizens.

In Nebraska today, these citizens are much more likely to receive care at a specialized day treatment program or other local residential facility. This legislation was a victory for those Nebraskans and their loved ones who suffer from mental illness, giving them a chance to more fully participate in everyday life and to make a contribution to their communities.

Our efforts to aid the most vulnerable among us, though, must be a national as well as a local goal. And Government is only a part of the solution. There are many impressive private organizations which assist people with disabilities, but perhaps none as impressive as the Special Olympics.

Special Olympics is a nonprofit organization dedicated to helping this population become physically fit and productive by participating in sports training and competition. For over 40 years, Special Olympics has used sports to help bring people together and provide a venue for athletes with disabilities to compete with each other as equals.

But as anyone who has been involved with Special Olympics can tell you, it is much more than just the competition. The camaraderie and the sense of accomplishment felt by these very special citizens and athletes gives them self-confidence in every aspect of their lives. This is critically important work.

Special Olympics and similar organizations are vital to our fundamental national principles of human equality and our basic common dignity. It takes many volunteers to drive the success of an organization such as Special Olympics. In fact, when the National Games come to Nebraska next year, they are going to need 8,000 volunteers to serve 3,000 athletes, 15,000 family and friends, and 30,000 fans who will attend.

I am very proud our home State is taking on the challenges associated with this sporting event. Special Olympics has raised $1.5 million in private local funding for the 2010 National Games, which should indicate the State's level of enthusiasm for the event. To encourage the American volunteer spirit and help Special Olympics reach its goal of 8,000 volunteers for the 2010 games, I am very pleased to introduce an amendment which would increase the funding authorization for service programs assisting people with disabilities. I can think of no more worthwhile endeavor.

My amendment would double the amount of funding authorized under the National and Community Service Act that is set aside for such purposes and double the limit of such funding to $20 million. It must be the task of all of us to care for those most at risk. Helping people with developmental disabilities lead productive and fulfilling lives benefits our entire Nation and should thus be a national priority. I hope the Senate will agree with me on this and vote to pass my amendment.

Thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, first of all, I say to the Senator from Nebraska, I wish to thank him for his compassion. This side of the aisle, and I know the other cosponsors of the Serve America Act, are very much interested in working with him to accomplish the goal he so eloquently stated in his very compassionate statement. I would ask respectfully if we could—before I make a request—lay the amendment aside, and the staff on both sides of the aisle would like to work with the Senator to achieve these objectives. We want to be sure we don't inadvertently negatively impact either senior programs or some other programs for the disabled. Would the Senator be agreeable to that?

Mr. JOHANNS. Mr. President, may I inquire as to whether the esteemed Senator from Maryland would be willing to guarantee a determination on the amendment so we get a resolution of the issue?

Ms. MIKULSKI. Absolutely. The Senator will get a determination on his amendment. I give him my word. Is that agreeable?

Mr. JOHANNS. Mr. President, that is agreeable. We will work together and make sure we are not displacing another program and work toward a determination.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Johanns amendment on the Special Olympics be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Oklahoma is recognized.

Mr. INHOFE. I thank the Chair.

(The remarks of Mr. INHOFE pertaining to the introduction of S. 680 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, it is my great honor and privilege to speak in support of the Serve America Act. I want to thank my dear friend and colleague Senator KENNEDY, as well as Senators HATCH, MIKULSKI, and ENZI, for their commitment and dedication to this legislation, which celebrates our national legacy of service and volunteerism—a legacy which has made this country great.

In my home State of Hawaii, children are taught from an early age the importance of nurturing and strengthening bonds between people. Each member of an 'Ohana—or extended family—is expected to make a contribution—no matter how great or small—and to use their unique talents to benefit the community. Through this legislation we can increase this same sense of community responsibility throughout the Nation.

In my role as chairman of the Homeland Security Subcommittee on the Oversight of Government Management, the Federal Workforce, and the District of Columbia, I have advocated for programs and policies that encourage talented young people to join the Federal workforce. As we work to increase opportunities for national and community service, it is worth emphasizing that Federal Government service is a valuable way to contribute.

I am pleased that this bill includes language that encourages post-secondary students to pursue careers in public service through the Campuses of Service program. By supporting efforts to develop and implement models of service-learning, the Campuses of Service programs will help us build a new generation of public servants in the Federal workforce. This will help us prevent a future leadership gap as more of our Nation's long-serving, dedicated Federal employees become retirement eligible.

As chairman of the Veterans Affairs Committee, I am supportive of the provision in this Serve America Act that creates a Veterans Corps. This program will help our nation's veterans—members of our Armed Services—and their families through the creation of community-based programs designed to address their unique needs. This is a great way to give back to the community: to assist the men and women who have bravely risked their lives in defense of our Nation, by providing comfort to their families while their loved ones are deployed, or by helping disabled veterans back home. I am also pleased that the Veterans Corps will encourage our veterans to become volunteers themselves. As former members of our military, these dedicated men and women have gained experience and skills that can be used to benefit our Nation through community service.

In Hawaii, we have a saying, 'a'ohe hana nui ke alu 'ia, which means that no task is too big when done together by all. This bill helps create opportunities for all of us to work together now and to teach the value of collaboration to younger generations. Please join me in voting in favor of passage of the Serve America Act. mahalo—Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, in a few moments, I will ask that an amendment be pending. First, I will speak on the amendment.

Mr. President, I rise today to offer an amendment that will strengthen small charities around our country, especially in places where resources are scarce.

My amendment will create a ''Nonprofit Capacity Building Program.'' I am pleased to have worked with my colleague Senator GRASSLEY to develop this program. I have worked with Senator GRASSLEY for several years on oversight of tax-exempt organizations and efforts to strengthen the nonprofit sector.

Our amendment will connect Government funds with private-sector funds to provide education and training to small and midsize charities.

Small charities around our country serve people in need of food or clothing, run afterschool programs, provide housing counseling, and other services that are vital to our communities. But in many cases, these small charities lack access to education opportunities where they might learn how to manage the charity's finances, fundraise effectively, accurately file tax forms, adopt new computer programs or plan a long-term budget.

In nonprofit circles, folks would say these small nonprofits lack ''capacity,'' and training in these areas is called ''capacity-building.''

Our amendment will add $5 million per year over 5 years to the budget of the Corporation for National and Community Service to make matching grants to larger organizations so they will, in turn, provide training to small and midsize charities throughout their State or region.

These kinds of training opportunities are especially rare for charities located in rural areas. Folks running a charity in a rural area may never have the chance to attend a grant-writing training or a class on nonprofit budget management.

That is why our amendment states that nonprofit training opportunities should be targeted at charities in areas with these resource challenges.

The amendment also requires the grants to be dollar-for-dollar matching grants. The match must come from non-Federal sources, such as private foundations or corporate giving programs. It is important that both the Federal Government and the private sector pitch in to provide this support.

Government and private giving must coordinate better in support of people and communities. The underlying bill, the Serve America Act, supports the development of public-private solutions to problems facing our country. Some of my colleagues believe that the private sector must solve every problem facing our communities. Many others believe that Government is essential to solve the same problems. I believe that we need a combination of the best ideas from both. That is the spirit behind this amendment.

I hear from folks in my home State of Montana on a weekly basis in support of this idea.

The National Council of Nonprofits, Independent Sector, and the Alliance for Children and Families have voiced their strong support for this amendment.

I urge my colleagues to vote in favor of the Baucus-Grassley nonprofit capacity building amendment.

AMENDMENT NO. 692 TO AMENDMENT NO. 687

Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside so I may call up my amendment No. 692.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BAUCUS], for himself and Mr. GRASSLEY, proposes an amendment numbered 692 to amendment No. 687.

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

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

The amendment is as follows:

(Purpose: To establish a Nonprofit Capacity Building Program)

On page 297, between lines 16 and 17, insert the following:

SEC. ____. NONPROFIT CAPACITY BUILDING PROGRAM.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is amended by adding at the end the following:

''PART V—NONPROFIT CAPACITY BUILDING PROGRAM

''SEC. 198S. NONPROFIT CAPACITY BUILDING.

''(a) DEFINITIONS.—In this section:

''(1) INTERMEDIARY NONPROFIT GRANTEE.—The term 'intermediary nonprofit grantee' means an intermediary nonprofit organization that receives a grant under subsection (b).

''(2) INTERMEDIARY NONPROFIT ORGANIZATION.—The term 'intermediary nonprofit organization' means an experienced and capable nonprofit entity with meaningful prior experience in providing organizational development assistance, or capacity building assistance, focused on small and midsize nonprofit organizations.

''(3) NONPROFIT.—The term 'nonprofit', used with respect to an entity or organization, means—

''(A) an entity or organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

''(B) an entity or organization described in paragraph (1) or (2) of section 170(c) of such Code.

''(4) STATE.—The term 'State' means each of the several States, and the District of Columbia.

''(b) GRANTS.—The Corporation shall establish a Nonprofit Capacity Building Program to make grants to intermediary nonprofit organizations to serve as intermediary nonprofit grantees. The Corporation shall make the grants to enable the intermediary nonprofit grantees to pay for the Federal share of the cost of delivering organizational development assistance, including training on best practices, financial planning, grantwriting, and compliance with the applicable tax laws, for small and midsize nonprofit organizations, especially those nonprofit organizations facing resource hardship challenges. Each of the grantees shall match the grant funds by providing a non-Federal share as described in subsection (f).

''(c) AMOUNT.—To the extent practicable, the Corporation shall make such a grant to an intermediary nonprofit organization in each State, and shall make such grant in an amount of not less than $200,000.

''(d) APPLICATION.—To be eligible to receive a grant under this section, an intermediary nonprofit organization shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require. The intermediary nonprofit organization shall submit in the application information demonstrating that the organization has secured sufficient resources to meet the requirements of subsection (f).

''(e) PREFERENCE AND CONSIDERATIONS.—

''(1) PREFERENCE.—In making such grants, the Corporation shall give preference to intermediary nonprofit organizations seeking to become intermediary nonprofit grantees in areas where nonprofit organizations face significant resource hardship challenges.

''(2) CONSIDERATIONS.—In determining whether to make a grant the Corporation shall consider—

''(A) the number of small and midsize nonprofit organizations that will be served by the grant;

''(B) the degree to which the activities proposed to be provided through the grant will assist a wide number of nonprofit organizations within a State, relative to the proposed amount of the grant; and

''(C) the quality of the organizational development assistance to be delivered by the intermediary nonprofit grantee, including the qualifications of its administrators and representatives, and its record in providing services to small and midsize nonprofit organizations.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost as referenced in subsection (b) shall be 50 percent.

''(2) NON-FEDERAL SHARE.—

''(A) IN GENERAL.—The non-Federal share of the cost as referenced in subsection (b) shall be 50 percent and shall be provided in cash.

''(B) THIRD PARTY CONTRIBUTIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), an intermediary nonprofit grantee shall provide the non-Federal share of the cost through contributions from third parties. The third parties may include charitable grantmaking entities and grantmaking vehicles within existing organizations, entities of corporate philanthropy, corporations, individual donors, and regional, State, or local government agencies, or other non-Federal sources.

''(ii) EXCEPTION.—If the intermediary nonprofit grantee is a private foundation (as defined in section 509(a) of the Internal Revenue Code of 1986), a donor advised fund (as defined in section 4966(d)(2) of such Code), an organization which is described in section 4966(d)(4)(A)(i) of such Code, or an organization which is described in section 4966(d)(4)(B) of such Code, the grantee shall provide the non-Federal share from within that grantee's own funds.

''(iii) MAINTENANCE OF EFFORT, PRIOR YEAR THIRD-PARTY FUNDING LEVELS.—For purposes of maintaining private sector support levels for the activities specified by this program, a non-Federal share that includes donations by third parties shall be composed in a way that does not decrease prior levels of funding from the same third parties granted to the nonprofit intermediary grantee in the preceding year.

''(g) RESERVATION.—Of the amount authorized to provide financial assistance under this subtitle, there shall be made available to carry out this section $5,000,000 for each of fiscal years 2010 through 2014.''.

Mr. BAUCUS. Mr. President, I hope Senators will support this at the appropriate time. Pending that moment, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I compliment the Senator from Montana on his amendment. I understand his amendment is also a bipartisan amendment; is that correct?

Mr. BAUCUS. Yes, that is correct.

Ms. MIKULSKI. Both he and the Senator from Iowa, Mr. GRASSLEY, are cosponsors. I believe the Senator's amendment has identified a very specific need, particularly for the small, primarily rural organizations that sometimes are not looked at when we do a big national framework. I want to be as supportive as I can of the Senator's amendment. I want to examine it more closely. In order to follow the framework, I need to discuss it with my colleague, Senator HATCH, and also Senator ENZI of Wyoming. As many know, Senator ENZI has been trapped in a snowstorm. He will be here tomorrow. We will have a chance to review this and determine our ability to work with the Senator from Montana and the Senator from Iowa to see whether we can find some comity to adopt the amendment. I thank them for their spirit of bipartisanship. We will continue to follow that same framework.

Mr. BAUCUS. I deeply thank the Senator from Maryland, who is a strong advocate for Serve America, a wonderful program. I think this will make it a little better. It is bipartisan, as she said. This helps more people. I thank the Senator.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Ms. MIKULSKI. Madam President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

Ms. MIKULSKI. 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.

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

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

(The remarks of Mr. LAUTENBERG pertaining to the introduction of S. 685 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. LAUTENBERG. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

NATIONAL SERVICE

Mr. NELSON of Florida. Mr. President, we can all be proud that we live in a country where citizens volunteer to serve their Nation. We can see this especially after any tragedy, be it national, be it local, how our citizenry responds.

I am heartened to see the number of young people responding to serve. There is quite a contrast I have seen in the young people today and what we have seen over the last several decades. If we go back as far as my generation, four decades ago, we were very interested in public service. We wanted to be public servants. We wanted to contribute something to our country. It was very attractive, as a young person growing up, to want to go into government and serve the public that way. We were inspired by a young President, President Kennedy.

Then along came those events that so soured so many of our young people—first of all, the split in the Nation over an unpopular war, Vietnam. We had three major assassinations over a short period, including two brothers of one family. Then this Nation went through the process of the resignation of a President. That was about the time of a lot of the protests and the drug culture. It was a tough time. There was a lot of cynicism bred out of that time. A lot of young people got turned off to public service.

I am beginning to see it again, young people really getting interested in public service. If you have that heart for service, it is the exact opposite of what Time magazine chronicled on the cover of its magazine back in the late 1960s, the ''me generation.'' It was concerned about me, me. Now we see so much interest in helping our communities as being more the ''we generation.'' Now we see a lot more young Americans applying to the Peace Corps and its domestic counterpart, AmeriCorps, and so many other national service programs.

Our new President has issued a call for all Americans to devote at least 1 year of their lives to national service. If I had my druthers, I would want every young person to have an obligation to serve at least 1 year in some capacity to their country. This would have tremendous benefits down the road. They could choose the military, the Peace Corps, AmeriCorps, a teacher's aide—a host of these things in helping out our communities. Of course, we are not at a point, especially with the economic condition we are in, that we can afford that as a mandatory obligation. So what the new President has called for is for all Americans to devote at least 1 year of their lives to national service.

We come today to discuss legislation that is an acknowledgment across the political divide of our President's call to engage people in national service. This is going to be the first substantial investment in our Nation's service programs in nearly two decades. What this bill is going to do is triple the number of participants in our national service programs from 75,000 to 250,000. These volunteers are going to serve as tutors and mentors. They are going to do that for children. They will help build affordable housing. They will teach marketable computer skills. They will repair our parks and waterways. They will run afterschool programs and help respond to disasters in communities.

The legislation would create several new volunteer corps with specific missions in areas of national need such as education, health care, clean energy, and caring for veterans. We have commended over and over our colleagues, Senators KENNEDY and HATCH, in crafting legislation that will inspire and encourage citizens of all ages, not just the young, and all occupations and backgrounds to engage in national service.

Let me say where I see this example of public spiritedness. I see it in senior citizens, who have already had their professional lives, who are now enjoying the fruits of their labors, and they in turn want to respond and are very much as valuable in this national service as the young people.

This bill should be seen as an important national achievement and a good example of how we can come together and overcome the challenges that lie ahead.

Marian Wright Edelman, the first African-American woman admitted to the State bar of Mississippi, said it is a time for greatness, not for greed. She said:

> It's a time for idealism—not ideology. It is a time not just for compassionate words, but for compassionate action.

Heeding those words, Mr. President, it is time for us to take action and to pass this bill.

I yield the floor.

EMPLOYEE FREE CHOICE ACT

Mr. KENNEDY. Mr. President, the Employee Free Choice Act is vital legislation for achieving fairness in the workplace for hardworking men and women across America, and for strengthening the Nation's middle class. I have the deepest respect for my colleague from Pennsylvania, Senator SPECTER, and I welcome his recognition of the need for labor law reform. But I am also disappointed that my friend feels he cannot support the bill in its current form.

I remain deeply committed to moving this important bill forward. Millions of Americans are looking to us to make their workplaces fairer and safer, and their jobs more secure. They deserve better than they have today, and we can't leave them behind.

The Senator from Pennsylvania says that we should not take up the Employee Free Choice Act now because of the challenges facing our economy. I disagree. It is precisely because of the economic crisis that we must take new action to strengthen workers' rights.

Working Americans are suffering in ways we have not seen since the Great Depression. Wages are falling and benefits are disappearing. Workers are losing their jobs, their homes, and their hopes. Now more than ever, workers deserve a voice in the hugely important decisions that will affect their jobs and their families in the years ahead.

Unions were fundamental in building America's middle class, and have a vital role today in preserving the American dream. History shows us that strong unions mean strong economic growth that both businesses and employees can share. Protecting the right to form a union today will help countless working families achieve greater economic security and build a better and brighter future. I hope very much that all of us on both sides of the aisle can work together to pass the best possible bill to put working families back on track.

VOTE EXPLANATION

Mr. ISAKSON. Mr. President, on March 12, 2009, I was attending the funeral of a very close friend and was unable to cast votes on rollcall vote No. 97 and rollcall No. 98. I ask that the RECORD reflect that had I been present I would have cast my vote as follows: rollcall vote No. 97, confirmation David W. Ogden, of Virginia, to be Deputy Attorney General: NO; rollcall vote No. 98, confirmation Thomas John Perrelli, of Virginia, to be Associate Attorney General: NO.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

> Several years ago, the President, in his State of the Union message, noted that our nation was ''addicted to oil''. Well, that is the first step of recovery, to admit you have a problem, but it is not recovery. My wife and I decided to do something about it. We built a smaller home (downsized from 3,300 to 1,600 sq feet) right on the Greenbelt in the Waterfront District of Garden City. That cut our commute down from about 7 miles, one way, to 3–4 and eliminated a 300 foot climb/descent. Before the move, we already owned small, fuel efficient vehicles and bike commuted about 50 percent of the time. Now we rarely drive and find we get places faster than by car and do not have to worry about parking. Both of our cars sit in the garage and we plan to sell one shortly.
>
> Our monthly auto fuel bill has gone from about $60 to almost nothing. Our home gas bill went from near $100/mo to under $30. Electric is down to $30 from $90. Water is down to $30 from over $200 in summer and it takes me about 10 minutes to mow my small lawn with a push mower.
>
> The Greenbelt is my highway now, and I get in about 100 miles per week just peddling around town. I look forward to my commutes along the river where I dodge geese and squirrels instead of road warriors on the Connector. The exercise improves both my mental and physical health.
>
> I still interact with cars when I head cross town and am amazed at the madness in the streets. It feels like drivers are in such a hurry, and it appears that Idaho's current public transportation policy seems to be ''one multi-tasking in a hurry somewhat angry person per SUV''.
>
> Remaining addicted to oil can create a host of problems including:
>
> Driving up the price of fuel for everyone (simple supply/demand equation)
>
> Adding to our rapidly deteriorating air quality in the Treasure Valley
>
> Creating the need for additional roads and parking (and more taxes)

Creating windfall profits for oil producing (and not always friendly) nations including Saudi, Russia and Venezuela

Adding to global warming

Creating a need to ''defend'' oil resources around the world

Now that gas prices are going up, I hear that Americans are beginning to make changes. They are driving less and taking advantage of alternative transportation. Let us build on that momentum and not feed our addiction to oil by rushing to lower prices. I just read about America's most bike friendly cities including Portland, Seattle and even Chicago. Instead of spending Billions to build more roads and parking lots, let us bust our addiction to oil by making Idaho America's most bike friendly state. And while we are at it, let us create the best public transit system in the world. Let us seize the future instead of clinging to the past.

WILLIAM.

The cost of fuel this year has impacted my family heavily; I have actually had to change over to working from home at a reduced income as fuel expenses reached a point that I was spending more on fuel to get to work than I was earning.

I have not filled up my truck with diesel since it was at $3.65 a gallon, and currently it is an average of $4.77 to $4.85 a gallon. To think that this time last year I was paying $2.39 a gallon for the same thing; that is an astonishing increase of $2.46 a gallon in 1 year. (When I had first purchased my truck in early 2007 it cost me around $65 to fill it up, and now it costs closer to $140.)

The fuel prices have also had a severe impact on my finding better paying employment as I cannot afford to get out and look for work that is not within walking distance and have been told by several prospective employers that they cannot hire me due to fuel costs cutting their budget by up to half.

I have much more I would like to say, but would prefer to keep this short as I know you are a busy man, I will however point out a book to you for your consideration that deals with this very issue, unfortunately it is out of print due to threats to the author's family but I have found a website with it available to read. I hope that you will read it and glean the same insight out of it that I have, and be able to take action that I am unable to regarding it: http://www.reformation.org/energy-non-crisis.html.

America desperately needs to break itself of foreign oil dependency and lift the blocks on domestic drilling and refining.

DANIEL.

Thank you for this opportunity to send you my thoughts and opinions on a very important subject—Energy in Idaho!

I am in a position to offer you some unique feedback based on my current employment and the issues I am addressing. I realize that skyrocketing gas and diesel prices are on everyone's mind, but there are other areas in the energy picture that are also very challenging. I wish to address the quickly rising costs of utilities in our state. Everything from how buildings and homes are heated and cooled to drawing the electricity we need to live our daily lives.

I speak with people every day from all walks of life in Idaho who are concerned about future costs of heating and cooling their home as well as turning on the lights or running the A/C in the summertime. They are serious about wanting to make a change to a more sustainable lifestyle. They just need a small financial push to get them to the other side.

My company designs, installs and services renewable energy systems for homes, commercial and industrial buildings as well as farms and other agriculture uses. I field phone calls and e-mails from almost every walk of life (doctors, lawyers, school teachers, government workers, businessmen, housewives, farmers, religious etc.). There is no stereotype or classification one can use to identify people interested in renewable energy—it is everyone!

Our company has been in business almost five years, and we install wind, solar and geoexchange (aka geothermal) systems in Idaho. We have worked from Twin Falls to Coeur d'Alene, and have spoken with many in between about their sincere desire to obtain renewable energy solutions in their lives. People want to look up at their solar array on their roof or the wind turbine out on their property and feel a sense of comfort that they are in control over a portion of their energy usage per year. Others are paying $700 to $900 a month to heat their modest-sized homes on propane or fuel oil. They come begging for help through our geoexchange systems. Over and over, the main hurdle is upfront costs. As you may know, renewable energy generally requires a person to invest upfront in a system such as a wind turbine, solar array or geoexchange.

Many of the states around us (Oregon, Washington and Utah that we have researched), offer substantial financial assistance to citizens wishing to make the transition to renewable energy. Idaho currently sticks out as a sore thumb when it comes to helping its people invest and obtain renewable energy systems. Both the state and the state's utilities could do more to help people make this critical transition to a more sustainable life style. I would ask you to please support any well written pieces of legislation that allow Idahoans to obtain something they really want—renewable energy!!!

Thank you for your time and I would be more than happy to expand further on our experiences and knowledge as it relates to this very important topic.

JEFF, *Boise*.

My family has set travel needs for work and some other obligations that cannot be changed for obvious reasons; just going for a recreational ride has long ago been cut out of our budget. Now with the horrendous increases in gasoline and food we are scrambling to keep our heads above water. We can cope with this condition very long without serious consequences.

If there were no options available that would be one thing, but to think that our government is not allowing the oil companies to go after the resources that are available in our own country and place this burden on our citizens for the foolishness of the global warming fraud or the slogan of being green, is unconceivable in my opinion. The Congress needs to stop trying to socialize the oil companies and all of us for that matter, we are not stupid, and we can see what they are trying to do.

Our government is not listening to its constituents and it time for the people to find a way to remind the governing body that they work for the people and not the other way around. This not the way the framers of the Constitution intended it to work.

CRAIG.

Thanks for the email concerning the price of high gas. I feel that a lot of times our Representatives could care less about the lower income people in the United States and more about keeping the foreign policies in place. It is really appreciate that you still care.

I live on a small farm in Newdale. It is about fifteen miles east of Rexburg and near the Teton Dam. I have to travel to work every day 30 miles round trip. Because of the nature of my job, there is no other job closer. I try to carpool with other employees when possible and drive a car that gets very good gas mileage. However, it is still hurting our way of live because of the price of gas. We have changed our buying habits and are very careful about the amount of trips we make to town and try to do as much in each trip as we can to avoid making more trips.

The problem we are facing is in our livestock business. We raise sheep and it is a very good responsibility for my children to have these chores to do daily. With the price of gas and the high cost of feed, we are looking at having to sell out simply because the profits are gone and we cannot keep them losing money. We, as adults, can adapt to some of these changes, but I am afraid with the loss of the livestock, my children are going to suffer with these responsibilities. What is going to happen to our children if these prices keep going up and someone does not make some changes? I hope the people we elect and put on Capitol Hill will keep future generations of Americans in mind when they make decisions. Thanks again for your concern on this issue and keep up the good work.

JOHN, *Newdale*.

Although I can empathize with many Americans at the lowest income levels about the rising cost of energy, we need to keep in mind we still pay less than many countries around the world; e.g. $10 a gallon in Europe is not uncommon. We have also exacerbated the problem by our choices; (extraordinarily large houses, SUVs, frequent flying, etc.) In fact, Congress actually approved a tax benefit in the not-too-distant past that encouraged businesses to purchase higher weight vehicles; i.e. SUVs. And as long as I see teenagers racing past me in their cars, I have to question if the price has become high enough.

Drilling more oil just ''enables'' our wasteful habits. And it will not put much of a dent in our total fuel consumption, especially in the short term. It is time we get a grip on how much energy all of us consume. And Congress needs to be allocating funds towards energy research with a future (i.e. Hydrogen, tidal, solar, etc.) versus energy with no future that does not serve the American people; (i.e. ethanol.) I have to amusingly ask myself how it was possible to get to the moon in less than 10 years, yet we have not been able to find a cheap, reliable energy alternative since the last crisis that occurred in the 1970s? How quickly we forget once we get on the other side of a crisis. The best short-term solution is probably to encourage conservation until we get through this ''bubble.'' We will produce more of a surplus quicker than trying to drill our way out of this. But in the long run, we need to have a serious commitment to alternative energy and, frankly, alternative habits. Ironically, increased gas taxes earmarked for alternative energy research may be necessary at some point.

With that said, my family has made these choices:

We use scooters as our primary commute vehicle—75–100 mpg.

We live in a smaller house (despite the urgings of our real estate agent that we can afford so much more).

We plan our errands to reduce fuel consumption.

We limit use of air conditioning in the summer and keep our house between 65 and 70 in the winter.

We do not exceed speed limits on the freeway and, in fact, often go somewhat slower.

We live close to our needs; work, shopping, entertainment, etc.

We limit the use of plastics and recycle as much as possible.

We keep our waste to a minimum; (garbage truck idle time while emptying barrels consumes fuel too!).

We are polite to other motorists to reduce their wait/idle time.

We turn off lights/appliances/etc. when not in use.

Reduced other expenditures to allocate more to energy where necessary.

I do not have time to continue; you get the idea. We did not get into this mess in the short term; we will not get out of it in the short term. Quit trying to politicize this; come up with an achievable long-term plan and be honest about the realities we face to the American people. But get a plan and do it soon.

JOHN, *Boise.*

My wife and I both have most of our extended family living in Utah. Usually we visit two times per year. This year we will not be going at all. Not only are plane flights becoming unaffordable, but the cost it would normally take to go down and back 10–12 hours is becoming unaffordable. We had planned on going to Seattle this summer to see the sights because we have never been there, but that too has been cancelled. Because gas prices are up, so are hotels, eating out and everything we purchase at the store.

What we used to get grocery shopping for $200 now takes at least $240–260. That adds up. We used to go out to eat more frequently, but are doing so less and less because we have to spend and have more to spend on gas to fill up. I used to let my vehicles occasionally get below a half tank, but now, I cannot afford to ever let them get below a half a tank before filling up.

My brother recently filled up his diesel truck which is only 3 years old. It cost him $170 to fill it up. How ridiculous is that? In a nutshell, because it costs more at the pump, I travel less, eat out less, spend less on groceries, which if you times that with all the other just 50,000 other people living in my community greatly affects our economy. The owner of our Ford dealership in town recently confided that he has not sold a truck in almost a month. He is just one dealer, but imagine all the other dealers nationwide who are feeling the impact of high gas prices. It is hurting every aspect of our economy.

What we as commonplace Americans get tired of is our government leaders fighting amongst themselves so much and so often that they cannot agree on a policy to help us with this crisis. [Too many wealthy people don't have any idea of what middle class Americans face,] so the price of a gallon of gas does not really get taken into consideration because he or she does not usually fill up their own cars; they are chauffeured everywhere. Some of them have always been chauffeured everywhere and are still ignorant of what we as middleclass Americans are suffering. They live in houses and drive cars 99% of us will never be able to afford. But, the 99% of us who struggle are getting tired of politicians not legislating policy to build new refineries or freeing up some of our reserves so gas prices can come down. We know inflation exists, but this is insane!

Nine out of the ten solutions that I hear being discussed recently on the news will have no impact on the price at the pump I am paying for at least five to ten years. Not to burst your bubble, but we commonplace Americans [want leaders who will do something now, not five or ten years from now]. If a gallon of oil costs 5 cents when it pumped out of the ground and between the time it leaves Saudi Arabia and gets to the US, it escalates to over $3 a gallon, who is ripping us off? The distributors are ripping us off, and they are the ones who need to be penalized immediately.

If you as our leaders [want] this great nation to come to a grinding halt in travel, [if] you want most of the restaurants, and movie theaters, and amusement parks, and small businesses to keep declining in their profits, go ahead and keep doing what you have been doing about escalating gas prices, nothing But if you still have a heart left in you, you will come up with solutions that will impact what we pay at the pump—now!, not five, ten or twenty years from now when gas will be so unaffordable that only the super rich will be able to do anything!!

Please do something now!

CHRIS, *Lewiston.*

Yes, Senator, the increase in fuel prices affects us. We have not been able to take our family on a real vacation in years, and we certainly will not this year with the outrageous cost of gas.

Having said that, it is just as important to me to see the Idaho Delegation do something to save our wild salmon runs. I get very frustrated that these ''hot'' issues receive so much attention while we throw away billions on a barge and dam system that does not work. If you and the rest of the Idaho delegation continue to do nothing on this issue, your legacy will be the extinction of Columbia/Snake salmon, the runs that once were the most abundant in the world. And Idaho river towns and fishing outfitters will continue to languish economically because the runs are not healthy.

TED.

I am taking a few minutes to respond to a request from fellow Idahoans as to fuel costs. As you already know, Idaho is not a greatly populated state (and that is not a bad thing!). But, in my particular job requirements, I need to travel throughout all of southeastern Idaho to attend to cities that are in our service area. I do not have an option of commuting or staying in the office and still be able to provide the customer service to our members, as is necessary. It had cost me about $40 to fill my car's tank with gas—now it is costing about $52 for that same tank, (so the $120 I was spending on fuel is now costing me about $208 per month). That is almost a 100% increase.

DONNA, *Idaho Falls.*

ADDITIONAL STATEMENTS

CONGRATULATING KENTUCKY HISTORY AWARD WINNERS

• Mr. BUNNING. Mr. President, today I congratulate the winners of the 2009 Kentucky History Awards, which was held at the Thomas D. Clark Center for Kentucky History. These awards are sponsored by the Kentucky Historical Society and recognize exceptional achievements by individuals, business and civic leaders, communities, museums, and history organizations throughout the commonwealth in the field of history. Several projects and individuals that have demonstrated tremendous efforts to promote the preservation, awareness, and appreciation of state and local history were honored at this ceremony.

These awards serve as an opportunity to recognize the dedication and hard work of those who cherish Kentucky history. This year the Madison County Fiscal Court received the Government Award for their Civil War Battlefield Preservation and Interpretation. The Larue County Herald News received the Media Award for the Lincoln Bicentennial. These two organizations have done the Commonwealth a great service by being advocates for our history.

Dr. Kenneth Carstens of Calloway County was also a recipient of one of these prestigious awards. Dr. Carstens received the Lifetime Dedication To History Award for his service. During the time leading up to this award, Dr. Carstens received numerous teaching recognition awards, chaired many significant committees on Murray State University's campus, and conducted research for the college's contract archaeology program. He has published nine books and is currently working on six more.

Mr. President, I would like to thank these people for their contributions to the State of Kentucky, and I wish them well as they continue to enhance the history of our great State.•

REMEMBERING JOSEPH SONNEMAN

• Ms. MURKOWSKI. Mr. President, I wish to remember an Alaskan who has recently passed away, Joseph Sonneman.

Joe was born in and attended school in Chicago, IL, but he spent much of his life as an Alaska resident living in our great State. Educated in government finance and an attorney, Joe worked as a budget analyst, photographer, taxi driver, heavy equipment oiler on the Alaska pipeline, postal worker, and university instructor.

Joe had a passion for public service and was active in politics his entire life. He was active in the Alaska Democratic Party, served as their treasurer, and ran for the Mayor of Juneau and participated in several U.S. House and U.S. Senate primaries. Having been born in Chicago, Joe had the pleasure of living to see Barack Obama, a Chicagoan, sworn in as President of the United States earlier this year. His political activism extended to my office as well, since Joe would periodically write to me to convey his views on the issues of the day, particularly on veterans' health care and the military.

A veteran of the Korean war, Joe served as a radar repairman in Korea between 1963 and 1966. He lived for several years at the Washington State Veterans Home near Seattle, WA, where he courageously battled ALS, or Lou Gherig's disease.

I would like to convey my condolences and God's blessings to his family, including his mother Edith and his sisters Eve, Toby and Milly.

Joe, you and your family will be in my thoughts and prayers.•

NORTHEAST KINGDOM ANNIVERSARY

• Mr. SANDERS. Mr. President, sixty years ago today, Senator George Aiken, one of the great statesmen in

the history of Vermont and indeed our entire Nation, spoke to a group of rural Vermonters in the remote and sparsely populated northeastern corner of our State. As he spoke about the rugged region of the Green Mountain State he called it ''the Northeast Kingdom,'' a name which has lasted to this day as the way in which we in our State refer to this region. Today I celebrate the anniversary of this pristine area's unique and poetic name and to make a few observations about its land and its inhabitants.

The Northeast Kingdom is Vermont at its most strikingly beautiful. Beckoning tourists are the glacial formations of Willoughby and Crystal Lakes, the farmland and forests along the Upper Connecticut River, and the northernmost reaches of the Green Mountains along the Canadian border. Vermont is one of the most rural States in the Nation, and the Northeast Kingdom is our most rural region. While it makes up more than one-fifth of the State's total geography, it has barely 10 percent of Vermont's total population. In fact, my first home in Vermont was in the Northeast Kingdom, in the town of Stannard, a town with a population of 200.

As we look for new dawn in this time of economic difficulty, I am reminded of this fiercely independent region of which Senator Aiken spoke so eloquently 60 years ago. The Northeast Kingdom is inhabited by working Americans, solid and proud Vermonters: it is from their hardy spirit, and the spirit of people like them, that our country's strength has always come. It is my hope that not only will the rugged beauty of the forests and lakes of the Northeast Kingdom survive, but so will that strong and independent spirit that we can turn to as a catalyst for rebuilding our Nation.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the Committee on Homeland Security and Governmental Affairs.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1010. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC–1011. A communication from the Attorney Advisor, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Environmental Impact and Related Procedures'' (RIN2132–AA87) received in the Office of the President of the Senate on March 29, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1012. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A321–131 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–0215)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1013. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F.27 Mark 050 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–0214)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1014. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited Model DHC–7 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–1330)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1015. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. AB139 and AW139 Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2009–0170)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1016. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Inc. Model 412, 412CF, and 412EP Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2009–0169)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1017. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model EC 155B and EC155B1 Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2009–0195)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1018. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Trimble or FreeFlight Systems 2101 I/O Approach Plus Global Positioning System (GPS) Navigation Systems'' ((RIN2120–AA64) (Docket No. FAA–2007–28689)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1019. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330 Airplanes, and Model A340–200 and A340–300 Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0980)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1020. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Models 208 and 208B Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–1319)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1021. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–1318)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1022. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0671)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1023. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Change of Using Agency for Restricted Area 6320; Matagorda, TX'' ((RIN2120–AA66) (Docket No. FAA–2009–0108)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1024. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 777–200 and –300 Series Airplanes Equipped with Rolls-Royce Model RB211–TRENT 800 Series Engines'' ((RIN2120–AA64) (Docket No. FAA–2009–0199)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1025. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30654) (Amendment No. 3310)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1026. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30655) (Amendment No. 3311)) received in the Office of the

President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1027. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30657) (Amendment No. 3313)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1028. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30656) (Amendment No. 3312)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1029. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D Airspace; MacDill AFB, FL; Confirmation of Effective Date'' ((Docket No. FAA–2008–0983) (Airspace Docket No. 08–ASO–14)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1030. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D and E Airspace, Removal of Class E Airspace; Aguadilla, PR'' ((Docket No. FAA–2009–0053) (Airspace Docket No. 09–ASO–11)) received in the Office of the President of the Senate on March 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1031. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Tower, MN'' ((RIN2120–AA66) (Docket No. FAA–2008–1186)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1032. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Columbus, OH'' ((RIN2120–AA66) (Docket No. FAA–2008–1185)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1033. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Medford, WI'' ((RIN2120-AA66)(Docket No. FAA-2008-1211)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1034. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Milwaukee, WI'' ((RIN2120-AA66)(Docket No. FAA-2008-1291)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1035. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Sioux City, IA'' ((RIN2120-AA66)(Docket No. FAA-2008-1104)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1036. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes'' ((RIN2120-AA64)(Docket No. FAA-2008-0735)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1037. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC-9-14, DC-9-15, and DC-9-15F Airplanes; and Model DC-9-20, DC-9-30, DC-9-40, and DC-9-50 Series Airplanes'' ((RIN2120-AA64)(Docket No. FAA-2008-0736)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1038. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BURKHART GROB LUFT - UND RAUMFAHRT GmbH & CO KG G103 Series Gliders'' ((RIN2120-AA64)(Docket No. FAA-2008-1078)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1039. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes'' ((RIN2120-AA64)(Docket No. FAA-2008-1199)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1040. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF6-80C2 and CF6-80E1 Series Turbofan Engines'' ((RIN2120-AA64)(Docket No. FAA-2007-28413)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1041. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gippsland Aeronautics Pty. Ltd. Model GA8 Airplanes'' ((RIN2120-AA64)(Docket No. FAA-2009-0155)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1042. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class D and E Airspace; King Salmon, AK'' ((RIN2120-AA66)(Docket No. FAA-2008-1162)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1043. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Umiat, AK'' ((RIN2120-AA66)(Docket No. FAA-2008-0455)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1044. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments'' ((Docket No. 30653)(Amendment No. 479)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1045. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30650)(Amendment No. 3307)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1046. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30649)(Amendment No. 3306)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1047. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2009–0130)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1048. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0644)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1049. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300, A310, and A300–600 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0657)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1050. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Models 182Q and 182R Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–1205)) received in the Office of the

President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1051. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–500 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2009–0150)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1052. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–215–6B11 (CL–215T Variant) and CL–215–6B11 (CL–415 Variant) Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2009–0159)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1053. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–1065)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1054. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Avidyne Corporation Primary Flight Displays (Part Numbers 700–00006–000, –001, –002, –003, and –100)'' ((RIN2120–AA64)(Docket No. FAA–2008–1210)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1055. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dornier Model 328–300 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0857)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1056. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145, –145ER, –145MR, –145LR, –145XR, –145MP, and –145EP Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0271)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1057. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Models Arriel 1E2, 1S, and 1S1 Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2008–0681)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1058. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt & Whitney Canada PW206A, PW206B, PW206B2, PW206C, PW206E, PW207C, PW207D, and PW207E Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2007–0219)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1059. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF6–80A, CF6–80C2, and CF6–80E1 Series Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2008–0952)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1060. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30647) (Amendment No. 3304)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1061. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30648) (Amendment No. 3305)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1062. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30651) (Amendment No. 3308)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1063. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30652) (Amendment No. 3309)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1064. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Roanoke Rapids, NC'' ((Docket No. FAA–2008–1334) (Airspace Docket No. 08–ASO–21)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1065. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace; Anderson AFB, GU; Guam International Airport, GU; and Saipan International Airports, CQ'' ((Docket No. FAA–2008–0861) (Airspace Docket No. 08–AWP–8)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1066. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Guam Island, GU, and Saipan Island, CQ'' ((Docket No. FAA–2008–0897) (Airspace Docket No. 08–AWP–9)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1067. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–0034)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1068. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, 747SR, and 747SP Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0731)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1069. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–1141)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1070. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker F.28 Mark 0070 and 0100 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–1119)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1071. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2C10 (Regional Jet Series 700, 701 & 702) Airplanes and Model CL–600–2D24 (Regional Jet Series 900) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–1115)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1072. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG, BR700–715A1–30, BR700–715B1–30, and BR700–715C1–30 Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2007–0169)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1073. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited Model DHC–6–1, DHC–6–100, DHC–6–200, and DHC–6–300 Airplanes''

((RIN2120–AA64) (Docket No. FAA–2008–1267)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1074. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; PILATUS AIRCRAFT LTD. Model PC–12/47E Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–0146)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1075. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300–600 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0613)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1076. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model C–212–DF Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–1360)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1077. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2007–29255)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1078. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF6–45 and CF6–50 Series Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2006–24145)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1079. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A310 Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0908)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1080. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–200B, 747–200C, 747–200F, 747–300, 747SR, and 747SP Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–1006)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1081. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 767-200, -300, and -400ER Series Airplanes'' ((RIN2120-AA64)(Docket No. FAA-2008-0150)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1082. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 777 Airplanes'' ((RIN2120-AA64)(Docket No. FAA-2007-0254)) received in the Office of the President of the Senate on March 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1083. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—April 2009'' (Rev. Rul. 2009-10) received in the Office of the President of the Senate on March 20, 2009; to the Committee on Finance.

EC–1084. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Safe Harbor Method for Determining Theft Loss Deductions from Criminally Fraudulent Investment Arrangements'' (Rev. Proc. 2009-20) received in the Office of the President of the Senate on March 20, 2009; to the Committee on Finance.

EC–1085. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad with Japan; to the Committee on Foreign Relations.

EC–1086. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed transfer of major defense equipment with an original acquisition value of more than $100,000,000 to Portugal; to the Committee on Foreign Relations.

EC–1087. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed transfer of defense articles or defense services in the amount of $100,000,000 or more to Canada; to the Committee on Foreign Relations.

EC–1088. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles that are firearms controlled under Category I of the United States Munitions List sold commercially under a contract in the amount of $1,000,000 or more to Malaysia; to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL:

S. 672. A bill to amend the Natural Gas Act, the Natural Gas Policy Act of 1978, and the Federal Power Act to modify provisions relating to enforcement and judicial review and to modify the procedures for proposing changes in natural gas rates; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 673. A bill to allow certain newspapers to be treated as described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; to the Committee on Finance.

By Mr. AKAKA:

S. 674. A bill to amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEVIN (for himself, Mr. VOINOVICH, Ms. STABENOW, Mr. CARDIN, and Mr. FEINGOLD):

S. 675. A bill to amend the Federal Water Pollution Control Act to prohibit the sale of dishwashing detergent in the United States if the detergent contains a high level of phosphorus, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Ms. STABENOW, and Mr. LEVIN):

S. 676. A bill to amend the Internal Revenue Code of 1986 to modify the tax rate for excise tax on investment income of private foundations; to the Committee on Finance.

By Mr. ENSIGN (for himself, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. GREGG, Mr. GRAHAM, and Mr. COBURN):

S. 677. A bill to amend title XVIII of the Social Security Act to require wealthy beneficiaries to pay a greater share of their premiums under the Medicare prescription drug program; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. KOHL, and Mr. DURBIN):

S. 678. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Mrs. FEINSTEIN, and Mr. KOHL):

S. 679. A bill to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INHOFE:

S. 680. A bill to limit Federal emergency economic assistance payments to certain recipients; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROBERTS (for himself and Mr. BROWNBACK):

S. 681. A bill to provide for special rules relating to assistance concerning the Greensburg, Kansas tornado; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Ms. COLLINS, Mr. WHITEHOUSE, Mr. LEVIN, Mr. SCHUMER, and Ms. STABENOW):

S. 682. A bill to amend the Public Health Service Act to improve mental and behavioral health services on college campuses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself, Mr. SPECTER, Mr. KENNEDY, Mr. DURBIN, Mr. KERRY, Mr. SCHUMER, Ms. STABENOW, Mr. DODD, Mr. BROWN, Mr. SANDERS, Mr. CASEY, Mr. TESTER, Mrs. GILLIBRAND, and Mr. BENNET):

S. 683. A bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes; to the Committee on Finance.

By Ms. CANTWELL (for herself and Mr. KERRY):

S. 684. A bill to provide the Coast Guard and NOAA with additional authorities under the Oil Pollution Act of 1990, to strengthen

the Oil Pollution Act of 1990, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Ms. CANTWELL, Mrs. BOXER, and Mr. BEGICH):

S. 685. A bill to require new vessels for carrying oil fuel to have double hulls, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. MIKULSKI:

S. 686. A bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI (for herself, Ms. STABENOW, and Mrs. MURRAY):

S. 687. A bill to amend title XVIII of the Social Security Act to permit direct payment under the Medicare program for clinical social worker services provided to residents of skilled nursing facilities; to the Committee on Finance.

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. WHITEHOUSE, Mr. BINGAMAN, Mr. HARKIN, Ms. KLOBUCHAR, Mr. COCHRAN, Mrs. BOXER, Mr. SCHUMER, Mr. MENENDEZ, Mr. DURBIN, and Mrs. MURRAY):

S. 688. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself and Mr. CASEY):

S. Res. 83. A resolution designating March 25, 2009, as ''National Cerebral Palsy Awareness Day''; considered and agreed to.

By Mr. LEVIN (for himself and Ms. COLLINS):

S. Res. 84. A resolution urging the Government of Canada to end the commercial seal hunt; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 26

At the request of Mrs. LINCOLN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 26, a bill to amend the Internal Revenue Code of 1986 to reset the income threshold used to calculate the refundable portion of the child tax credit and to repeal the sunset for certain prior modifications made to the credit.

S. 144

At the request of Mr. KERRY, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 211

At the request of Mrs. MURRAY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 263

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 263, a bill to amend title 38, United States Code, to improve the enforcement of the Uniformed Services Employment and Reemployment Rights Act of 1994, and for other purposes.

S. 277

At the request of Ms. MIKULSKI, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 277, a bill to amend the National and Community Service Act of 1990 to expand and improve opportunities for service, and for other purposes.

S. 424

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 424, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 456

At the request of Mr. DODD, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 456, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes.

S. 461

At the request of Mrs. LINCOLN, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Indiana (Mr. BAYH) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 473

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 473, a bill to establish the Senator Paul Simon Study Abroad Foundation.

S. 482

At the request of Mr. FEINGOLD, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 482, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 483

At the request of Mr. DODD, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 483, a bill to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

S. 495

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 495, a bill to increase public confidence in the justice system and address any unwarranted racial and ethnic disparities in the criminal process.

S. 540

At the request of Mr. KENNEDY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 540, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to liability under State and local requirements respecting devices.

S. 541

At the request of Mr. DODD, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 541, a bill to increase the borrowing authority of the Federal Deposit Insurance Corporation, and for other purposes.

S. 582

At the request of Mr. SANDERS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 582, a bill to amend the Truth in Lending Act to protect consumers from usury, and for other purposes.

S. 614

At the request of Mrs. HUTCHISON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 614, a bill to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

S. 662

At the request of Mr. CONRAD, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 662, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. CON. RES. 12

At the request of Mr. BROWN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution recognizing and honoring the signing by President Abraham Lincoln of the legislation authorizing the establishment of collegiate programs at Gallaudet University.

S. RES. 37

At the request of Mr. LAUTENBERG, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. Res. 37, a resolution calling on

Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman.

S. RES. 82

At the request of Mr. SPECTER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 82, a resolution recognizing the 188th anniversary of the independence of Greece and celebrating Greek and American democracy.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 673. A bill to allow certain newspapers to be treated as described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; to the Committee on Finance.

Mr. CARDIN. Mr. President, Thomas Jefferson, a man who was vilified by newspapers daily, once said ''If I had to choose between government without newspapers, and newspapers without government, I wouldn't hesitate to choose the latter.'' Like Jefferson, I believe that a well-informed public is a core foundation of our democracy. Watergate. AIDS. Tobacco. ENRON. AIG. News stories, uncovered by journalists, bring the most important stories of our nation's history to the front page, and thus into public debate.

I rise today to introduce the Newspaper Revitalization Act, to help our disappearing community and metropolitan papers by allowing them to become non-profit organizations. Newspapers across the country are closing their doors, slashing their staff, and shuttering bureaus in the United States and around the world. The Philadelphia Inquirer, The Seattle Post-Intelligencer, The Rocky Mountain News, the Philadelphia Daily News, the San Francisco Chronicle, and my own Baltimore Sun are either in bankruptcy, or facing bankruptcy and closure. The Los Angeles Times has reduced its newsroom by one-half, the Miami Herald and twenty-eight other dailies have laid off at least one-quarter of their workforces in the past year. At the largest daily newspaper in New Jersey, The Star-Ledger, 45 percent of the editorial staff took buyouts when the owner threatened to sell the newspaper. Increasing numbers of metropolitan regions may soon have no local daily newspapers.

The economy has caused an immediate problem, but the business model for newspapers, based on circulation and advertising revenue, has been weakening for years. At the end of 2008, advertising revenue was down by about 25 percent and according to a December forecast by Barclays Capital, advertising revenue will drop another 17 percent in 2009. Circulation is also down because of the many other sources for news. Today we have the internet, television, radio and blogs around the clock. Now, some might say these are all reasons why we may not need daily print newspapers anymore. But they are wrong.

While Americans have quick access to the news, there remains one clear fact, when it comes to original in-depth reporting that records and exposes actions, issues, and opportunities in our communities, nothing has replaced a newspaper. Most, if not all sources of journalistic information, from Google to broadcast news or punditry, gain their original news from the laborious and expensive work of experienced newspaper reporters diligently working their beats over the course of years, not hours. According to the Pew Research Center's Project for Excellence in Journalism, a typical metropolitan paper ran 70 stories a day, counting the national, local and business sections, whereas a half-hour of television news included only ten to twelve. Research further shows that broadcast news follows the agenda set by newspapers, often repeating the same items with less detail. Newspaper reporters forge relationships with people; they build a network, which creates avenues to information.

These relationships and the information that follows are essential in a free, democratic society. Without it, accountability is lost. In a 2003 study published in the Journal of Law, Economics, and Organization, the relationship between corruption and ''free circulation of daily newspapers per person'' was examined. The study found that the lower the circulation of newspapers in a country, the higher it stands on the corruption index. In another study, published in 2006, it is suggested that the growth of a more information-oriented press may have been a factor in reducing government corruption in the United States between the Gilded Age and the Progressive Era. Newspapers provide a form of accountability. They provide a ''check'' on local governments, State governments, the Federal Government, elected officials, corporations, school districts, businesses, individuals and more. We need to save community newspapers.

The Newspaper Revitalization Act provides help. It will allow newspapers to operate as non-profit organizations, if they choose, under 501(c)(3) status for educational purposes, much like public broadcasting. These newspapers would not be allowed to make political endorsements, but would be allowed to freely report on all issues, including political races. Advertising and subscription revenue would be tax exempt and contributions to support coverage or operations could be tax deductible.

While this may not be an optimal choice for some major newspapers or corporate media chains interested in profit, it should be an option for many local newspapers fast disappearing in our States, cities and towns. This option should cause minimal revenue loss to the Federal Government as most newspaper profits have been falling for years. In this economic climate, and with the real possibility of losing community newspapers, this would be a voluntary option for owners to save their paper. It is also a model that could enable local citizens or foundations to step in and preserve their local papers. I want to urge my colleagues to support this legislation and take action to save newspapers.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 673

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

SECTION 1. TREATMENT OF CERTAIN NEWSPAPERS AS EXEMPT FROM TAX UNDER SECTION 501.

(a) IN GENERAL.—Paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 is amended by inserting ''(including a qualified newspaper corporation)'' after ''educational purposes''.

(b) QUALIFIED NEWSPAPER CORPORATION.—Section 501 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subsection (r) as subsection (s), and

(2) by inserting after subsection (q) the following new subsection:

''(r) QUALIFIED NEWSPAPER CORPORATION.—For purposes of this title, a corporation or organization shall be treated as a qualified newspaper corporation if—

''(1) the trade or business of such corporation or organization consists of publishing on a regular basis a newspaper for general circulation,

''(2) the newspaper published by such corporation or organization contains local, national, and international news stories of interest to the general public and the distribution of such newspaper is necessary or valuable in achieving an educational purpose, and

''(3) the preparation of the material contained in such newspaper follows methods generally accepted as educational in character.''.

(c) UNRELATED BUSINESS INCOME OF A QUALIFIED NEWSPAPER CORPORATION.—Section 513 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(k) ADVERTISING INCOME OF QUALIFIED NEWSPAPER CORPORATIONS.—The term 'unrelated trade or business' does not include the sale by a qualified newspaper corporation (as defined in section 501(r)) of any space for commercial advertisement to be published in a newspaper, to the extent that the space allotted to all such advertisements in such newspaper does not exceed the space allotted to fulfilling the educational purpose of such qualified newspaper corporation.''.

(d) DEDUCTION FOR CHARITABLE CONTRIBUTIONS.—Subparagraph (B) of section 170(c) of the Internal Revenue Code of 1986 is amended by inserting ''(including a qualified newspaper corporation as defined in section 501(r))'' after ''educational purposes''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

By Mr. AKAKA:

S. 674. A bill to amend chapter 41 of title 5, United States Code, to provide

for the establishment and authorization of funding for certain training programs for supervisors of Federal employees; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, I rise today to reintroduce the Federal Supervisor Training Act to enhance Federal employee and manager performance.

Performance is essential to the success of our Federal Government. However, we cannot expect employees and managers to perform well if we do not invest in them through training and professional development. In particular, Federal employees deserve the support and guidance of well-trained managers who empower them to perform effectively, and managers deserve tools to successfully motivate and supervise employees.

For managers and supervisors in the Federal Government, few things are more important than training. Supervisor trading programs improve communication, promote stronger manager-employee relationships, reduce conflict, and cultivate efficiency in the federal workforce. While the federal government encourages management and supervisory training, the development and implementation of training programs is left to the discretion of individual agencies. This leads to inconsistent guidance on training and sometimes inadequate training due to an agency's other priorities and limited resources.

According to the 2002 report Making Public Service Work: Recommendations for Change, the Merit Systems Protection Board reported that poor supervisors or managers are the most common reason employees leave a position. The U.S. Office of Personnel Management 2008 Federal Human Capital Survey also shows the need for improvement: only 40 percent of Federal employees believed that their organization's leaders generate high levels of motivation and commitment to the workforce; only 42 percent said they are satisfied with their leaders' policies and practices; and only 48 percent of Federal employees said they were satisfied with the information they get from management.

Given the growing number of Federal managers who are eligible to retire, it is increasingly important to train new supervisors to manage effectively. Good leadership begins with strong management training. It is time to ensure that Federal managers receive appropriate training to supervise Federal employees.

The Federal Supervisor Training Act has three major training components. First, the bill will require that new supervisors receive training in the initial 12 months on the job, with mandatory retraining every three years on how to work with employees to develop performance expectations and evaluate employees. Current managers will have three years to obtain their initial training. Second, the bill requires mentoring for new supervisors and training on how to mentor employees. Third, the measure requires training on the laws governing and the procedures for enforcing whistleblower and anti-discrimination rights.

In addition, my bill will: set standards that supervisors should meet in order to manage employees effectively; assess a manager's ability to meet these standards; and provide training to improve areas identified in personnel assessments.

I am delighted that my bill has received support from the Government Managers Coalition, which represents members of the Senior Executives Association, the Federal Managers Association, the Professional Managers Association, the Federal Aviation Administration Managers Association, and the National Council of Social Security Management Associations; the American Federation of Government Employees; the National Treasury Employees Union; the International Federation of Professional and Technical Engineers; the AFL–CIO, Metal Trades Department; as well as the Partnership for Public Service. I believe this broad support, from employee unions to management associations to outside good government groups, demonstrates the need for this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 674

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Supervisor Training Act of 2009''.

SEC. 2. MANDATORY TRAINING PROGRAMS FOR SUPERVISORS.

(a) IN GENERAL.—Section 4121 of title 5, United States Code, is amended—

(1) by inserting before ''In consultation with'' the following:

''(a) In this section, the term 'supervisor' means—

''(1) a supervisor as defined under section 7103(a)(10);

''(2) a management official as defined under section 7103(a)(11); and

''(3) any other employee as the Director of the Office of Personnel Management may by regulation prescribe.'';

(2) by striking ''In consultation with'' and inserting ''(b) Under operating competencies promulgated by, and in consultation with,''; and

(3) by striking paragraph (2) (of the matter redesignated as subsection (b) as a result of the amendment under paragraph (2) of this subsection) and inserting the following:

''(2)(A) a program to provide training to supervisors on actions, options, and strategies a supervisor may use in—

''(i) developing and discussing relevant goals and objectives together with the employee, communicating and discussing progress relative to performance goals and objectives and conducting performance appraisals;

''(ii) mentoring and motivating employees and improving employee performance and productivity;

''(iii) fostering a work environment characterized by fairness, respect, equal opportunity, and attention paid to the merit of the work of employees;

''(iv) effectively managing employees with unacceptable performance;

''(v) addressing reports of a hostile work environment, reprisal, or harassment of, or by, another supervisor or employee; and

''(vi) otherwise carrying out the duties or responsibilities of a supervisor;

''(B) a program to provide training to supervisors on the prohibited personnel practices under section 2302 (particularly with respect to such practices described under subsection (b) (1) and (8) of that section), employee collective bargaining and union participation rights, and the procedures and processes used to enforce employee rights; and

''(C) a program under which experienced supervisors mentor new supervisors by—

''(i) transferring knowledge and advice in areas such as communication, critical thinking, responsibility, flexibility, motivating employees, teamwork, leadership, and professional development; and

''(ii) pointing out strengths and areas for development.

''(c) Training in programs established under subsection (b)(2)(A) and (B) shall be interactive instructor-based for managers in their first year as a supervisor.

''(d)(1) Not later than 1 year after the date on which an individual is appointed to the position of supervisor, that individual shall be required to have completed each program established under subsection (b)(2).

''(2) After completion of a program under subsection (b)(2) (A) and (B), each supervisor shall be required to complete a program under subsection (b)(2) (A) and (B) at least once every 3 years.

''(3) Each program established under subsection (b)(2) shall include provisions under which credit shall be given for periods of similar training previously completed.

''(e) Notwithstanding section 4118(c), the Director of the Office of Personnel Management shall prescribe regulations to carry out this section, including the monitoring of agency compliance with this section. Regulations prescribed under this subsection shall include measures by which to assess the effectiveness of agency supervisor training programs.''.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall prescribe regulations in accordance with subsection (e) of section 4121 of title 5, United States Code, as added by subsection (a) of this section.

(c) EFFECTIVE DATE AND APPLICATION.—

(1) IN GENERAL.—The amendments made by this section shall take effect 180 days after the date of enactment of this Act and apply to—

(A) each individual appointed to the position of a supervisor, as defined under section 4121(a) of title 5, United States Code, (as added by subsection (a) of this section) on or after that effective date; and

(B) each individual who is employed in the position of a supervisor on that effective date as provided under paragraph (2).

(2) SUPERVISORS ON EFFECTIVE DATE.—Each individual who is employed in the position of a supervisor on the effective date of this section shall be required to—

(A) complete each program established under section 4121(b)(2) of title 5, United States Code (as added by subsection (a) of this section), not later than 3 years after the effective date of this section; and

(B) complete programs every 3 years thereafter in accordance with section 4121(d) (2) and (3) of such title.

SEC. 3. MANAGEMENT COMPETENCIES.

(a) IN GENERAL.—Chapter 43 of title 5, United States Code, is amended—

(1) by redesignating section 4305 as section 4306; and

(2) inserting after section 4304 the following:

"§ 4305. Management competencies

''(a) In this section, the term 'supervisor' means—

''(1) a supervisor as defined under section 7103(a)(10);

''(2) a management official as defined under section 7103(a)(11); and

''(3) any other employee as the Director of the Office of Personnel Management may by regulation prescribe.

''(b) The Director of the Office of Personnel Management shall issue guidance to agencies on competencies supervisors are expected to meet in order to effectively manage, and be accountable for managing, the performance of employees.

''(c) Each agency shall—

''(1) develop competencies to assess the performance of each supervisor and in developing such competencies shall consider the guidance developed by the Director of the Office of Personnel Management under subsection (b) and any other qualifications or factors determined by the agency;

''(2) assess the overall capacity of the supervisors in the agency to meet the guidance developed by the Director of theOffice of Personnel Management issued under subsection (b);

''(3) develop and implement a supervisor training program to strengthen issues identified during such assessment; and

''(4) measure the effectiveness of the supervisor training program established under paragraph (3) in improving supervisor competence.

''(d) Every year, or on any basis requested by the Director of the Office of Personnel Management, each agency shall submit a report to the Office on the progress of the agency in implementing this section, including measures used to assess program effectiveness.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 43 of title 5, United States Code, is amended by striking the item relating to section 4305 and inserting the following:

''4305. Management competencies.

''4306. Regulations.''.

(2) REFERENCE.—Section 4304(b)(3) of title 5, United States Code, is amended by striking ''section 4305'' and inserting ''section 4306''.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. KOHL, and Mr. DURBIN):

S. 678. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am introducing today important legislation designed to protect our communities and particularly our most precious asset, our children. I am pleased to be joined by Senator SPECTER and Senator KOHL, who have been leaders in this area of the law for decades, and Senator DURBIN, who is the new Chairman of the Crime and Drugs Subcommittee. Our legislation is intended to keep children safe and out of trouble and also to help ensure they have the opportunity to become productive adult members of society.

The Senate Judiciary Committee reported this important bill last July. I was disappointed that Republican objections prevented this vital bipartisan legislation from passing the Senate in the last Congress, but we will redouble our efforts to pass this bill this year.

The Juvenile Justice and Delinquency Prevention Act sets out Federal policy and standards for the administration of juvenile justice. It authorizes key Federal resources for states to improve their juvenile justice systems and for communities to develop programs to prevent young people from getting into trouble. We are recommitting ourselves to these important goals with this proposed reauthorization. We also push the law forward in key ways to better serve our communities and our children.

The basic goals of the Juvenile Justice and Delinquency Prevention Act remain the same: keeping our communities safe by reducing juvenile crime, advancing programs and policies that keep children out of the criminal justice system, and encouraging states to implement policies designed to steer those children who do enter the juvenile justice system back onto a track to become contributing members of society.

The reauthorization that we introduce today augments these goals in several ways. First, this bill encourages states to move away from keeping young people in adult jails. The Centers for Disease Control and Prevention has concluded that children who are held in adult prisons commit more crimes, and more serious crimes, when they are released, than children with similar histories who are kept in juvenile facilities. After years of pressure to send more and more young people to adult prisons, it is time to seriously consider the strong evidence that this policy is not working.

We must do this with ample consideration for the fiscal constraints on states, particularly in these lean budget times, and with deference to the traditional role of states in setting their own criminal justice policy. We have done so here. But we also must work to ensure that unless strong and considered reasons dictate otherwise, the presumption must be that children will be kept with other children, particularly before they have been convicted of any wrongdoing.

As a former prosecutor, I know well the importance of holding criminals accountable for their crimes with strong sentences. But when we are talking about children, we must also think about how best to help them become responsible, contributing members of society as adults. That keeps us all safer.

I am disturbed that children from minority communities continue to be overrepresented in the juvenile justice system. This bill encourages states to take new steps to identify the reasons for this serious and continuing problem and to work together with the Federal Government and with local communities to find ways to start solving it.

I am also concerned that too many runaway and homeless young people are locked up for status offenses, like truancy, without having committed any crime. In a Judiciary Committee hearing last year on the reauthorization of the Runaway and Homeless Youth Act, we were reminded of the plight of this vulnerable population, even in the wealthiest country in the world, and inspired by the ability of so many children in this desperate situation to rise above that adversity.

This reauthorization of the Juvenile Justice Act takes strong and significant steps to move away from detaining children from at-risk populations for status offenses, and requires states to phase out the practice entirely in three years, but with a safety valve for those states that are unable to move quite so quickly due to limited resources.

As I have worked with experts on this legislation, it has become abundantly clear that mental health and drug treatment are fundamental to making real progress toward keeping juvenile offenders from reoffending. Mental disorders are two to three times more common among children in the juvenile justice system than in the general population, and 80 percent of young people in the juvenile justice system have been found by some studies to have a connection to substance abuse. This bill takes new and important steps to prioritize and fund mental health and drug treatment.

The bill tackles several other key facets of juvenile justice reform. It emphasizes effective training of personnel who work with young people in the juvenile justice system, both to encourage the use of approaches that have been proven effective and to eliminate cruel and unnecessary treatment of juveniles. The bill also creates incentives for the use of programs that research and testing have shown work best.

Finally, the bill refocuses attention on prevention programs intended to keep children from ever entering the criminal justice system. I was struck when Chief Richard Miranda of Tucson, AZ, said during our December 2007 hearing on this bill that we cannot arrest our way out of the problem. I heard the same sentiment from Chief Anthony Bossi and others at the Judiciary Committee's field hearing last year on young people and violent crime in Rutland, Vermont. When seasoned police officers from Rutland, Vermont, to Tucson, Arizona, tell us that prevention programs are pivotal, I pay attention.

Just as the last administration gutted programs that support state and local law enforcement, so they consistently cut and narrowed effective prevention programs. It would have been even worse had it not been for Senator KOHL's efforts. We must work with the

Obama administration to reverse this trend and help our communities implement programs proven to help kids turn their lives around.

I thank the many prominent Vermont representatives of law enforcement, the juvenile justice system, and prevention-oriented non-profits who have spoken to me in support of reauthorizing this important Act, and who have helped inform my understanding of these issues. They include Ken Schatz of the Burlington City Attorney's Office, Vermont Juvenile Justice Specialist Theresa Lay-Sleeper, and Chief Steve McQueen of the Winooski Police Department. I know that many Judiciary Committee members have heard from passionate leaders on this issue in their own states.

I have long supported a strong Federal commitment to preventing youth violence, with full respect for the discretion due to law enforcement and judges, with deference to states, and with a regard for difficult fiscal realities. I have worked hard on past reauthorizations of this legislation, as have Senators SPECTER and KOHL and others on the Judiciary Committee. We have learned the importance of balancing strong law enforcement with effective prevention programs. This reauthorization pushes forward new ways to help children move out of the criminal justice system, return to school, and become responsible, hard-working members of our communities. I hope all Senators will join us in supporting this important legislation.

Mr. President, I ask unanimous consent that the bill text be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORDm as follows:

S. 678

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—FINDINGS AND DECLARATION OF PURPOSE

Sec. 101. Findings.
Sec. 102. Purposes.
Sec. 103. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Sec. 201. Concentration of Federal efforts.
Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.
Sec. 203. Annual report.
Sec. 204. Allocation of funds.
Sec. 205. State plans.
Sec. 206. Authority to make grants.
Sec. 207. Grants to Indian tribes.
Sec. 208. Research and evaluation; statistical analyses; information dissemination.
Sec. 209. Training and technical assistance.
Sec. 210. Incentive grants for State and local programs.
Sec. 211. Authorization of appropriations.
Sec. 212. Administrative authority.
Sec. 213. Technical and conforming amendments.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301. Definitions.
Sec. 302. Grants for delinquency prevention programs.
Sec. 303. Authorization of appropriations.
Sec. 304. Technical and conforming amendment.

TITLE I—FINDINGS AND DECLARATION OF PURPOSE

SEC. 101. FINDINGS.

Section 101 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601) is amended to read as follows:

''SEC. 101. FINDINGS.

''Congress finds the following:

''(1) A growing body of adolescent development research supports the use of developmentally appropriate services and sanctions for youth in the juvenile justice system and those at risk for delinquent behavior to help prevent youth crime and to successfully intervene with youth who have already entered the system.

''(2) Research has shown that targeted investments to redirect offending juveniles onto a different path are cost effective and can help reduce juvenile recidivism and adult crime.

''(3) Minorities are disproportionately represented in the juvenile justice system.

''(4) Between 1990 and 2004, the number of youth in adult jails increased by 208 percent.

''(5) Every day in the United States, an average of 7,500 youth are incarcerated in adult jails.

''(6) Youth who have been previously tried as adults are, on average, 34 percent more likely to commit crimes than youth retained in the juvenile justice system.

''(7) Research has shown that every dollar spent on evidence based programs can yield up to $13 in cost savings.

''(8) Each child prevented from engaging in repeat criminal offenses can save the community $1,700,000 to $3,400,000.

''(9) Youth are 19 times more likely to commit suicide in jail than youth in the general population and 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility.

''(10) Seventy percent of youth in detention are held for nonviolent charges, and more than ⅔ are charged with property offenses, public order offenses, technical probation violations, or status offenses, such as truancy, running away, or breaking curfew.

''(11) The prevalence of mental disorders among youth in juvenile justice systems is 2 to 3 times higher than among youth in the general population.

''(12) Eighty percent of juveniles in juvenile justice systems have a nexus to substance abuse.

''(13) The proportion of girls entering the justice system has increased steadily over the past several decades, rising from 20 percent in 1980 to 29 percent in 2003.''.

SEC. 102. PURPOSES.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) to support a continuum of programs (including delinquency prevention, intervention, mental health and substance abuse treatment, and aftercare) to address the needs of at-risk youth and youth who come into contact with the justice system.''.

SEC. 103. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (8), by amending subparagraph (C) to read as follows:

''(C) an Indian tribe; or'';

(2) by amending paragraph (18) to read as follows:

''(18) the term 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b);'';

(3) in paragraph (22), by striking ''or confine adults'' and all that follows and inserting ''or confine adult inmates;'';

(4) in paragraph (25), by striking ''contact'' and inserting ''sight and sound contact'';

(5) by amending paragraph (26) to read as follows:

''(26) the term 'adult inmate'—

''(A) means an individual who—

''(i) has reached the age of full criminal responsibility under applicable State law; and

''(ii) has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal charge offense; and

''(B) does not include an individual who—

''(i) at the time of the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law; and

''(ii) was committed to the care and custody of a juvenile correctional agency by a court of competent jurisdiction or by operation of applicable State law;'';

(6) in paragraph (28), by striking ''and'' at the end;

(7) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

''(30) the term 'core requirements' means the requirements described in paragraphs (11), (12), (13), and (15) of section 223(a);

''(31) the term 'chemical agent' means a spray used to temporarily incapacitate a person, including oleoresin capsicum spray, tear gas, and 2-chlorobenzalmalononitrile gas;

''(32) the term 'isolation'—

''(A) means any instance in which a youth is confined alone for more than 15 minutes in a room or cell; and

''(B) does not include confinement during regularly scheduled sleeping hours, or for not more than 1 hour during any 24-hour period in the room or cell in which the youth usually sleeps, protective confinement (for injured youths or youths whose safety is threatened), separation based on an approved treatment program, confinement that is requested by the youth, or the separation of the youth from a group in a non-locked setting for the purpose of calming;

''(33) the term 'restraint' has the meaning given that term in section 591 of the Public Health Service Act (42 U.S.C. 290ii);

''(34) the term 'evidence based' means a program or practice that is demonstrated to be effective and that—

''(A) is based on a clearly articulated and empirically supported theory;

''(B) has measurable outcomes, including a detailed description of what outcomes were produced in a particular population; and

''(C) has been scientifically tested, optimally through randomized control studies or comparison group studies;

''(35) the term 'promising' means a program or practice that is demonstrated to be effective based on positive outcomes from 1 or more objective evaluations, as documented in writing to the Administrator;

''(36) the term 'dangerous practice' means an act, procedure, or program that creates an unreasonable risk of physical injury,

pain, or psychological harm to a juvenile subjected to the act, procedure, or program;

''(37) the term 'screening' means a brief process—

''(A) designed to identify youth who may have mental health or substance abuse needs requiring immediate attention, intervention, and further evaluation; and

''(B) the purpose of which is to quickly identify a youth with a possible mental health or substance abuse need in need of further assessment;

''(38) the term 'assessment' includes, at a minimum, an interview and review of available records and other pertinent information—

''(A) by a mental health or substance abuse professional who meets the criteria of the applicable State for licensing and education in the mental health or substance abuse field; and

''(B) which is designed to identify significant mental health or substance abuse treatment needs to be addressed during a youth's confinement; and

''(39) the term 'contact' means the point at which a youth interacts with the juvenile justice system or criminal justice system, including interaction with a juvenile justice, juvenile court, or law enforcement official, and including brief, sustained, or repeated interaction.''.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

Section 204(a)(2)(B)(i) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(a)(2)(B)(i)) is amended by striking ''240 days after the date of enactment of this paragraph'' and inserting ''July 2, 2009''.

SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''the Administrator of the Substance Abuse and Mental Health Services Administration, the Secretary of Defense, the Secretary of Agriculture,'' after ''the Secretary of Health and Human Services,''; and

(ii) by striking ''Commissioner of Immigration and Naturalization'' and inserting ''Assistant Secretary for Immigration and Customs Enforcement''; and

(B) in paragraph (2)(A), by inserting ''(including at least 1 representative from the mental health fields)'' after ''field of juvenile justice''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''paragraphs (12)(A), (13), and (14) of section 223(a) of this title'' and inserting ''the core requirements''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting '', on an annual basis'' after ''collectively'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) in subparagraph (B),

(I) by striking ''180 days after the date of the enactment of this paragraph'' and inserting ''May 3, 2009'';

(II) by striking ''Committee on Education and the Workforce'' and inserting ''Committee on Education and Labor''; and

(III) by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(C) not later than 120 days after the completion of the last meeting in any fiscal year, submit to Congress a report regarding the recommendations described in subparagraph (A), which shall—

''(i) include a detailed account of the activities conducted by the Council during the fiscal year, including a complete detailed accounting of expenses incurred by the Coordinating Council to conduct operations in accordance with this section;

''(ii) be published on the websites of the Department of Justice and the Coordinating Council; and

''(iii) be in addition to the annual report required by section 207.''.

SEC. 203. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in the matter preceding paragraph (1), by striking ''a fiscal year'' and inserting ''each fiscal year'';

(2) in paragraph (1)—

(A) in subparagraph (B), by inserting '', ethnicity,'' after ''race'';

(B) in subparagraph (E), by striking ''and'' at the end;

(C) in subparagraph (F)—

(i) by inserting ''and other'' before ''disabilities,''; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(G) a summary of data from 1 month of the applicable fiscal year of the use of restraints and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government;

''(H) the number of juveniles released from custody and the type of living arrangement to which each such juvenile was released;

''(I) the number of status offense cases petitioned to court (including a breakdown by type of offense and disposition), number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention; and

''(J) the number of pregnant juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government.''; and

(3) by adding at the end the following:

''(5) A description of the criteria used to determine what programs qualify as evidence based and promising programs under this title and title V and a comprehensive list of those programs the Administrator has determined meet such criteria.

''(6) A description of funding provided to Indian tribes under this Act, including direct Federal grants and funding provided to Indian tribes through a State or unit of local government.

''(7) An analysis and evaluation of the internal controls at Office of Juvenile Justice and Delinquency Prevention to determine if grantees are following the requirements of Office of Juvenile Justice and Delinquency Prevention grant programs and what remedial action Office of Juvenile Justice and Delinquency Prevention has taken to recover any grant funds that are expended in violation of the grant programs, including instances where supporting documentation was not provided for cost reports, where unauthorized expenditures occurred, and where subreceipients of grant funds were not compliant with program requirements.

''(8) An analysis and evaluation of the total amount of payments made to grantees that were recouped by the Office of Juvenile Justice and Delinquency Prevention from grantees that were found to be in violation of policies and procedures of the Office of Juvenile Justice and Delinquency Prevention grant programs. This analysis shall include the full name and location of the grantee, the violation of the program found, the amount of funds sought to be recouped by the Office of Juvenile Justice and Delinquency Prevention, and the actual amount recouped by the Office of Juvenile Justice and Delinquency Prevention.''.

SEC. 204. ALLOCATION OF FUNDS.

(a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5631(b)(1)) is amended by striking ''2 percent'' and inserting ''5 percent''.

(b) OTHER ALLOCATIONS.—Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)(1), by striking ''age eighteen.'' and inserting ''18 years of age, based on the most recent census data to monitor any significant changes in the relative population of people under 18 years of age occurring in the States.'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

''(c)(1) If any amount allocated under subsection (a) is withheld from a State due to noncompliance with the core requirements, the funds shall be reallocated for an improvement grant designed to assist the State in achieving compliance with the core requirements.

''(2) The Administrator shall condition a grant described in paragraph (1) on—

''(A) the State, with the approval of the Administrator, developing specific action steps designed to restore compliance with the core requirements; and

''(B) submitting to the Administrator semiannually a report on progress toward implementing the specific action steps developed under subparagraph (A).

''(3) The Administrator shall provide appropriate and effective technical assistance directly or through an agreement with a contractor to assist a State receiving a grant described in paragraph (1) in achieving compliance with the core requirements.'';

(4) in subsection (d), as so redesignated, by striking ''efficient administration, including monitoring, evaluation, and one full-time staff position'' and inserting ''effective and efficient administration, including the designation of at least 1 person to coordinate efforts to achieve and sustain compliance with the core requirements''; and

(5) in subsection (e), as so redesignated, by striking ''5 per centum of the minimum'' and inserting ''not more than 5 percent of the''.

SEC. 205. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''Not later than 30 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on a publicly available website.'' after ''compliance with State plan requirements.'';

(B) in paragraph (3)—

(i) in subparagraph (A)(ii)—

(I) in subclause (II), by striking ''counsel for children and youth'' and inserting ''publicly supported court-appointed legal counsel for children and youth charged in delinquency matters'';

(II) in subclause (III), by striking ''mental health, education, special education'' and inserting ''children's mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities'';

(III) in subclause (V), by striking ''delinquents or potential delinquents'' and inserting ''delinquent youth or youth at risk of delinquency, including volunteers who work with youth of color'';

(IV) in subclause (VII), by striking ''and'' at the end;

(V) by redesignating subclause (VIII) as subclause (XI);

(VI) by inserting after subclause (VII) the following:

''(VIII) the executive director or the designee of the executive director of a public or nonprofit entity that is located in the State and receiving a grant under part A of title III;

''(IX) persons with expertise and competence in preventing and addressing mental health or substance abuse needs in juvenile delinquents and those at-risk of delinquency;

''(X) representatives of victim or witness advocacy groups; and''; and

(VII) in subclause (XI), as so redesignated, by striking ''disabilities'' and inserting ''and other disabilities, truancy reduction or school failure'';

(ii) in subparagraph (D)(ii), by striking ''requirements of paragraphs (11), (12), and (13)'' and inserting ''core requirements''; and

(iii) in subparagraph (E)(i), by adding ''and'' at the end;

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking ''section 222(d)'' and inserting ''section 222(e)''; and

(ii) in subparagraph (C), by striking ''Indian tribes'' and all that follows through ''applicable to the detention and confinement of juveniles'' and inserting ''Indian tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles'';

(D) in paragraph (7)(B)—

(i) by striking clause (i) and inserting the following:

''(i) a plan for ensuring that the chief executive officer of the State, State legislature, and all appropriate public agencies in the State with responsibility for provision of services to children, youth and families are informed of the requirements of the State plan and compliance with the core requirements;'';

(ii) in clause (iii), by striking ''and'' at the end; and

(iii) by striking clause (iv) and inserting the following:

''(iv) a plan to provide alternatives to detention, including diversion to home-based or community-based services that are culturally and linguistically competent or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system;

''(v) a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs;

''(vi) a plan to engage family members in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement; and

''(vii) a plan to use community-based services to address the needs of at-risk youth or youth who have come into contact with the juvenile justice system;'';

(E) in paragraph (8), by striking ''existing'' and inserting ''evidence based and promising'';

(F) in paragraph (9)—

(i) in the matter preceding subparagraph (A), by striking ''section 222(d)'' and inserting ''section 222(e)'';

(ii) in subparagraph (A)(i), by inserting ''status offenders and other'' before ''youth who need'';

(iii) in subparagraph (B)(i)—

(I) by striking ''parents and other family members'' and inserting ''status offenders, other youth, and the parents and other family members of such offenders and youth''; and

(II) by striking ''be retained'' and inserting ''remain'';

(iv) by redesignating subparagraphs (G) through (S) as subparagraphs (J) through (V), respectively;

(v) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(vi) by inserting after subparagraph (D) the following:

''(E) providing training and technical assistance to, and consultation with, juvenile justice and child welfare agencies of States and units of local government to develop coordinated plans for early intervention and treatment of youth who have a history of abuse and juveniles who have prior involvement with the juvenile justice system;'';

(vii) in subparagraph (G), as so redesignated, by striking ''expanding'' and inserting ''programs to expand'';

(viii) by inserting after subparagraph (G), as so redesignated, the following:

''(H) programs to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency;

''(I) expanding access to publicly supported, court-appointed legal counsel and enhancing capacity for the competent representation of every child;'';

(ix) in subparagraph (O), as so redesignated—

(I) in clause (i), by striking ''restraints'' and inserting ''alternatives''; and

(II) in clause (ii), by striking ''by the provision''; and

(x) in subparagraph (V), as so redesignated, by striking the period at the end and inserting a semicolon;

(G) in paragraph (11)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(C) encourage the use of community-based alternatives to secure detention, including programs of public and nonprofit entities receiving a grant under part A of title III;'';

(H) in paragraph (12)(A), by striking ''contact'' and inserting ''sight and sound contact'';

(I) in paragraph (13), by striking ''contact'' each place it appears and inserting ''sight and sound contact'';

(J) by striking paragraph (22);

(K) by redesignating paragraphs (23) through (28) as paragraphs (24) through (29), respectively;

(L) by redesignating paragraphs (14) through (21) as paragraphs (16) through (23), respectively;

(M) by inserting after paragraph (13) the following:

''(14) require that—

''(A) not later than 3 years after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009, unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility—

''(i) shall not have sight and sound contact with adult inmates; and

''(ii) except as provided in paragraph (13), may not be held in any jail or lockup for adults;

''(B) in determining under subparagraph (A) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have sight and sound contact with adult inmates, a court shall consider—

''(i) the age of the juvenile;

''(ii) the physical and mental maturity of the juvenile;

''(iii) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

''(iv) the nature and circumstances of the alleged offense;

''(v) the juvenile's history of prior delinquent acts;

''(vi) the relative ability of the available adult and juvenile detention facilities to meet the specific needs of the juvenile and to protect the public;

''(vii) whether placement in a juvenile facility will better serve the long-term interests of the juvenile and be more likely to prevent recidivism;

''(viii) the availability of programs designed to treat the juvenile's behavioral problems; and

''(ix) any other relevant factor; and

''(C) if a court determines under subparagraph (A) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have sight and sound contact with adult inmates—

''(i) the court shall hold a hearing not less frequently than once every 30 days to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight and sound contact; and

''(ii) the juvenile shall not be held in any jail or lockup for adults, or permitted to have sight and sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the juvenile expressly waives this limitation;

''(15) implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by—

''(A) establishing coordinating bodies, composed of juvenile justice stakeholders at the State, local, or tribal levels, to oversee and monitor efforts by States, units of local government, and Indian tribes to reduce racial and ethnic disparities;

''(B) identifying and analyzing key decision points in State, local, or tribal juvenile justice systems to determine which points create racial and ethnic disparities among youth who come into contact with the juvenile justice system;

''(C) developing and implementing data collection and analysis systems to identify where racial and ethnic disparities exist in the juvenile justice system and to track and analyze such disparities;

''(D) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraphs (B) and (C); and

''(E) publicly reporting, on an annual basis, the efforts made in accordance with subparagraphs (B), (C), and (D);''

(N) in paragraph (16), as so redesignated—

(i) by striking ''adequate system'' and inserting ''effective system'';

(ii) by striking ''requirements of paragraph (11),'' and all that follows through ''monitoring to the Administrator'' and inserting

''the core requirements are met, and for annual reporting to the Administrator of such plan, including the results of such monitoring and all related enforcement and educational activities''; and

(iii) by striking '', in the opinion of the Administrator,'';

(O) in paragraph (17), as so redesignated, by inserting ''ethnicity,'' after ''race,'';

(P) in paragraph (24), as so redesignated—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C)—

(I) in clause (i), by striking ''and'' at the end;

(II) in clause (ii), by adding ''and'' at the end; and

(III) by adding at the end the following:

''(iii) if such court determines the juvenile should be placed in a secure detention facility or correctional facility for violating such order—

''(I) the court shall issue a written order that—

''(aa) identifies the valid court order that has been violated;

''(bb) specifies the factual basis for determining that there is reasonable cause to believe that the juvenile has violated such order;

''(cc) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the juvenile in such a facility, with due consideration to the best interest of the juvenile;

''(dd) specifies the length of time, not to exceed 7 days, that the juvenile may remain in a secure detention facility or correctional facility, and includes a plan for the juvenile's release from such facility; and

''(ee) may not be renewed or extended; and

''(II) the court may not issue a second or subsequent order described in subclause (I) relating to a juvenile, unless the juvenile violates a valid court order after the date on which the court issues an order described in subclause (I);''; and

(iii) by adding at the end the following:

''(D) there are procedures in place to ensure that any juvenile held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, which ever is shorter; and

''(E) not later than 3 years after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009 with a 1 year extension for each additional year that the State can demonstrate hardship as determined by the Administrator, the State will eliminate the use of valid court orders to provide secure lockup of status offenders;'';

(Q) in paragraph (26), as so redesignated, by striking ''section 222(d)'' and inserting ''section 222(e)'';

(R) in paragraph (27), as so redesignated—

(i) by inserting ''and in accordance with confidentiality concerns,'' after ''maximum extent practicable,''; and

(ii) by striking the semicolon at the end and inserting the following: '', so as to provide for—

''(A) a compilation of data reflecting information on juveniles entering the juvenile justice system with a prior reported history as victims of child abuse or neglect through arrest, court intake, probation and parole, juvenile detention, and corrections; and

''(B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of victims of child abuse and neglect who have entered, or are at risk of entering, the juvenile justice system;'';

(S) in paragraph (28), as so redesignated—

(i) by striking ''establish policies'' and inserting ''establish protocols, policies, procedures,''; and

(ii) by striking ''and'' at the end;

(T) in paragraph (29), as so redesignated, by striking the period at the end and inserting a semicolon; and

(U) by adding at the end the following:

''(30) provide for the coordinated use of funds provided under this Act with other Federal and State funds directed at juvenile delinquency prevention and intervention programs;

''(31) develop policies and procedures, and provide training for facility staff to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques;

''(32) describe—

''(A) how the State will ensure that mental health and substance abuse screening, assessment, referral, and treatment for juveniles in the juvenile justice system includes efforts to implement an evidence-based mental health and substance abuse disorder screening and assessment program for all juveniles held in a secure facility for a period of more than 24 hours that provides for 1 or more initial screenings and, if an initial screening of a juvenile demonstrates a need, further assessment;

''(B) the method to be used by the State to provide screening and, where needed, assessment, referral, and treatment for youth who request or show signs of needing mental health or substance abuse screening, assessment, referral, or treatment during the period after the initial screening that the youth is incarcerated;

''(C) the method to be used by the State to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment; and

''(D) the policies of the State designed to develop and implement comprehensive collaborative State or local plans to meet the service needs of juveniles with mental health or substance abuse needs who come into contact with the justice system and the families of the juveniles;

''(33) provide procedural safeguards to adjudicated juveniles, including—

''(A) a written case plan for each juvenile, based on an assessment of the needs of the juvenile and developed and updated in consultation with the juvenile, the family of the juvenile, and, if appropriate, counsel for the juvenile, that—

''(i) describes the pre-release and post-release programs and reentry services that will be provided to the juvenile;

''(ii) describes the living arrangement to which the juvenile is to be discharged; and

''(iii) establishes a plan for the enrollment of the juvenile in post-release health care, behavioral health care, educational, vocational, training, family support, public assistance, and legal services programs, as appropriate;

''(B) as appropriate, a hearing that—

''(i) shall take place in a family or juvenile court or another court (including a tribal court) of competent jurisdiction, or by an administrative body appointed or approved by the court, not earlier than 30 days before the date on which the juvenile is scheduled to be released, and at which the juvenile would be represented by counsel; and

''(ii) shall determine the discharge plan for the juvenile, including a determination of whether a safe, appropriate, and permanent living arrangement has been secured for the juvenile and whether enrollment in health care, behavioral health care, educational, vocational, training, family support, public assistance and legal services, as appropriate, has been arranged for the juvenile; and

''(C) policies to ensure that discharge planning and procedures—

''(i) are accomplished in a timely fashion prior to the release from custody of each adjudicated juvenile; and

''(ii) do not delay the release from custody of the juvenile; and

''(34) provide a description of the use by the State of funds for reentry and aftercare services for juveniles released from the juvenile justice system.'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''applicable requirements of paragraphs (11), (12), (13), and (22) of subsection (a)'' and inserting ''core requirements''; and

(ii) by striking ''2001, then'' and inserting ''2009'';

(B) in paragraph (1)—

(i) by striking ''the subsequent fiscal year'' and inserting ''that fiscal year''; and

(ii) by striking '', and'' at the end and inserting a semicolon;

(C) in paragraph (2)(B)(ii)—

(i) by inserting '', administrative,'' after ''appropriate executive''; and

(ii) by striking the period at the end and inserting '', as specified in section 222(c); and''; and

(D) by adding at the end the following:

''(3) the State shall submit to the Administrator a report detailing the reasons for noncompliance with the core requirements, including the plan of the State to regain full compliance, and the State shall make publicly available such report, not later than 30 days after the date on which the Administrator approves the report, by posting the report on a publicly available website.'';

(3) in subsection (d)—

(A) by striking ''section 222(d)'' and inserting ''section 222(e)'';

(B) by striking ''described in paragraphs (11), (12), (13), and (22) of subsection (a)'' and inserting ''described in the core requirements''; and

(C) by striking ''the requirements under paragraphs (11), (12), (13), and (22) of subsection (a)'' and inserting ''the core requirements''; and

(4) by striking subsection (f) and inserting the following:

''(f) COMPLIANCE DETERMINATION.—

''(1) IN GENERAL.—Not later than 60 days after the date of receipt of information indicating that a State may be out of compliance with any of the core requirements, the Administrator shall determine whether the State is in compliance with the core requirements.

''(2) REPORTING.—The Administrator shall—

''(A) issue an annual public report—

''(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

''(ii) for any such determination that a State is out of compliance with any of the core requirements, describing the basis for the determination; and

''(B) make the report described in subparagraph (A) available on a publicly available website.

''(g) TECHNICAL ASSISTANCE.—

''(1) ORGANIZATION OF STATE ADVISORY GROUP MEMBER REPRESENTATIVES.—The Administrator shall provide technical and financial assistance to an agency, institution, or organization to assist in carrying out the activities described in paragraph (3). The

functions and activities of an agency, institution, or organization under this subsection shall not be subject to the Federal Advisory Committee Act.

''(2) COMPOSITION.—To be eligible to receive assistance under this subsection, an agency, institution, or organization shall—

''(A) be governed by individuals who—

''(i) have been appointed by a chief executive of a State to serve as a member of a State advisory group established under subsection (a)(3); and

''(ii) are elected to serve as a governing officer of such an agency, institution, or organization by a majority of the member Chairs (or the designees of the member Chairs) of all State advisory groups established under subsection (a)(3);

''(B) include member representatives—

''(i) from a majority of the State advisory groups established under subsection (a)(3); and

''(ii) who are representative of regionally and demographically diverse State jurisdictions; and

''(C) annually seek advice from the Chairs (or the designees of the member Chairs) of each State advisory group established under subsection (a)(3) to implement the advisory functions specified in subparagraphs (D) and (E) of paragraph (3) of this subsection.

''(3) ACTIVITIES.—To be eligible to receive assistance under this subsection, an agency, institution, or organization shall agree to—

''(A) conduct an annual conference of the member representatives of the State advisory groups established under subsection (a)(3) for purposes relating to the activities of such State advisory groups;

''(B) disseminate information, data, standards, advanced techniques, and program models;

''(C) review Federal policies regarding juvenile justice and delinquency prevention;

''(D) advise the Administrator regarding particular functions or aspects of the work of the Office; and

''(E) advise the President and Congress regarding State perspectives on the operation of the Office and Federal legislation relating to juvenile justice and delinquency prevention.''.

SEC. 206. AUTHORITY TO MAKE GRANTS.

Section 241(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(a)) is amended—

(1) in paragraph (1), by inserting ''status offenders,'' before ''juvenile offenders, and juveniles'';

(2) in paragraph (5), by striking ''juvenile offenders and juveniles'' and inserting ''status offenders, juvenile offenders, and juveniles'';

(3) in paragraph (10), by inserting '', including juveniles with disabilities'' before the semicolon;

(4) in paragraph (17), by inserting ''truancy prevention and reduction,'' after ''mentoring,'';

(5) in paragraph (24), by striking ''and'' at the end;

(6) by redesignating paragraph (25) as paragraph (26); and

(7) by inserting after paragraph (24) the following:

''(25) projects that support the establishment of partnerships between a State and a university, institution of higher education, or research center designed to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency; and''.

SEC. 207. GRANTS TO INDIAN TRIBES.

(a) IN GENERAL.—Section 246(a)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5656(a)(2)) is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(3) in subparagraph (B)(ii), as so redesignated, by striking ''subparagraph (B)'' and inserting ''subparagraph (A)''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 223(a)(7)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(7)(A)) is amended by striking ''(including any geographical area in which an Indian tribe performs law enforcement functions)'' and inserting ''(including any geographical area of which an Indian tribe has jurisdiction)''.

SEC. 208. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

(a) IN GENERAL.—Section 251 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter proceeding subparagraph (A), by striking ''may'' and inserting ''shall'';

(ii) in subparagraph (A), by striking ''plan and identify'' and inserting ''annually provide a written and publicly available plan to identify''; and

(iii) in subparagraph (B)—

(I) by amending clause (iii) to read as follows:

''(iii) successful efforts to prevent status offenders and first-time minor offenders from subsequent involvement with the criminal justice system;'';

(II) by amending clause (vii) to read as follows:

''(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement when held in the custody of secure detention and corrections facilities, including an examination of the effects of confinement;'';

(III) by redesignating clauses (ix), (x), and (xi) as clauses (xi), (xii), and (xiii), respectively; and

(IV) by inserting after clause (viii) the following:

''(ix) training efforts and reforms that have produced reductions in or elimination of the use of dangerous practices;

''(x) methods to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency;''; and

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting ''and not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009'' after ''date of enactment of this paragraph'';

(ii) in subparagraph (F), by striking ''and'' at the end;

(iii) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(H) a description of the best practices in discharge planning; and

''(I) an assessment of living arrangements for juveniles who cannot return to the homes of the juveniles.'';

(2) in subsection (b), in the matter preceding paragraph (a), by striking ''may'' and inserting ''shall''; and

(3) by adding at the end the following:

''(f) NATIONAL RECIDIVISM MEASURE.—The Administrator, in consultation with experts in the field of juvenile justice research, recidivism, and date collection, shall—

''(1) establish a uniform method of data collection and technology that States shall use to evaluate data on juvenile recidivism on an annual basis;

''(2) establish a common national juvenile recidivism measurement system; and

''(3) make cumulative juvenile recidivism data that is collected from States available to the public.''.

(b) STUDIES.—

(1) ASSESSMENT OF TREATING JUVENILES AS ADULTS.—The Administrator shall—

(A) not later than 3 years after the date of enactment of this Act, assess the effectiveness of the practice of treating youth under 18 years of age as adults for purposes of prosecution in criminal court; and

(B) not later than 42 months after the date of enactment of this Act, submit to Congress and the President, and make publicly available, a report on the findings and conclusions of the assessment under subparagraph (A) and any recommended changes in law identified as a result of the assessment under subparagraph (A).

(2) OUTCOME STUDY OF FORMER JUVENILE OFFENDERS.—The Administrator shall conduct a study of adjudicated juveniles and publish a report on the outcomes for juveniles who have reintegrated into the community, which shall include information on the outcomes relating to family reunification, housing, education, employment, health care, behavioral health care, and repeat offending.

(3) DISABILITIES.—Not later than 2 years after the date of enactment of this Act, the Administrator shall conduct a study that addresses the prevalence of disability and various types of disabilities in the juvenile justice population.

(4) DEFINITION OF ADMINISTRATOR.—In this subsection, the term ''Administrator'' means the head of the Office of Juvenile Justice and Delinquency Prevention.

SEC. 209. TRAINING AND TECHNICAL ASSISTANCE.

Section 252 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5662) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''may'';

(B) in paragraph (1), by inserting ''shall'' before ''develop and carry out projects''; and

(C) in paragraph (2), by inserting ''may'' before ''make grants to and contracts with'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''may'';

(B) in paragraph (1)—

(i) by inserting ''shall'' before ''develop and implement projects''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (2)—

(i) by inserting ''may'' before ''make grants to and contracts with''; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) shall provide technical assistance to States and units of local government on achieving compliance with the amendments made by the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009; and

''(4) shall provide technical assistance to States in support of efforts to establish partnerships between the State and a university, institution of higher education, or research center designed to improve the recruitment,

selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency.''; and

(3) by adding at the end the following:

''(d) TECHNICAL ASSISTANCE TO STATES REGARDING LEGAL REPRESENTATION OF CHILDREN.—The Administrator shall develop and issue standards of practice for attorneys representing children, and ensure that the standards are adapted for use in States.

''(e) TRAINING AND TECHNICAL ASSISTANCE FOR LOCAL AND STATE JUVENILE DETENTION AND CORRECTIONS PERSONNEL.—The Administrator shall coordinate training and technical assistance programs with juvenile detention and corrections personnel of States and units of local government to—

''(1) promote methods for improving conditions of juvenile confinement, including those that are designed to minimize the use of dangerous practices, unreasonable restraints, and isolation; and

''(2) encourage alternative behavior management techniques.

''(f) TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE TREATMENT INCLUDING HOME-BASED OR COMMUNITY-BASED CARE.—The Administrator shall provide training and technical assistance, in conjunction with the appropriate public agencies, to individuals involved in making decisions regarding the disposition of cases for youth who enter the juvenile justice system about the appropriate services and placement for youth with mental health or substance abuse needs, including—

''(1) juvenile justice intake personnel;

''(2) probation officers;

''(3) juvenile court judges and court services personnel;

''(4) prosecutors and court-appointed counsel; and

''(5) family members of juveniles and family advocates.''.

SEC. 210. INCENTIVE GRANTS FOR STATE AND LOCAL PROGRAMS.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by redesignating part F as part G; and

(2) by inserting after part E the following:

''PART F—INCENTIVE GRANTS FOR STATE AND LOCAL PROGRAMS

''SEC. 271. INCENTIVE GRANTS.

''(a) INCENTIVE GRANT FUNDS.—The Administrator may make incentive grants to a State, unit of local government, or combination of States and local governments to assist a State, unit of local government, or combination thereof in carrying out an activity identified in subsection (b)(1).

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—An incentive grant made by the Administrator under this section may be used to—

''(A) increase the use of evidence based or promising prevention and intervention programs;

''(B) improve the recruitment, selection, training, and retention of professional personnel (including in the fields of medicine, law enforcement, judiciary, juvenile justice, social work, and child prevention) who are engaged in, or intend to work in, the field of prevention, intervention, and treatment of juveniles to reduce delinquency;

''(C) establish or support a partnership between juvenile justice agencies of a State or unit of local government and mental health authorities of State or unit of local government to establish and implement programs to ensure there are adequate mental health and substance abuse screening, assessment, referral, treatment, and after-care services for juveniles who come into contact with the justice system by—

''(i) carrying out programs that divert from incarceration juveniles who come into contact with the justice system (including facilities contracted for operation by State or local juvenile authorities) and have mental health or substance abuse needs—

''(I) when such juveniles are at imminent risk of being taken into custody;

''(II) at the time such juveniles are initially taken into custody;

''(III) after such juveniles are charged with an offense or act of juvenile delinquency;

''(IV) after such juveniles are adjudicated delinquent and before case disposition; and

''(V) after such juveniles are committed to secure placement; or

''(ii) improving treatment of juveniles with mental health needs by working to ensure—

''(I) that—

''(aa) initial mental health screening is—

''(AA) completed for a juvenile immediately upon entering the juvenile justice system or a juvenile facility; and

''(BB) conducted by qualified health and mental health professionals or by staff who have been trained by qualified health, mental health, and substance abuse professionals; and

''(bb) in the case of screening, results that indicate possible need for mental health or substance abuse services are reviewed by qualified mental health or substance abuse treatment professionals not later than 24 hours after the screening;

''(II) that a juvenile who suffers from an acute mental disorder, is suicidal, or is in need of medical attention due to intoxication is—

''(aa) placed in or immediately transferred to an appropriate medical or mental health facility; and

''(bb) only admitted to a secure correctional facility with written medical clearance;

''(III) that—

''(aa) for a juvenile identified by a screening as needing a mental health assessment, the mental health assessment and any indicated comprehensive evaluation or individualized treatment plan are written and implemented—

''(AA) not later than 2 weeks after the date on which the juvenile enters the juvenile justice system; or

''(BB) if a juvenile is entering a secure facility, not later than 1 week after the date on which the juvenile enters the juvenile justice system; and

''(bb) the assessments described in item (aa) are completed by qualified health, mental health, and substance abuse professionals;

''(IV) that—

''(aa) if the need for treatment is indicated by the assessment of a juvenile, the juvenile is referred to or treated by a qualified professional;

''(bb) a juvenile who is receiving treatment for a mental health or substance abuse need on the date of the assessment continues to receive treatment;

''(cc) treatment of a juvenile continues until a qualified mental health professional determines that the juvenile is no longer in need of treatment; and

''(dd) treatment plans for juveniles are reevaluated at least every 30 days;

''(V) that—

''(aa) discharge plans are prepared for an incarcerated juvenile when the juvenile enters the correctional facility in order to integrate the juvenile back into the family and the community;

''(bb) discharge plans for an incarcerated juvenile are updated, in consultation with the family or guardian of a juvenile, before the juvenile leaves the facility; and

''(cc) discharge plans address the provision of aftercare services;

''(VI) that any juvenile in the juvenile justice system receiving psychotropic medications is—

''(aa) under the care of a licensed psychiatrist; and

''(bb) monitored regularly by trained staff to evaluate the efficacy and side effects of the psychotropic medications; and

''(VII) that specialized treatment and services are continually available to a juvenile in the juvenile justice system who has—

''(aa) a history of mental health needs or treatment;

''(bb) a documented history of sexual offenses or sexual abuse, as a victim or perpetrator;

''(cc) substance abuse needs or a health problem, learning disability, or history of family abuse or violence; or

''(dd) developmental disabilities;

''(D) provide training, in conjunction with the public or private agency that provides mental health services, to individuals involved in making decisions involving youth who enter the juvenile justice system (including intake personnel, law enforcement, prosecutors, juvenile court judges, public defenders, mental health and substance abuse service providers and administrators, probation officers, and parents) that focuses on—

''(i) the availability of screening and assessment tools and the effective use of such tools;

''(ii) the purpose, benefits, and need to increase availability of mental health or substance abuse treatment programs (including home-based and community-based programs) available to juveniles within the jurisdiction of the recipient;

''(iii) the availability of public and private services available to juveniles to pay for mental health or substance abuse treatment programs; or

''(iv) the appropriate use of effective home-based and community-based alternatives to juvenile justice or mental health system institutional placement; and

''(E) develop comprehensive collaborative plans to address the service needs of juveniles with mental health or substance abuse disorders who are at risk of coming into contact with the juvenile justice system that—

''(i) revise and improve the delivery of intensive home-based and community-based services to juveniles who have been in contact with or who are at risk of coming into contact with the justice system;

''(ii) determine how the service needs of juveniles with mental health or substance abuse disorders who come into contact with the juvenile justice system will be furnished from the initial detention stage until after discharge in order for these juveniles to avoid further contact with the justice system;

''(iii) demonstrate that the State or unit of local government has entered into appropriate agreements with all entities responsible for providing services under the plan, such as the agency of the State or unit of local government charged with administering juvenile justice programs, the agency of the State or unit of local government charged with providing mental health services, the agency of the State or unit of local government charged with providing substance abuse treatment services, the educational agency of the State or unit of local government, the child welfare system of the State or local government, and private nonprofit community-based organizations;

''(iv) ensure that the State or unit of local government has in effect any laws necessary for services to be delivered in accordance with the plan;

''(v) establish a network of individuals (or incorporates an existing network) to provide coordination between mental health service providers, substance abuse service providers, probation and parole officers, judges, corrections personnel, law enforcement personnel, State and local educational agency personnel, parents and families, and other appropriate parties regarding effective treatment of juveniles with mental health or substance abuse disorders;

''(vi) provide for cross-system training among law enforcement personnel, corrections personnel, State and local educational agency personnel, mental health service providers, and substance abuse service providers to enhance collaboration among systems;

''(vii) provide for coordinated and effective aftercare programs for juveniles who have been diagnosed with a mental health or substance abuse disorder and who are discharged from home-based care, community-based care, any other treatment program, secure detention facilities, secure correctional facilities, or jail;

''(viii) provide for the purchase of technical assistance to support the implementation of the plan;

''(ix) estimate the costs of implementing the plan and proposes funding sources sufficient to meet the non-Federal funding requirements for implementation of the plan under subsection (c)(2)(E);

''(x) describe the methodology to be used to identify juveniles at risk of coming into contact with the juvenile justice system;

''(xi) provide a written plan to ensure that all training and services provided under the plan will be culturally and linguistically competent; and

''(xii) describe the outcome measures and benchmarks that will be used to evaluate the progress and effectiveness of the plan.

''(2) COORDINATION AND ADMINISTRATION.—A State or unit of local government receiving a grant under this section shall ensure that—

''(A) the use of the grant under this section is developed as part of the State plan required under section 223(a); and

''(B) not more than 5 percent of the amount received under this section is used for administration of the grant under this section.

''(c) APPLICATION.—

''(1) IN GENERAL.—A State or unit of local government desiring a grant under this section shall submit an application at such time, in such manner, and containing such information as the Administrator may prescribe.

''(2) CONTENTS.—In accordance with guidelines that shall be established by the Administrator, each application for incentive grant funding under this section shall—

''(A) describe any activity or program the funding would be used for and how the activity or program is designed to carry out 1 or more of the activities described in subsection (b);

''(B) if any of the funds provided under the grant would be used for evidence based or promising prevention or intervention programs, include a detailed description of the studies, findings, or practice knowledge that support the assertion that such programs qualify as evidence based or promising;

''(C) for any program for which funds provided under the grant would be used that is not evidence based or promising, include a detailed description of any studies, findings, or practice knowledge which support the effectiveness of the program;

''(D) if the funds provided under the grant will be used for an activity described in subsection (b)(1)(D), include a certification that the State or unit of local government—

''(i) will work with public or private entities in the area to administer the training funded under subsection (b)(1)(D), to ensure that such training is comprehensive, constructive, linguistically and culturally competent, and of a high quality;

''(ii) is committed to a goal of increasing the diversion of juveniles coming under its jurisdiction into appropriate home-based or community-based care when the interest of the juvenile and public safety allow;

''(iii) intends to use amounts provided under a grant under this section for an activity described in subsection (b)(1)(D) to further such goal; and

''(iv) has a plan to demonstrate, using appropriate benchmarks, the progress of the agency in meeting such goal; and

''(E) if the funds provided under the grant will be used for an activity described in subsection (b)(1)(D), include a certification that not less than 25 percent of the total cost of the training described in subsection (b)(1)(D) that is conducted with the grant under this section will be contributed by non-Federal sources.

''(d) REQUIREMENTS FOR GRANTS TO ESTABLISH PARTNERSHIPS.—

''(1) MANDATORY REPORTING.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall keep records of the incidence and types of mental health and substance abuse disorders in their juvenile justice populations, the range and scope of services provided, and barriers to service. The State or unit of local government shall submit an analysis of this information yearly to the Administrator.

''(2) STAFF RATIOS FOR CORRECTIONAL FACILITIES.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall require that a secure correctional facility operated by or on behalf of that State or unit of local government—

''(A) has a minimum ratio of not fewer than 1 mental health and substance abuse counselor for every 50 juveniles, who shall be professionally trained and certified or licensed;

''(B) has a minimum ratio of not fewer than 1 clinical psychologist for every 100 juveniles; and

''(C) has a minimum ratio of not fewer than 1 licensed psychiatrist for every 100 juveniles receiving psychiatric care.

''(3) LIMITATION ON ISOLATION.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall require that—

''(A) isolation is used only for immediate and short-term security or safety reasons;

''(B) no juvenile is placed in isolation without approval of the facility superintendent or chief medical officer or their official staff designee;

''(C) all instances in which a juvenile is placed in isolation are documented in the file of a juvenile along with the justification;

''(D) a juvenile is in isolation only the amount of time necessary to achieve security and safety of the juvenile and staff;

''(E) staff monitor each juvenile in isolation once every 15 minutes and conduct a professional review of the need for isolation at least every 4 hours; and

''(F) any juvenile held in isolation for 24 hours is examined by a physician or licensed psychologist.

''(4) MEDICAL AND MENTAL HEALTH EMERGENCIES.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall require that a correctional facility operated by or on behalf of that State or unit of local government has written policies and procedures on suicide prevention. All staff working in a correctional facility operated by or on behalf of a State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall be trained and certified annually in suicide prevention. A correctional facility operated by or on behalf of a State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall have a written arrangement with a hospital or other facility for providing emergency medical and mental health care. Physical and mental health services shall be available to an incarcerated juvenile 24 hours per day, 7 days per week.

''(5) IDEA AND REHABILITATION ACT.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall require that all juvenile facilities operated by or on behalf of the State or unit of local government abide by all mandatory requirements and timelines set forth under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

''(6) FISCAL RESPONSIBILITY.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall provide for such fiscal control and fund accounting procedures as may be necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this section that are used for an activity described in subsection (b)(1)(C).''.

SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

Section 299 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''PARTS C AND E'' and inserting ''PARTS C, E, AND F'';

(B) in paragraph (1), by striking ''this title'' and all that follows and inserting the following: ''this title—

''(A) $245,900,000 for fiscal year 2010;

''(B) $295,100,000 for fiscal year 2011;

''(C) $344,300,000 for fiscal year 2012;

''(D) $393,500,000 for fiscal year 2013; and

''(E) $442,700,000 for fiscal year 2014.''; and

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking ''parts C and E'' and inserting ''parts C, E, and F'';

(2) in subsection (b), by striking ''fiscal years 2003, 2004, 2005, 2006, and 2007'' and inserting ''fiscal years 2010, 2011, 2012, 2013, and 2014'';

(3) in subsection (c), by striking ''fiscal years 2003, 2004, 2005, 2006, and 2007'' and inserting ''fiscal years 2010, 2011, 2012, 2013, and 2014'';

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following:

''(d) AUTHORIZATION OF APPROPRIATIONS FOR PART F.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out part F, and authorized to remain available until expended, $80,000,000 for each of fiscal years 2010, 2011, 2012, 2013, and 2014.

''(2) ALLOCATION.—Of the sums that are appropriated for a fiscal year to carry out part F—

''(A) not less than 40 percent shall be used to fund programs that are carrying out an activity described in subparagraph (C), (D), or (E) of section 271(b)(1); and

''(B) not less than 50 percent shall be used to fund programs that are carrying out an activity described in subparagraph (A) of that section.''.

SEC. 212. ADMINISTRATIVE AUTHORITY.

Section 299A(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672(e)) is amended by striking ''requirements described in paragraphs (11), (12), and (13) of section 223(a)'' and inserting ''core requirements''.

SEC. 213. TECHNICAL AND CONFORMING AMENDMENTS.

The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended—

(1) in section 204(b)(6), by striking ''section 223(a)(15)'' and inserting ''section 223(a)(16)'';

(2) in section 246(a)(2)(D), by striking ''section 222(c)'' and inserting ''section 222(d)''; and

(3) in section 299D(b), of by striking ''section 222(c)'' and inserting ''section 222(d)''.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

SEC. 301. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5781) is amended—

(1) in the section heading, by striking ''**DEFINITION**'' and inserting ''**definitions**''; and

(2) by striking ''this title, the term'' and inserting the following: ''this title—

''(1) the term 'mentoring' means matching 1 adult with 1 or more youths (not to exceed 4 youths) for the purpose of providing guidance, support, and encouragement aimed at developing the character of the youths, where the adult and youths meet regularly for not less than 4 hours each month for not less than a 9-month period; and

''(2) the term''.

SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504(a) of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5783(a)) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9) mentoring programs.''.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

Section 505 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5784) is amended to read as follows:

''SEC. 505. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title—

''(1) $322,800,000 for fiscal year 2010;

''(2) $373,400,000 for fiscal year 2011;

''(3) $424,000,000 for fiscal year 2012;

''(4) $474,600,000 for fiscal year 2013; and

''(5) $525,200,000 for fiscal year 2014.''.

SEC. 304. TECHNICAL AND CONFORMING AMENDMENT.

The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking title V, as added by the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93–415; 88 Stat. 1133) (relating to miscellaneous and conforming amendments).

Mr. KOHL. Mr. President, I rise today with Senator LEAHY and Senator SPECTER to introduce the Juvenile Justice and Delinquency Prevention Reauthorization Act. The Juvenile Justice and Delinquency Prevention Act, JJDPA, has played a key role in successful state and local efforts to reduce juvenile crime and get kids back on track after they have had run-ins with the law. This legislation will reauthorize and make significant improvements to these important programs.

A successful strategy to combat juvenile crime consists of a large dose of prevention and intervention programs. Juvenile justice programs have proven time and time again that they help prevent crime, strengthen communities, and rehabilitate juvenile offenders. The JJDPA has always had a dual focus: prevention and rehabilitation.

The JJDPA has successfully focused on intervening in a positive manner to work with those teens that have fallen through the cracks and have had a few scrapes with the law. Many of the juveniles who come into contact with the justice system are not violent offenders or gang members. Rather, they are young people who have made mistakes and deserve a second chance to succeed and lead healthy lives. In fact, seventy percent of youth in detention are held for nonviolent charges. Research has shown that youth who come into contact with the justice system can be rehabilitated, and we have an obligation to support successful programs that do just that.

While putting young people on the right path after they have had run-ins with the law is tremendously important, we would all prefer to keep them from getting into trouble in the first place. Title V, of course, is the only federal program that is dedicated exclusively to juvenile crime prevention. Evidence-based prevention programs are proven to reduce crime. Because each child prevented from engaging in repeat criminal offenses can save the community $1.7 to $3.4 million, reducing crime actually saves money. Research has shown that every dollar spent on effective, evidence based programs can yield up to $13 in cost savings.

Since the last reauthorization in 2002, research and experience have revealed that there is still room for improvement. That is why we are proposing a number of changes to the Act.

Under Title II, the existing JJDPA requires states to comply with certain core requirements that are designed to protect and assist in the rehabilitation of juvenile offenders. This legislation makes improvements to four of the core requirements—removal of juveniles from adult jails, preventing contact between juvenile offenders and adult inmates, the deinstitutionalization of status offenders, and disproportionate minority contact, DMC.

The legislation would amend the jail removal and sight and sound requirements to ensure that juveniles charged as adults are not placed in an adult facility or allowed to have contact with adult inmates unless a court finds that it is in the interest of justice to do so. Research has shown that juveniles who spend time in adult jails are more likely to reoffend. Therefore, it is critical that we get judges more involved in this process to ensure that it is in everyone's best interest, but particularly the juvenile's best interest, to place that young person in an adult facility.

This measure would also place important limitations on the valid court order exception to the deinstitutionalization of status offenders. Under the current JJDPA, courts can order status offenders to be placed in secure detention with minimal process and no limit on duration. We seek to change both of these. This bill would place a 7 day limit on the amount of time a status offender can spend in a secure facility, and ensure that juvenile status offenders have significant procedural protections.

In addition, the legislation will push states to take concrete steps to identify the causes of disproportionate minority contact and take meaningful steps to achieve concrete reductions.

The bill also focuses a great deal of attention on improving cooperation between the states and the Federal Government in the area of juvenile justice. It directs the Administrator of the Office of Juvenile Justice to conduct additional research. It seeks to strengthen the amount of training and technical assistance provided by the Federal Government, particularly workforce training for those people who work directly with juveniles at every stage of the juvenile justice system.

The Juvenile Justice and Delinquency Prevention Reauthorization Act would improve treatment of juveniles in two important respects. It seeks to end the use of improper isolation and dangerous practices, and it encourages the use of best practices and alternatives to detention.

This measure also places a greater focus on mental health and substance abuse treatment for juveniles who come into contact, or are at risk of coming into contact, with the juvenile justice system. Research has shown that the prevalence of mental disorders among youth in juvenile justice systems is two to three times higher than among youth who have not had run-ins with the law. Taking meaningful steps to provide adequate mental health screening and treatment for these juveniles is a critical part of getting them on the right track, and needs to be a part of federal, state and local efforts to rehabilitate juvenile offenders.

Finally, and possibly most importantly, the key to success is adequate support. Funding for juvenile justice programs has been on a downward spiral for the last 8 years. Just 6 years ago, these programs received approximately $556 million, with more than $94 million for the Title V Local Delinquency Prevention Program and nearly $250 million for the Juvenile Accountability Block Grant program. Last year, the Bush administration requested just $250 million for all juvenile justice programs, which represents more than a 50 percent cut from fiscal year 2002. Local communities do a great job of leveraging this funding to accomplish great things, but we cannot say with a straight face that this level is sufficient. We look forward to working with President Obama to ensure that these vital programs once again receive the adequate funding they deserve.

Therefore, we are seeking to authorize increased funding for the Juvenile Justice and Delinquency Prevention Act. The bill will authorize more than $272 million for Title V and nearly $200 million for Title II in fiscal year 2009. Then, funding for each title will increase by $50 million each subsequent fiscal year. These programs are in desperate need of adequate funding. It is money well spent, and this increase in authorized funding will demonstrate Congressional support for these critical programs.

In addition to increased funding for traditional JJDPA programs, we have created a new incentive grant program under the Act. This program authorizes another $60 million per year to help local communities to supplement efforts under the Act, and in some cases go above and beyond what is required of them. Specifically, this funding will support evidence based and promising prevention and intervention programs. It will enhance workforce training, which will improve the treatment and rehabilitation of juveniles who come into contact with the system. Lastly, a significant portion of this funding will be dedicated to mental health screening and treatment of juveniles who have come into contact, or are at risk of coming into contact, with the justice system.

The Juvenile Justice and Delinquency Prevention Act is an incredibly successful program. The fact that it is cost efficient is important. But the most important thing is that it is effective. It is effective in reaching the kids it is designed to help. The evidence based prevention programs it funds are able to touch the lives of at-risk youth and steer them away from a life of crime. For those who have unfortunately already had run-ins with law enforcement, its intervention and treatment programs have successfully helped countless kids get their lives back on the right track and become productive members of society.

It is beyond dispute that these proven programs improve and strengthen young people, as well as their families and their communities. For that reason, we urge our colleagues to support this important measure to reauthorize and improve these programs.

By Ms. COLLINS (for herself, Mrs. FEINSTEIN, and Mr. KOHL):

S. 679. A bill to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, today I am introducing the Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act, along with my colleagues from California and Wisconsin, Senator FEINSTEIN and Senator KOHL. This bill will accelerate research of plug-in hybrid technologies for heavy duty trucks.

The Federal Government, through the 21st Century Truck Partnership, has for some years provided funding to conduct research and development for the modernization of this industry, in association with a collection of private industry partners. Despite the significant potential benefits of hybrid trucks, however, research in this area was eliminated recently to emphasize a focus on passenger vehicles. This decision was shortsighted.

In 2008, truck operators in Maine and around the country were hard hit by increases in the price of diesel fuel. While fortunately there has been some relief in 2009, it is likely that as our Nation recovers from the current economic downturn, the demand for and prices of diesel fuel will increase again in the future. Given that our Nation relies upon the trucking industry to keep our economy running by providing timely delivery of food, industrial products, and raw materials, we must develop alternatives that make the industry less susceptible to dramatic changes in oil prices. Hybrid power technologies offer tremendous promise of reducing this critical industry's dependence on oil.

Trucks consume large amounts of our imported fuels. Successfully transitioning trucks to hybrid power technology will reduce our Nation's oil consumption and improve our energy security. The Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act directs the Department of Energy to expand its research in advanced energy storage technologies to include hybrid trucks as well as passenger vehicles. Current hybrid technology works well for cars that can be made with lightweight materials and travel short distances. Trucks need to be constructed with heavy materials commensurate with the heavy loads they carry and, if they are going to be plug-in hybrids, travel relatively long distances between charges. Thus advances in battery and other technologies are needed to make plug-in trucks commercially viable and may require more advanced technology than is required for passenger cars.

Grant recipients will be required to complete two phases. In phase one, recipients must build one plug-in hybrid truck, collect data, and make performance comparisons with traditional trucks. Recipients who show promise in phase one will be invited to enter into phase two where they must produce 50 plug-in hybrid trucks and report on the technological and market obstacles to widespread production. The bill will also sponsor two smaller programs to deal with drive-train issues and the impact of the wide use of plug-in hybrid technology on the electrical grid. In total, the bill authorizes the expenditure of $16,000,000 for each of fiscal years 2010, 2011, and 2012.

We need a comprehensive approach to modernize commercial transportation in the 21st century. The Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act is one vital piece of that approach. I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 679

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act of 2009''.

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

(a) DEFINITIONS.—In this section:

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

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

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) hydrofluorocarbons;

(E) perfluorocarbons; or

(F) sulfur hexafluoride.

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

(4) PROGRAM.—The term ''program'' means the competitive research, development, demonstration, and commercial application program established under this section.

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

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

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

(c) APPLICATIONS.—

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

(2) SELECTION CRITERIA.—

(A) IN GENERAL.—The Secretary shall establish selection criteria for awarding grants under the program.

(B) FACTORS.—In evaluating applications, the Secretary shall—

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

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

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

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

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

(4) SCHEDULE.—

(A) APPLICATION REQUEST.—

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

(ii) APPLICATION DEADLINE.—The applications shall be due not later than 90 days after the date of the publication.

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

(5) NUMBER OF GRANTS.—

(A) IN GENERAL.—The Secretary shall determine the number of grants to be awarded under the program based on the technical merits of the applications received.

(B) MINIMUM AND MAXIMUM NUMBER.—The number of grants awarded under the program shall be not less than 3 and not more than 7 grants.

(C) PLUG-IN HYBRID VEHICLE TECHNOLOGY.—At least half of the grants awarded under this section shall be for plug-in hybrid technology.

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

(d) PROGRAM REQUIREMENTS; 2 PHASES.—

(1) IN GENERAL.—As a condition of the receipt of a grant under this section, each grant recipient shall be required to complete 2 phases in accordance with this subsection.

(2) PHASE 1.—

(A) IN GENERAL.—In phase 1, the recipient shall conduct research and demonstrate advanced hybrid technology by producing or retrofitting 1 or more advanced heavy duty hybrid vehicles.

(B) REPORT.—Not later than 60 days after the completion of phase 1, the recipient shall submit to the Secretary a report containing data and analysis of—

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

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

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

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

(C) TERMINATION.—The Secretary may terminate the grant program with respect to the project of a recipient at the conclusion of phase 1 if the Secretary determines that the recipient cannot successfully complete the requirements of phase 2.

(D) TIMING.—Phase 1 shall—

(i) begin on the date of receipt of a grant under the program; and

(ii) have a duration of 1 year.

(E) TESTING PROCEDURES.—

(i) IN GENERAL.—The Secretary shall develop standard testing procedures to be used by recipients in testing each vehicle.

(ii) VEHICLE PERFORMANCE.—The procedures shall include testing the performance of a vehicle under typical operating conditions.

(3) PHASE 2.—

(A) IN GENERAL.—In phase 2, the recipient shall demonstrate advanced manufacturing processes and technologies by producing or retrofitting 50 advanced heavy duty hybrid vehicles.

(B) REPORT.—Not later than 60 days after the completion of phase 2, the recipient shall submit to the Secretary a report containing—

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

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

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

(C) TIMING.—Phase 2 shall—

(i) begins on the conclusion of phase 1; and

(ii) have a duration of 2 years.

(e) RESEARCH ON VEHICLE USAGE AND ALTERNATIVE DRIVE TRAINS.—

(1) IN GENERAL.—The Secretary shall conduct research into alternative power train designs for use in advanced heavy duty hybrid vehicles.

(2) COMPARISON.—The research shall compare the estimated cost (including operating and maintenance costs, the cost of emission reductions, and fuel savings) of each design with similar nonhybrid power train designs under the conditions in which those vehicles are typically used, including (for each vehicle type)—

(A) the number of miles driven;

(B) time spent with the engine at idle;

(C) horsepower requirements;

(D) the length of time the maximum or near maximum power output of the vehicle is needed; and

(E) any other factors that the Secretary considers appropriate.

(f) REPORT TO CONGRESS.—Not later than 60 days after the date the Secretary receives the reports from grant recipients under subsection (d)(3)(B), the Secretary shall submit to Congress a report containing—

(1) an identification of the grant recipients and the projects funded;

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

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

(4) a description of the vehicles produced or retrofitted by recipients in phases 1 and 2 of the program, including an analysis of the fuel efficiency of the vehicles; and

(5) the results of the research carried out under subsections (e) and (i).

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

(h) COST SHARING.—Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) shall apply to the program.

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

(j) AUTHORIZATION OF APPROPRIATIONS.—

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

(2) LIMITATIONS.—Of the funds authorized under paragraph (1), not more than $1,000,000 of the amount made available for a fiscal year may be used—

(A) to carry out the research required under subsection (e);

(B) to carry out the pilot program required under subsection (i); and

(C) to administer the program.

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

Subsection (g)(1) of the United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231(g)(1)) is amended by inserting ''vehicles with a gross weight over 16,000 pounds,'' before ''stationary applications,''.

By Mr. INHOFE:

S. 680. A bill to limit Federal emergency economic assistance payments to certain recipients; to the Committee on Banking, Housing, and Urban Affairs.

Mr. INHOFE. Mr. President, last week Congress was consumed in expressing its justified outrage over the bonuses for AIG executives. The House passed a bill that would tax those bonuses at 90 percent to get the money back. The Senate may consider something similar this week, and I think it is the Senate's job to proceed carefully as we do so. Though I think all of us would support taking back the payments, we need to give due consideration to the means by which we do this. The constitutionality of the House version is certainly questionable at best.

Now, the reason many are seeking expedited consideration of the AIG bonus bill is clear enough—to cover up the past mistakes of the majority party and the Treasury Secretary. We should recall the process that created the stimulus bill: No time to review the final bill before passage, a photo op masquerading as a conference committee, hasty consideration, no bipartisan input, and huge decisions about billions and billions of dollars being made behind closed doors by the majority. It was this process that allowed the provision to give out the AIG bonuses to find its way into law. There was a provision very deep in the Democratic stimulus bill that allowed these bonuses to be paid, and it was inserted at the behest of Treasury Secretary Tim Geithner.

This gets us to the root of the problem: The bailout approach that Secretary Geithner epitomizes. The American people object to the midnight rescue packages, the ad hoc approach, the ''say one thing, do another'' programs. There is a complete lack of any policy framework, explanation of principles or coherent approach in dealing with our financial situation. I believe there is a lack of any transparency whatsoever and a seeming indifference to the taxpayers' interests.

Now, the $700 billion bailout bill last October was congressional ratification of Tim Geithner's approach to big banks: to bail them out. I objected to that at that time and I was in shock that 75 Members of the Senate voted to give an unelected bureaucrat, without any constraints, $700 billion to do with as he wished. Now, that was bad enough. It all started with Bear Stearns a year ago. The initiator of the Bear Stearns deal was not Secretary Paulson, it was not Chairman Bernanke, it was the—they signed off on it, but it was Timothy Geithner. After the deal was announced, Robert Novak reported in his column that an unnamed Federal official confided in him at the time: ''We may have crossed

a line'' in bailing out Bear Stearns. Mr. Novak wrote that was an understatement and that we wouldn't know the ramifications of this decision for a long time.

Well, I think we better understand those ramifications today. We are now trillions of dollars past that line and we are beginning to comprehend the course on which that decision has set us. I, personally, believe that trillions of dollars past that line, we are no better off. That is enough. Tim Geithner's bailout approach has taken us too far. Instead of Congress using the AIG bonus issue to cover up Tim Geithner's mistakes in allowing those bonuses, we should take it as an opportunity to fundamentally reevaluate the bailouts thus far and put an end to any more bailouts. Now, with the revelations of how AIG is being used to funnel money to foreign banks to make them whole on bad investments at the expense of the U.S. taxpayers, we need to put an end to the Geithner approach on bailouts. The taxpayers deserve no less.

The debate over the AIG bonuses, though extremely important, only scratches the surface of some much deeper issues. First, the furor over AIG bonuses obscured some other, perhaps more important, news about the AIG bailout regarding counterparties—or creditors—counterparties, to some of AIG's more exotic transactions. Second, the AIG bonus issue reveals a significant problem with Treasury Secretary Tim Geithner's bailout approach to failing financial institutions.

Under Tim Geithner, the $150 billion in taxpayer money AIG has received is being used to funnel money to AIG's counterparties, mostly big investment banks and foreign banks. Taxpayers are right to be angry about the bonuses, but they should be even angrier about how their taxpayer dollars used to bail out AIG are being distributed by them. Under the contracts AIG entered into with other big banks and foreign banks, AIG needs to come up with billions and billions of dollars when their investments are downgraded. Now, that is where all the AIG bailout money is going. AIG is basically being used as a front to funnel taxpayer moneys into large foreign banks that are taking no loss—no loss—on their investments. It is the taxpayer who is bearing the loss that these banks should have been able to take. Treasury Secretary Geithner needs to explain to the American people why foreign banks are getting 100 percent on their investment while the American people are taking the loss. Why can't any of these banks take a haircut on their AIG investments?

Now, I guess it is hard to explain to people because it doesn't sound believable, but what is happening is we have foreign banks—and I will name a few of them in a second—that have put their money into an investment into AIG. They planned to make a profit. If they had made a profit, I dare say they wouldn't have come back to say to our United States of America: We will write you a check for the profit we made. Instead of that, they wait until they take a loss, and then the American taxpayers have to come in.

I think the American people are getting completely fleeced on their $150 billion AIG investment. Secretary Geithner needs to explain to us why relatively healthy firms such as Goldman Sachs aren't taking any loss on a clearly bad investment in AIG. Why are all these foreign banks getting 100 percent of their investment at the expense of the U.S. taxpayer?

Here is a sample of the banks that are getting made whole by U.S. taxpayers—that is our taxpayers—people who elect us to office: The Bank of Montreal, Canada, $1.1 billion; the Societe Generale, France, $11.9 billion; investments made by a French bank. This is a French bank that bought an interest in AIG, they lost their money, they come back to us, and we pay them back for their loss. The BNP Paribas, $4.9 billion; the Deutsche Bank in Germany, $11.8 billion; the ING, Netherlands, $1.5 billion; Barclays, of the UK, $8.5 billion. This is just a sampling of the over $50 billion that foreign banks have gotten from AIG. In other words, $50 billion in taxpayers' money has gone to foreign banks. I don't think many people have caught on to that yet. The taxpayers are picking up the tab. Meanwhile, some U.S. banks are getting the same treatment. Goldman Sachs has received $12.9 billion. These are all investments in AIG. Merrill Lynch, $6.8 billion; Bank of America, $5.2 billion; Citigroup, $2.3 billion. All told, the U.S. banks have gotten around $45 billion through AIG from the U.S. taxpayer. What is interesting, as bad as it is that U.S. banks are getting back $45 billion for bad investments, the foreign banks are actually getting back more than the U.S. banks are. Not one of these banks I have mentioned has taken a dime of loss in their AIG investments—not one. AIG's counterparties have been made whole across the board by the U.S. taxpayer. Why is that? Why can't any of these banks take any of the loss on their AIG investment? Why is the taxpayer being asked to bear the full cost of all these bad investments? The American taxpayers have a right to know and Secretary Geithner needs to explain this.

I say this because I know people are outraged in my State of Oklahoma about the fact that there have been bonuses that have been made, but this is even far worse than that was. The American people are getting completely fleeced on their $150 billion AIG investment, $700 billion bailout of Wall Street, and billions in ad hoc bailouts, of which we have still not seen the end. Only this week, Secretary Geithner has announced that the Government will work with private investors to purchase between $500 billion and $1 trillion of toxic assets.

Now, at this point I would say, remember back when we were being sold a bill of goods, I voted against it, but 75 percent of the Senate voted for it—$700 billion to be given to an unelected bureaucrat to do with as they wished. We all remember that. What was that supposed to be used for? The bad part of the bill was not just the amount of money; there were no guidelines, no accountability. That was supposed to be used to buy toxic assets. I could quote right now things they said at that time: This money has to be spent for toxic assets, and if you don't do that, the whole country is going to go down and we are going to have another depression again. So the President's budget includes a placeholder for billions in additional banking bailouts. The American people have said enough a long time ago. We have to put an end to the Geithner approach on bailouts.

Looking back since last fall, more and more I feel I may have been overly critical of Secretary Paulson, at least when compared to Secretary Geithner. Geithner's handling of the $700 billion Wall Street bailout has been worse than Paulson's. Whether it is Paulson or Geithner, handing $700 billion over to an unelected bureaucrat to do with what he pleases is bad enough when three-fourths of the Senate voted to do it last October, and it is an even worse idea with Tim Geithner at the helm. What has happened with the taxpayers' investment in AIG is clear evidence of that. No matter how you look at it, it has been a bad deal for the U.S. taxpayers.

Now, in light of all of this, I have introduced legislation to do more than deal with the bonuses. This is S. 680, just introduced. S. 680 gets to the root of this problem. Of the $150 billion we have already given to AIG, it is my understanding that there is $30 billion more for AIG from TARP that has been agreed to by the Treasury Secretary but has not yet been drawn down. My legislation would prevent that from going forward. The taxpayers have given AIG about $150 billion so far. I think it is completely reasonable to say that once a single company gets $150 billion from the taxpayers, it should be cut off from getting more. There has to be a point beyond which Government cannot go, and there has to be an end to the road that is fleecing American taxpayers. This provides that end.

There is no other vehicle out there to do it. I can tell my colleagues right now, if this isn't brought up and voted on, the taxpayers of America are going to put another $30 billion into AIG to be used to pay off foreign banks. This is the only way we can stop it is with this legislation, so I encourage the leadership to help us bring this up for a vote. I can assure my colleagues it would pass with an overwhelming majority. That is S. 680, the only vehicle out there that would keep AIG from using taxpayer money to pay off other foreign banks.

By Mr. DURBIN (for himself, Ms. COLLINS, Mr. WHITEHOUSE, Mr.

LEVIN, Mr. SCHUMER, and Ms. STABENOW):

S. 682. A bill to amend the Public Health Service Act to improve mental and behavioral health services on college campuses; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Colleges and universities take many steps to support their students and ensure that they succeed. Financial aid offices find ways for students to afford tuition and textbooks, housing offices provide safe places for students to live, and tutoring centers provide academic supports for students who are struggling to keep up in class. But there is another critical service that many students require to succeed, and it is much less frequently discussed. I am talking about mental health services and outreach provided by college counseling centers.

For a long time, we have overlooked the mental health needs of students on college campuses. We know now that many mental illnesses start to manifest in this period when young people leave the security of home and regular medical care. The responsibility for the students' well-being often shifts from parents to students, and the students aren't always completely prepared. It is easier for a young person's problems to go unnoticed when he or she is away at college than when they are at home, in the company of parents, old friends, and high school teachers. College also provides a new opportunity for young people to experiment with drugs or alcohol.

The consequences of not detecting or addressing mental health needs among students are real. Forty-five percent of college students report having felt so depressed that it was difficult to function. Ten percent have contemplated suicide. We have even seen tragedies on the scale of shootings at Northern Illinois University in February 2008 and at Virginia Tech in April 2007. These heartbreaking and traumatic incidents demonstrated the tragic consequences of mental instability and helped us recognize we need to do more to support students during what can be very tough years.

Fortunately, many students can succeed in college if they have appropriate counseling services and access to needed medications. These services make a real impact. Students who seek help are 6 times less likely to kill themselves. Colleges are welcoming students today who 10 or 20 years ago would not have been able to attend school due to mental illness, but who can today because of advances in treatment.

But while the needs for mental health services on campus are rising, colleges are facing financial pressures and having trouble meeting this demand. As I have travelled around my State, I have learned just how thin colleges and universities are stretched when it comes to providing. counseling and other support services to students.

Take Southern Illinois University in Carbondale. SIUC has 8 full-time counselors for 21,000 students. That is one counselor for every 2,500 students. The recommended ratio is one counselor for every 1,500 students. And there is another problem. Like many rural communities, Carbondale only has one community mental health agency. That agency is overwhelmed by the mental health needs of the community and refuses to serve students from SIUC. The campus counseling center is the only mental health option for students. The eight hard-working counselors at SIUC do their best under impossible conditions. They triage students who come in seeking help so that the ones who might be a threat to themselves or others are seen first. The waitlist of students seeking services has reached 45 students.

The story is the same across the country. Colleges are trying to fill in the gaps, but because of the shortage of counselors, students' needs are overlooked. A recent survey of college counseling centers indicates that the average ratio of professional-staff-to-students is 1 to 1,952, and at 4-year public universities it is 1 to 2,607 students. Although interest in mental-health services is high, the recession has put pressure on administrators to cut budgets wherever they can. At times, counseling centers are in the cross hairs. Ten percent of survey respondents said their budgets were cut during the 2007–8 academic year, half said their budgets stayed the same, and nearly a quarter reported that their funds increased by 3 percent or less.

With so many students looking for help and so few counselors to see them, counseling centers have to cut back on outreach. Without outreach, the chances of finding students who need help but do not ask for it go down. This is a serious problem. We know that some students exhibit warning signs of a tortured mental state. But faculty and students do not always know how or where to express their concerns. Outreach efforts by campus counseling centers can help educate the community about warning signs to look for as well as how to intervene. Of the students who committed suicide across the country in 2007, only 22 percent had received counseling on campus. That means that of the 1,000 college students who took their own lives, 800 may never have looked for help. How many of those young lives could have been saved if our college counseling centers had the resources they needed to identify those students and help them? Our students deserve better.

We need to help schools meet the needs of their students, and that's why I'm introducing the Mental Health on Campus Improvement Act today. This bill would create a grant program to provide funding for colleges and universities to improve their mental health services. Colleges could use the funding to hire personnel, increase outreach, and educate the campus community about mental health. The bill also would direct the Department of Health and Human Services to develop a public, nation-wide campaign to educate campus communities about mental health.

Reflecting on the loss of his own son, the well-known minister Rev. William Sloan Coffin once said, ''When parents die, they take with them a portion of the past. But when children die, they take away the future as well.'' I hope the bill I am introducing today will help prevent the unnecessary loss of more young lives and bright futures.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 682

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mental Health on Campus Improvement Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The 2007 National Survey of Counseling Center Directors found that the average ratio of counselors to students on campus is nearly 1 to 2,000 and is often far higher on large campuses. The International Association of Counseling Services accreditation standards recommend 1 counselor per 1,000 to 1,500 students.

(2) College counselors report that 8.5 percent of enrolled students sought counseling in the past year, totaling an estimated 1,600,000 students.

(3) Over 90 percent of counseling directors believe there is an increase in the number of students coming to campus with severe psychological problems. The majority of counseling directors report concerns that the demand for services is growing without an increase in resources.

(4) A 2008 American College Health Association survey revealed that 43 percent of students at colleges and universities report having felt so depressed it was difficult to function, and one out of every 11 students seriously considered suicide within the past year.

(5) Research conducted between 1989 and 2002 found that students seen for anxiety disorders doubled, for depression tripled, and for serious suicidal intention tripled.

(6) Many students who need help never receive it. Counseling directors report that, of the students who committed suicide on their campuses, only 22 percent were current or former counseling center clients. Directors did not know the previous psychiatric history of 60 percent of those students.

(7) A survey conducted by the University of Idaho Student Counseling Center in 2000 found that 77 percent of students who responded reported that they were more likely to stay in school because of counseling and that their school performance would have declined without counseling.

(8) A 6-year longitudinal study of college students found that personal and emotional adjustment was an important factor in retention and predicted attrition as well as, or better than, academic adjustment (Gerdes & Mallinckrodt, 1994).

SEC. 3. IMPROVING MENTAL AND BEHAVIORAL HEALTH ON COLLEGE CAMPUSES.

Title V of the Public Health Service Act is amended by inserting after section 520E–2 (42 U.S.C. 290bb–36b) the following:

"SEC. 520E–3. GRANTS TO IMPROVE MENTAL AND BEHAVIORAL HEALTH ON COLLEGE CAMPUSES.

''(a) PURPOSE.—It is the purpose of this section, with respect to college and university settings, to—

''(1) increase access to mental and behavioral health services;

''(2) foster and improve the prevention of mental and behavioral health disorders, and the promotion of mental health;

''(3) improve the identification and treatment for students at risk;

''(4) improve collaboration and the development of appropriate levels of mental and behavioral health care;

''(5) reduce the stigma for students with mental health disorders and enhance their access to mental health services; and

''(6) improve the efficacy of outreach efforts.

''(b) GRANTS.—The Secretary, acting through the Administrator and in consultation with the Secretary of Education, shall award competitive grants to eligible entities to improve mental and behavioral health services and outreach on college and university campuses.

''(c) ELIGIBILITY.—To be eligible to receive a grant under subsection (b), an entity shall—

''(1) be an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

''(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including the information required under subsection (d).

''(d) APPLICATION.—An application for a grant under this section shall include—

''(1) a description of the population to be targeted by the program carried out under the grant, the particular mental and behavioral health needs of the students involved, and the Federal, State, local, private, and institutional resources available for meeting the needs of such students at the time the application is submitted;

''(2) an outline of the objectives of the program carried out under the grant;

''(3) a description of activities, services, and training to be provided under the program, including planned outreach strategies to reach students not currently seeking services;

''(4) a plan to seek input from community mental health providers, when available, community groups, and other public and private entities in carrying out the program;

''(5) a plan, when applicable, to meet the specific mental and behavioral health needs of veterans attending institutions of higher education;

''(6) a description of the methods to be used to evaluate the outcomes and effectiveness of the program; and

''(7) an assurance that grant funds will be used to supplement, and not supplant, any other Federal, State, or local funds available to carry out activities of the type carried out under the grant.

''(e) SPECIAL CONSIDERATIONS.—In awarding grants under this section, the Secretary shall give special consideration to applications that describe programs to be carried out under the grant that—

''(1) demonstrate the greatest need for new or additional mental and behavioral health services, in part by providing information on current ratios of students to mental and behavioral health professionals;

''(2) propose effective approaches for initiating or expanding campus services and supports using evidence-based practices;

''(3) target traditionally underserved populations and populations most at risk;

''(4) where possible, demonstrate an awareness of, and a willingness to, coordinate with a community mental health center or other mental health resource in the community, to support screening and referral of students requiring intensive services;

''(5) identify how the college or university will address psychiatric emergencies, including how information will be communicated with families or other appropriate parties; and

''(6) demonstrate the greatest potential for replication and dissemination.

''(f) USE OF FUNDS.—Amounts received under a grant under this section may be used to—

''(1) provide mental and behavioral health services to students, including prevention, promotion of mental health, screening, early intervention, assessment, treatment, management, and education services relating to the mental and behavioral health of students;

''(2) provide outreach services to notify students about the existence of mental and behavioral health services;

''(3) educate families, peers, faculty, staff, and communities to increase awareness of mental health issues;

''(4) support student groups on campus that engage in activities to educate students, reduce stigma surrounding mental and behavioral disorders, and promote mental health wellness;

''(5) employ appropriately trained staff;

''(6) expand mental health training through internship, post-doctorate, and residency programs;

''(7) develop and support evidence-based and emerging best practices, including a focus on culturally- and linguistically-appropriate best practices; and

''(8) evaluate and disseminate best practices to other colleges and universities.

''(g) DURATION OF GRANTS.—A grant under this section shall be awarded for a period not to exceed 3 years.

''(h) EVALUATION AND REPORTING.—

''(1) EVALUATION.—Not later than 18 months after the date on which a grant is received under this section, the eligible entity involved shall submit to the Secretary the results of an evaluation to be conducted by the entity concerning the effectiveness of the activities carried out under the grant and plans for the sustainability of such efforts.

''(2) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a report concerning the results of—

''(A) the evaluations conducted under paragraph (1); and

''(B) an evaluation conducted by the Secretary to analyze the effectiveness and efficacy of the activities conducted with grants under this section.

''(i) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to grantees in carrying out this section.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

"SEC. 520E–4. MENTAL AND BEHAVIORAL HEALTH OUTREACH AND EDUCATION ON COLLEGE CAMPUSES.

''(a) PURPOSE.—It is the purpose of this section to increase access to, and reduce the stigma associated with, mental health services so as to ensure that college students have the support necessary to successfully complete their studies.

''(b) NATIONAL PUBLIC EDUCATION CAMPAIGN.—The Secretary, acting through the Administrator and in collaboration with the Director of the Centers for Disease Control and Prevention, shall convene an interagency, public-private sector working group to plan, establish, and begin coordinating and evaluating a targeted public education campaign that is designed to focus on mental and behavioral health on college campuses. Such campaign shall be designed to—

''(1) improve the general understanding of mental health and mental health disorders;

''(2) encourage help-seeking behaviors relating to the promotion of mental health, prevention of mental health disorders, and treatment of such disorders;

''(3) make the connection between mental and behavioral health and academic success; and

''(4) assist the general public in identifying the early warning signs and reducing the stigma of mental illness.

''(c) COMPOSITION.—The working group under subsection (b) shall include—

''(1) mental health consumers, including students and family members;

''(2) representatives of colleges and universities;

''(3) representatives of national mental and behavioral health and college associations;

''(4) representatives of college health promotion and prevention organizations;

''(5) representatives of mental health providers, including community mental health centers; and

''(6) representatives of private- and public-sector groups with experience in the development of effective public health education campaigns.

''(d) PLAN.—The working group under subsection (b) shall develop a plan that shall—

''(1) target promotional and educational efforts to the college age population and individuals who are employed in college and university settings, including the use of roundtables;

''(2) develop and propose the implementation of research-based public health messages and activities;

''(3) provide support for local efforts to reduce stigma by using the National Mental Health Information Center as a primary point of contact for information, publications, and service program referrals; and

''(4) develop and propose the implementation of a social marketing campaign that is targeted at the college population and individuals who are employed in college and university settings.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.''.

SEC. 4. INTERAGENCY WORKING GROUP ON COLLEGE MENTAL HEALTH.

(a) PURPOSE.—It is the purpose of this section, pursuant to Executive Order 13263 (and the recommendations issued under section 6(b) of such Order), to provide for the establishment of a College Campus Task Force under the Federal Executive Steering Committee on Mental Health, to discuss mental and behavioral health concerns on college and university campuses.

(b) ESTABLISHMENT.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall establish a College Campus Task Force (referred to in this section as the ''Task Force''), under the Federal Executive Steering Committee on Mental Health, to discuss mental and behavioral health concerns on college and university campuses.

(c) MEMBERSHIP.—The Task Force shall be composed of a representative from each Federal agency (as appointed by the head of the agency) that has jurisdiction over, or is affected by, mental health and education policies and projects, including—

(1) the Department of Education;

(2) the Department of Health and Human Services;

(3) the Department of Veterans Affairs; and

(4) such other Federal agencies as the Administrator of the Substance Abuse and Mental Health Services Administration and the Secretary jointly determine to be appropriate.

(d) DUTIES.—The Task Force shall—

(1) serve as a centralized mechanism to coordinate a national effort—

(A) to discuss and evaluate evidence and knowledge on mental and behavioral health services available to, and the prevalence of mental health illness among, the college age population of the United States;

(B) to determine the range of effective, feasible, and comprehensive actions to improve mental and behavioral health on college and university campuses;

(C) to examine and better address the needs of the college age population dealing with mental illness;

(D) to survey Federal agencies to determine which policies are effective in encouraging, and how best to facilitate outreach without duplicating, efforts relating to mental and behavioral health promotion;

(E) to establish specific goals within and across Federal agencies for mental health promotion, including determinations of accountability for reaching those goals;

(F) to develop a strategy for allocating responsibilities and ensuring participation in mental and behavioral health promotions, particularly in the case of competing agency priorities;

(G) to coordinate plans to communicate research results relating to mental and behavioral health amongst the college age population to enable reporting and outreach activities to produce more useful and timely information;

(H) to provide a description of evidence-based best practices, model programs, effective guidelines, and other strategies for promoting mental and behavioral health on college and university campuses;

(I) to make recommendations to improve Federal efforts relating to mental and behavioral health promotion on college campuses and to ensure Federal efforts are consistent with available standards and evidence and other programs in existence as of the date of enactment of this Act; and

(J) to monitor Federal progress in meeting specific mental and behavioral health promotion goals as they relate to college and university settings;

(2) consult with national organizations with expertise in mental and behavioral health, especially those organizations working with the college age population; and

(3) consult with and seek input from mental health professionals working on college and university campuses as appropriate.

(e) MEETINGS.—

(1) IN GENERAL.—The Task Force shall meet at least 3 times each year.

(2) ANNUAL CONFERENCE.—The Secretary shall sponsor an annual conference on mental and behavioral health in college and university settings to enhance coordination, build partnerships, and share best practices in mental and behavioral health promotion, data collection, analysis, and services.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

By Mr. HARKIN (for himself, Mr. SPECTER, Mr. KENNEDY, Mr. DURBIN, Mr. KERRY, Mr. SCHUMER, Ms. STABENOW, Mr. DODD, Mr. BROWN, Mr. SANDERS, Mr. CASEY, Mr. TESTER, Mrs. GILLIBRAND, and Mr. BENNET):

S. 683. A bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes; to the Committee on Finance.

Mr. HARKIN. Mr. President, today, I am joining with Senator SPECTER and others to introduce the Community Choice Act. This legislation is needed to truly bring people with disabilities into the mainstream of society and provide equal opportunity for employment and full involvement in community activities.

The individuals affected by the Community Choice Act are those persons who require an institutional level of care to manage their disabilities. The question is whether they will receive these services only in an institutional setting—typically, a nursing home—or whether they will also have the choice to receive these services in their communities, where they can be part of community life and close to family and friends.

Under the U.S. Supreme Court's decision in Olmstead v. L.C., 1999, individuals with disabilities have the right to choose to receive their long-term services and supports in the community, rather than in an institutional setting. This year marks the 10–year anniversary of the Olmstead decision.

Unfortunately, under current Medicaid policy, and despite much effort to ''rebalance'' the system, the deck is still stacked in favor of living in an institutional setting. The reason for this is simple. Despite the Olmstead decision, Federal law only requires that States cover nursing home care in their Medicaid programs. There is no similar requirement for providing individuals the choice of receiving their services and supports in a community-based setting.

Overall about 60 percent of Medicaid long-term care dollars are still spent on institutional services, with about 40 percent going to home and community-based services. In 2007, only 11 States spent 50 percent or more of their Medicaid long-term care funds on home and community-based care.

The statistics are even more disproportionate for adults with physical disabilities. In 2007, 69 percent of Medicaid long-term care spending for older people and adults with physical disabilities paid for institutional services. Only 6 States spent 50 percent or more of their Medicaid long-term care dollars on home and community-based services for older people and adults with physical disabilities, while half of the States spent less than 25 percent. This disparity continues even though, on average, it is estimated that Medicaid dollars can support nearly three older people and adults with physical disabilities in home and community-based services for every person in a nursing home.

Although 30 States have already recognized the benefits of community-based services, and are providing the personal care optional benefit through their Medicaid program, these programs are unevenly distributed and only reach a small percentage of eligible individuals. Many of these programs serve only persons with certain disabilities. They have long waiting lists. They have financial caps. None of them allow the recipients to retain their benefits if they move to other States. Individuals with the most significant disabilities are usually afforded the least amount of choice, despite advances in medical and assistive technologies and related areas.

This current imbalance means that individuals with disabilities do not have equal access to community-based care throughout this country. An individual with a disability should not have to move to another State in order to avoid needless segregation. Nor should that individual have to move away from family and friends because the only choice is an institution.

The right to live in the community is too important a right to be left to State discretion. Instead, it should be left to the individual to decide, as the Supreme Court has recognized.

The majority of individuals who use Medicaid long-term services and supports prefer to live in the community, rather than in institutional settings.

I think of my nephew Kelly, who became a paraplegic after an accident while serving in the U.S. Navy. The Veterans Administration pays for his attendant services. This allows Kelly to get up in the morning, go to work, operate his own small business, pay taxes, and be a fully contributing member of our economy and society. This country is rich enough to provide these same opportunities to every American who needs attendant services.

We in Congress have a responsibility to help States meet their obligations under Olmstead, to level the playing field, and to give eligible individuals equal access to the community-based services and supports they need.

The Community Choice Act is designed to do just that, and to make the promise of the Americans with Disabilities Act a reality. It will help rebalance the current Medicaid long-term care system, which spends a disproportionate amount on institutional services.

Federal Medicaid policy should reflect the goals of the Americans with Disabilities Act that Americans with disabilities should have equal opportunity, and the right to fully participate in their communities. No one should have to sacrifice their ability to participate because they need help getting out of the house in the morning or assistance with personal care or some other basic service.

The Community Choice Act can substantially reform long-term services in this country, consistent with the Olmstead decision, by allowing people with disabilities who need an institutional level of care the choice of receiving their services and supports in their

own communities, rather than in an institution. With appropriate community-based services and supports, we can transform the lives of people with disabilities. They can live with family and friends, not strangers. They can be the neighbor down the street, not the person warehoused down the hall. This is not asking too much. This is the bare minimum that we should demand for every human being.

Community-based services and supports allow people with disabilities to lead independent lives, have jobs, and participate in their communities. Some will become taxpayers, some will get an education, and some will participate in recreational and civic activities. But all will be given a chance to make their own choices and to govern their own lives.

The Community Choice Act will open the door to full participation by people with disabilities in our workplaces and economy. It will give them better access to the American Dream.

As has been true with all major disability-rights legislation going back to the ADA, this is a strictly bipartisan bill. I urge all my colleagues to come together on this important measure. I especially want to thank Senator SPECTER for his leadership on this issue and his commitment to improving access to home and community-based services for people with disabilities. I also thank Senators KENNEDY, DURBIN, KERRY, SCHUMER, STABENOW, DODD, BROWN, SANDERS, CASEY, TESTER, BENNET, and GILLIBRAND for joining me in this important initiative.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 683

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Community Choice Act of 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.

TITLE I—ESTABLISHMENT OF MEDICAID PLAN BENEFIT

Sec. 101. Coverage of community-based attendant services and supports under the Medicaid program.
Sec. 102. Enhanced FMAP for ongoing activities of early coverage States that enhance and promote the use of community-based attendant services and supports.
Sec. 103. Increased Federal financial participation for certain expenditures.

TITLE II—PROMOTION OF SYSTEMS CHANGE AND CAPACITY BUILDING

Sec. 201. Grants to promote systems change and capacity building.
Sec. 202. Demonstration project to enhance coordination of care under the Medicare and Medicaid programs for dual eligible individuals.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) Long-term services and supports provided under the Medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) must meet the abilities and life choices of individuals with disabilities and older Americans, including the choice to live in one's own home or with one's own family and to become a productive member of the community.

(2) Similarly, under the United States Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999), individuals with disabilities have the right to choose to receive their long term services and supports in the community, rather than in an institutional setting.

(3) Nevertheless, research on the provision of long-term services and supports under the Medicaid program (conducted by and on behalf of the Department of Health and Human Services) continues to show a significant funding and programmatic bias toward institutional care. In 2007, only 42 percent of long-term care funds expended under the Medicaid program, and only about 13.6 percent of all funds expended under that program, pay for services and supports in home and community-based settings.

(4) While much effort has been dedicated to ''rebalancing'' the current system, overall about 60 percent of Medicaid long-term care dollars are still spent on institutional services, with about 40 percent going to home and community based services. In 2007, only 11 States spent 50 percent or more of their Medicaid long-term care funds on home and community-based care.

(5) The statistics are even more disproportionate for adults with physical disabilities. In 2007, 69 percent of Medicaid long term care spending for older people and adults with physical disabilities paid for institutional services. Only 6 states spent 50 percent or more of their Medicaid long term care dollars on home and community based services for older people and adults with physical disabilities while ½ of the States spent less than 25 percent. This disparity continues even though, on average, it is estimated that Medicaid dollars can support nearly 3 older people and adults with physical disabilities in home and community-based services for every person in a nursing home.

(6) For Medicaid beneficiaries who need long term care, services provided in an institutional setting represent the only guaranteed benefit. Only 30 States have adopted the benefit option of providing personal care, or attendant, services under their Medicaid programs.

(7) Although every State has chosen to provide certain services under home and community-based waivers, these services are unevenly available within and across States, and reach a small percentage of eligible individuals. Individuals with the most significant disabilities are usually afforded the least amount of choice, despite advances in medical and assistive technologies and related areas.

(8) Despite the more limited funding for home and community-based services, the majority of individuals who use Medicaid long-term services and supports prefer to live in the community, rather than in institutional settings.

(9) The goals of the Nation properly include providing families of children with disabilities, working-age adults with disabilities, and older Americans with—

(A) a meaningful choice of receiving long-term services and supports in the most integrated setting appropriate to the individual's needs;

(B) the greatest possible control over the services received and, therefore, their own lives and futures; and

(C) quality services that maximize independence in the home and community.

(b) PURPOSES.—The purposes of this Act are the following:

(1) To reform the Medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) to provide services in the most integrated setting appropriate to the individual's needs, and to provide equal access to community-based attendant services and supports in order to assist individuals in achieving equal opportunity, full participation, independent living, and economic self-sufficiency.

(2) To provide financial assistance to States as they reform their long-term care systems to provide comprehensive statewide long-term services and supports, including community-based attendant services and supports that provide consumer choice and direction, in the most integrated setting appropriate.

(3) To assist States in meeting the growing demand for community-based attendant services and supports, as the Nation's population ages and individuals with disabilities live longer.

(4) To assist States in complying with the U.S. Supreme Court decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999), and implementing the integration mandate of the Americans with Disabilities Act.

TITLE I—ESTABLISHMENT OF MEDICAID PLAN BENEFIT

SEC. 101. COVERAGE OF COMMUNITY-BASED ATTENDANT SERVICES AND SUPPORTS UNDER THE MEDICAID PROGRAM.

(a) MANDATORY COVERAGE.—Section 1902(a)(10)(D) of the Social Security Act (42 U.S.C. 1396a(a)(10)(D)) is amended—

(1) by inserting ''(i)'' after ''(D)'';

(2) by adding ''and'' after the semicolon; and

(3) by adding at the end the following new clause:

''(ii) subject to section 1943, for the inclusion of community-based attendant services and supports for any individual who—

''(I) is eligible for medical assistance under the State plan;

''(II) with respect to whom there has been a determination that the individual requires the level of care provided in a nursing facility, institution for mental diseases, or an intermediate care facility for the mentally retarded (whether or not coverage of such institution or intermediate care facility is provided under the State plan); and

''(III) chooses to receive such services and supports;''.

(b) COMMUNITY-BASED ATTENDANT SERVICES AND SUPPORTS.—

(1) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by adding at the end the following new section:

''COMMUNITY-BASED ATTENDANT SERVICES AND SUPPORTS

''SEC. 1943. (a) REQUIRED COVERAGE.—

''(1) IN GENERAL.—Not later than October 1, 2014, a State shall provide through a plan amendment for the inclusion of community-based attendant services and supports (as defined in subsection (g)(1)) for individuals described in section 1902(a)(10)(D)(ii) in accordance with this section.

''(2) ENHANCED FMAP AND ADDITIONAL FEDERAL FINANCIAL SUPPORT FOR EARLIER COVERAGE.—Notwithstanding section 1905(b), during the period that begins on October 1, 2009, and ends on September 30, 2014, in the case of a State with an approved plan amendment under this section during that period that also satisfies the requirements of subsection (c) the Federal medical assistance percentage shall be equal to the enhanced FMAP described in section 2105(b) with respect to medical assistance in the form of

community-based attendant services and supports provided to individuals described in section 1902(a)(10)(D)(ii) in accordance with this section on or after the date of the approval of such plan amendment.

''(b) DEVELOPMENT AND IMPLEMENTATION OF BENEFIT.—In order for a State plan amendment to be approved under this section, a State shall provide the Secretary with the following assurances:

''(1) ASSURANCE OF DEVELOPMENT AND IMPLEMENTATION COLLABORATION.—

''(A) IN GENERAL.—That State plan amendment—

''(i) has been developed in collaboration with, and with the approval of, a Development and Implementation Council established by the State that satisfies the requirements of subparagraph (B); and

''(ii) will be implemented in collaboration with such Council and on the basis of public input solicited by the State and the Council.

''(B) DEVELOPMENT AND IMPLEMENTATION COUNCIL REQUIREMENTS.—For purposes of subparagraph (A), the requirements of this subparagraph are that—

''(i) the majority of the members of the Development and Implementation Council are individuals with disabilities, elderly individuals, and their representatives; and

''(ii) in carrying out its responsibilities, the Council actively collaborates with—

''(I) individuals with disabilities;

''(II) elderly individuals;

''(III) representatives of such individuals; and

''(IV) providers of, and advocates for, services and supports for such individuals.

''(2) ASSURANCE OF PROVISION ON A STATEWIDE BASIS AND IN MOST INTEGRATED SETTING.—That consumer controlled community-based attendant services and supports will be provided under the State plan to individuals described in section 1902(a)(10)(D)(ii) on a statewide basis and in a manner that provides such services and supports in the most integrated setting appropriate to the individual's needs.

''(3) ASSURANCE OF NONDISCRIMINATION.—That the State will provide community-based attendant services and supports to an individual described in section 1902(a)(10)(D)(ii) without regard to the individual's age, type or nature of disability, severity of disability, or the form of community-based attendant services and supports that the individual requires in order to lead an independent life.

''(4) ASSURANCE OF MAINTENANCE OF EFFORT.—That the level of State expenditures for medical assistance that is provided under section 1905(a), section 1915, section 1115, or otherwise to individuals with disabilities or elderly individuals for a fiscal year shall not be less than the level of such expenditures for the fiscal year preceding the first full fiscal year in which the State plan amendment to provide community-based attendant services and supports in accordance with this section is implemented.

''(c) REQUIREMENTS FOR ENHANCED FMAP FOR EARLY COVERAGE.—In addition to satisfying the other requirements for an approved plan amendment under this section, in order for a State to be eligible under subsection (a)(2) during the period described in that subsection for the enhanced FMAP for early coverage under subsection (a)(2), the State shall satisfy the following requirements:

''(1) SPECIFICATIONS.—With respect to a fiscal year, the State shall provide the Secretary with the following specifications regarding the provision of community-based attendant services and supports under the plan for that fiscal year:

''(A)(i) The number of individuals who are estimated to receive community-based attendant services and supports under the plan during the fiscal year.

''(ii) The number of individuals that received such services and supports during the preceding fiscal year.

''(B) The maximum number of individuals who will receive such services and supports under the plan during that fiscal year.

''(C) The procedures the State will implement to ensure that the models for delivery of such services and supports are consumer controlled (as defined in subsection (g)(2)(B)).

''(D) The procedures the State will implement to inform all potentially eligible individuals and relevant other individuals of the availability of such services and supports under this title, and of other items and services that may be provided to the individual under this title or title XVIII and other Federal or State long-term service and support programs.

''(E) The procedures the State will implement to ensure that such services and supports are provided in accordance with the requirements of subsection (b)(1).

''(F) The procedures the State will implement to actively involve in a systematic, comprehensive, and ongoing basis, the Development and Implementation Council established in accordance with subsection (b)(1)(A)(ii), individuals with disabilities, elderly individuals, and representatives of such individuals in the design, delivery, administration, implementation, and evaluation of the provision of such services and supports under this title.

''(2) PARTICIPATION IN EVALUATIONS.—The State shall provide the Secretary with such substantive input into, and participation in, the design and conduct of data collection, analyses, and other qualitative or quantitative evaluations of the provision of community-based attendant services and supports under this section as the Secretary deems necessary in order to determine the effectiveness of the provision of such services and supports in allowing the individuals receiving such services and supports to lead an independent life to the maximum extent possible.

''(d) QUALITY ASSURANCE.—

''(1) STATE RESPONSIBILITIES.—In order for a State plan amendment to be approved under this section, a State shall establish and maintain a comprehensive, continuous quality assurance system with respect to community-based attendant services and supports that provides for the following:

''(A) The State shall establish requirements, as appropriate, for agency-based and other delivery models that include—

''(i) minimum qualifications and training requirements for agency-based and other models;

''(ii) financial operating standards; and

''(iii) an appeals procedure for eligibility denials and a procedure for resolving disagreements over the terms of an individualized plan.

''(B) The State shall modify the quality assurance system, as appropriate, to maximize consumer independence and consumer control in both agency-provided and other delivery models.

''(C) The State shall provide a system that allows for the external monitoring of the quality of services and supports by entities consisting of consumers and their representatives, disability organizations, providers, families of disabled or elderly individuals, members of the community, and others.

''(D) The State shall provide for ongoing monitoring of the health and well-being of each individual who receives community-based attendant services and supports.

''(E) The State shall require that quality assurance mechanisms pertaining to the individual be included in the individual's written plan.

''(F) The State shall establish a process for the mandatory reporting, investigation, and resolution of allegations of neglect, abuse, or exploitation in connection with the provision of such services and supports.

''(G) The State shall obtain meaningful consumer input, including consumer surveys, that measure the extent to which an individual receives the services and supports described in the individual's plan and the individual's satisfaction with such services and supports.

''(H) The State shall make available to the public the findings of the quality assurance system.

''(I) The State shall establish an ongoing public process for the development, implementation, and review of the State's quality assurance system.

''(J) The State shall develop and implement a program of sanctions for providers of community-based services and supports that violate the terms or conditions for the provision of such services and supports.

''(2) FEDERAL RESPONSIBILITIES.—

''(A) PERIODIC EVALUATIONS.—The Secretary shall conduct a periodic sample review of outcomes for individuals who receive community-based attendant services and supports under this title.

''(B) INVESTIGATIONS.—The Secretary may conduct targeted reviews and investigations upon receipt of an allegation of neglect, abuse, or exploitation of an individual receiving community-based attendant services and supports under this section.

''(C) DEVELOPMENT OF PROVIDER SANCTION GUIDELINES.—The Secretary shall develop guidelines for States to use in developing the sanctions required under paragraph (1)(J).

''(e) REPORTS.—The Secretary shall submit to Congress periodic reports on the provision of community-based attendant services and supports under this section, particularly with respect to the impact of the provision of such services and supports on—

''(1) individuals eligible for medical assistance under this title;

''(2) States; and

''(3) the Federal Government.

''(f) NO EFFECT ON ABILITY TO PROVIDE COVERAGE.—

''(1) IN GENERAL.—Nothing in this section shall be construed as affecting the ability of a State to provide coverage under the State plan for community-based attendant services and supports (or similar coverage) under section 1905(a), section 1915, section 1115, or otherwise.

''(2) ELIGIBILITY FOR ENHANCED MATCH.—In the case of a State that provides coverage for such services and supports under a waiver, the State shall not be eligible under subsection (a)(2) for the enhanced FMAP for the early provision of such coverage unless the State submits a plan amendment to the Secretary that meets the requirements of this section and demonstrates that the State is able to fully comply with and implement the requirements of this section.

''(g) DEFINITIONS.—In this title:

''(1) COMMUNITY-BASED ATTENDANT SERVICES AND SUPPORTS.—

''(A) IN GENERAL.—The term 'community-based attendant services and supports' means attendant services and supports furnished to an individual, as needed, to assist in accomplishing activities of daily living, instrumental activities of daily living, and health-related tasks through hands-on assistance, supervision, or cueing—

''(i) under a plan of services and supports that is based on an assessment of functional need and that is agreed to in writing by the individual or, as appropriate, the individual's representative;

''(ii) in a home or community setting, which shall include but not be limited to a school, workplace, or recreation or religious facility, but does not include a nursing facility, institution for mental diseases, or an intermediate care facility for the mentally retarded;

''(iii) under an agency-provider model or other model (as defined in paragraph (2)(C));

''(iv) the furnishing of which—

''(I) is selected, managed, and dismissed by the individual, or, as appropriate, with assistance from the individual's representative; and

''(II) provided by an individual who is qualified to provide such services, including family members (as defined by the Secretary).

''(B) INCLUDED SERVICES AND SUPPORTS.—Such term includes—

''(i) tasks necessary to assist an individual in accomplishing activities of daily living, instrumental activities of daily living, and health-related tasks;

''(ii) the acquisition, maintenance, and enhancement of skills necessary for the individual to accomplish activities of daily living, instrumental activities of daily living, and health-related tasks;

''(iii) backup systems or mechanisms (such as the use of beepers) to ensure continuity of services and supports; and

''(iv) voluntary training on how to select, manage, and dismiss attendants.

''(C) EXCLUDED SERVICES AND SUPPORTS.—Subject to subparagraph (D), such term does not include—

''(i) the provision of room and board for the individual;

''(ii) special education and related services provided under the Individuals with Disabilities Education Act and vocational rehabilitation services provided under the Rehabilitation Act of 1973;

''(iii) assistive technology devices and assistive technology services;

''(iv) durable medical equipment; or

''(v) home modifications.

''(D) FLEXIBILITY IN TRANSITION TO COMMUNITY-BASED HOME SETTING.—Such term may include expenditures for transitional costs, such as rent and utility deposits, first month's rent and utilities, bedding, basic kitchen supplies, and other necessities required for an individual to make the transition from a nursing facility, institution for mental diseases, or intermediate care facility for the mentally retarded to a community-based home setting where the individual resides.

''(2) ADDITIONAL DEFINITIONS.—

''(A) ACTIVITIES OF DAILY LIVING.—The term 'activities of daily living' includes eating, toileting, grooming, dressing, bathing, and transferring.

''(B) CONSUMER CONTROLLED.—The term 'consumer controlled' means a method of selecting and providing services and supports that allow the individual, or where appropriate, the individual's representative, maximum control of the community-based attendant services and supports, regardless of who acts as the employer of record.

''(C) DELIVERY MODELS.—

''(i) AGENCY-PROVIDER MODEL.—The term 'agency-provider model' means, with respect to the provision of community-based attendant services and supports for an individual, subject to clause (iii), a method of providing consumer controlled services and supports under which entities contract for the provision of such services and supports.

''(ii) OTHER MODELS.—The term 'other models' means, subject to clause (iii), methods, other than an agency-provider model, for the provision of consumer controlled services and supports. Such models may include the provision of vouchers, direct cash payments, or use of a fiscal agent to assist in obtaining services.

''(iii) COMPLIANCE WITH CERTAIN LAWS.—A State shall ensure that, regardless of whether the State uses an agency-provider model or other models to provide services and supports under a State plan amendment under this section, such services and supports are provided in accordance with the requirements of the Fair Labor Standards Act of 1938 and applicable Federal and State laws regarding—

''(I) withholding and payment of Federal and State income and payroll taxes;

''(II) the provision of unemployment and workers compensation insurance;

''(III) maintenance of general liability insurance; and

''(IV) occupational health and safety.

''(D) HEALTH-RELATED TASKS.—The term 'health-related tasks' means specific tasks that can be delegated or assigned by licensed health-care professionals under State law to be performed by an attendant.

''(E) INSTRUMENTAL ACTIVITIES OF DAILY LIVING.—The term 'instrumental activities of daily living' includes, but is not limited to, meal planning and preparation, managing finances, shopping for food, clothing, and other essential items, performing essential household chores, communicating by phone and other media, and traveling around and participating in the community.

''(F) INDIVIDUALS REPRESENTATIVE.—The term 'individual's representative' means a parent, a family member, a guardian, an advocate, or other authorized representative of an individual.''.

(c) CONFORMING AMENDMENTS.—

(1) MANDATORY BENEFIT.—Section 1902(a)(10)(A) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)) is amended, in the matter preceding clause (i), by striking ''(17) and (21)'' and inserting ''(17), (21), and (28)''.

(2) DEFINITION OF MEDICAL ASSISTANCE.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d) is amended—

(A) by striking ''and'' at the end of paragraph (27);

(B) by redesignating paragraph (28) as paragraph (29); and

(C) by inserting after paragraph (27) the following:

''(28) community-based attendant services and supports (to the extent allowed and as defined in section 1943); and''.

(3) IMD/ICFMR REQUIREMENTS.—Section 1902(a)(10)(C)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(C)(iv)) is amended by inserting ''and (28)'' after ''(24)''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section (other than the amendment made by subsection (c)(1)) take effect on October 1, 2009, and apply to medical assistance provided for community-based attendant services and supports described in section 1943 of the Social Security Act furnished on or after that date.

(2) MANDATORY BENEFIT.—The amendment made by subsection (c)(1) takes effect on October 1, 2014.

SEC. 102. ENHANCED FMAP FOR ONGOING ACTIVITIES OF EARLY COVERAGE STATES THAT ENHANCE AND PROMOTE THE USE OF COMMUNITY-BASED ATTENDANT SERVICES AND SUPPORTS.

(a) IN GENERAL.—Section 1943 of the Social Security Act, as added by section 101(b), is amended—

(1) by redesignating subsections (d) through (g) as subsections (f) through (i), respectively;

(2) in subsection (a)(1), by striking ''subsection (g)(1)'' and inserting ''subsection (i)(1)'';

(3) in subsection (a)(2), by inserting '', and with respect to expenditures described in subsection (d), the Secretary shall pay the State the amount described in subsection (d)(1)'' before the period;

(4) in subsection (c)(1)(C), by striking ''subsection (g)(2)(B)'' and inserting ''subsection (i)(2)(B)''; and

(5) by inserting after subsection (c), the following:

''(d) INCREASED FEDERAL FINANCIAL PARTICIPATION FOR EARLY COVERAGE STATES THAT MEET CERTAIN BENCHMARKS.—

''(1) IN GENERAL.—Subject to paragraph (2), for purposes of subsection (a)(2), the amount and expenditures described in this subsection are an amount equal to the Federal medical assistance percentage, increased by 10 percentage points, of the expenditures incurred by the State for the provision or conduct of the services or activities described in paragraph (3).

''(2) EXPENDITURE CRITERIA.—A State shall—

''(A) develop criteria for determining the expenditures described in paragraph (1) in collaboration with the individuals and representatives described in subsection (b)(1); and

''(B) submit such criteria for approval by the Secretary.

''(3) SERVICES, SUPPORTS AND ACTIVITIES DESCRIBED.—For purposes of paragraph (1), the services, supports and activities described in this subparagraph are the following:

''(A) 1-stop intake, referral, and institutional diversion services.

''(B) Identifying and remedying gaps and inequities in the State's current provision of long-term services and supports, particularly those services and supports that are provided based on such factors as age, severity of disability, type of disability, ethnicity, income, institutional bias, or other similar factors.

''(C) Establishment of consumer participation and consumer governance mechanisms, such as cooperatives and regional service authorities, that are managed and controlled by individuals with significant disabilities who use community-based services and supports or their representatives.

''(D) Activities designed to enhance the skills, earnings, benefits, supply, career, and future prospects of workers who provide community-based attendant services and supports.

''(E) Continuous, comprehensive quality improvement activities that are designed to ensure and enhance the health and well-being of individuals who rely on community-based attendant services and supports, particularly activities involving or initiated by consumers of such services and supports or their representatives.

''(F) Family support services to augment the efforts of families and friends to enable individuals with disabilities of all ages to live in their own homes and communities.

''(G) Health promotion and wellness services and activities.

''(H) Provider recruitment and enhancement activities, particularly such activities that encourage the development and maintenance of consumer controlled cooperatives or other small businesses or micro-enterprises that provide community-based attendant services and supports or related services.

''(I) Activities designed to ensure service and systems coordination.

''(J) Any other services or activities that the Secretary deems appropriate.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on October 1, 2009.

SEC. 103. INCREASED FEDERAL FINANCIAL PARTICIPATION FOR CERTAIN EXPENDITURES.

(a) IN GENERAL.—Section 1943 of the Social Security Act, as added by section 101(b) and amended by section 102, is amended by inserting after subsection (d) the following:

''(e) INCREASED FEDERAL FINANCIAL PARTICIPATION FOR CERTAIN EXPENDITURES.—

''(1) ELIGIBILITY FOR PAYMENT.—

''(A) IN GENERAL.—In the case of a State that the Secretary determines satisfies the requirements of subparagraph (B), the Secretary shall pay the State the amounts described in paragraph (2) in addition to any other payments provided for under section 1903 or this section for the provision of community-based attendant services and supports.

''(B) REQUIREMENTS.—The requirements of this subparagraph are the following:

''(i) The State has an approved plan amendment under this section.

''(ii) The State has incurred expenditures described in paragraph (2).

''(iii) The State develops and submits to the Secretary criteria to identify and select such expenditures in accordance with the requirements of paragraph (3).

''(iv) The Secretary determines that payment of the applicable percentage of such expenditures (as determined under paragraph (2)(B)) would enable the State to provide a meaningful choice of receiving community-based services and supports to individuals with disabilities and elderly individuals who would otherwise only have the option of receiving institutional care.

''(2) AMOUNTS AND EXPENDITURES DESCRIBED.—

''(A) EXPENDITURES IN EXCESS OF 150 PERCENT OF BASELINE AMOUNT.—The amounts and expenditures described in this paragraph are an amount equal to the applicable percentage, as determined by the Secretary in accordance with subparagraph (B), of the expenditures incurred by the State for the provision of community-based attendant services and supports to an individual that exceed 150 percent of the average cost of providing nursing facility services to an individual who resides in the State and is eligible for such services under this title, as determined in accordance with criteria established by the Secretary.

''(B) APPLICABLE PERCENTAGE.—The Secretary shall establish a payment scale for the expenditures described in subparagraph (A) so that the Federal financial participation for such expenditures gradually increases from 70 percent to 90 percent as such expenditures increase.

''(3) SPECIFICATION OF ORDER OF SELECTION FOR EXPENDITURES.—In order to receive the amounts described in paragraph (2), a State shall—

''(A) develop, in collaboration with the individuals and representatives described in subsection (b)(1) and pursuant to guidelines established by the Secretary, criteria to identify and select the expenditures submitted under that paragraph; and

''(B) submit such criteria to the Secretary.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on October 1, 2009.

TITLE II—PROMOTION OF SYSTEMS CHANGE AND CAPACITY BUILDING

SEC. 201. GRANTS TO PROMOTE SYSTEMS CHANGE AND CAPACITY BUILDING.

(a) AUTHORITY TO AWARD GRANTS.—

(1) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall award grants to eligible States to carry out the activities described in subsection (b).

(2) APPLICATION.—In order to be eligible for a grant under this section, a State shall submit to the Secretary an application in such form and manner, and that contains such information, as the Secretary may require.

(b) PERMISSIBLE ACTIVITIES.—A State that receives a grant under this section may use funds provided under the grant for any of the following activities, focusing on areas of need identified by the State and the Consumer Task Force established under subsection (c):

(1) The development and implementation of the provision of community-based attendant services and supports under section 1943 of the Social Security Act (as added by section 101(b) and amended by sections 102 and 103) through active collaboration with—

(A) individuals with disabilities;

(B) elderly individuals;

(C) representatives of such individuals; and

(D) providers of, and advocates for, services and supports for such individuals.

(2) Substantially involving individuals with significant disabilities and representatives of such individuals in jointly developing, implementing, and continually improving a mutually acceptable comprehensive, effectively working statewide plan for preventing and alleviating unnecessary institutionalization of such individuals.

(3) Engaging in system change and other activities deemed necessary to achieve any or all of the goals of such statewide plan.

(4) Identifying and remedying disparities and gaps in services to classes of individuals with disabilities and elderly individuals who are currently experiencing or who face substantial risk of unnecessary institutionalization.

(5) Building and expanding system capacity to offer quality consumer controlled community-based services and supports to individuals with disabilities and elderly individuals, including by—

(A) seeding the development and effective use of community-based attendant services and supports cooperatives, Independent Living Centers, small businesses, micro-enterprises, micro-boards, and similar joint ventures owned and controlled by individuals with disabilities or representatives of such individuals and community-based attendant services and supports workers;

(B) enhancing the choice and control individuals with disabilities and elderly individuals exercise, including through their representatives, with respect to the personal assistance and supports they rely upon to lead independent, self-directed lives;

(C) enhancing the skills, earnings, benefits, supply, career, and future prospects of workers who provide community-based attendant services and supports;

(D) engaging in a variety of needs assessment and data gathering;

(E) developing strategies for modifying policies, practices, and procedures that result in unnecessary institutional bias or the over-medicalization of long-term services and supports;

(F) engaging in interagency coordination and single point of entry activities;

(G) providing training and technical assistance with respect to the provision of community-based attendant services and supports;

(H) engaging in—

(i) public awareness campaigns;

(ii) facility-to-community transitional activities; and

(iii) demonstrations of new approaches; and

(I) engaging in other systems change activities necessary for developing, implementing, or evaluating a comprehensive statewide system of community-based attendant services and supports.

(6) Ensuring that the activities funded by the grant are coordinated with other efforts to increase personal attendant services and supports, including—

(A) programs funded under or amended by the Ticket to Work and Work Incentives Improvement Act of 1999 (Public Law 106–170; 113 Stat. 1860);

(B) grants funded under the Families of Children With Disabilities Support Act of 2000 (42 U.S.C. 15091 et seq.); and

(C) other initiatives designed to enhance the delivery of community-based services and supports to individuals with disabilities and elderly individuals.

(7) Engaging in transition partnership activities with nursing facilities and intermediate care facilities for the mentally retarded that utilize and build upon items and services provided to individuals with disabilities or elderly individuals under the Medicaid program under title XIX of the Social Security Act, or by Federal, State, or local housing agencies, Independent Living Centers, and other organizations controlled by consumers or their representatives.

(c) CONSUMER TASK FORCE.—

(1) ESTABLISHMENT AND DUTIES.—To be eligible to receive a grant under this section, each State shall establish a Consumer Task Force (referred to in this subsection as the ''Task Force'') to assist the State in the development, implementation, and evaluation of real choice systems change initiatives.

(2) APPOINTMENT.—Members of the Task Force shall be appointed by the Chief Executive Officer of the State in accordance with the requirements of paragraph (3), after the solicitation of recommendations from representatives of organizations representing a broad range of individuals with disabilities, elderly individuals, representatives of such individuals, and organizations interested in individuals with disabilities and elderly individuals.

(3) COMPOSITION.—

(A) IN GENERAL.—The Task Force shall represent a broad range of individuals with disabilities from diverse backgrounds and shall include representatives from Developmental Disabilities Councils, Mental Health Councils, State Independent Living Centers and Councils, Commissions on Aging, organizations that provide services to individuals with disabilities and consumers of long-term services and supports.

(B) INDIVIDUALS WITH DISABILITIES.—A majority of the members of the Task Force shall be individuals with disabilities or representatives of such individuals.

(C) LIMITATION.—The Task Force shall not include employees of any State agency providing services to individuals with disabilities other than employees of entities described in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.).

(d) ANNUAL REPORT.—

(1) STATES.—A State that receives a grant under this section shall submit an annual report to the Secretary on the use of funds provided under the grant in such form and manner as the Secretary may require.

(2) SECRETARY.—The Secretary shall submit to Congress an annual report on the grants made under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section, $50,000,000 for each of fiscal years 2010 through 2012.

(2) AVAILABILITY.—Amounts appropriated to carry out this section shall remain available without fiscal year limitation.

SEC. 202. DEMONSTRATION PROJECT TO ENHANCE COORDINATION OF CARE UNDER THE MEDICARE AND MEDICAID PROGRAMS FOR DUAL ELIGIBLE INDIVIDUALS.

(a) DEFINITIONS.—In this section:

(1) DUALLY ELIGIBLE INDIVIDUAL.—The term ''dually eligible individual'' means an individual who is enrolled in the Medicare and Medicaid programs established under Titles XVIII and XIX, respectively, of the Social Security Act (42 U.S.C. 1395 et seq., 1396 et seq.).

(2) PROJECT.—The term ''project'' means the demonstration project authorized to be conducted under this section.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) AUTHORITY TO CONDUCT PROJECT.—The Secretary shall conduct a project under this section for the purpose of evaluating service coordination and cost-sharing approaches with respect to the provision of community-based services and supports to dually eligible individuals.

(c) REQUIREMENTS.—

(1) NUMBER OF PARTICIPANTS.—Not more than 5 States may participate in the project.

(2) APPLICATION.—A State that desires to participate in the project shall submit an application to the Secretary, at such time and in such form and manner as the Secretary shall specify.

(3) DURATION.—The project shall be conducted for at least 5, but not more than 10 years.

(d) EVALUATION AND REPORT.—

(1) EVALUATION.—Not later than 1 year prior to the termination date of the project, the Secretary, in consultation with States participating in the project, representatives of dually eligible individuals, and others, shall evaluate the impact and effectiveness of the project.

(2) REPORT.—The Secretary shall submit a report to Congress that contains the findings of the evaluation conducted under paragraph (1) along with recommendations regarding whether the project should be extended or expanded, and any other legislative or administrative actions that the Secretary considers appropriate as a result of the project.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

By Ms. CANTWELL (for herself and Mr. KERRY):

S. 684. A bill to provide the Coast Guard and NOAA with additional authorities under the Oil Pollution Act of 1990, to strengthen the Oil Pollution Act of 1990, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. CANTWELL. Mr. President, 20 years ago today, the tanker *Exxon Valdez*, en route from Valdez, Alaska to Los Angeles, failed to turn back into the shipping lane after detouring to avoid ice. At 12:04 am, it ran aground on Bligh Reef in Prince William Sound.

Within 6 hours, the *Exxon Valdez* spilled 11 million gallons of crude oil into the Sound's pristine waters and wrote itself into the history books as the worst oil spill ever in U.S. waters. Eventually, oil covered 11,000 square miles of ocean.

The environmental and economic damage is impossible to both fathom and assess; countless seabirds, marine mammals, and fish were killed. As a result, companies like the Chugach Alaska Corporation went bankrupt. There were huge losses to recreational sports, fisheries, and tourism. Today, 20 years later, there is still oil in the area.

But most of all, *Exxon Valdez* showed us just how unprepared we were. Today, this disaster serves as a constant reminder that we cannot allow complacency to drive the ship when it comes to protecting our oceans from oil spills.

This is why I rise today—on the anniversary of this catastrophe—to introduce the Oil Pollution Prevention and Response Act of 2009.

This legislation is designed to address some of the events that perfectly aligned to make the *Exxon Valdez* disaster possible. It will put mechanisms in place that will work to protect our Nation's environment and economy from this kind of devastation, and add another layer to our oil spill safety net.

Because while our oil spill safety net has come a long way since 1989, it could still be stronger.

In response to the *Exxon Valdez* oil spill, Congress passed the Oil Pollution Act of 1990 to say once and for all that complacency has no place in this country's oil shipping industry. It revolutionized oil spill risk management, and demonstrated that prevention, preparedness, and response were the key to filling some of the gaps.

The probability of a major spill has been greatly reduced.

In my home State of Washington, the Coast Guard's District 13 leads the Nation in oil spill prevention and works closely with the State of Washington, tribal governments, and industry.

But while the probability of a spill has decreased, the potential impacts are greater than ever, and just one spill could catastrophically damage our pristine waterways, ecosystems, and economy.

This is especially true in places like Washington State's Puget Sound, where every year, 600 oil tankers and 3,000 oil barges travel through the Sound, carrying about 15 billion gallons of oil. Or in a place like the Port of Seattle, where port facilities and activities support more than 190,000 jobs in the region and generate more than $17 billion in revenue for businesses.

Alarmingly, in 2005, the Seattle Post-Intelligencer identified 650 near-miss incidents, including traffic violations, collisions, and groundings that occurred in the Sound between 1985 and 2004.

Unfortunately, these close calls are not all we have to worry about.

According to Coast Guard data, although the number of oil spills from vessels has decreased enormously since passage of OPA 90, the volume of oil spilled nationwide is still significant.

In 1992, vessels spilled more than 665,000 gallons of oil.

In 2004, the total was higher, at almost 723,000 gallons.

In 2004, there were 36 spills from tank ships, 141 spills from barges, and 1,562 spills from other vessels, including cargo ships.

I know that many of my colleagues have examples of their own, as there have been recent spills involving significant amounts of oil off the coasts of Alaska, Maine, Massachusetts, Oregon, Virginia, Hawaii, and Washington.

In the last 2 years, we have seen oil on the beaches of San Francisco and the shores of the Mississippi River in Louisiana.

We must learn from these incidents, from *Exxon Valdez*, from every close call. We must pass iron-clad policies that show there is no room for complacency.

The Oil Pollution and Prevention and Response Act of 2009 is designed to do just that.

It builds on previous efforts, like the Commerce Committee Subcommittee on Fisheries and Coast Guard field hearing I chaired in Seattle in 2005. This hearing focused on improving our oil pollution prevention and response capabilities, and as a result of the testimony from many people during that hearing and conversations with the Coast Guard and other stakeholders, I introduced the Oil Pollution Prevention and Response Act in March of 2006.

This bill updates that effort and includes additional provisions to reinvigorate our commitment to oil spill prevention and strengthen our oil spill safety net.

This bill will strengthen navigational measures in sensitive areas by requiring the identification of natural resources of particular ecological or economic importance—such as fisheries, marine sanctuaries, and important estuaries. Because if we know where the critically important resources are, we can re-route ships away from them.

It will improve the Coast Guard's coordination with State Oil Spill Prevention and Response.

The bill will mandate the Coast Guard to further reduce the risks of oil spills from activities that have been put on a back burner in the past; such as the potential for a spill when oil is transferred between vessels.

The bill will augment the Coast Guard's vessel inspection manpower.

It will require the Coast Guard to track and report on instances of human error, the most frequent cause of accidental spills.

This is an important step in the right direction for our Nation's oil spill safety net.

It is a proclamation that we are not going to allow complacency back at the wheel, nor are we going to allow politics to get in the way of doing what's right.

Twenty years ago we saw exactly what can happen. Today it is up to us to ensure that this country's environment, economy, and people never have to witness the aftermath of another *Exxon Valdez*.

The truth is, until we move this country away from its dangerous dependence on oil and toward a cleaner,

more affordable, sustainable energy future, oil spills will be inevitable. So while we must continue to fight for a new energy future, we must also take responsibility and precautions for the symptoms of our actions today.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 684

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Oil Pollution Prevention and Response Act of 2009''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Findings.
Sec. 4. Definitions.

TITLE I—PREVENTION OF OIL SPILLS

SUBTITLE A—COAST GUARD PROVISIONS

Sec. 101. Rulemakings.
Sec. 102. Oil spill response capability.
Sec. 103. Inspections by Coast Guard.
Sec. 104. Oil transfers from vessels.
Sec. 105. Improvements to reduce human error and near-miss incidents.
Sec. 106. Navigational measures for protection of natural resources.
Sec. 107. Olympic Coast National Marine Sanctuary.
Sec. 108. Higher volume port area regulatory definition change.
Sec. 109. Prevention of small oil spills.
Sec. 110. Improved coordination with tribal governments.
Sec. 111. Notification requirements.
Sec. 112. Cooperative State inspection authority.
Sec. 113. Tug escorts for laden oil tankers.
Sec. 114. Tank and non-tank vessel response plans.
Sec. 115. Report on the availability of technology to detect the loss of oil.

SUBTITLE B—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION PROVISIONS

Sec. 151. Hydrographic surveys.
Sec. 152. Electronic navigational charts.

TITLE II—RESPONSE

Sec. 201. Rapid response system.
Sec. 202. Coast Guard oil spill database.
Sec. 203. Use of oil spill liability trust fund.
Sec. 204. Extension of financial responsibility.
Sec. 205. Liability for use of unsafe single-hull vessels.
Sec. 206. International efforts on enforcement.
Sec. 207. Investment of amounts in damage assessment and restoration revolving fund.

TITLE III—RESEARCH AND MISCELLANEOUS REPORTS

Sec. 301. Federal Oil Spill Research Committee.
Sec. 302. Grant project for development of cost-effective detection technologies.
Sec. 303. Status of implementation of recommendations by the National Research Council.
Sec. 304. GAO report.
Sec. 305. Oil transportation infrastructure analysis.
Sec. 306. Oil spills in icy and Arctic conditions.

SEC. 3. FINDINGS.

The Congress finds the following:

(1) Oil released into the Nation's marine waters can cause substantial, and in some cases irreparable, harm to the marine environment.

(2) The economic impact of oil spills is substantial. Billions of dollars have been spent in the United States for cleanup of, and damages due to, oil spills; while many social, cultural, economic, and environmental damages remain uncompensated.

(3) The Oil Pollution Act of 1990, enacted in response to the worst vessel oil spill in United States history, substantially reduced the amount of oil spills from vessels. However, significant volumes of oil continue to be released, and the potential for a major spill remains unacceptably high.

(4) Although the total number of oil spills from vessels has decreased since passage of the Oil Pollution Act of 1990, more oil was spilled in 2004 from vessels nationwide than was spilled from vessels in 1992.

(5) Waterborne transportation of oil in the United States continues to increase.

(6) Although the number of oil spills from tankers declined from 193 in 1992 to 36 in 2004, spills from oil tankers tend to be large with devastating impacts.

(7) While the number of oil spills from tank barges has declined since 1992 (322 spills to 141 spills in 2004), the volume of oil spilled from tank barges has remained constant at approximately 200,000 gallons spilled each year.

(8) Oil spills from non-tank vessels averaged between 125,000 gallons and 400,000 gallons per year from 1992 through 2004 and accounted for over half of the total number of spills from all sources, including vessels and non-vessel sources.

(9) Recent spills involving significant quantities of oil have occurred off the coasts of Alaska, Maine, Massachusetts, Oregon, Virginia, and Washington, and involved barges, tank vessels, and non-tank vessels. The value of waterfront property, sport, commercial and tribal treaty fisheries, recreation, tourism, and threatened and endangered species continue to increase.

(10) It is more cost-effective to prevent oil spills than it is to clean-up oil once it is released into the environment.

(11) Of the 20 major vessel oil spill incidents since 1990 where liability limits have been exceeded, 10 involved tank barges, 8 involved non-tank vessels, 2 involved tankers, and only 1 involved a vessel that was double-hulled.

(12) Although recent technological improvements in oil tanker design, such as double hulls and redundant steering, increase tanker safety, these technologies are not a panacea and cannot ensure against oil spills, the leading cause of which is human error.

(13) The Federal government has a responsibility to protect the Nation's natural resources, public health, and environment by improving Federal measures to prevent and respond to oil spills.

(14) Environmentally fragile coastal areas are vitally important to local economies and the way of life in coastal States and federally recognized tribal governments. These areas are particularly vulnerable to the threat of oil spills. Coastal waters contribute approximately 75 percent of all commercial shellfish and finfish catches, and over 81 percent of all recreational fishing catches in the United States, outside of Alaska and Hawaii.

(15) The northern coast of Washington State and entrance to Puget Sound is the principal corridor conveying Pacific Rim commerce into the State, to Canada's largest port, and to the United States' third largest naval complex. The area contains a National Marine Sanctuary, a National Park, and many National Wildlife Refuges contiguous with marine waters.

(16) State, local, and tribal governments have important human resources and spill response capabilities which can contribute to response efforts in the event of a significant oil spill. State, local, and tribal governments may have unique local knowledge of natural resources which can improve the quality of spill response. For these reasons, State, local and tribal governments need appropriate information to have knowledge of spills, as well as incidents and activities that may result in a spill, which can impact State waters.

SEC. 4. DEFINITIONS.

In this Act:

(1) AREA TO BE AVOIDED.—The term ''area to be avoided'' means a routing measure established by the International Maritime Organization as an area to be avoided.

(2) COASTAL STATE.—The term ''coastal State'' has the meaning given that term by section 304(4) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(4)).

(3) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(4) NON-TANK VESSEL.—The term ''non-tank vessel'' means a self-propelled vessel other than a tank vessel.

(5) OIL.—The term ''oil'' has the meaning given that term by section 1001(23) of the Oil Pollution Act of 1990 (33 U.S.C. 2701(23)).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating except where otherwise explicitly stated.

(7) TANK VESSEL.—The term ''tank vessel'' has the meaning given that term by section 1001(34) of the Oil Pollution Act of 1990 (33 U.S.C. 2701(34)).

(8) WATERS SUBJECT TO THE JURISDICTION OF THE UNITED STATES.—The term ''waters subject to the jurisdiction of the United States'' means navigable waters (as defined in section 1001(21) of the Oil Pollution Act of 1990 (33 U.S.C. 2701(21)) as well as—

(A) the territorial sea of the United States as defined in Presidential Proclamation Number 5928 of December 27, 1988; and

(B) the Exclusive Economic Zone of the United States established by Presidential Proclamation Number 5030 of March 10, 1983.

(9) OTHER TERMS.—The terms ''facility'', ''gross ton'', ''exclusive economic zone'', ''incident'', ''oil'', ''tank vessel'', ''territorial seas'', and ''vessel'' have the meaning given those terms in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

TITLE I—PREVENTION OF OIL SPILLS

Subtitle A—Coast Guard Provisions

SEC. 101. RULEMAKINGS.

(a) STATUS REPORT.—

(1) IN GENERAL.—Within 90 days after the date of enactment of this Act, the Secretary shall provide a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the status of all Coast Guard rulemakings required (but for which no final rule has been issued as of the date of enactment of this Act)—

(A) under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.);

(B) under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) as amended by section 701 of the Coast guard and Maritime Transportation Act of 2004 (Public Law 108–293); and

(C) for—

(i) automatic identification systems required under section 70114 of title 46, United States Code; and

(ii) inspection requirements for towing vessels required under section 3306(j) of that title.

(2) INFORMATION REQUIRED.—The Secretary shall include in the report required by paragraph (1)—

(A) a detailed explanation with respect to each such rulemaking as to—

(i) what steps have been completed;

(ii) what areas remain to be addressed; and

(iii) the cause of any delays; and

(B) the date by which a final rule may reasonably be expected to be issued.

(b) FINAL RULES.—The Secretary shall issue a final rule in each pending rulemaking under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) as amended by section 701 of the Coast guard and Maritime Transportation Act of 2004 (Public Law 108–293) as soon as practicable, but in no event later than 18 months after the date of enactment of this Act.

SEC. 102. OIL SPILL RESPONSE CAPABILITY.

(a) SAFETY STANDARDS FOR TOWING VESSELS.—In promulgating regulations for towing vessels under chapter 33 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating shall—

(1) give priority to completing such regulations for towing operations involving tank vessels; and

(2) consider the possible application of standards that, as of the date of enactment of this Act, apply to self-propelled tank vessels, and any modifications that may be necessary for application to towing vessels due to ship design, safety, and other relevant factors.

(b) REDUCTION OF OIL SPILL RISK IN BUZZARDS BAY.—Section 8502(g) of title 46, United States Code, is amended by adding at the end thereof the following:

''(3) In any area of Buzzards Bay, Massachusetts, where a single-hull tank vessel carrying 5,000 or more barrels of oil or other hazardous material is required to be under the direction and control of a pilot licensed under section 7101 of this title, the pilot may not be a member of the crew of that vessel and shall be a pilot licensed by the Commonwealth of Massachusetts who is operating under a Federal license.''.

(c) REPORTING.—The Secretary shall transmit an annual report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Resources on the extent to which tank vessels in Buzzards Bay, Massachusetts, are using routes recommended by the Coast Guard.

SEC. 103. INSPECTIONS BY COAST GUARD.

(a) IN GENERAL.—The Secretary shall ensure that the inspection schedule for all United States and foreign-flag tank vessels that enter a United States port or place increases the frequency and comprehensiveness of Coast Guard safety inspections based on such factors as vessel age, hull configuration, past violations of any applicable discharge and safety regulations under United States and international law, indications that the class societies inspecting such vessels may be substandard, and other factors relevant to the potential risk of an oil spill.

(b) ENHANCED VERIFICATION OF STRUCTURAL CONDITION.—The Coast Guard shall adopt, as part of its inspection requirements for tank vessels, additional procedures for enhancing the verification of the reported structural condition of such vessels, taking into account the Condition Assessment Scheme adopted by the International Maritime Organization by Resolution 94(46) on April 27, 2001.

SEC. 104. OIL TRANSFERS FROM VESSELS.

(a) REGULATIONS.—Within 1 year after the date of enactment of this Act, the Secretary shall promulgate regulations to reduce the risks of oil spills in operations involving the transfer of oil from or to a tank vessel. The regulations—

(1) shall focus on operations that have the highest risks of discharge, including operations at night and in inclement weather;

(2) shall consider—

(A) requirements for use of equipment, such as putting booms in place for transfers, safety, and environmental impacts;

(B) operational procedures such as manning standards, communications protocols, and restrictions on operations in high-risk areas; or

(C) both such requirements and operational procedures; and

(3) shall take into account the safety of personnel and effectiveness of available procedures and equipment for preventing or mitigating transfer spills.

(b) APPLICATION WITH STATE LAWS.—The regulations promulgated under subsection (a) do not preclude the enforcement of any State law or regulation the requirements of which are at least as stringent as requirements under the regulations (as determined by the Secretary) that—

(1) applies in State waters;

(2) does not conflict with, or interfere with the enforcement of, requirements and operational procedures under the regulations; and

(3) has been enacted or promulgated before the date of enactment of this Act.

SEC. 105. IMPROVEMENTS TO REDUCE HUMAN ERROR AND NEAR-MISS INCIDENTS.

(a) REPORT.—Within 1 year after the date of enactment of this Act, the Secretary shall transmit a report to the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on Environment and Public Works, and the House of Representatives Committee on Transportation and Infrastructure that, using available data—

(1) identifies the types of human errors that, combined, account for over 50 percent of all oil spills involving vessels that have been caused by human error in the past 10 years;

(2) identifies the most frequent types of near-miss oil spill incidents involving vessels such as collisions, groundings, and loss of propulsion in the past 10 years;

(3) describes the extent to which there are gaps in the data with respect to the information required under paragraphs (1) and (2) and explains the reason for those gaps; and

(4) includes recommendations by the Secretary to address the identified types of errors and incidents and to address any such gaps in the data.

(b) MEASURES.—Based on the findings contained in the report required by subsection (a), the Secretary shall take appropriate action, both domestically and at the International Maritime Organization, to reduce the risk of oil spills from human errors.

SEC. 106. NAVIGATIONAL MEASURES FOR PROTECTION OF NATURAL RESOURCES.

(a) DESIGNATION OF AT-RISK AREAS.—The Secretary and the Under Secretary of Commerce for Oceans and Atmosphere shall jointly identify areas where routing or other navigational measures are warranted in waters subject to the jurisdiction of the United States to reduce the risk of oil spills and potential damage to natural resources. In identifying those areas, the Secretary and the Under Secretary shall give priority consideration to natural resources of particular ecological importance or economic importance, including commercial fisheries, aquaculture facilities, marine sanctuaries designated by the Secretary of Commerce pursuant to the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.), estuaries of national significance designated under section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1330), critical habitats (as defined in section 3(5) of the Endangered Species Act of 1973 (16 U.S.C. 1532(5)), estuarine research reserves within the National Estuarine Research Reserve System established by section 315 of the Coastal Zone Management Act of 1972, and national parks and national seashores administered by the National Park Service under the National Park Service Organic Act (16 U.S.C. 1 et seq.).

(b) FACTORS CONSIDERED.—In determining whether navigational measures are warranted, the Secretary and the Under Secretary shall consider, at a minimum—

(1) the frequency of transits of vessels required to prepare a response plan under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j));

(2) the type and quantity of oil transported as cargo or fuel;

(3) the expected benefits of routing measures in reducing risks of spills;

(4) the costs of such measures;

(5) the safety implications of such measures; and

(6) the nature and value of the resources to be protected by such measures.

(c) ESTABLISHMENT OF ROUTING AND OTHER NAVIGATIONAL MEASURES.—The Secretary shall establish such routing or other navigational measures for areas identified under subsection (a).

(d) ESTABLISHMENT OF AVOIDANCE AREAS.—To the extent that the Secretary and the Under Secretary conclude that the establishment of areas to be avoided is warranted under this section, they shall seek to establish such areas through the International Maritime Organization or establish comparable areas pursuant to regulations and in a manner that is consistent with international law.

(e) OIL SHIPMENT DATA AND REPORT.—

(1) DATA COLLECTION.—The Secretary, through the Commandant and in consultation with the Army Corps of Engineers, shall analyze data on oil transported as cargo on vessels in the navigable waters of the United States, including information on—

(A) the quantity and type of oil being transported;

(B) the vessels used for such transportation;

(C) the frequency with which each type of oil is being transported; and

(D) the point of origin, transit route, and destination of each such shipment of oil.

(2) REPORT.—The Secretary shall transmit a report, not less frequently than quarterly, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce, on the data collected and analyzed under paragraph (1) in a format that does not disclose information exempted from disclosure under section 552b(e) of title 5, United States Code.

SEC. 107. OLYMPIC COAST NATIONAL MARINE SANCTUARY.

(a) OLYMPIC COAST NATIONAL MARINE SANCTUARY AREA TO BE AVOIDED.—The Secretary and the Under Secretary of Commerce for Oceans and Atmosphere shall revise the area to be avoided off the coast of the State of Washington so that restrictions apply to all vessels required to prepare a response plan under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) (other than fishing or research vessels while engaged in fishing or research within the area to be avoided).

(b) EMERGENCY OIL SPILL DRILL.—

(1) IN GENERAL.—In cooperation with the Secretary, the Under Secretary of Commerce

for Oceans and Atmosphere shall conduct a Safe Seas oil spill drill in the Olympic Coast National Marine Sanctuary in fiscal year 2010. The Secretary and the Under Secretary of Commerce for Oceans and Atmosphere jointly shall coordinate with other Federal agencies, State, local, and tribal governmental entities, and other appropriate entities, in conducting this drill.

(2) OTHER REQUIRED DRILLS.—Nothing in this subsection supersedes any Coast Guard requirement for conducting emergency oil spill drills in the Olympic Coast National Marine Sanctuary. The Secretary shall consider conducting regular field exercises, such as National Preparedness for Response Exercise Program (PREP) in other national marine sanctuaries as well as areas identified in section 106(a) of this bill.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Under Secretary of Commerce for Oceans and Atmosphere for fiscal year 2010 $700,000 to carry out this subsection.

SEC. 108. HIGHER VOLUME PORT AREA REGULATORY DEFINITION CHANGE.

(a) IN GENERAL.—Within 30 days after the date of enactment of this Act, notwithstanding subchapter 5 of title 5, United States Code, the Commandant shall modify the definition of the term ''higher volume port area'' in section 155.1020 of the Coast Guard regulations (33 C.F.R. 155.1020) by striking ''Port Angeles, WA'' in paragraph (13) of that section and inserting ''Cape Flattery, WA'' without initiating a rulemaking proceeding.

(b) EMERGENCY RESPONSE PLAN REVIEWS.—Within 5 years after the date of enactment of this Act, the Coast Guard shall complete its review of any changes to emergency response plans pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) resulting from the modification of the higher volume port area definition required by subsection (a).

SEC. 109. PREVENTION OF SMALL OIL SPILLS.

(a) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere, in consultation with other appropriate agencies, shall establish an oil spill prevention and education program for small vessels. The program shall provide for assessment, outreach, and training and voluntary compliance activities to prevent and improve the effective response to oil spills from vessels and facilities not required to prepare a vessel response plan under the Federal Water Pollution Control Act, including recreational vessels, commercial fishing vessels, marinas, and aquaculture facilities. The Under Secretary may provide grants to sea grant colleges and institutes designated under section 207 of the National Sea Grant College Program Act (33 U.S.C. 1126) and to State agencies, tribal governments, and other appropriate entities to carry out—

(1) regional assessments to quantify the source, incidence and volume of small oil spills, focusing initially on regions in the country where, in the past 10 years, the incidence of such spills is estimated to be the highest;

(2) voluntary, incentive-based clean marina programs that encourage marina operators, recreational boaters and small commercial vessel operators to engage in environmentally sound operating and maintenance procedures and best management practices to prevent or reduce pollution from oil spills and other sources;

(3) cooperative oil spill prevention education programs that promote public understanding of the impacts of spilled oil and provide useful information and techniques to minimize pollution including methods to remove oil and reduce oil contamination of bilge water, prevent accidental spills during maintenance and refueling and properly cleanup and dispose of oil and hazardous substances; and

(4) support for programs, including outreach and education to address derelict vessels and the threat of such vessels sinking and discharging oil and other hazardous substances, including outreach and education to involve efforts to the owners of such vessels.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Under Secretary of Commerce for Oceans and Atmosphere to carry out this section, $10,000,000 annually for each of fiscal years 2010 through 2014.

SEC. 110. IMPROVED COORDINATION WITH TRIBAL GOVERNMENTS.

(a) IN GENERAL.—Within 6 months after the date of enactment of this Act, the Secretary shall complete the development of a tribal consultation policy, which recognizes and protects to the maximum extent practicable tribal treaty rights and trust assets in order to improve the Coast Guard's consultation and coordination with the tribal governments of federally recognized Indian tribes with respect to oil spill prevention, preparedness, response and natural resource damage assessment.

(b) INCLUSION OF TRIBAL GOVERNMENT.—The Secretary shall ensure that, as soon as practicable after identifying an oil spill that is likely to have a significant impact on natural or cultural resources owned or directly utilized by a federally recognized Indian tribe, the Coast Guard will—

(1) ensure that representatives of the tribal government of the affected tribes are included as part of the incident command system established by the Coast Guard to respond to the spill;

(2) share information about the oil spill with the tribal government of the affected tribe; and

(3) to the extent practicable, involve tribal governments in deciding how to respond to such spill.

(c) COOPERATIVE ARRANGEMENTS.—The Coast Guard may enter into memoranda of agreement and associated protocols with Indian tribal governments in order to establish cooperative arrangements for oil pollution prevention, preparedness, and response. Such memoranda may be entered into prior to the development of the tribal consultation and coordination policy to provide Indian tribes grant and contract assistance. Such memoranda of agreement and associated protocols with Indian tribal governments may include—

(1) arrangements for the assistance of the tribal government to participate in the development of the National Contingency Plan and local Area Contingency Plans to the extent they affect tribal lands, cultural and natural resources;

(2) arrangements for the assistance of the tribal government to develop the capacity to implement the National Contingency Plan and local Area Contingency Plans to the extent they affect tribal lands, cultural and natural resources;

(3) provisions on coordination in the event of a spill, including agreements that representatives of the tribal government will be included as part of the regional response team co-chaired by the Coast Guard and the Environmental Protection Agency to establish policies for responding to oil spills;

(4) arrangements for the Coast Guard to provide training of tribal incident commanders and spill responders for oil spill preparedness and response;

(5) demonstration projects to assist tribal governments in building the capacity to protect tribal treaty rights and trust assets from oil spills; and

(6) such additional measures the Coast Guard determines to be necessary for oil pollution prevention, preparedness, and response.

(d) FUNDING FOR TRIBAL PARTICIPATION.—Subject to the availability of appropriations, the Commandant of the Coast Guard shall provide assistance to participating tribal governments in order to facilitate the implementation of cooperative arrangements under subsection (c) and ensure the participation of tribal governments in such arrangements. There are authorized to be appropriated to the Commandant $500,000 for each of fiscal years 2010 through 2014 to be used to carry out this section.

SEC. 111 NOTIFICATION REQUIREMENTS.

(a) MARINE CASUALTIES.—Section 6101 of title 46, United States Code, is amended by adding at the end the following:

''(j) NOTICE TO STATES AND TRIBAL GOVERNMENTS.—Within 1 hour after receiving a report under this section, the Secretary shall forward the report to each State and federally recognized Indian tribal government that has jurisdiction concurrent with the United States or adjacent to waters in which the casualty occurred. Each State shall identify for the Secretary the agency to which such reports shall be forwarded and shall be responsible for forwarding appropriate information to local and tribal governments within its jurisdiction.''.

(b) STATE-REQUIRED NOTICE OF BULK OIL TRANSFERS.—Notwithstanding any other provision of law, a coastal State may, by law, require a person to provide notice of 24 hours or more to the State and to the United States Coast Guard before transferring oil in bulk in an amount equivalent to 250 barrels or more to, from, or within a vessel in State waters. The Commandant may assist coastal States in developing appropriate methodologies for joint Federal and State notification of any such transfers to minimize any potential burden to vessels.

SEC. 112. COOPERATIVE STATE INSPECTION AUTHORITY.

(a) IN GENERAL.—The Secretary is authorized to execute a joint enforcement agreement with the Governor of a coastal state that meets the requirements of subsection (b) under which—

(1) State law enforcement officers with marine law enforcement responsibilities may be authorized to perform duties of the Secretary relating to law enforcement provisions under this title or any other marine resource law enforced by the Secretary; and

(2) State inspectors are authorized to conduct inspections of United States and foreign-flag vessels in United States ports under the supervision of the Coast Guard and report and refer any documented deficiencies or violations to the Coast Guard for action.

(b) STATE QUALIFICATIONS.—To be eligible to participate in a joint enforcement agreement under subsection (a), a coastal state shall—

(1) submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require; and

(2) demonstrate to the satisfaction of the Secretary that—

(A) its State inspectors possess, or qualify for, a merchant mariner officer or engineer license for at least a 1600 gross-ton vessel under subchapter B of title 46, Code of Federal Regulations;

(B) it has established support for its inspection program to track, schedule, and monitor shipping traffic within its waters; and

(C) it has a funding mechanism to maintain an inspection program for at least 5 years.

(c) TECHNICAL SUPPORT AND TRAINING.—The Secretary may provide technical support and training for State inspectors who participate in a joint enforcement agreement under this section.

SEC. 113. TUG ESCORTS FOR LADEN OIL TANKERS.

Within 1 year after the date of enactment of this Act, the Secretary of State, in consultation with the Commandant, shall enter into negotiations with the Government of Canada to ensure that tugboat escorts are required for all tank ships with a capacity over 40,000 deadweight tons in the Strait of Juan de Fuca, Strait of Georgia, and in Haro Strait. The Commandant shall consult with the State of Washington and affected tribal governments during negotiations with the Government of Canada.

SEC. 114. TANK AND NON-TANK VESSEL RESPONSE PLANS.

Within 1 year after the date of enactment of this Act, the Secretary shall promulgate regulations authorizing owners and operators of tank and non-tank vessel to form non-profit cooperatives for the purpose of complying with section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

SEC. 115. REPORT ON THE AVAILABILITY OF TECHNOLOGY TO DETECT THE LOSS OF OIL.

Within 1 year after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce on the availability, feasibility, and potential cost of technology to detect the loss of oil carried as cargo or as fuel on tank and non-tank vessels greater than 400 gross tons.

Subtitle B—National Oceanic and Atmospheric Administration Provisions

SEC. 151. HYDROGRAPHIC SURVEYS.

(a) REDUCTION OF BACKLOG.—The Under Secretary of Commerce for Oceans and Atmosphere shall continue survey operations to reduce the survey backlog in navigationally significant waters outlined in its National Survey Plan, concentrating on areas where oil and other hazardous materials are transported.

(b) NEW SURVEYS.—By no later than January 1, 2012, the Under Secretary shall complete new surveys, together with necessary data processing, analysis, and dissemination, for all areas in United States coastal areas determined by the Under Secretary to be critical areas.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Under Secretary for the purpose of carrying out the new surveys required by subsection (b) such sums as may be necessary for each of fiscal years 2010 through 2012.

SEC. 152. ELECTRONIC NAVIGATIONAL CHARTS.

(a) IN GENERAL.—By no later than September 1, 2010, the Under Secretary of Commerce for Oceans and Atmosphere shall complete the electronic navigation chart suite for all coastal waters of the United States.

(b) PRIORITIES.—In completing the suite, the Under Secretary shall give priority to producing and maintaining the electronic navigation charts of the entrances to major ports and the coastal transportation routes for oil and hazardous materials, and for estuaries of national significance designated under section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Under Secretary for the purpose of completing the electronic navigation chart suite $6,200,000 for fiscal year 2010.

TITLE II—RESPONSE

SEC. 201. RAPID RESPONSE SYSTEM.

The Under Secretary of Commerce for Oceans and Atmosphere shall develop and implement a rapid response system to collect and predict in situ information about oil spill behavior, trajectory and impacts, and a mechanism to provide such information rapidly to Federal, State, tribal, and other entities involved in a response to an oil spill.

SEC. 202. COAST GUARD OIL SPILL DATABASE.

The Secretary shall modify the Coast Guard's oil spill database as necessary to ensure that it—

(1) includes information on the cause of oil spills maintained in the database;

(2) is capable of facilitating the analysis of trends and the comparison of accidents involving oil spills; and

(3) makes the data available to the public.

SEC. 203. USE OF OIL SPILL LIABILITY TRUST FUND.

(a) IN GENERAL.—Section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)) is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(2) by inserting after subparagraph (A) the following:

''(B) not more than $15,000,000 in each fiscal year shall be available to the Under Secretary of Commerce for Oceans and Atmosphere for expenses incurred by, and activities related to, response and damage assessment capabilities of the National Oceanic and Atmospheric Administration;''.

(b) USE OF FUND IN NATIONAL EMERGENCIES.—Notwithstanding any provision of the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) to the contrary, no amount may be made available from the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986 for claims described in section 1012(a)(4) of that Act (33 U.S.C. 2712(a)(4)) attributable to any national emergency or major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 204. EXTENSION OF FINANCIAL RESPONSIBILITY.

Section 1016(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2716(a)) is amended—

(1) by striking ''or'' after the semicolon in paragraph (1);

(2) by inserting ''or'' after the semicolon in paragraph (2); and

(3) by inserting after paragraph (2) the following:

''(3) any tank vessel over 100 gross tons (except a non-self-propelled vessel that does not carry oil as cargo) using any place subject to the jurisdiction of the United States;''.

SEC. 205. LIABILITY FOR USE OF UNSAFE SINGLE-HULL VESSELS.

Section 1001(32) of the Oil Pollution Act of 1990 (33 U.S.C. 2702(d)) is amended by striking subparagraph (A) and inserting the following:

''(A) VESSELS.—In the case of a vessel—

''(i) any person owning, operating, or demise chartering the vessel; and

''(ii) the owner of oil being transported in a tank vessel with a single hull after December 31, 2010, if the owner of the oil knew, or should have known, from publicly available information that the vessel had a poor safety or operational record.''.

SEC. 206. INTERNATIONAL EFFORTS ON ENFORCEMENT.

The Secretary, in consultation with the heads of other appropriate Federal agencies, shall ensure that the Coast Guard pursues stronger enforcement in the International Maritime Organization of agreements related to oil discharges, including joint enforcement operations, training, and stronger compliance mechanisms.

SEC. 207. INVESTMENT OF AMOUNTS IN DAMAGE ASSESSMENT AND RESTORATION REVOLVING FUND.

The Secretary of the Treasury shall invest such portion of the damage assessment and restoration revolving fund described in title I of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1991 (33 U.S.C. 2706 note) as is not, in the Secretary's judgment, required to meet current withdrawals in interest-bearing obligations of the United States in accordance with section 9602 of the Internal Revenue Code of 1986.

TITLE III—RESEARCH AND MISCELLANEOUS REPORTS

SEC. 301. FEDERAL OIL SPILL RESEARCH COMMITTEE.

(a) ESTABLISHMENT.—There is established a committee to be known as the Federal Oil Spill Research Committee.

(b) MEMBERSHIP.—The members of the Committee shall be designated by the Under Secretary of Commerce for Oceans and Atmosphere and shall include representatives from the National Oceanic and Atmospheric Administration, the United States Coast Guard, the Environmental Protection Agency, and such other Federal agencies as the President may designate. A representative of the National Oceanic and Atmospheric Administration, designated by the Under Secretary, shall serve as Chairman.

(c) DUTIES.—The Committee shall coordinate a comprehensive program of oil pollution research, technology development, and demonstration among the Federal agencies, in cooperation and coordination with industry, universities, research institutions, State governments, tribal governments, and other nations, as appropriate, and shall foster cost-effective research mechanisms, including the joint funding of research.

(d) REPORTS TO CONGRESS.—

(1) Not later than 180 days after the date of enactment of this Act, the Committee shall submit to Congress a report on the current state of oil spill prevention and response capabilities that—

(A) identifies current research programs conducted by governments, universities, and corporate entities;

(B) assesses the current status of knowledge on oil pollution prevention, response, and mitigation technologies;

(C) establishes national research priorities and goals for oil pollution technology development related to prevention, response, mitigation, and environmental effects;

(D) identifies regional oil pollution research needs and priorities for a coordinated program of research at the regional level developed in consultation with the State and local governments, tribes;

(E) assesses the current state of spill response equipment, and determines areas in need of improvement including amount, age, quality, effectiveness, or necessary technological improvements;

(F) assesses the current state of real time data available to mariners, including water level, currents and weather information and predictions, and assesses whether lack of timely information increases the risk of oil spills; and

(G) includes such recommendations as the Committee deems appropriate.

(2) QUINQUENNIAL UPDATES.—The Committee shall submit a report every fifth year after its first report under paragraph (1) updating the information contained in its previous report under this subsection.

(e) ADVICE AND GUIDANCE.—The Committee shall accept comments and input from State and local governments, Indian tribes, industry representatives, and other stakeholders.

(f) NATIONAL ACADEMY OF SCIENCE PARTICIPATION.—The Chairman, through the National Oceanic and Atmospheric Administration, shall contract with the National Academy of Sciences to—

(1) provide advice and guidance in the preparation and development of the research plan; and

(2) assess the adequacy of the plan as submitted, and submit a report to Congress on the conclusions of such assessment.

(g) RESEARCH AND DEVELOPMENT PROGRAM.—

(1) IN GENERAL.—The Committee shall establish a program for conducting oil pollution research and development. Within 180 days after submitting its report to the Congress under subsection (d), the Committee shall submit to Congress a plan for the implementation of the program.

(2) PROGRAM ELEMENTS.—The program established under paragraph (1) shall provide for research, development, and demonstration of new or improved technologies which are effective in preventing, detecting, or mitigating oil discharges and which protect the environment, and include—

(A) high priority research areas described in the report;

(B) environmental effects of acute and chronic oil spills;

(C) long-term effects of major spills and the long-term cumulative effects of smaller endemic spills;

(D) new technologies to detect accidental or intentional overboard discharges;

(E) response capabilities, such as improved booms, oil skimmers, and storage capacity;

(F) methods to restore and rehabilitate natural resources damaged by oil discharges; and

(G) research and training, in consultation with the National Response Team, to improve industry's and Government's ability to remove an oil discharge quickly and effectively.

(h) GRANT PROGRAM.—

(1) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere shall manage a program of competitive grants to universities or other research institutions, or groups of universities or research institutions, for the purposes of conducting the program established under subsection (g).

(2) APPLICATIONS AND CONDITIONS.—In conducting the program, the Under Secretary—

(A) shall establish a notification and application procedure;

(B) may establish such conditions, and require such assurances, as may be appropriate to ensure the efficiency and integrity of the grant program; and

(C) may make grants under the program on a matching or nonmatching basis.

(i) FACILITATION.—The Committee may develop memoranda of agreement or memoranda of understanding with universities, States, or other entities to facilitate the research program.

(j) ANNUAL REPORTS.—The chairman of the Committee shall submit an annual report to Congress on the activities carried out under this section in the preceding fiscal year, and on activities proposed to be carried out under this section in the current fiscal year.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce to carry out this section—

(1) $200,000 for fiscal year 2010, to remain available until expended, for contracting with the National Academy of Sciences and other expenses associated with developing the report and research program; and

(2) $2,000,000 for each of fiscal years 2010, 2011, and 2012, to remain available until expended, to fund grants under subsection (h).

(l) COMMITTEE REPLACES EXISTING AUTHORITY.—The authority provided by this section supersedes the authority provided by section 7001 of the Oil Pollution Act of 1990 (33 U.S.C. 2761) for the establishment of the Interagency Committee on Oil Pollution Research under subsection (a) of that section, and that Committee shall cease operations and terminate on the date of enactment of this Act.

SEC. 302. GRANT PROJECT FOR DEVELOPMENT OF COST-EFFECTIVE DETECTION TECHNOLOGIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall establish a competitively awarded grant program for the development of cost-effective technologies, such as infrared, pressure sensors, and remote sensing, for detecting discharges of oil from vessels as well as methods and technologies for improving detection and recovery of submerged and sinking oils.

(b) MATCHING REQUIREMENT.—The Federal share of any project funded under subsection (a) may not exceed 50 percent of the total cost of the project.

(c) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act the Secretary shall provide a report to the Senate Committee on Commerce, Science, and Transportation, and to the House of Representatives Committee on Transportation and Infrastructure on the results of the program.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commandant to carry out this section $2,000,000 for each of fiscal years 2010, 2011, and 2012, to remain available until expended.

(e) TRANSFER PROHIBITED.—Administration of the program established under subsection (a) may not be transferred within the Department of Homeland Security or to another department or Federal agency.

SEC. 303. STATUS OF IMPLEMENTATION OF RECOMMENDATIONS BY THE NATIONAL RESEARCH COUNCIL.

(a) IN GENERAL.—Within 90 days after the date of enactment of this Act, the Secretary shall provide a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on whether the Coast Guard has implemented each of the recommendations directed at the Coast Guard, or at the Coast Guard and other entities, in the following National Research Council reports:

(1) ''Double-Hull Tanker Legislation, An Assessment of the Oil Pollution Act of 1990'', dated 1998.

(2) ''Oil in the Sea III, Inputs, Fates and Effects'', dated 2003.

(b) CONTENT.—The report shall contained a detailed explanation of the actions taken by the Coast Guard pursuant to the National Research Council reports. If the Secretary determines that the Coast Guard has not fully implemented the recommendations, the Secretary shall include a detailed explanation of the reasons any such recommendation has not been fully implemented, together with any recommendations the Secretary deems appropriate for implementing any such non-implemented recommendation.

SEC. 304. GAO REPORT.

Within 1 year after the date of enactment of this Act, the Comptroller General shall provide a written report with recommendations for reducing the risks and frequency of releases of oil from vessels (both intentional and accidental) to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure that includes the following:

(1) CONTINUING OIL RELEASES.—A summary of continuing sources of oil pollution from vessels, the major causes of such pollution, the extent to which the Coast Guard or other Federal or State entities regulate such sources and enforce such regulations, possible measures that could reduce such releases of oil.

(2) DOUBLE HULLS.—

(A) A description of the various types of double hulls, including designs, construction, and materials, authorized by the Coast Guard for United States flag vessels, and by foreign flag vessels pursuant to international law, and any changes with respect to what is now authorized compared to the what was authorized in the past.

(B) A comparison of the potential structural and design safety risks of the various types of double hulls described in subparagraph (A) that have been observed or identified by the Coast Guard, or in public documents readily available to the Coast Guard, including susceptibility to corrosion and other structural concerns, unsafe temperatures within the hulls, the build-up of gases within the hulls, ease of inspection, and any other factors affecting reliability and safety.

(3) ALTERNATIVE DESIGNS FOR NON-TANK VESSELS.—A description of the various types of alternative designs for non-tank vessels to reduce risk of an oil spill, known effectiveness in reducing oil spills, and a summary of how extensively such designs are being used in the United States and elsewhere.

(4) RESPONSE EQUIPMENT.—An assessment of the sufficiency of oil pollution response and salvage equipment, the quality of existing equipment, new developments in the United States and elsewhere, and whether new technologies are being used in the United States.

SEC. 305. OIL TRANSPORTATION INFRASTRUCTURE ANALYSIS.

The Secretary of the Department of Homeland Security shall, in conjunction with the Secretary of Commerce, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, and the heads of other appropriate Federal agencies, contract with the National Research Council to conduct an analysis of the condition and safety of all aspects of oil transportation infrastructure in the United States, and provide recommendations to improve such safety, including an assessment of the adequacy of contingency and emergency plans in the event of a natural disaster or emergency.

SEC. 306. OIL SPILLS IN ICY AND ARCTIC CONDITIONS.

(a) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere, in conjunction with the Commandant, shall contract with the National Research Council to conduct an analysis of oil spill risks and response capabilities in the Arctic and other icy conditions, including spills under pack ice or in waters with broken ice.

(b) CONTENT.—At a minimum, the analysis shall include a description of oil spill scenarios that could occur in icy environments, an assessment of the challenges unique to oil spill response operations in icy conditions, an examination of the effectiveness of traditional oil spill response methods in icy conditions, an assessment of techniques for detecting, mapping, and tracking spills in icy environments, and the identification of promising new technologies, concepts, and research needs.

By Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Ms. CANTWELL, Mrs. BOXER, and Mr. BEGICH):

S. 685. A bill to require new vessels for carrying oil fuel to have double hulls, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. LAUTENBERG. Mr. President, this is a very significant day in environmental history in our world, particularly in our country. While the debate goes on about what corporate America has done and what they have not done and how we should treat them in trying to get our economy back on track, we have heard questions raised about corporate behavior.

I came out of the corporate world when I came to the Senate. It seems to me that things were different years ago.

Over the last few days, we have heard many in these Chambers, here and in the House of Representatives, call on companies to be better corporate citizens.

Today I rise to point out what may be the greatest abandonment of corporate citizenship in our Nation's history, and that was displayed by the Exxon Corporation, one of the most profitable companies in American history. Twenty years ago this day, one of their ships ran aground in Alaska. Still Exxon refuses to live up to the obligations it obtained when that ship ran aground, and it damaged the environment substantially.

It was 20 years ago today the Exxon Valdez crashed into the Bligh Reef in Alaska's Prince William Sound. That ship spilled 11 million gallons of crude oil, damaging 1,300 miles of shoreline, and ruining the lives of thousands of Americans.

Now, as chairman of a subcommittee with appropriations jurisdiction over the Coast Guard, I was taken to Alaska by the Coast Guard and arrived there 3 days after the Exxon Valdez ran aground. To see the damage was horrific. But also during those days there, during that first day, I saw so many of the people who worked for the Government.

This is a discussion we often have about Government servants and their obligations—and I would say, having come from the corporate world, there are few who are more mindful of their obligations than those who work for Government. That day I saw from the helicopter in which I was flying so many of our people committed to their responsibilities, dealing with the problem, brave people traveling to tiny islands by helicopter and small boats. Their mission was to save the wildlife.

I saw many of them fairly close up taking birds, and mammals—the young mammals, particularly—and fish into their hands and wiping the oil off to try to save the lives of these victims. One by one, wherever they could, they were saving animal lives. It was devastating to see.

It was obvious, as one looked at the waters of Prince William Sound, a beautiful place, surrounded by glaciers, that this lure, this almost seductive lure of color and cover that came from the oil was at the same time doling out poisons.

There are many portions of Prince William Sound today that remain contaminated. The cannery workers, fishermen, and people whose lives depended on Prince William Sound are still paying a price. The local economy is still reeling. Think about it. So much time has passed since this spill that as many as 6,000 people injured by that disaster have already passed away. These people were never ever fully compensated for their loss.

Exxon was responsible for this mess. But the company fought at every step to shirk its responsibilities. And ever since the disaster, Exxon has defaulted on its obligations as a corporate citizen and refused to repair whole communities and innocent lives that have been damaged.

Instead, during all of this period, Exxon has fought tooth and nail to deprive the victims of proper compensation, spending as much as $400 million to retain lawyers and keep things bottled up in court.

Exxon took its fight all the way to the Supreme Court, and last year, 19 years after the tragedy, the Justices confirmed that Exxon owes punitive damages to the victims, although they and their skillful hordes of lawyers succeeded in a constant effort to reduce the amount of compensation.

Still, even today, 20 years later, the company continues to stonewall the victims by trying to avoid paying the interest that fell on these charges. Exxon's actions are the height of corporate irresponsibility. As a former CEO of a major corporation, I understand the drive to succeed. But there is nothing more reprehensible than a company evading its obligations to our country's people just to make a quick buck and to avoid the legitimate responsibility that is a giant factor in our economy and social well being. They have that responsibility.

Exxon had record profits last year of $45 billion. Even last quarter, when companies across the country were suffering, this company, Exxon, posted a profit of nearly $8 billion in a single quarter—$8 billion.

Now, it would have been a drop in the bucket for this corporation to have fully compensated the victims who were so severely hurt. All the money, energy, and time that Exxon has wasted should have been spent making local communities whole again and helping to fix the environmental and economic damage done to Alaska's Prince William Sound.

The truth is, Exxon needs to change its ways, and today, the 20th anniversary of the Exxon Valdez disaster, is a perfect opportunity.

On this anniversary, we are also reminded how dangerous transporting oil can be. That is why I have introduced a bill this day that will accelerate the use of double-hulled vessels by shippers.

Oil spills are absolutely catastrophic to the environment and seaside communities and influence wide geographic areas beyond those communities. After examining the costs of past spills, we have written a bill to substantially reduce the possibilities of future spills. So I look forward to seeing this bill passed by this Chamber and to working with colleagues to make sure that disasters like the one we saw 20 years ago this day will never happen again.

By Ms. MIKULSKI:

S. 686. A bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. MIKULSKI. President, I rise today to introduce two important social work bills; the Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act and the Clinical Social Work Medicare Equity Act of 2009. I am proud to sponsor these pieces of legislation that will improve the shortage of social workers and properly reimburse social workers for the services they provide.

Social workers play a critical role combating the social problems facing our nation and are an integral part of our healthcare system. As we move into an era of unprecedented healthcare and social service needs, we must have the workforce in place to make sure that our returning soldiers have access to mental health services, our elderly maintain their independence in the communities they live in, and abused children are placed in safe homes. Social workers support physical, psychological and social needs. They provide mental health therapy, caregiver and family counseling, health education, program coordination, and case management. In these tough economic times social workers play a more important role than ever to keep communities together and help individuals and families cope with the new stresses they are facing.

The Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act reinvests in social workers by providing grants to social workers, reviewing the current social workforce challenges, and determining how this shortage will affect the communities social workers serve. I am honored to introduce this bill named after two social visionaries, Dorothy I. Height and Whitney M. Young. Dorothy Height, a pioneer of the civil rights movement, like me began her career as a case worker and continued to fight for social justice. I am particularly honored to introduce this bill today, on Dorothy Height's birthday. Whitney Young, another trailblazer of the civil rights movement, also began his career transforming our social landscape as a social worker. He helped create President Johnson's War on Poverty and has served as President of the National Association of Social Workers.

This bill is about reinvesting in social work. It provides grants that invest in social work education, research, and training. These grants will fund community based programs of excellence and provide scholarships to train the next generation of social workers. The bill also addresses how to recruit and retain new social workers, research the impact of social services, and foster ways to improve social workplace safety. This bill establishes a national coordination center that will allow social work education, advocacy and research institutions to collaborate and work together. It will facilitate gathering and distributing social work research to make the most effective use of the information we have on how social work service can improve our social fabric. This bill also gives social work the attention it deserves. It creates a media campaign that will promote social work, and recognizes March as Social Work Awareness Month.

Today 30,000 social workers specialize in gerontology, but we will need 70,000 of these social workers by 2010. I want to make sure that when the aging tsunami hits us, we have the workforce in place to care for our aging family members, the Alzheimer patients, and the disabled.

The Clinical Social Work Medicare Equity Act of 2009 ensures that clinical social workers receive Medicare reimbursements for the mental health services they provide in skilled nursing facilities. Under the current system, social workers are not paid for the services they provide. Psychologists and psychiatrists, who provide similar counseling, are able to separately bill Medicare for their services.

Since my first days in Congress, I have been fighting to protect and strengthen the safety of our nation's seniors. Making sure that seniors have access to quality, affordable mental health care is an important part of this fight. I know that millions of seniors do not have access to, or are not receiving, the mental health services they urgently need. Nearly 6 million seniors are affected by depression, but only one-tenth ever receive treatment. According to the American Psychiatric Association, up to 25 percent of the elderly population in the United States suffers from significant symptoms of mental illness and among nursing home residents the prevalence is as high as 80 percent. These mental disorders, which include severe depression and debilitating anxiety, interfere with the person's ability to carry out activities of daily living and adversely affect their quality of life. Furthermore, older people have a 20 percent suicide rate, the highest of any age group. Every year nearly 6,000 older Americans kill themselves. This is unacceptable and must be addressed.

This bill protects patients across the country and ensures that seniors living in underserved urban and rural areas, where clinical social workers are often the only available option for mental health care, continue to receive the treatment they need. Clinical social workers, much like psychologists and psychiatrists, treat and diagnose mental illnesses. In fact, clinical social workers are the primary mental health providers for nursing home residents and seniors residing in rural environments. Unlike other mental health providers, clinical social workers cannot bill Medicare directly for the important services they provide to their patients. Protecting seniors' access to clinical social workers ensures that our most vulnerable citizens get the quality, affordable mental health care they need. This bill will correct this inequity and make sure clinical social workers get the payments and respect they deserve.

Before the Balanced Budget Act of 1997, clinical social workers billed Medicare Part B directly for mental health services they provided in nursing facilities for each patient they served. Under the Prospective Payment System, services provided by clinical social workers are lumped, or ''bundled,'' along with the services of other health care providers for the purposes of billing and payments. Psychologists and psychiatrists, who provide similar counseling, were exempted from this system and continue to bill Medicare directly. This bill would exempt clinical social workers, like their mental health colleagues, from the Prospective Payment System, and would make sure that clinical social workers are paid for the services they provide to patients in skilled nursing facilities.

This bill is about more than paperwork and payment procedures. This bill is about equal access to Medicare payments for the equal and important work done by clinical social workers. It is about making sure our nation's most vulnerable citizens have access to quality, affordable mental health care. The overarching goal we should be striving to achieve for our seniors is an overall improved quality of life. Without clinical social workers, many nursing home residents may never get the counseling they need when faced with a life-threatening illness or the loss of a loved one. I think we can do better by our nation's seniors. I am fighting to make sure we do.

As a social worker, I have been on the frontlines of helping people cope with issues in their everyday lives. I started off fighting for abused children, making sure they were placed in safe homes. Today I am a social worker with power. I am proud to continue to fight every day for the long range needs of the nation on the floor of the U.S. Senate and as Chairwoman of the Aging Subcommittee of the Health, Education, Labor and Pensions Committee.

The Clinical Social Work Medicare Equity Act of 2009 and the Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act is strongly supported by the National Association of Social Workers. I also want to thank Senator STABENOW and Senator MURRAY for their cosponsorship of the Clinical Social Work Medicare Equity Act of 2009. I look forward to working with my colleagues to enact these two important pieces of legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 686

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act''.

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
TITLE I—SOCIAL WORK REINVESTMENT COMMISSION
Sec. 101. Establishment of Commission.
Sec. 102. Appointment of Commission members.
Sec. 103. Purposes and duties of Commission.
Sec. 104. Powers of the Commission.
Sec. 105. Compensation for Commission members.
Sec. 106. Termination of the Commission.
Sec. 107. Authorization of appropriations.
TITLE II—REINVESTMENT GRANT PROGRAMS TO SUPPORT SOCIAL WORK PROFESSION
Sec. 201. Workplace improvement grants.
Sec. 202. Research grants.
Sec. 203. Education and training grants.
Sec. 204. Community-based programs of excellence grants.
Sec. 205. National coordinating center.
Sec. 206. Multimedia outreach campaign.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Bureau of Labor Statistics states that employment of social workers is expected to increase. The increase is expected to be greater than the average increase in employment (estimated to be 22 percent) during the period of 2006 through 2016, demonstrating a substantial need for social workers. The need is even greater for social workers in the area of aging. The National Association of Social Workers Center for Workforce Studies estimates that 9 percent of, or 30,000, licensed social workers specialize in gerontology. By 2010, as more people reach the age of 65, the National Institute on Aging projects that 60,000 to 70,000 social workers will be needed.

(2) Social work salaries are among the lowest for professionals in general and for those with master's level educations in particular. A survey conducted by the John A. Hartford Foundation found that between 1992 and 1999 the annual rate of wage growth for degree-holding social workers was 0.8 percent. According to the National Association of Social Workers Center for Workforce Studies, 60 percent of full-time social workers earn between $35,000 and $59,999 per year, with 25 percent earning between $40,000 and $49,999 per year. Social workers who earn lower salaries are more likely to work in challenging agency environments and to serve more vulnerable clients. They are also more likely to leave the profession.

(3) According to one study by the Council on Social Work Education, 68 percent of individuals surveyed who held a master's degree in social work graduated with an average

debt of $26,777. Additionally, the United States Public Interest Research Group states that 37 percent of public 4-year graduates have too much debt to manage as a starting social worker. While social workers may be in positions that are personally fulfilling, due to their high loan debt and low income, many struggle financially.

(4) Social work can be a dangerous profession. According to the American Federation of State, County, and Municipal Employees, 70 percent of caseworkers report that front line staff in their agency have been victims of violence or have received threats of violence. Social workers are considerably safer when measures such as use of global positioning systems, self-defense training, and conflict prevention are implemented.

(5) According to a study by the University of Michigan, approximately 1 in 7 adults over the age of 70 have some form of dementia, and 9.7 percent (or 2,400,000) of those found with dementia were also found to have Alzheimer's disease. Social workers in gerontology settings work with older adults, including those with dementia, to support their physiological, psychological, and social needs through mental health therapy, caregiver and family counseling, health education, program coordination, and case management. Those professionals also assist the hundreds of thousands of older persons who are abused, neglected, frail, or vulnerable. Between 2000 and 2004, there was a 19.7 percent increase in the total number of reports of elder and vulnerable adult abuse and neglect.

(6) The Children's Defense Fund states that every 36 seconds a child is confirmed as abused or neglected. The Administration for Children and Families states that 510,000 children were in the United States foster care system in 2006. Most of the children in foster care are placed in foster care due to parental abuse or neglect. Research shows that social workers in child welfare agencies are more likely to find permanent homes for children who were in foster care for 2 or more years. Unfortunately, fewer than 40 percent of child welfare workers are social workers.

(7) The Department of Health and Human Services estimates that 26.2 percent of (or 1 in 4) individuals in the United States age 18 or older experiences a diagnosable mental health disorder. Additionally, 1 in 5 children and adolescents experiences a mental health disorder. At least 1 in 10, or about 6,000,000, young people have a serious emotional disturbance. Social workers provide the majority of mental health counseling services in the United States, and are often the only providers of such services in rural areas.

(8) The Department of Veterans Affairs estimates that there are 23,977,000 veterans in the United States. More than 1,100,000 members of the Armed Forces have been deployed to Iraq or Afghanistan since 2001. A once declining veteran population is now surging and is in dire need of mental health treatment to address issues such as post traumatic stress disorder, depression, drug and alcohol addiction, and suicidal tendencies. Veterans make up 25 percent of homeless people in the United States, even though veterans comprise only 11 percent of the general population. Social workers working with veterans and their families provide case management, crisis intervention, mental health interventions, housing and financial counseling, high risk screening, and advocacy among other services. The Department employs over 5,000 social workers and is the single largest employer of social workers in the Nation. Social workers in the Department also coordinate the Community Residential Care Program, the oldest and most cost effective of the Department's extended care programs.

(9) The American Cancer Society estimates that there were 1,437,180 new cases of cancer and 565,650 cancer deaths in 2008 alone. The incidence of cancer will increase dramatically as the population grows older. The Centers for Disease Control and Prevention report that at the end of 2003 there were 1,039,000 to 1,285,000 people living with HIV or AIDS in the United States. In 2006, 1,300,000 people received care from hospice providers in the United States. Health care and medical social workers practice in areas related to all of those circumstances and provide outreach for prevention of health issues, help individuals and their families adapt to their circumstances, provide grief counseling, and act as a liaison between individuals and their medical team, helping patients make informed decisions about their care.

(10) The National Center for Education Statistics states that in 2005 the national dropout rate for high school students was 9.3 percent. White students dropped out at a rate of 5.8 percent. African-American students dropped out at a rate of 10.7 percent. Hispanic students dropped out at a rate of 22.1 percent. Some vulnerable communities have dropout rates of 50 percent or higher. Social workers in school settings help students avoid dropping out through early identification, prevention, intervention, counseling, and support services.

(11) According to the Department of Justice, every year more than 650,000 ex-offenders are released from Federal and State prisons. Social workers employed in the corrections system address disproportionate minority incarceration rates, provide treatment for mental health problems and drug and alcohol addiction, and work within as well as outside of the prison to reduce recidivism and increase positive community reentry.

SEC. 3. DEFINITIONS.

In this Act:

(1) CLINICAL SOCIAL WORKER.—The term ''clinical social worker'' has the meaning given the term in section 1861(hh)(1) of the Social Security Act (42 U.S.C. 1395x(hh)(1)).

(2) COMMISSION.—The term ''Commission'' means the Social Work Reinvestment Commission.

(3) COMMUNITY-BASED PROGRAM.—The term ''community-based program'' means an agency, organization, or other entity, carrying out a program that provides direct social work services, or community development services, at a neighborhood, locality, or regional level, to address human service, health care, or psychosocial needs.

(4) HIGH NEED AND HIGH DEMAND POPULATION.—The term ''high need and high demand population'' means a group that lacks sufficient resources and, as a result, has a greater probability of being harmed by specific social, environmental, or health problems than the population as a whole. The group at issue may be a group residing in an area defined by the Health Resources and Services Administration as a ''health professional shortage area'', which has a shortage of primary medical care, dental, or mental health providers.

(5) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ''historically black college or university'' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(6) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an educational institution that serves a large percentage of minority students (as determined by the Secretary of Education), including Alaska Native-serving institutions, Native Hawaiian-serving institutions, Asian American and Native American Pacific Islander-serving institutions, Predominantly Black Institutions, historically black colleges and universities, Hispanic-serving institutions, Tribal Colleges and Universities, and Native American-serving, nontribal institutions (which shall have the meanings given the terms in section 241(1) of the Higher Education Act of 1965 (20 U.S.C. 1033(1))).

(7) RELATED PROFESSIONAL RESEARCHER.—The term ''related professional researcher'' means a person who is professionally engaged in research in a social, political, economic, health, or mental health field. The research referred to in this paragraph is primarily conducted by doctoral level researchers under university, government, research institute, or community agency auspices.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(9) SOCIAL WORK.—The term ''social work'' means—

(A) the professional activity of helping individuals, groups, or communities enhance or restore capacity for social and psychosocial functioning and creating societal conditions favorable to that enhancement or restoration;

(B) an activity, the practice of which consists of the professional application of values, principles, and techniques related to the professional activity described in subparagraph (A), including—

(i) diagnosis and treatment of mental and emotional disorders with individuals, families, and groups;

(ii) helping communities or groups provide or improve social and health services and participating in relevant legislative processes; and

(iii) helping people obtain tangible services; and

(C) an activity, the practice of which requires knowledge of—

(i) human development;

(ii) behavior of social, economic, and cultural institutions; and

(iii) the interaction of the factors described in clauses (i) and (ii).

(10) SOCIAL WORK RESEARCHER.—The term ''social work researcher'' means a person who studies social work at the individual, family, group, community, policy, or organizational level, focusing across the human life span on prevention of, intervention in, treatment of, aftercare of, and rehabilitation from acute and chronic social and psychosocial conditions, and includes a person examining the effect of policies on social work practice. The study referred to in this paragraph is primarily conducted by researchers with doctoral degrees who are social workers or faculty under university, government, research institute, or community agency auspices.

(11) SOCIAL WORKER.—The term ''social worker'' means a graduate of a school of social work with a baccalaureate, master's, or doctoral degree, who uses knowledge and skills to provide social work services for clients who may be individuals, families, groups, communities, organizations, or society in general.

TITLE I—SOCIAL WORK REINVESTMENT COMMISSION

SEC. 101. ESTABLISHMENT OF COMMISSION.

Not later than 3 months after the date of enactment of this Act, the Secretary shall establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary on policy issues associated with recruitment for, and retention, research, and reinvestment in, the profession of social work.

SEC. 102. APPOINTMENT OF COMMISSION MEMBERS.

(a) APPOINTMENT BY THE SECRETARY.—The Secretary shall appoint members to the Commission. The members shall include representatives of social workers and other members, including the following:

(1) 2 deans of schools of social work.

(2) 1 social work researcher.

(3) 1 related professional researcher.

(4) 1 Governor.

(5) 2 leaders of national social work organizations.

(6) 1 senior social work State official.

(7) 1 senior related State official.

(8) 2 directors of community-based organizations or nonprofit organizations.

(9) 1 labor economist.

(10) 1 social work consumer.

(11) 1 licensed clinical social worker.

(b) APPOINTMENT BY OTHER OFFICERS.—Four additional members shall be appointed to the Commission, with 1 member appointed by each of the following officers:

(1) The Speaker of the House of Representatives.

(2) The minority leader of the House of Representatives.

(3) The majority leader of the Senate.

(4) The minority leader of the Senate.

(c) ORGANIZATIONAL REPRESENTATION.—Members of the Commission shall, to the extent practicable, be appointed—

(1) in a manner that assures participation of individuals and representatives of groups from different racial, ethnic, cultural, geographic, religious, linguistic, and class backgrounds and different genders and sexual orientations; and

(2) from among persons who demonstrate knowledge and understanding of the concerns of the individuals and groups described in paragraph (1).

(d) SELECTION OF CHAIRPERSON AND VICE CHAIRPERSON.—The Secretary shall select a chairperson and vice chairperson for the Commission from among the members of the Commission.

(e) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission, and any vacancy in the Commission shall not affect the powers of the Commission. Any such vacancy shall be filled in the same manner as the original appointment.

(f) SCHEDULE OF MEETINGS.—The Commission shall hold its first meeting not later than 6 weeks after the date on which the final member of the Commission is appointed, and subsequent meetings at the call of the chair.

SEC. 103. PURPOSES AND DUTIES OF COMMISSION.

(a) STUDY.—The Commission shall conduct a comprehensive study to examine and assess—

(1) the professional capacity of the social work workforce to successfully serve and respond to the increasing biopsychosocial needs of individuals, groups, and communities, in—

(A) areas related to—

(i) aging;

(ii) child welfare;

(iii) military and veterans affairs;

(iv) mental and behavioral health and disability;

(v) criminal justice and correctional systems; and

(vi) health and issues affecting women and families; and

(B) other areas identified by the Commission;

(2)(A) the workforce challenges facing the profession of social work, such as high social work educational debt, lack of fair market compensation, the need to address social work workforce trends, translate social work research to practice, promote social work safety, or develop State-level social work licensure policies and reciprocity agreements for providing services across State lines, or the lack of diversity in the social work profession, or the need to address any other area determined by the Secretary to be appropriate; and

(B) the effect that such challenges have on the recruitment and retention of social workers;

(3) current workforce challenges and shortages relevant to the needs of clients served by social workers;

(4) the social work workforce challenges described in paragraph (2) and the effects that the challenges will have on the provision of social work related to the areas described in paragraph (1); and

(5) the advisability of establishing a social work enhancement account, to provide direct grant assistance to local governments to encourage the engagement of social workers in social service programs.

(b) REPORT.—Not later than 18 months after the date of its first meeting, the Commission shall submit a report to the Secretary and Congress containing specific findings and conclusions regarding the need for recruitment for, and retention, research, and reinvestment in, the profession of social work. The report shall include recommendations and strategies for corrective actions to ensure a robust social work workforce capable of keeping up with the demand for needed services. The Commission may provide to Congress any additional findings or recommendations considered by the Commission to be important.

SEC. 104. POWERS OF THE COMMISSION.

(a) POWERS.—The Commission shall have the power to—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission considers advisable to carry out the objectives of this title;

(2) delegate the Commission powers described in paragraph (1) to any Commission subcommittee or member of the Commission for the purpose of carrying out this Act;

(3) enter into contracts to enable the Commission to perform the Commission's work under this Act; and

(4) consult, to the extent that the Commission determines that such consultation is necessary or useful, with other agencies and organizations, including—

(A) agencies within the Department of Health and Human Services, including the Administration for Children and Families, the Administration on Aging, the Agency for Healthcare Research and Quality, the Centers for Disease Control and Prevention, the Centers for Medicare & Medicaid Services, the Health Resources and Service Administration, the Indian Health Service, the National Institutes of Health, and the Substance Abuse and Mental Health Services Administration;

(B) the Social Security Administration;

(C) the Departments of Agriculture, Defense, Education, Homeland Security, Labor, Justice, State, and Veterans Affairs; and

(D) any other agency of the Federal Government, as determined by the Commission.

(b) COOPERATION WITH THE COMMISSION.—The agencies described in subsection (a)(4) shall cooperate with and provide counsel to the Commission to the greatest extent practicable.

SEC. 105. COMPENSATION FOR COMMISSION MEMBERS.

(a) TRAVEL EXPENSES.—The members of the Commission shall not receive compensation for the performance of services for the Commission, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated services of members of the Commission.

(b) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

SEC. 106. TERMINATION OF THE COMMISSION.

The Commission shall terminate 30 days after the date on which the Commission submits its report under section 103.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary such sums as may be necessary for use by the activities of the Commission.

TITLE II—REINVESTMENT GRANT PROGRAMS TO SUPPORT SOCIAL WORK PROFESSION

SEC. 201. WORKPLACE IMPROVEMENT GRANTS.

(a) GRANTS AUTHORIZED.—The Secretary may award grants to 4 eligible entities described in subsection (d) to address workplace concerns for the social work profession, including caseloads, compensation, social work safety, supervision, and working conditions.

(b) EQUAL AMOUNTS.—The Secretary shall award grants under this section in equal amounts to the 4 eligible entities. The Secretary shall award the grants annually over a 4-year period.

(c) LOCAL OR STATE GOVERNMENT ENTITIES REQUIREMENT.—At least 2 of the grant recipients shall be State or local government agencies.

(d) ELIGIBILITY REQUIREMENTS.—To be eligible for a grant under this section, an entity shall—

(1) work in a social work capacity that demonstrates a need regarding a workplace concern area described in subsection (a);

(2) demonstrate—

(A) participation in the entities' programs of individuals and groups from different racial, ethnic, cultural, geographic, religious, linguistic, and class backgrounds, and different genders and sexual orientations; and

(B) knowledge and understanding of the concerns of the individuals and groups described in subparagraph (A);

(3) demonstrate a record of active participation of social workers in the entities' programs; and

(4) provide services and represent the individuals employed by the entities as competent only within the boundaries of their education, training, licenses, certification, consultation received, supervised experience, or other relevant professional experience.

(e) PRIORITY.—In selecting the grant recipients under this section, the Secretary shall give priority to eligible entities that—

(1) are equipped with the capacity to oversee and monitor a workplace improvement program carried out under this section, including proven fiscal responsibility and administrative capability; and

(2) are knowledgeable about relevant workforce trends and have at least 2 years of experience relevant to the workplace improvement program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $16,000,000 to the Secretary to award grants under this section.

SEC. 202. RESEARCH GRANTS.

(a) GRANTS AUTHORIZED.—The Secretary may award grants to not less than 25 social

workers who hold a doctoral degree in social work, for post-doctoral research in social work—

(1) to further the knowledge base about effective social work interventions; and

(2) to promote usable strategies to translate research into practice across diverse community settings and service systems.

(b) AMOUNTS.—The Secretary shall award the grants annually over a 4-year period.

(c) ELIGIBILITY REQUIREMENTS.—To be eligible for a grant under this section, a social worker shall—

(1) demonstrate knowledge and understanding of the concerns of individuals and groups from different racial, ethnic, cultural, geographic, religious, linguistic, and class backgrounds, and different genders and sexual orientations; and

(2) provide services and represent themselves as competent only within the boundaries of their education, training, licenses, certification, consultation received, supervised experience, or other relevant professional experience.

(d) MINORITY REPRESENTATION.—At least 10 of the social workers awarded grants under subsection (a) shall be employed by a historically black college or university or minority-serving institution.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 to the Secretary to award grants under this section.

SEC. 203. EDUCATION AND TRAINING GRANTS.

(a) GRANTS AUTHORIZED.—The Secretary may award 20 grants to eligible institutions of higher education to support the recruitment of social work students for, and education of the students in, baccalaureate, master's, and doctoral degree programs, as well as the development of faculty in social work.

(b) EQUAL AMOUNTS.—The Secretary shall award grants under this section in equal amounts of not more than $100,000 to the 20 eligible institutions. The Secretary shall award the grants annually over a 4-year period.

(c) ELIGIBILITY REQUIREMENTS.—To be eligible for a grant under this section, an institution shall demonstrate—

(1) participation in the institutions' programs of individuals and groups from different racial, ethnic, cultural, geographic, religious, linguistic, and class backgrounds, and different genders and sexual orientations; and

(2) knowledge and understanding of the concerns of the individuals and groups described in paragraph (1).

(d) INSTITUTIONAL REQUIREMENT.—At least 4 of the grant recipients shall be historically black colleges or universities or other minority-serving institutions.

(e) PRIORITY.—In selecting the grant recipients under this section, the Secretary shall give priority to institutions of higher education that—

(1) are accredited by the Council on Social Work Education;

(2) have a graduation rate of not less than 80 percent for social work students; and

(3) exhibit an ability to recruit social workers from and place social workers in areas with a high need and high demand population.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $8,000,000 to the Secretary to award grants under this section.

SEC. 204. COMMUNITY-BASED PROGRAMS OF EXCELLENCE GRANTS.

(a) GRANTS AUTHORIZED.—The Secretary may award grants to 6 eligible covered entities, to further test and replicate effective social work interventions.

(b) COVERED ENTITY.—For purposes of this section, the term ''covered entity'' means—

(1) a public entity that is carrying out a community-based program of excellence; and

(2) a nonprofit organization that is carrying out a program of excellence.

(c) EQUAL AMOUNTS.—The Secretary shall award grants under this section in equal amounts of not more than $500,000 to eligible covered entities. The Secretary shall award the grants annually over a 3-year period.

(d) ELIGIBILITY REQUIREMENTS.—To be eligible for a grant under this section, a covered entity shall—

(1) carry out programs in the areas of aging, child welfare, military and veteran's issues, mental and behavioral health and disability, criminal justice and correction systems, and health and issues affecting women and families;

(2) demonstrate—

(A) participation in the covered entities' programs of individuals and groups from different racial, ethnic, cultural, geographic, religious, linguistic, and class backgrounds, and different genders and sexual orientations; and

(B) knowledge and understanding of the concerns of the individuals and groups described in subparagraph (A);

(3) demonstrate a record of active participation of social workers in the covered entities' programs; and

(4) provide services and represent the individuals employed by the covered entities as competent only within the boundaries of their education, training, licenses, certification, consultation received, supervised experience, or other relevant professional experience.

(e) PRIORITY.—In selecting the grant recipients under this section, the Secretary shall give priority to eligible covered entities that—

(1) have demonstrated successful and measurable outcomes that are worthy of replication;

(2) have been in operation for at least 2 years; and

(3) work with high need and high demand populations.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $9,000,000 to the Secretary to award grants under this section.

SEC. 205. NATIONAL COORDINATING CENTER.

(a) ESTABLISHMENT.—The Secretary shall enter into a contract with a national social work research entity that—

(1) has experience in coordinating the transfer of information and ideas among entities engaged in social work research, practice, education, and policymaking; and

(2) maintains relationships with Federal entities, social work degree-granting institutions of higher education and departments of social work within such institutions, and organizations and agencies that employ social workers.

(b) GENERAL DUTIES.—The contract recipient (referred to in this section as the ''coordinating center'') shall serve as a coordinating center and shall organize information and other data, collect and report data, serve as a clearinghouse, and coordinate activities with the entities, institutions, departments, organizations, and agencies described in subsection (a)(2).

(c) COLLABORATION.—The coordinating center shall work with institutions of higher education, research entities, and entities with social work practice settings to identify key research areas to be pursued, identify qualified research fellows, and organize appropriate mentorship and professional development efforts.

(d) SPECIFIC ACTIVITIES OF THE COORDINATING CENTER.—The coordinating center shall—

(1) collect, coordinate, monitor, and distribute data, information on best practices and findings regarding the activities funded under grants made to eligible entities and individuals under the grant programs described in sections 201 though 204;

(2) prepare and submit to the Secretary a report that includes recommendations regarding the need to recruit new social workers, retain current social workers, conduct social work research, and reinvestment into the profession of social work; and

(3) demonstrate cultural competency and promote the participation of diverse groups in the activities of the culture.

(e) SELECTION.—The Secretary, in collaboration with the coordinating center, shall—

(1) select topics to be researched under this section;

(2) select candidates and finalists for research fellow positions; and

(3) determine other activities to be carried out under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 to carry out this section for each of fiscal years 2010 to 2014.

SEC. 206. MULTIMEDIA OUTREACH CAMPAIGN.

(a) DEVELOPMENT AND ISSUANCE OF PUBLIC SERVICE ANNOUNCEMENTS.—The Secretary shall develop and issue public service announcements that advertise and promote the social work profession, highlight the advantages and rewards of social work, and encourage individuals to enter the social work profession.

(b) METHOD.—The public service announcements described in subsection (a) shall be broadcast through appropriate media outlets, including television or radio, in a manner intended to reach as wide and diverse an audience as possible.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of fiscal years 2010 through 2013.

By Ms. MIKULSKI (for herself, Ms. STABENOW, and Mrs. MURRAY):

S. 687. A bill to amend title XVIII of the Social Security Act to permit direct payment under the Medicare program for clinical social worker services provided to residents of skilled nursing facilities; to the Committee on Finance.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 687

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clinical Social Work Medicare Equity Act of 2009''.

SEC. 2. PERMITTING DIRECT PAYMENT UNDER THE MEDICARE PROGRAM FOR CLINICAL SOCIAL WORKER SERVICES PROVIDED TO RESIDENTS OF SKILLED NURSING FACILITIES.

(a) IN GENERAL.—Section 1888(e)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395yy(e)(2)(A)(ii)) is amended by inserting ''clinical social worker services,'' after ''qualified psychologist services,''.

(b) CONFORMING AMENDMENT.—Section 1861(hh)(2) of the Social Security Act (42 U.S.C. 1395x(hh)(2)) is amended by striking ''and other than services furnished to an inpatient of a skilled nursing facility which

the facility is required to provide as a requirement for participation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after the date that regulations relating to payment for physicians' services for calendar year 2010 take effect, but in no case later than the first day of the third month beginning after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 83—DESIGNATING MARCH 25, 2009, AS ''NATIONAL CEREBRAL PALSY AWARENESS DAY''

Mr. SPECTER (for himself and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 83

Whereas the term ''cerebral palsy'' refers to any number of neurological disorders that appear in infancy or early childhood and permanently affect body movement and the muscle coordination necessary to maintain balance and posture;

Whereas cerebral palsy is caused by damage to 1 or more specific areas of the brain, which usually occurs during fetal development, before, during, or shortly after birth, or during infancy;

Whereas the majority of children who have cerebral palsy are born with the disorder, although cerebral palsy may remain undetected for months or years;

Whereas 75 percent of people with cerebral palsy also have 1 or more developmental disabilities, including epilepsy, intellectual disability, autism, visual impairments, and blindness;

Whereas the Centers for Disease Control and Prevention recently released information indicating that cerebral palsy is increasingly prevalent and that about 1 in 278 children have cerebral palsy;

Whereas approximately 800,000 people in the United States are affected by cerebral palsy;

Whereas, although there is no cure for cerebral palsy, treatment often improves the capabilities of a child with cerebral palsy;

Whereas scientists and researchers are hopeful that breakthroughs in cerebral palsy research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving cerebral palsy; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of cerebral palsy: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 25, 2009, as ''National Cerebral Palsy Awareness Day'';

(2) encourages all people in the United States to become more informed and aware of cerebral palsy; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to Reaching for the Stars: A Foundation of Hope for Children with Cerebral Palsy.

SENATE RESOLUTION 84—URGING THE GOVERNMENT OF CANADA TO END THE COMMERCIAL SEAL HUNT

Mr. LEVIN (for himself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 84

Whereas the Government of Canada permits an annual commercial hunt for seals in the waters off the east coast of Canada;

Whereas an international outcry regarding the plight of the seals hunted in Canada resulted in the 1983 ban by the European Union of whitecoat and blueback seal skins and the subsequent collapse of the commercial seal hunt in Canada;

Whereas the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) bars the import into the United States of any seal products;

Whereas, in recent years, the Minister of Fisheries and Oceans of Canada has authorized historically high quotas for harp seals;

Whereas more than 1,000,000 seals have been killed during the past 4 years;

Whereas harp seal pups can legally be hunted in Canada as soon as they have begun to molt their white coats, at approximately 12 days of age;

Whereas 97 percent of the seals killed are pups between just 12 days and 12 weeks of age;

Whereas, in 2007, an international panel of experts in veterinary medicine and zoology was invited by the Humane Society of the United States to observe the commercial seal slaughter in Canada;

Whereas the report by the panel noted that sealers failed to comply with sealing regulations in Canada and that officials of the Government of Canada failed to enforce such regulations;

Whereas the report also concluded that the killing methods permitted during the commercial seal hunt in Canada are inherently inhumane and should be prohibited;

Whereas many seals are shot in the course of the hunt and escape beneath the ice where they die slowly and are never recovered;

Whereas such seals are not properly counted in official kill statistics, increasing the likelihood that the actual kill level is far higher than the level that is reported;

Whereas the few thousand fishermen who participate in the commercial seal hunt in Canada earn, on average, only a tiny fraction of their annual income from killing seals;

Whereas members of the fishing and sealing industries in Canada continue to justify the seal hunt on the grounds that the seals in the Northwest Atlantic are preventing the recovery of cod stocks, despite the lack of any credible scientific evidence to support this claim;

Whereas the consensus in the international scientific community is that culling seals will not assist in the recovery of fish stocks and that seals are a vital part of the fragile marine ecosystem of the Northwest Atlantic;

Whereas polling consistently shows that the overwhelming majority of people in Canada oppose the commercial seal hunt;

Whereas the vast majority of seal products are exported from Canada, and the sealing industry relies on international markets for its products;

Whereas 10 countries have prohibited trade in seal products in recent years, and the European Union is now considering a prohibition on trade in seal products; and

Whereas the persistence of this cruel and needless commercial hunt is inconsistent with the well-earned international reputation of Canada: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Government of Canada to prohibit the commercial hunting of seals; and

(2) strongly supports an unconditional prohibition by the European Union on trade in seal products.

Mr. LEVIN. Mr. President, on March 18th, 2009, just weeks before its hunting season was scheduled to begin, Russia announced that it would ban the hunting and killing of baby seals. Youri Trutnev, Russia's Minister of Natural Resources, who was quoted in the New York Times last week, graphically depicted the shameful practice, saying: ''The bloody sight of the hunting of seals, the slaughter of these defenseless animals, which you cannot even call a real hunt, is banned in our country, just as well as in most developed countries.''

In addition, the Internal Markets and Consumer Protection Committee (IMCO) of the European Parliament approved a prohibition on trade in seal products in the European Union. This measure may now be considered by the full European Parliament in the coming months.

Yet, in Canada, the largest commercial slaughter of marine mammals in the world continues. According to the Humane Society of the United States (HSUS), over one million seals have been killed over the past four years. In Canada, seal pups as young as 12 days old can legally be killed. The vast majority of seals killed in these hunts are between 12 days and 12 weeks of age.

Canada has officially opened another seal hunting season, paving the way for hundreds of thousands of baby seals to be killed for their fur in the coming weeks, when the harp seal hunt begins in earnest. So today I am pleased to be joined by Senator COLLINS in submitting a resolution that urges the Government of Canada to end this senseless and inhumane slaughter.

The U.S. Government has opposed this senseless slaughter, as noted in the January 19, 2005, letter from the U.S. Department of State, in response to a letter Senator COLLINS and I wrote to President Bush, urging him to raise this issue during his November 30, 2004, visit with Canadian Prime Minister Paul Martin.

Mr. President, I ask unanimous consent that support material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, DC, January 19, 2005.

DEAR SENATOR LEVIN: This is in response to your letter to the President of November 24, 2004, regarding Canadian commercial seal hunting. The White House has requested that the Department of State respond. We regret the delay in responding. Unfortunately, this letter was not received in the Department of State until mid-December, well after the referenced meeting between President Bush and Prime Minister Paul Martin of Canada.

We are aware of Canada's seal hunting activities and of the opposition to it expressed by many Americans. Furthermore, we can assure you that the United States has a longstanding policy opposing the hunting of seals and other marine mammals absent sufficient safeguards and information to ensure that the hunting will not adversely impact the affected marine mammal population or the ecosystem of which it is a part. The United States policy is reflected in the Marine Mammal Protection Act of 1972 (MMPA) which generally prohibits, with narrow and specific exceptions, the taking of marine

mammals in waters or lands subject to the jurisdiction of the United States and the importation of marine mammals and marine mammal products into the United States.

The United States has made known to the Government of Canada its objections and the objections of concerned American legislators and citizens to the Canadian commercial seal hunt on numerous occasions over recent years. The United States has also opposed Canada's efforts within the Arctic Council to promote trade in sealskins and other marine mammal products.

We hope this information is helpful to you. Please do not hesitate to contact us if we can be of assistance in this or any other matter.

Sincerely,

NANCY POWELL,
(For Paul V. Kelly, Asst. Secretary, Legislative Affairs).

[From the New York Times, Mar. 19, 2009]

RUSSIA TO BAN HUNTING OF BABY SEALS

(By A.G. Sulzberger)

Russia announced on Wednesday that it would ban the hunting of baby seals, effectively shutting one of the world's largest hunting grounds in the controversial trade in seal fur.

The decision is yet another blow to an age-old industry that has been losing a public relations battle in recent years to animal-rights groups, who have gained public support by using stark photographs of harp seal pups less than a month old being clubbed to death on blood-stained ice flows.

In addition, the European Union is considering a ban of all seal products—similar to one that the United States adopted decades ago—which would eliminate a key trade route and end market for the furs. And even in Canada, where the world's largest seal hunt is scheduled to begin later this month and top leaders vigorously defend the industry, a legislator for the first time introduced a proposal to curtail sealing.

''It's highly significant,'' Rebecca Aldworth, director of Humane Society International in Canada, said of the political developments. ''It shows that world opinion is moving away from commercial seal hunting. There's hope on the horizon that this may be the last year that we ever have to witness this cruelty.''

In Russia, where the number of new pups has dropped sharply in recent years because of the hunts as well as shrinking ice in the White Sea, the government initially announced a ban on the killing of the very youngest and most highly prized seals, known as ''whitecoats.'' The seals shed the white fur in about two weeks, with the resulting silver coat also coveted.

But the government announced in unsparing language that it intended to extend the ban to include all seals less than a year old. (While adult seals are also hunted in smaller quantities, their coarse, scarred fur is generally not used in clothing.) The move, publicly backed by Prime Minister Vladimir V. Putin and coming just weeks before the hunting season was to begin, could save as many as 35,000 seals, according to a spokesman for the International Fund for Animal Welfare.

The Associated Press quoted the natural resources minister, Yuri Trutnev, as saying in a statement: ''The bloody sight of the hunting of seals, the slaughter of these defenseless animals, which you cannot even call a real hunt, is banned in our country, just as well as in most developed countries, and this is a serious step to protect the biodiversity of the Russian Federation.''

Masha Vorontsova, the head of the International Fund for Animal Welfare in Russia and a biologist who has been pushing for a ban since the fall of the Soviet Union, credited an outpouring of public support for ending the hunt. ''It's a fantastic achievement,'' she said.

In contrast, Gail Shea, Canada's Minister of Fisheries and Oceans, did little to disguise her frustration at moves taking aim at the industry both abroad and at home, which she attributed to ''mistruths and propaganda'' spread by special interest groups.

''For some reason the European Union will not recognize what the actual facts are because it's an emotional issue and a political issue,'' she said in an interview.

Ms. Shea, who earlier flew to Europe to lobby against a European Union ban, warned that such a move could violate international trade law. An industry spokesman said that nearly all Canadian seal products passed through Europe on their way to major consumers like Norway, Russia and China. It is unclear whether Russia will also ban the import and sale of seal products.

Commercial sealing also takes place in a handful of other counties, including Norway, Greenland and Namibia.

In Canada, last year's catch of 207,000 seals—or roughly one in every five pups born that year—earned the roughly 6,000 licensed sealers a total of $7 million, down from $33 million in 2006, according to Phil Jenkins, a spokesman for the Canadian fisheries department. The hunting decreased, he said, largely because of a sharp drop in prices for the pelts, from $97 to $33, for a perfect specimen. Seals are killed by rifle or by club.

The harp seal population level has held steady at about 5.6 million for the last decade, he said, but anti-sealing groups contest that figure.

However, the Canadian industry came under rare official scrutiny last week, when Mac Harb, a senator from Ontario, introduced the legislation to cancel the coming hunt. He argued that the industry was dying, propped up by public tax dollars and costing Canada international good will. But his proposal died when Mr. Harb could not get another member to second his motion.

''There was silence. Total silence!'' he said in a telephone interview on Wednesday. ''I was amazed that not one of my colleagues, from any one of the political parties, would even want to debate the issue.''

AMENDMENTS SUBMITTED AND PROPOSED

SA 687. Ms. MIKULSKI (for herself and Mr. ISAKSON) proposed an amendment to the bill H.R. 1388, to reauthorize and reform the national service laws.

SA 688. Mr. CRAPO (for himself, Mr. CORKER, Mr. GREGG, and Mr. BOND) proposed an amendment to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, supra.

SA 689. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 1388, supra; which was ordered to lie on the table.

SA 690. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, supra; which was ordered to lie on the table.

SA 691. Mr. DORGAN (for himself, Mr. BINGAMAN, Ms. MURKOWSKI, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, supra; which was ordered to lie on the table.

SA 692. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, supra.

SA 693. Mr. JOHANNS proposed an amendment to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, supra.

SA 694. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 1388, supra; which was ordered to lie on the table.

SA 695. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 1388, supra; which was ordered to lie on the table.

SA 696. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 1388, supra; which was ordered to lie on the table.

SA 697. Mrs. MURRAY (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 37, calling on Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman.

SA 698. Mrs. MURRAY (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 37, supra.

SA 699. Mrs. MURRAY (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 37, supra.

SA 700. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 1388, to reauthorize and reform the national service laws; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 687. Ms. MIKULSKI (for herself and Mr. ISAKSON) proposed an amendment to the bill H.R. 1388, to reauthorize and reform the national service laws; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Serve America Act''.

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

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

Sec. 1001. References.

Subtitle A—Amendments to Subtitle A (General Provisions)

Sec. 1101. Purposes.
Sec. 1102. Definitions.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

Sec. 1201. School-based allotments.
Sec. 1202. Higher education provisions.
Sec. 1203. Campuses of Service.
Sec. 1204. Innovative programs and research.
Sec. 1205. Service-learning impact study.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

Sec. 1301. Prohibition on grants to Federal agencies; limits on Corporation costs.
Sec. 1302. Eligible national service programs.
Sec. 1303. Types of positions.
Sec. 1304. Conforming repeal relating to training and technical assistance.
Sec. 1305. Assistance to State Commissions; challenge grants.
Sec. 1306. Allocation of assistance to States and other eligible entities.
Sec. 1307. Additional authority.

Sec. 1308. State selection of programs.
Sec. 1309. National service program assistance requirements.
Sec. 1310. Prohibited activities and ineligible organizations.
Sec. 1311. Consideration of applications.
Sec. 1312. Description of participants.
Sec. 1313. Selection of national service participants.
Sec. 1314. Terms of service.
Sec. 1315. Adjustments to living allowance.

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

Sec. 1401. Availability of funds in the National Service Trust.
Sec. 1402. Individuals eligible to receive an educational award from the Trust.
Sec. 1403. Certifications.
Sec. 1404. Determination of the amount of the educational award.
Sec. 1405. Disbursement of educational awards.
Sec. 1406. Approval process for approved positions.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

Sec. 1501. Purpose.
Sec. 1502. Program components.
Sec. 1503. Eligible participants.
Sec. 1504. Summer national service program.
Sec. 1505. National Civilian Community Corps.
Sec. 1506. Training.
Sec. 1507. Consultation with State Commissions.
Sec. 1508. Authorized benefits for Corps members.
Sec. 1509. Permanent cadre.
Sec. 1510. Status of Corps members and Corps personnel under Federal law.
Sec. 1511. Contract and grant authority.
Sec. 1512. Other departments.
Sec. 1513. Advisory Board.
Sec. 1514. Evaluations.
Sec. 1515. Repeal of funding limitation.
Sec. 1516. Definitions.
Sec. 1517. Terminology.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

Sec. 1601. Family and medical leave.
Sec. 1602. Reports.
Sec. 1603. Use of funds.
Sec. 1604. Notice, hearing, and grievance procedures.
Sec. 1605. Resolution of displacement complaints.
Sec. 1606. State Commissions on National and Community Service.
Sec. 1607. Evaluation and accountability.
Sec. 1608. Civic Health Assessment.
Sec. 1609. Contingent extension.
Sec. 1610. Partnerships with schools.
Sec. 1611. Rights of access, examination, and copying.
Sec. 1612. Additional administrative provisions.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

Sec. 1701. Terms of office.
Sec. 1702. Board of Directors authorities and duties.
Sec. 1703. Chief Executive Officer compensation.
Sec. 1704. Authorities and duties of the Chief Executive Officer.
Sec. 1705. Chief Financial Officer status.
Sec. 1706. Nonvoting members; personal services contracts.
Sec. 1707. Donated services.
Sec. 1708. Assignment to State Commissions.
Sec. 1709. Study of involvement of veterans.
Sec. 1710. Study to examine and increase service programs for displaced workers in services corps and community service and to develop pilot program planning study.
Sec. 1711. Study to evaluate the effectiveness of agency coordination.
Sec. 1712. Study of program effectiveness.

Subtitle H—Amendments to Subtitle H (Investment for Quality and Innovation)

Sec. 1801. Technical amendment to subtitle H.
Sec. 1802. Additional Corporation activities to support national service.
Sec. 1803. Repeals.
Sec. 1804. Presidential awards.
Sec. 1805. New fellowships.
Sec. 1806. National Service Reserve Corps.
Sec. 1807. Social Innovation Funds pilot program.
Sec. 1808. Clearinghouses.

Subtitle I—Training and Technical Assistance

Sec. 1821. Training and technical assistance.

Subtitle J—Repeal of Title III (Points of Light Foundation)

Sec. 1831. Repeal.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

Sec. 1841. Authorization of appropriations.

TITLE II—DOMESTIC VOLUNTEER SERVICE ACT OF 1973

Sec. 2001. References.
Sec. 2002. Volunteerism policy.

Subtitle A—National Volunteer Antipoverty Programs

CHAPTER 1—VOLUNTEERS IN SERVICE TO AMERICA

Sec. 2101. Statement of purpose.
Sec. 2102. Selection and assignment of volunteers.
Sec. 2103. Support service.
Sec. 2104. Repeal.
Sec. 2105. Redesignation.

CHAPTER 2—UNIVERSITY YEAR FOR VISTA

Sec. 2121. University year for VISTA.

CHAPTER 3—SPECIAL VOLUNTEER PROGRAMS

Sec. 2131. Statement of purpose.
Sec. 2132. Literacy challenge grants.

Subtitle B—National Senior Service Corps

Sec. 2141. Title.
Sec. 2142. Statement of purpose.
Sec. 2143. Retired and Senior Volunteer Program.
Sec. 2144. Foster grandparent program.
Sec. 2145. Senior companion program.
Sec. 2146. General provisions.

Subtitle C—Administration and Coordination

Sec. 2151. Special limitations.
Sec. 2152. Application of Federal law.
Sec. 2153. Evaluation.
Sec. 2154. Definitions.
Sec. 2155. Protection against improper use.
Sec. 2156. Provisions under the National and Community Service Act of 1990.

Subtitle D—Authorization of Appropriations

Sec. 2161. Authorizations of appropriations.

TITLE III—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

Sec. 3101. Table of contents of the National and Community Service Act of 1990.
Sec. 3102. Table of contents of the Domestic Volunteer Service Act of 1973.

TITLE IV—AMENDMENTS TO OTHER LAWS

Sec. 4101. Inspector General Act of 1978.

TITLE V—VOLUNTEERS FOR PROSPERITY PROGRAM

Sec. 5101. Findings.
Sec. 5102. Definitions.
Sec. 5103. Office of Volunteers for Prosperity.
Sec. 5104. Authorization of appropriations.

TITLE VI—EFFECTIVE DATE

Sec. 6101. Effective date.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SEC. 1001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the amendment or repeal shall be considered to be made to a provision of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

Subtitle A—Amendments to Subtitle A (General Provisions)

SEC. 1101. PURPOSES.

Section 2(b) (42 U.S.C. 12501(b)) is amended—

(1) in paragraph (2), by striking ''community throughout'' and inserting ''community and service throughout the varied and diverse communities of'';

(2) in paragraph (4), by inserting after ''income,'' the following: ''geographic location,'';

(3) in paragraph (6), by inserting after ''existing'' the following: ''national'';

(4) in paragraph (7)—

(A) by striking ''programs and agencies'' and inserting ''programs, agencies, and communities''; and

(B) by striking ''and'' at the end;

(5) in paragraph (8), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

''(9) expand and strengthen service-learning programs through year-round opportunities, including opportunities during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community for children and youth throughout the United States;

''(10) assist in coordinating and strengthening Federal and other service opportunities, including opportunities for participation in emergency and disaster preparedness, relief, and recovery;

''(11) increase service opportunities for the Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions, to improve the education of the Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the experience, knowledge, and skills of older individuals;

''(12) encourage the continued service of the alumni of the national service programs, including service in times of national need;

''(13) encourage individuals age 55 or older to partake of service opportunities;

''(14) focus national service on the areas of national need such service has the capacity to address, such as improving education, increasing energy conservation, improving the health status of economically disadvantaged individuals, and improving economic opportunity for economically disadvantaged individuals;

''(15) recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in addressing national and local challenges;

''(16) increase public and private investment in nonprofit community organizations that are effectively addressing national and local challenges and encourage such organizations to replicate and expand successful initiatives;

''(17) leverage Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

''(18) support institutions of higher education that engage students in community service activities and provide high-quality service-learning opportunities; and

''(19) recognize the expertise veterans can offer to national service programs, expand the participation of the veterans in the national service programs, and assist the families of veterans and members of the Armed Forces on active duty.''.

SEC. 1102. DEFINITIONS.

(a) IN GENERAL.—Section 101 (42 U.S.C. 12511) is amended—

(1) in paragraph (3), by striking ''described in section 122'';

(2) in paragraph (13), by striking ''section 101(a) of the Higher Education Act of 1965'' and inserting ''sections 101(a) and 102(a)(1) of the Higher Education Act of 1965'';

(3) in paragraph (17)(B), by striking ''program in which the participant is enrolled'' and inserting ''organization receiving assistance under the national service laws through which the participant is engaging in service'';

(4) in paragraph (19)—

(A) by striking ''section 111(a)'' and inserting ''section 112(a)'';

(B) by striking ''117A(a),'';

(C) by striking ''119(b)(1), or 122(a),'' and inserting ''118A, or 118(b)(1), or subsection (a), (b), or (c) of section 122,'';

(D) by inserting ''section 198B, 198C, 198G, 198H, or 198K,'' after ''section 152(b),''; and

(E) by striking ''198, 198C, or 198D'' and inserting ''179A, 198, 198O, 198P, or 199N'';

(5) in paragraph (21)(B)—

(A) by striking ''602'' and inserting ''602(3)''; and

(B) by striking ''1401'' and inserting ''1401(3)'';

(6) in paragraph (24), by striking ''section 111'' and inserting ''section 112'';

(7) in paragraph (26), by striking the second sentence; and

(8) by adding at the end the following:

''(30) ALASKA NATIVE-SERVING INSTITUTION.—The term 'Alaska Native-serving institution' has the meaning given the term in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).

''(31) APPROVED SILVER SCHOLAR POSITION.—The term 'approved silver scholar position' means a position, in a program described in section 198C(a), for which the Corporation has approved the provision of a silver scholarship educational award as one of the benefits to be provided for successful service in the position.

''(32) APPROVED SUMMER OF SERVICE POSITION.—The term 'approved summer of service position' means a position, in a program described in section 119(c)(8), for which the Corporation has approved the provision of a summer of service educational award as one of the benefits to be provided for successful service in the position.

''(33) ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.—The term 'Asian American and Native American Pacific Islander-serving institution' has the meaning given the term in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b)).

''(34) AUTHORIZING COMMITTEES.—The term 'authorizing committees' means the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(35) COMMUNITY-BASED ENTITY.—The term 'community-based entity' means a public or private nonprofit organization that—

''(A) has experience with meeting unmet human, educational, environmental, or public safety needs; and

''(B) meets other such criteria as the Chief Executive Officer may establish.

''(36) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' includes those youth who are economically disadvantaged and 1 or more of the following:

''(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

''(B) Who are in or aging out of foster care.

''(C) Who have limited English proficiency.

''(D) Who are homeless or who have run away from home.

''(E) Who are at-risk to leave secondary school without a diploma.

''(F) Who are former juvenile offenders or at risk of delinquency.

''(G) Who are individuals with disabilities.

''(37) ENCORE SERVICE PROGRAM.—The term 'encore service program' means a program, carried out by an eligible entity as described in subsection (a), (b), or (c) of section 122, that—

''(A) involves a significant number of participants age 55 or older in the program; and

''(B) takes advantage of the skills and experience that such participants offer in the design and implementation of the program.

''(38) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given such term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

''(39) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically black college or university' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

''(40) MEDICALLY UNDERSERVED POPULATION.—The term 'medically underserved population' has the meaning given that term in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)).

''(41) NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTION.—The term 'Native American-serving, nontribal institution' has the meaning given the term in section 319(b) of the Higher Education Act of 1965 (20 U.S.C. 1059f(b)).

''(42) NATIVE HAWAIIAN-SERVING INSTITUTION.—The term 'Native Hawaiian-serving institution' has the meaning given the term in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).

''(43) PREDOMINANTLY BLACK INSTITUTION.—The term 'Predominantly Black Institution' has the meaning given the term in section 318 of the Higher Education Act of 1965 (20 U.S.C. 1059e).

''(44) PRINCIPLES OF SCIENTIFIC RESEARCH.—The term 'principles of scientific research' means principles of research that—

''(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to the subject matter involved;

''(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and

''(C) include, appropriate to the research being conducted—

''(i) use of systematic, empirical methods that draw on observation or experiment;

''(ii) use of data analyses that are adequate to support the general findings;

''(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

''(iv) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random-assignment experiments;

''(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

''(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

''(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions.

''(45) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.

''(46) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.

''(47) TERRITORY.—The term 'territory' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(48) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term 'tribally controlled college or university' has the meaning given such term in section 2 of the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801).

''(49) VETERAN.—The term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.''.

(b) REDESIGNATION.—Section 101 (42 U.S.C. 12511) is amended—

(1) by redesignating paragraphs (1) through (49) as paragraphs (1), (3), (8), (9), (10), (12), (14), (15), (19), (20), (21), (22), (23), (24), (26), (29), (30), (31), (34), (35), (37), (39), (40), (41), (42), (43), (44), (45), (46), (2), (4), (5), (6), (7), (11), (13), (16), (17), (18), (25), (27), (28), (32), (33), (36), (38), (47), (48), and (49); and

(2) so that paragraphs (1) through (49), as so redesignated in paragraph (1), appear in numerical order.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

SEC. 1201. SCHOOL-BASED ALLOTMENTS.

Part I of subtitle B of title I (42 U.S.C. 12521 et seq.) is amended to read as follows:

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS

''SEC. 111. PURPOSE.

''The purpose of this part is to promote service-learning as a strategy to—

''(1) support high-quality service-learning projects that engage students in meeting community needs with demonstrable results, while enhancing students' academic and civic learning; and

''(2) support efforts to build institutional capacity, including the training of educators, and to strengthen the service infrastructure to expand service opportunities.

''SEC. 111A. DEFINITIONS.

''In this part:

''(1) STATE.—The term 'State' means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(2) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' means—

''(A) a State educational agency (as defined in section 101) of a State; or

''(B) for a State in which a State educational agency described in subparagraph (A) has designated a statewide entity under section 112(e), that designated statewide entity.

''SEC. 112. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

''(a) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in

consultation with the Secretary of Education, may make allotments to State educational agencies, territories, and Indian tribes to pay for the Federal share of—

''(1) planning and building the capacity within the State, territory, or Indian tribe involved to implement service-learning programs that are based principally in elementary schools and secondary schools, including—

''(A) providing training and professional development for teachers, supervisors, personnel from community-based entities (particularly with regard to the recruitment, utilization, and management of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

''(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including curricula for an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

''(C) forming local partnerships described in paragraph (2) or (4)(D) to develop school-based service-learning programs in accordance with this part;

''(D) devising appropriate methods for research on and evaluation of the educational value of service-learning and the effect of service-learning activities on communities;

''(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based entities with demonstrated effectiveness in working with school-age youth in their communities; and

''(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, throughout the territory, or serving the Indian tribe involved with particular attention to schools identified for school improvement under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

''(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to projects operated by local partnerships among—

''(A) local educational agencies; and

''(B) 1 or more community partners that—

''(i) shall include a public or private nonprofit organization that—

''(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

''(II) will make projects available for participants, who shall be students; and

''(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

''(ii) may include a private for-profit business, private elementary school or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

''(3) planning of school-based service-learning programs, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, which planning may include paying for the cost of—

''(A) the salaries and benefits of service-learning coordinators; or

''(B) the recruitment, training and professional development, supervision, and placement of service-learning coordinators who may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

''(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to—

''(A) local educational agencies;

''(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

''(C) public or private nonprofit organizations; or

''(D) partnerships or combinations of local educational agencies, and entities described in subparagraph (B) or (C); and

''(5) developing, as service-learning programs, civic engagement programs that promote a better understanding of—

''(A) the principles of the Constitution, the heroes of United States history (including military heroes), and the meaning of the Pledge of Allegiance;

''(B) how the Nation's government functions; and

''(C) the importance of service in the Nation's character.

''(b) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (a) shall provide services to a local partnership described in subsection (a)(2) or entity described in subsection (a)(3), respectively, that may include—

''(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

''(2) assisting local partnerships described in subsection (a)(2) in the planning, development, and execution of service-learning projects, including summer of service programs;

''(3) assisting schools and local educational agencies in developing school policies and practices that support the integration of service-learning into the curriculum; and

''(4) carrying out such other duties as the local partnership or entity, respectively, may determine to be appropriate.

''(c) RELATED EXPENSES.—An entity that receives financial assistance under this part from a State, territory, or Indian tribe may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

''(d) SPECIAL RULE.—A State educational agency described in section 111A(2)(A) may designate a statewide entity (which may be a community-based entity) with demonstrated experience in supporting or implementing service-learning programs, to receive the State educational agency's allotment under this part, and carry out the functions of the agency under this part.

''(e) CONSULTATION WITH SECRETARY OF EDUCATION.—The Corporation is authorized to enter into agreements with the Secretary of Education for initiatives (and may use funds authorized under section 501(a)(6) to enter into the agreements if the additional costs of the initiatives are warranted) that may include—

''(1) identification and dissemination of research findings on service-learning and scientifically valid research based practices for service-learning; and

''(2) provision of professional development opportunities that—

''(A) improve the quality of service-learning instruction and delivery for teachers both preservice and in-service, personnel from community-based entities and youth workers; and

''(B) create and sustain effective partnerships for service-learning programs between local educational agencies, community-based entities, businesses, and other stakeholders.

''SEC. 112A. ALLOTMENTS.

''(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

''(b) ALLOTMENTS THROUGH STATES.—

''(1) IN GENERAL.—After reserving an amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for the fiscal year as follows:

''(A) ALLOTMENTS BASED ON SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth in all States.

''(B) ALLOTMENTS BASED ON ALLOCATIONS UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) bears to the total of such allocations to all States.

''(2) MINIMUM AMOUNT.—For any fiscal year for which amounts appropriated for this part exceed $50,000,000, the minimum allotment to each State under paragraph (1) shall be $75,000.

''(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, territory, or Indian tribe under this section will not be required for a fiscal year because the State, territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make the allotment for such State, territory, or Indian tribe available for grants to community-based entities to carry out service-learning programs as described in section 112(b) in such State, in such territory, or for such Indian tribe. After community-based entities apply for grants from the allotment, by submitting an application at such time and in such manner as the Corporation requires, and receive approval, the remainder of such allotment shall be available for reallotment to such other States, territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

''SEC. 113. APPLICATIONS.

''(a) APPLICATIONS TO CORPORATION FOR ALLOTMENTS.—

''(1) IN GENERAL.—To be eligible to receive an allotment under section 112A, a State, acting through the State educational agency, territory, or Indian tribe shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

''(2) CONTENTS.—An application for an allotment under section 112 shall include—

''(A) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

''(B) information about the criteria the State educational agency, territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (b), including an assurance that the State educational agency, territory, or Indian tribe will comply with the requirement in section 114(a);

''(C) assurances about the applicant's efforts to—

''(i) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

''(ii) include any opportunities for students, enrolled in schools or programs of education providing elementary or secondary education, to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

''(iii) involve participants in the design and operation of the programs;

''(iv) promote service-learning in areas of greatest need, including low-income or rural areas; and

''(v) otherwise integrate service opportunities into the academic program of the participants; and

''(D) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the notice, hearing, and grievance procedures required by section 176.

''(b) APPLICATION TO STATE, TERRITORY, OR INDIAN TRIBE FOR ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

''(1) IN GENERAL.—Any—

''(A) qualified organization, Indian tribe, territory, local educational agency, for-profit business, private elementary school or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, territory, or Indian tribe for an activity described in section 112(a)(1);

''(B) partnership described in section 112(a)(2) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in section 112(a)(2);

''(C) entity described in section 112(a)(3) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in such section;

''(D) entity or partnership described in section 112(a)(4) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in such section; and

''(E) entity that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in section 111(a)(5),

shall prepare, submit to the State educational agency for the State, territory, or Indian tribe, and obtain approval of, an application for the program.

''(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, territory, or Indian tribe may reasonably require.

''SEC. 114. CONSIDERATION OF APPLICATIONS.

''(a) CRITERIA FOR LOCAL APPLICATIONS.—In providing assistance under this part, a State educational agency, territory, or Indian tribe (or the Corporation if section 112A(c) applies) shall consider criteria with respect to sustainability, replicability, innovation, and quality of programs.

''(b) PRIORITY FOR LOCAL APPLICATIONS.—In providing assistance under this part, a State educational agency, territory, or Indian tribe (or the Corporation if section 112A(c) applies) shall give priority to entities that submit applications under section 113 with respect to service-learning programs described in section 111 that are in the greatest need of assistance, such as programs targeting low-income areas or serving economically disadvantaged youth.

''(c) REJECTION OF APPLICATIONS TO CORPORATION.—If the Corporation rejects an application submitted by a State, territory, or Indian tribe under section 113 for an allotment, the Corporation shall promptly notify the State, territory, or Indian tribe of the reasons for the rejection of the application. The Corporation shall provide the State, territory, or Indian tribe with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State, territory, or Indian tribe as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

''SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

''(a) IN GENERAL.—To the extent consistent with the number of students in the State, in the territory, or served by the Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary schools and secondary schools, such State, territory, or Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

''(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this part; and

''(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this part.

''(b) WAIVER.—If a State, territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers.

''SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

''(a) CORPORATION SHARE.—

''(1) IN GENERAL.—The Corporation share of the cost of carrying out a program for which a grant is made from an allotment under this part—

''(A) for new grants may not exceed 80 percent of the total cost of the program for the first year of the grant period, 65 percent for the second year, and 50 percent for each remaining year; and

''(B) for continuing grants, may not exceed 50 percent of the total cost of the program.

''(2) NONCORPORATION CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of such a grant under this part—

''(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services;

''(B) except as provided in subparagraph (C), may provide for such share through Federal, State, or local sources, including private funds or donated services; and

''(C) may not provide for such share through Federal funds made available under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

''(b) WAIVER.—The Chief Executive Officer may waive the requirements of subsection (a) in whole or in part with respect to any such program for any fiscal year, on a determination that such a waiver would be equitable due to a lack of resources at the local level.

''SEC. 117. LIMITATIONS ON USES OF FUNDS.

''Not more than 6 percent of the amount of assistance received by a State, territory, or Indian tribe that is the original recipient of an allotment under this part for a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by that recipient.''.

SEC. 1202. HIGHER EDUCATION PROVISIONS.

(a) REDESIGNATION.—Section 119 (42 U.S.C. 12561) is redesignated as section 118.

(b) HIGHER EDUCATION INNOVATIVE PROGRAMS.—Section 118 (as so redesignated) is amended—

(1) in subsection (a), by inserting after ''community service programs'' the following: ''through service-learning'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''combination'' and inserting ''consortium'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(C) the institution or partnership may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at 1 or more members of the partnership;''; and

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''teachers at the elementary, secondary, and postsecondary levels'' and inserting ''institutions of higher education and their faculty'';

(ii) in subparagraph (A), by striking ''education of the institution; and'' and inserting ''curricula of the institution to strengthen the instructional capacity of teachers to provide service-learning at the elementary and secondary levels;'';

(iii) by redesignating subparagraph (B) as subparagraph (C); and

(iv) by inserting after subparagraph (A) the following:

''(B) including service-learning as a component of other curricula or academic programs (other than education curricula or programs), such as curricula or programs relating to nursing, medicine, criminal justice, or public policy; and'';

(3) by striking subsections (c), (d), (e), and (g);

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (b) the following:

''(c) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

''(1) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant or contract under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.

''(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

''(d) APPLICATION FOR GRANT.—

''(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an institution or partnership shall prepare and submit to the Corporation, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require, and obtain approval of the application. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

''(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

''(A) assurances that—

''(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

''(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the notice, hearing, and grievance procedures required by section 176; and

''(B) such other assurances as the Chief Executive Officer may reasonably require.

''(e) SPECIAL CONSIDERATION.—To the extent practicable, in making grants and entering into contracts under subsection (b), the Corporation shall give special consideration to applications submitted by, or applications from partnerships including, institutions serving primarily low-income populations, including—

''(1) Alaska Native-serving institutions;

''(2) Asian American and Native American Pacific Islander-serving institutions;

''(3) Hispanic-serving institutions;

''(4) historically black colleges and universities;

''(5) Native American-serving, nontribal institutions;

''(6) Native Hawaiian-serving institutions;

''(7) Predominantly Black Institutions;

''(8) tribally controlled colleges and universities; and

''(9) community colleges serving predominantly minority populations.

''(f) CONSIDERATIONS.—In making grants and entering into contracts under subsection (b), the Corporation shall take into consideration whether the applicants submit applications containing proposals that—

''(1) demonstrate the commitment of the institution of higher education involved, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

''(2) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

''(3) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools and colleges;

''(4) describe any partnership that will participate in the community service projects, such as a partnership comprised of—

''(A) the institution;

''(B)(i) a community-based agency;

''(ii) a local government agency; or

''(iii) a nonprofit entity that serves or involves school-age youth, older adults, or low-income communities; and

''(C)(i) a student organization;

''(ii) a department of the institution; or

''(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

''(5) demonstrate community involvement in the development of the proposal and the extent to which the proposal will contribute to the goals of the involved community members;

''(6) demonstrate a commitment to perform community service projects in underserved urban and rural communities;

''(7) describe research on effective strategies and methods to improve service utilized in the design of the projects;

''(8) specify that the institution or partnership will use the assistance provided through the grant or contract to strengthen the service infrastructure in institutions of higher education;

''(9) with respect to projects involving delivery of services, specify projects that involve leadership development of school-age youth; or

''(10) describe the needs that the proposed projects are designed to address, such as housing, economic development, infrastructure, health care, job training, education, crime prevention, urban planning, transportation, information technology, or child welfare.

''(g) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education shall demonstrate that it meets the minimum requirements under section 443(b)(2)(A) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)(A)) relating to the participation of students employed under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) (relating to Federal Work-Study programs) in community service activities, or has received a waiver of those requirements from the Secretary of Education.

''(h) DEFINITION.—Notwithstanding section 101, as used in this part, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis.''.

SEC. 1203. CAMPUSES OF SERVICE.

Subtitle B of title I (42 U.S.C. 12521 et seq.) is amended by inserting after section 118 (as redesignated by section 1202) the following:

''SEC. 118A. CAMPUSES OF SERVICE.

''(a) IN GENERAL.—The Corporation, after consultation with the Secretary of Education, may annually designate not more than 25 institutions of higher education as Campuses of Service, from among institutions nominated by State Commissions.

''(b) APPLICATIONS FOR NOMINATION.—

''(1) IN GENERAL.—To be eligible for a nomination to receive designation under subsection (a), and have an opportunity to apply for funds under subsection (d) for a fiscal year, an institution of higher education in a State shall submit an application to the State Commission at such time, in such manner, and containing such information as the State Commission may require.

''(2) CONTENTS.—At a minimum, the application shall include information specifying—

''(A)(i) the number of undergraduate and, if applicable, graduate service-learning courses offered at such institution for the most recent full academic year preceding the fiscal year for which designation is sought; and

''(ii) the number and percentage of undergraduate students and, if applicable, the number and percentage of graduate students at such institution who were enrolled in the corresponding courses described in clause (i), for such preceding academic year;

''(B) the percentage of undergraduate students engaging in and, if applicable, the percentage of graduate students engaging in activities providing community services, as defined in section 441(c) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)), during such preceding academic year, the quality of such activities, and the average amount of time spent, per student, engaged in such activities;

''(C) for such preceding academic year, the percentage of Federal work-study funds made available to the institution under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) that is used to compensate students employed in providing community services, as so defined, and a description of the efforts the institution undertakes to make available to students opportunities to provide such community services and be compensated through such work-study funds;

''(D) at the discretion of the institution, information demonstrating the degree to which recent graduates of the institution, and all graduates of the institution, have obtained full-time public service employment in the nonprofit sector or government, with a private nonprofit organization or a Federal, State, or local public agency; and

''(E) any programs the institution has in place to encourage or assist graduates of the institution to pursue careers in public service in the nonprofit sector or government.

''(c) NOMINATIONS AND DESIGNATION.—

''(1) NOMINATION.—

''(A) IN GENERAL.—A State Commission that receives applications from institutions of higher education under subsection (b) may nominate, for designation under subsection (a), not more than 3 such institutions of higher education, consisting of—

''(i) not more than one 4-year public institution of higher education;

''(ii) not more than one 4-year private institution of higher education; and

''(iii) not more than one 2-year institution of higher education.

''(B) SUBMISSION.—The State Commission shall submit to the Corporation the name and application of each institution nominated by the State Commission under subparagraph (A).

''(2) DESIGNATION.—The Corporation shall designate, under subsection (a), not more than 25 institutions of higher education from among the institutions nominated under paragraph (1). In making the designations, the Corporation shall, if feasible, designate various types of institutions, including institutions from each of the categories of institutions described in clauses (i), (ii), and (iii) of paragraph (1)(A).

''(d) AWARDS.—

''(1) IN GENERAL.—Using sums reserved under section 501(a)(1)(C) for Campuses of Service, the Corporation shall provide an award of funds to institutions designated under subsection (c), to be used by the institutions to develop or disseminate service-learning models and information on best practices regarding service-learning to other institutions of higher education.

''(2) PLAN.—To be eligible to receive funds under this subsection, an institution designated under subsection (c) shall submit a plan to the Corporation describing how the institution intends to use the funds to develop or disseminate service-learning models and information on best practices regarding service-learning to other institutions of higher education.

''(3) ALLOCATION.—The Corporation shall determine how the funds reserved under section 501(a)(1)(C) for Campuses of Service for a fiscal year will be allocated among the institutions submitting acceptable plans under paragraph (2). In determining the amount of funds to be allocated to such an institution, the Corporation shall consider the number of students at the institution, the quality and scope of the plan submitted by the institution under paragraph (2), and the institution's current (as of the date of submission of the plan) strategies to encourage or assist students to pursue public service careers in the nonprofit sector or government.''.

SEC. 1204. INNOVATIVE PROGRAMS AND RESEARCH.

Subtitle B of title I (42 U.S.C. 12521 et seq.), as amended by section 1203, is further amended by adding at the end the following:

''PART III—INNOVATIVE AND COMMUNITY-BASED SERVICE–LEARNING PROGRAMS AND RESEARCH

''SEC. 119. INNOVATIVE AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS AND RESEARCH.

''(a) DEFINITIONS.—In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a State educational agency, a State Commission, a territory, an Indian tribe, an institution of higher education, or a public or private nonprofit organization (including community-based entities), a public or private elementary school or secondary school, a local educational agency, a consortium of such entities, or a consortium of 2 or more such entities and a for-profit organization.

''(2) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership that—

''(A) shall include—

''(i) 1 or more community-based entities that have demonstrated records of success in carrying out service-learning programs with economically disadvantaged students, and that meet such criteria as the Chief Executive Officer may establish; and

''(ii) a local educational agency for which—

''(I) a high number or percentage, as determined by the Corporation, of the students served by the agency are economically disadvantaged students; and

''(II) the graduation rate for the secondary school students served by the agency is less than 70 percent; and

''(B) may also include—

''(i) a local government agency that is not described in subparagraph (A);

''(ii) the office of the chief executive officer of a unit of general local government;

''(iii) an institution of higher education;

''(iv) a State Commission or State educational agency; or

''(v) more than 1 local educational agency described in subclause (I).

''(3) YOUTH ENGAGEMENT ZONE.—The term 'youth engagement zone' means the area in which a youth engagement zone program is carried out.

''(4) YOUTH ENGAGEMENT ZONE PROGRAM.—The term 'youth engagement zone program' means a service-learning program in which members of an eligible partnership collaborate to provide coordinated school-based or community-based service-learning opportunities—

''(A) in order to address a specific community challenge;

''(B) for an increasing percentage of out-of-school youth and secondary school students served by a local educational agency; and

''(C) in circumstances under which—

''(i) not less than 90 percent of such students participate in service-learning activities as part of the program; or

''(ii) service-learning is a part of the curriculum in all of the secondary schools served by the local educational agency.

''(b) GENERAL AUTHORITY.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants (which may include approved summer of service positions in the case of a grant for a program described in subsection (c)(8)) and fixed-amount grants (in accordance with section 129(l)) to eligible entities or eligible partnerships, as appropriate, for programs and activities described in subsection (c).

''(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

''(1) integrate service-learning programs into the science, technology, engineering, and mathematics (referred to in this part as 'STEM') curricula at the elementary, secondary, postsecondary, or postbaccalaureate levels in coordination with practicing or retired STEM professionals;

''(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low-income housing and in public spaces;

''(3) involve students in service-learning programs in emergency and disaster preparedness;

''(4) involve students in service-learning programs aimed at improving access to and obtaining the benefits from computers and other emerging technologies, including improving such access for individuals with disabilities, in low-income or rural communities, in senior centers and communities, in schools, in libraries, and in other public spaces;

''(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency and disaster preparedness needs in their community;

''(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

''(7) conduct innovative and creative activities as described in section 112(a);

''(8) establish or implement summer of service programs (giving priority to programs that enroll youth who will be enrolled in any of grades 6 through 9 at the end of the summer concerned) during the summer months (including recruiting, training, and placing service-learning coordinators)—

''(A) for youth who will be enrolled in any of grades 6 through 12 at the end of the summer concerned; and

''(B) for community-based service-learning projects—

''(i) that shall—

''(I) meet unmet human, educational, environmental (including energy conservation and stewardship), and emergency and disaster preparedness and other public safety needs; and

''(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community;

''(ii) that may include the extension of academic year service-learning programs into the summer months; and

''(iii) under which a student who completes 100 hours of service as described in section 146(b)(2), shall be eligible for a summer of service educational award of $500 or $750 as described in sections 146(a)(2)(C) and 147(d);

''(9) establish or implement youth engagement zone programs in youth engagement zones, for students in secondary schools served by local educational agencies for which a majority of such students do not participate in service-learning activities that are—

''(A) carried out by eligible partnerships; and

''(B) designed to—

''(i) involve all students in secondary schools served by the local educational agency in service-learning to address a specific community challenge;

''(ii) improve student engagement, including student attendance and student behavior, and student achievement, graduation rates, and college-going rates at secondary schools; and

''(iii) involve an increasing percentage of students in secondary school and out-of-school youth in the community in school-based or community-based service-learning activities each year, with the goal of involving all students in secondary schools served by the local educational agency and involving an increasing percentage of the out-of-school youth in service-learning activities; and

''(10) conduct semester of service programs that—

''(A) provide opportunities for secondary school students to participate in a semester of coordinated school-based or community-based service-learning opportunities for a minimum of 70 hours (of which at least a third will be spent participating in field-based activities) over a semester, to address specific community challenges;

''(B) engage as participants high percentages or numbers of economically disadvantaged students;

''(C) allow participants to receive academic credit, for the time spent in the classroom and in the field for the program, that is equivalent to the academic credit for any class of equivalent length and with an equivalent time commitment; and

''(D) ensure that the classroom-based instruction component of the program is integrated into the academic program of the local educational agency involved; and

''(11) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

''(d) APPLICATIONS.—To be eligible to receive a grant to carry out a program or activity under this part, an entity or partnership, as appropriate, shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

''(e) PRIORITY.—In making grants under this part, the Corporation shall give priority to applicants proposing to—

''(1) involve students and community stakeholders in the design and implementation of service-learning programs carried out using funds received under this part;

''(2) implement service-learning programs in low-income or rural communities; and

''(3) utilize adult volunteers, including tapping the resources of retired and retiring adults, in the planning and implementation of service-learning programs.

''(f) REQUIREMENTS.—

''(1) TERM.—Each program or activity funded under this part shall be carried out over a period of 3 years, which may include 1 planning year. In the case of a program funded under this part, the 3-year period may be extended by 1 year, if the program meets performance levels established in accordance with section 179(k) and any other criteria determined by the Corporation.

''(2) COLLABORATION ENCOURAGED.—Each entity carrying out a program or activity funded under this part shall, to the extent practicable, collaborate with entities carrying out programs under this subtitle, subtitle C, and titles I and II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001 et seq.).

''(3) EVALUATION.—Not later than 4 years after the effective date of the Serve America Act, the Corporation shall conduct an independent evaluation of the programs and activities carried out using funds made available under this part, and determine best practices relating to service-learning and recommendations for improvement of those programs and activities. The Corporation shall widely disseminate the results of the evaluations, and information on the best practices and recommendations to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.''.

SEC. 1205. SERVICE-LEARNING IMPACT STUDY.

Subtitle B of title I (42 U.S.C. 12521 et seq.), as amended by section 1204, is further amended by adding at the end the following:

''PART IV—SERVICE-LEARNING IMPACT STUDY

''SEC. 120. STUDY AND REPORT.

''(a) STUDY.—

''(1) IN GENERAL.—From the sums reserved under section 501(a)(1)(B) for this section, the Corporation shall enter into a contract with an entity that is not otherwise a recipient of financial assistance under this subtitle, to conduct a 10-year longitudinal study on the impact of the activities carried out under this subtitle.

''(2) CONTENTS.—In conducting the study, the entity shall consider the impact of service-learning activities carried out under this subtitle on students participating in such activities, including in particular examining the degree to which the activities—

''(A) improved student academic achievement;

''(B) improved student engagement;

''(C) improved graduation rates, as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)); and

''(D) improved the degree to which the participants in the activities engaged in subsequent national service, volunteering, or other service activities, or pursued careers in public service, in the nonprofit sector or government.

''(3) ANALYSIS.—In carrying out such study, the entity shall examine the impact of the service-learning activities on the 4 factors described in subparagraphs (A) through (D) of paragraph (2), analyzed in terms of how much time participants were engaged in service-learning activities.

''(4) BEST PRACTICES.—The entity shall collect information on best practices concerning using service-learning activities to improve the 4 factors.

''(b) INTERIM REPORTS.—The entity shall periodically submit reports to the Corporation containing the interim results of the study and the information on best practices. The Corporation shall submit such reports to the authorizing committees.

''(c) FINAL REPORT.—The entity shall submit a report to the Corporation containing the results of the study and the information on best practices. The Corporation shall submit such report to the authorizing committees, and shall make such report available to the public on the Corporation's website.

''(d) CONSULTATION AND DISSEMINATION.—On receiving the report, the Corporation shall consult with the Secretary of Education to review the results of the study, and to identify best practices concerning using service-learning activities to improve the 4 factors described in subparagraphs (A) through (D) of subsection (a)(2). The Corporation shall disseminate information on the identified best practices.''.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

SEC. 1301. PROHIBITION ON GRANTS TO FEDERAL AGENCIES; LIMITS ON CORPORATION COSTS.

Section 121 (42 U.S.C. 12571) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting after ''subdivisions of States,'' the following: ''territories,''; and

(B) in paragraphs (1) and (2), by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122'';

(2) in subsection (b)—

(A) in the heading, by striking ''AGREEMENTS WITH FEDERAL AGENCIES'' and inserting ''RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES'';

(B) by striking paragraph (1) and inserting the following:

''(1) AGREEMENTS AUTHORIZED.—The Corporation may enter into an interagency agreement (other than a grant agreement) with another Federal agency to support a national service program carried out or otherwise supported by the agency. The Corporation, in entering into the interagency agreement may approve positions as approved national service positions for a program carried out or otherwise supported by the agency.'';

(C) by striking paragraph (2) and inserting the following:

''(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency.'';

(D) in paragraph (3)—

(i) by striking ''receiving assistance under this subsection'' and inserting ''carrying out or supporting a national service program''; and

(ii) by striking ''using such assistance'' and inserting ''through that program'';

(E) in paragraph (4), by striking ''a contract or cooperative agreement'' the first place it appears and inserting ''an interagency agreement''; and

(F) by adding at the end the following:

''(5) APPLICATION OF REQUIREMENTS.—A requirement under this Act that applies to an entity receiving assistance under section 121 (other than a requirement limited to an entity receiving assistance under section 121(a)) shall be considered to apply to a Federal agency that enters into an interagency agreement under this subsection, even though no Federal agency may receive financial assistance under such an agreement.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''subsections (a) and (b),'' and inserting ''subsection (a), and in providing approved national service positions under subsection (b),''; and

(B) in paragraph (2)(B), by striking ''to be provided'' and inserting ''to be provided or otherwise approved'';

(4) in paragraphs (1) and (2) of subsection (d), by striking ''or (b)'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''Federal share of the cost'' and inserting ''Corporation share of the cost (including the costs of member living allowances, employment-related taxes, health care coverage, and workers' compensation and other necessary operation costs)''; and

(B) by adding at the end the following:

''(5) OTHER FEDERAL FUNDS.—

''(A) RECIPIENT REPORT.—A recipient of assistance under this section (other than a recipient of assistance through a fixed-amount grant in accordance with section 129(l)) shall report to the Corporation the amount and source of any Federal funds used to carry out the program for which the assistance is made available other than those provided by the Corporation.

''(B) CORPORATION REPORT.—The Corporation shall report to the authorizing committees on an annual basis information regarding each recipient of such assistance that uses Federal funds other than those provided by the Corporation to carry out such a program, including the amounts and sources of the other Federal funds.''; and

(6) by adding at the end the following:

''(f) PLAN FOR APPROVED NATIONAL SERVICE POSITIONS.—The Corporation shall—

''(1) develop a plan to—

''(A) establish the number of the approved national service positions as 88,000 for fiscal year 2010;

''(B) increase the number of the approved positions to—

''(i) 115,000 for fiscal year 2011;

''(ii) 140,000 for fiscal year 2012;

''(iii) 170,000 for fiscal year 2013;

''(iv) 200,000 for fiscal year 2014;

''(v) 210,000 for fiscal year 2015;

''(vi) 235,000 for fiscal year 2016; and

''(vii) 250,000 for fiscal year 2017;

''(C) ensure that the increases described in subparagraph (B) are achieved through an appropriate balance of full- and part-time service positions;

''(2) not later than 1 year after the date of enactment of the Serve America Act, submit a report to the authorizing committees on the status of the plan described in paragraph (1); and

''(3) subject to the availability of appropriations and quality service opportunities, implement the plan described in paragraph (1).''.

SEC. 1302. ELIGIBLE NATIONAL SERVICE PROGRAMS.

Section 122 is amended to read as follows:

''SEC. 122. NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.

''(a) NATIONAL SERVICE CORPS.—The recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) shall use a portion of the financial assistance or positions involved, directly or through subgrants to other entities, to support or carry out the following national service corps or programs, as full- or part-time corps or programs, to address unmet needs:

''(1) EDUCATION CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through an Education Corps that identifies and meets unmet educational needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—An Education Corps described in this paragraph may carry out activities such as—

''(i) tutoring, or providing other academic support to elementary school and secondary school students;

''(ii) improving school climate;

''(iii) mentoring students, including adult or peer mentoring;

''(iv) linking needed integrated services and comprehensive supports with students, their families, and their public schools;

''(v) providing assistance to a school in expanding the school day by strengthening the quality of staff and expanding the academic programming offered in an expanded learning time initiative, a program of a 21st century community learning center (as defined in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C.

7171)), or a high-quality after-school program;

''(vi) assisting schools and local educational agencies in improving and expanding high-quality service-learning programs that keep students engaged in schools by carrying out programs that provide specialized training to individuals in service-learning, and places the individuals (after such training) in positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I of subtitle B;

''(vii) assisting students in being prepared for college-level work;

''(viii) involving family members of students in supporting teachers and students;

''(ix) conducting a preprofessional training program in which students enrolled in an institution of higher education—

''(I) receive training (which may include classes containing service-learning) in specified fields including early childhood education and care, elementary and secondary education, and other fields such as those relating to health services, criminal justice, environmental stewardship and conservation, or public safety;

''(II) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

''(III) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training;

''(x) assisting economically disadvantaged students in navigating the college admissions process; or

''(xi) providing other activities, addressing unmet educational needs, that the Corporation may designate.

''(C) EDUCATION CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) student engagement, including student attendance and student behavior;

''(ii) student academic achievement;

''(iii) secondary school graduation rates as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi));

''(iv) rate of college enrollment and continued college enrollment for recipients of a high school diploma;

''(v) any additional indicator relating to improving education for students that the Corporation, in consultation (as appropriate) with the Secretary of Education, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to improving education for students, that is approved by the Corporation or a State Commission.

''(2) HEALTHY FUTURES CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through a Healthy Futures Corps that identifies and meets unmet health needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Healthy Futures Corps described in this paragraph may carry out activities such as—

''(i) assisting economically disadvantaged individuals in navigating the health services system;

''(ii) assisting individuals in obtaining access to health services, including oral health services, for themselves or their children;

''(iii) educating economically disadvantaged individuals and individuals who are members of medically underserved populations about, and engaging individuals described in this clause in, initiatives regarding navigating the health services system and regarding disease prevention and health promotion, with a particular focus on common health conditions, chronic diseases, and conditions, for which disease prevention and health promotion measures exist and for which socioeconomic, geographic, and racial and ethnic health disparities exist;

''(iv) improving the literacy of patients regarding health, including oral health;

''(v) providing translation services at clinics and in emergency rooms to improve health services;

''(vi) providing services designed to meet the health needs of rural communities, including the recruitment of youth to work in health professions in such communities;

''(vii) assisting in health promotion interventions that improve health status, and helping people adopt and maintain healthy lifestyles and habits to improve health status;

''(viii) addressing childhood obesity through in-school and after-school physical activities, and providing nutrition education to students, in elementary schools and secondary schools; or

''(ix) providing activities, addressing unmet health needs, that the Corporation may designate.

''(C) HEALTHY FUTURES CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) access to health services among economically disadvantaged individuals and individuals who are members of medically underserved populations;

''(ii) access to health services for uninsured individuals, including such individuals who are economically disadvantaged children;

''(iii) participation, among economically disadvantaged individuals and individuals who are members of medically underserved populations, in disease prevention and health promotion initiatives, particularly those with a focus on addressing common health conditions, addressing chronic diseases, and decreasing health disparities;

''(iv) literacy of patients regarding health;

''(v) any additional indicator, relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that the Corporation, in consultation (as appropriate) with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that is approved by the Corporation or a State Commission.

''(3) CLEAN ENERGY SERVICE CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service projects through a Clean Energy Service Corps that identifies and meets unmet environmental needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Clean Energy Service Corps described in this paragraph may carry out activities such as—

''(i) weatherizing and retrofitting housing units for low-income households to significantly improve the energy efficiency and reduce carbon emissions of such housing units;

''(ii) building energy-efficient housing units in low-income communities;

''(iii) conducting energy audits for low-income households and recommending ways for the households to improve energy efficiency;

''(iv) providing clean energy-related services designed to meet the needs of rural communities;

''(v) working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment, including conducting service-learning projects to provide such education;

''(vi) assisting in the development of local recycling programs;

''(vii) renewing and rehabilitating national and State parks and forests, city parks, county parks and other public lands, and trails owned or maintained by the Federal Government or a State, including planting trees, carrying out reforestation, carrying out forest health restoration measures, carrying out erosion control measures, fire hazard reduction measures, and rehabilitation and maintenance of historic sites and structures throughout the national park system, and providing trail enhancements, rehabilitation, and repairs;

''(viii) cleaning and improving rivers maintained by the Federal Government or a State;

''(ix) carrying out projects in partnership with the National Park Service, designed to renew and rehabilitate national park resources and enhance services and learning opportunities for national park visitors, and nearby communities and schools;

''(x) providing service through a full-time, year-round youth corps program or full-time summer youth corps program, such as a conservation corps or youth service corps program that—

''(I) undertakes meaningful service projects with visible public benefits, including projects involving urban renewal, sustaining natural resources, or improving human services;

''(II) includes as participants youths and young adults who are age 16 through 25, including out-of-school youth and other disadvantaged youth (such as youth who are aging out of foster care, youth who have limited English proficiency, homeless youth, and youth who are individuals with disabilities), who are age 16 through 25; and

''(III) provides those participants who are youth and young adults with—

''(aa) team-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services including mentoring; and

''(bb) the opportunity to develop citizenship values and skills through service to their community and the United States;

''(xi) carrying out other activities, addressing unmet environmental and workforce needs, that the Corporation may designate.

''(C) CLEAN ENERGY SERVICE CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the number of housing units of low-income households weatherized or retrofitted to significantly improve energy efficiency and reduce carbon emissions;

''(ii) annual energy costs (to determine savings in those costs) at facilities where participants have provided service;

''(iii) the number of students and youth receiving education or training in energy-efficient and environmentally conscious practices;

''(iv)(I) the number of acres of national parks, State parks, city parks, county parks, or other public lands, that are cleaned or improved; and

''(II) the number of acres of forest preserves, or miles of trails or rivers, owned or

maintained by the Federal Government or a State, that are cleaned or improved;

''(v) any additional indicator relating to clean energy, the reduction of greenhouse gas emissions, or education and skill attainment for clean energy jobs, that the Corporation, in consultation (as appropriate) with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, or the Secretary of Labor, as appropriate, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to clean energy, the reduction of greenhouse gas emissions, or education or skill attainment for clean energy jobs, that is approved by the Corporation or a State Commission.

''(4) VETERANS CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through a Veterans Corps that identifies and meets unmet needs of veterans and members of the Armed Forces who are on active duty through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Veterans Corps described in this paragraph may carry out activities such as—

''(i) promoting community-based efforts to meet the unique needs of military families while a family member is deployed and upon that family member's return home;

''(ii) recruiting veterans, particularly returning veterans, into service opportunities, including opportunities that utilize their military experience;

''(iii) assisting veterans in developing their educational opportunities (including opportunities for professional certification, licensure, or credentials), coordinating activities with and assisting State and local agencies administering veterans education benefits, and coordinating activities with and assisting entities administering veterans programs with internships and fellowships that could lead to employment in the private and public sectors;

''(iv) promoting efforts within a community to serve the needs of veterans and members of the Armed Forces who are on active duty, including helping veterans file benefits claims and assisting Federal agencies in providing services to veterans;

''(v) assisting veterans in developing mentoring relationships with economically disadvantaged students;

''(vi) developing projects to assist veterans with disabilities, veterans who are unemployed, older veterans, and veterans in rural communities, including assisting veterans described in this clause with transportation; or

''(vii) other activities, addressing unmet needs of veterans, that the Corporation may designate.

''(C) VETERANS' CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the number of housing units created for veterans;

''(ii) the number of veterans who pursue educational opportunities;

''(iii) the number of veterans receiving professional certification, licensure, or credentials;

''(iv) the number of veterans engaged in service opportunities;

''(v) the number of military families assisted by organizations while a family member is deployed and upon that family member's return home;

''(vi) the number of economically disadvantaged students engaged in mentoring relationships with veterans;

''(vii) the number of projects designed to meet identifiable public needs of veterans, especially veterans with disabilities, veterans who are unemployed, older veterans, and veterans in rural communities;

''(viii) any additional indicator that relates to education or skill attainment that assists in providing veterans with the skills to address identifiable public needs, or that relates to improving the lives of veterans, of members of the Armed Forces on active duty, and of families of the veterans and the members on active duty, and that the Corporation, in consultation (as appropriate) with the Secretary of Veterans Affairs, establishes; or

''(ix) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to the education or skill attainment, or the improvement, described in clause (viii), that is approved by the Corporation or a State Commission.

''(5) OPPORTUNITY CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through an Opportunity Corps that identifies and meets unmet needs relating to economic opportunity for economically disadvantaged individuals within communities, through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—An Opportunity Corps described in this paragraph may carry out activities such as—

''(i) providing financial literacy education to economically disadvantaged individuals, including financial literacy education with regard to credit management, financial institutions including banks and credit unions, and utilization of savings plans;

''(ii) assisting in the construction, rehabilitation, or preservation of housing units, including energy efficient homes, for economically disadvantaged individuals;

''(iii) assisting economically disadvantaged individuals, including homeless individuals, in finding placement in and maintaining housing;

''(iv) assisting economically disadvantaged individuals in obtaining access to health services for themselves or their children;

''(v) assisting individuals in obtaining information about Federal, State, local, or private programs or benefits focused on assisting economically disadvantaged individuals, economically disadvantaged children, or low-income families;

''(vi) facilitating enrollment in and completion of job training for economically disadvantaged individuals;

''(vii) assisting economically disadvantaged individuals in obtaining access to job placement assistance;

''(viii) carrying out a program that seeks to eliminate hunger in low-income communities and rural areas through service in projects—

''(I) involving food banks, food pantries, and nonprofit organizations that provide food during emergencies;

''(II) seeking to address the long-term causes of hunger through education and the delivery of appropriate services;

''(III) providing training in basic health, nutrition, and life skills necessary to alleviate hunger in communities and rural areas; or

''(IV) assisting individuals in obtaining information about federally supported nutrition programs;

''(ix) addressing issues faced by homebound citizens, such as needs for food deliveries, legal and medical services, nutrition information, and transportation;

''(x) implementing an E–Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs that seek to increase access to technology and the benefits of technology in such community; and

''(xi) carrying out other activities, addressing unmet needs relating to economic opportunity for economically disadvantaged individuals, that the Corporation may designate.

''(C) OPPORTUNITY CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the degree of financial literacy among economically disadvantaged individuals;

''(ii) the number of housing units built or improved for economically disadvantaged individuals or low-income families;

''(iii) the number of economically disadvantaged individuals with access to job training and other skill enhancement;

''(iv) the number of economically disadvantaged individuals with access to information about job placement services;

''(v) any additional indicator relating to improving economic opportunity for economically disadvantaged individuals that the Corporation, in consultation (as appropriate) with the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of Housing and Urban Development, and the Secretary of the Treasury, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) that is approved by the Corporation or a State Commission.

''(b) NATIONAL SERVICE PROGRAMS.—

''(1) IN GENERAL.—The recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) may use the financial assistance or positions involved, directly or through subgrants to other entities, to carry out national service programs and model programs under this subsection that are focused on meeting community needs and improve performance on the indicators described in paragraph (3).

''(2) PROGRAMS.—The programs may include the following types of national service programs:

''(A) A community service program designed to meet the needs of rural communities, using teams or individual placements to address the development needs of rural communities, including addressing rural poverty, or the need for health services, education, or job training.

''(B) A program—

''(i) that engages participants in public health, emergency and disaster preparedness, and other public safety activities;

''(ii) that may include the recruitment of qualified participants for, and placement of the participants in, positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers; and

''(iii) that may engage Federal, State, and local stakeholders, in collaboration, to organize more effective responses to issues of public health, emergencies and disasters, and other public safety issues.

''(C) A program that seeks to expand the number of mentors for disadvantaged youths and other youths (including by recruiting high school-, and college-age individuals to enter into mentoring relationships), either through—

''(i) provision of direct mentoring services;

''(ii) provision of supportive services to direct mentoring service organizations (in the case of a partnership);

''(iii) the creative utilization of current and emerging technologies to connect youth with mentors; or

''(iv) supporting mentoring partnerships (including statewide and local mentoring partnerships that strengthen direct service mentoring programs) by—

''(I) increasing State resources dedicated to mentoring;

''(II) supporting the creation of statewide and local mentoring partnerships and programs of national scope through collaborative efforts between entities such as local or direct service mentoring partnerships, or units of State or local government; and

''(III) assisting direct service mentoring programs.

''(D) A program—

''(i) in which not less than 75 percent of the participants are disadvantaged youth;

''(ii) that may provide life skills training, employment training, educational counseling, assistance to complete a secondary school diploma or its recognized equivalent, counseling, or a mentoring relationship with an adult volunteer; and

''(iii) for which, in awarding financial assistance and approved national service positions, the Corporation shall give priority to programs that engage retirees to serve as mentors.

''(E) A program—

''(i) that reengages court-involved youth and adults with the goal of reducing recidivism;

''(ii) that may create support systems beginning in correctional facilities; and

''(iii) that may have life skills training, employment training, an education program (including a program to complete a secondary school diploma or its recognized equivalent), educational and career counseling, and postprogram placement services.

''(F) A demonstration program—

''(i) that has as 1 of its primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members; and

''(ii) that may serve any purpose otherwise permitted under this Act.

''(G) A program that provides education or job training services that are designed to meet the needs of rural communities.

''(H) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

''(3) INDICATORS.—The indicators for a program described in this subsection are the indicators described in subparagraph (C) of paragraphs (1), (2), (3), (4), or (5) of subsection (a) or any additional local indicator (applicable to a participant or recipient and on which an improvement in performance is needed) relating to meeting unmet community needs, that is approved by the Corporation or a State Commission.

''(c) PROGRAM MODELS FOR SERVICE CORPS.—

''(1) IN GENERAL.—In addition to any activities described in subparagraph (B) of paragraphs (1) through (5) of subsection (a), and subsection (b)(2), a recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) may directly or through grants or subgrants to other entities carry out a national service corps program through the following program models:

''(A) A community corps program that meets unmet heath, veteran, and other human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders.

''(B) A service program that—

''(i) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and

''(ii) if consistent with the purposes of the program, brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided.

''(C) A campus-based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

''(i) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

''(ii) teams composed of students described in clause (i); or

''(iii) teams composed of a combination of such students and community residents.

''(D) A professional corps program that recruits and places qualified participants in positions—

''(i) as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet human, educational, environmental, or public safety needs in communities with an inadequate number of such professionals;

''(ii) for which the salary may exceed the maximum living allowance authorized in subsection (a)(2) of section 140, as provided in subsection (c) of such section; and

''(iii) that are sponsored by public or private employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants.

''(E) A program that provides opportunities for veterans to participate in service projects.

''(F) A program carried out by an intermediary that builds the capacity of local nonprofit and faith-based organizations to expand and enhance services to meet local or national needs.

''(G) Such other program models as may be approved by the Corporation or a State Commission, as appropriate.

''(2) PROGRAM MODELS WITHIN CORPS.—A recipient of financial assistance or approved national service positions for a corps program described in subsection (a) may use the assistance or positions to carry out the corps program, in whole or in part, using a program model described in this subsection. The corps program shall meet the applicable requirements of subsection (a) and this subsection.

''(d) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

''(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

''(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals with extensive experience in developing and administering effective national service programs or regarding the delivery of veteran services, and other human, educational, environmental, or public safety services, to communities or persons.

''(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

''(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, disadvantaged youth, and older adults as participants to provide services to address unmet human, educational, environmental, or public safety needs.

''(e) PRIORITIES FOR CERTAIN CORPS.—In awarding financial assistance and approved national service positions to eligible entities proposed to carry out the corps described in subsection (a)—

''(1) in the case of a corps described in subsection (a)(2)—

''(A) the Corporation may give priority to eligible entities that propose to provide support for participants who, after completing service under this section, will undertake careers to improve performance on health indicators described in subsection (a)(2)(C); and

''(B) the Corporation shall give priority to eligible entities that propose to carry out national service programs in medically underserved areas (as designated individually, by the Secretary of Health and Human Services as an area with a shortage of personal health services); and

''(2) in the case of a corps described in subsection (a)(3), the Corporation shall give priority to eligible entities that propose to recruit individuals for the Clean Energy Service Corps so that significant percentages of participants in the Corps are economically disadvantaged individuals, and provide to such individuals support services and education and training to develop skills needed for clean energy jobs for which there is current demand or projected future demand.

''(f) NATIONAL SERVICE PRIORITIES.—

''(1) ESTABLISHMENT.—

''(A) BY CORPORATION.—In order to concentrate national efforts on meeting human, educational, environmental, or public safety needs and to achieve the other purposes of this Act, the Corporation, after reviewing the strategic plan approved under section 192A(g)(1,) shall establish, and may periodically alter, priorities regarding the types of national service programs and corps to be assisted under section 129 and the purposes for which such assistance may be used.

''(B) BY STATES.—Consistent with paragraph (4), States shall establish, and through the national service plan process described in section 178(e)(1), periodically alter priorities as appropriate regarding the national service programs to be assisted under section 129(e). The State priorities shall be subject to Corporation review as part of the application process under section 130.

''(2) NOTICE TO APPLICANTS.—The Corporation shall provide advance notice to potential applicants of any national service priorities to be in effect under this subsection for a fiscal year. The notice shall specifically include—

''(A) a description of any alteration made in the priorities since the previous notice; and

''(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

''(3) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure

the equitable treatment of national service programs that—

''(A) receive funding under this subtitle for multiple years; and

''(B) would be adversely affected by annual revisions in such national service priorities.

''(4) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

''(g) CONSULTATION ON INDICATORS.—The Corporation shall consult with the Secretary of Education, the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, the Secretary of Energy, the Secretary of Veterans Affairs, the Secretary of the Interior, the Administrator of the Environmental Protection Agency, the Secretary of Labor, the Secretary of Housing and Urban Development, and the Secretary of the Treasury, as appropriate, in developing additional indicators for the corps and programs described in subsections (a) and (b).

''(h) REQUIREMENTS FOR TUTORS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary school or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

''(A) obtained their high school diplomas; and

''(B) successfully completed pre- and in-service training for tutors.

''(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary school or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

''(i) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

''(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

''(2) offer high quality, research-based pre- and in-service training for tutors.

''(j) CITIZENSHIP TRAINING.—The Corporation shall establish guidelines for recipients of assistance under the national service laws, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based, relating to the promotion of citizenship and civic engagement among participants in approved national service positions and approved summer of service positions, and appropriate to the age, education, and experience of the participants.

''(k) REPORT.—Not later than 60 days after the end of each fiscal year for which the Corporation makes grants under section 121(a), the Corporation shall prepare and submit to the authorizing committees a report containing—

''(1) information describing how the Corporation allocated financial assistance and approved national service positions among eligible entities proposed to carry out corps and national service programs described in this section for that fiscal year;

''(2) information describing the amount of financial assistance and the number of approved national service positions the Corporation provided to each corps and national service program described in this section for that fiscal year;

''(3) a measure of the extent to which the corps and national service programs improved performance on the corresponding indicators; and

''(4) information describing how the Corporation is coordinating—

''(A) the national service programs funded under this section; with

''(B) applicable programs, as determined by the Corporation, carried out under subtitles B and C of this title, and part A of title I and parts A and B of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001, 5011) that improve performance on those indicators or otherwise address identified community needs.''.

SEC. 1303. TYPES OF POSITIONS.

Section 123 (42 U.S.C. 12573) is amended—

(1) in paragraph (1)—

(A) by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122''; and

(B) by striking ''or (b)'';

(2) in paragraph (2)(A)—

(A) by inserting after ''subdivision of a State,'' the following: ''a territory,''; and

(B) by striking ''Federal agency'' and inserting ''Federal agency (under an interagency agreement described in section 121(b))'';

(3) in paragraph (4), by striking ''section 122(a)(3)'' and inserting ''section 122(a)(1)(B)(vi)'';

(4) in paragraph (5), by inserting ''National'' before ''Civilian Community Corps'';

(5) by redesignating paragraph (7) as paragraph (8); and

(6) by inserting after paragraph (6) the following:

''(7) A position involving service in the ServeAmerica Fellowship program carried out under section 198B.''.

SEC. 1304. CONFORMING REPEAL RELATING TO TRAINING AND TECHNICAL ASSISTANCE.

Section 125 (42 U.S.C. 12575) is repealed.

SEC. 1305. ASSISTANCE TO STATE COMMISSIONS; CHALLENGE GRANTS.

Section 126 (42 U.S.C. 12576) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''$125,000 and $750,000'' and inserting ''$250,000 and $1,000,000''; and

(ii) by striking ''501(a)(4)'' and inserting ''501(a)(5)''; and

(B) by striking paragraph (2) and inserting the following:

''(2) MATCHING REQUIREMENT.—In making a grant to a State under this subsection, the Corporation shall require the State to agree to provide matching funds from non-Federal sources of not less than $1 for every $1 provided by the Corporation through the grant.

''(3) ALTERNATIVE.—Notwithstanding paragraph (2), the Chief Executive Officer may permit a State that demonstrates hardship or a new State Commission to meet alternative matching requirements for such a grant as follows:

''(A) FIRST $100,000.—For the first $100,000 of grant funds provided by the Corporation, the State involved shall not be required to provide matching funds.

''(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not more than $250,000 provided by the Corporation, the State shall agree to provide matching funds from non-Federal sources of not less than $1 for every $2 provided by the Corporation, in excess of $100,000.

''(C) AMOUNTS GREATER THAN $250,000.—For grant amounts of more than $250,000 provided by the Corporation, the State shall agree to provide matching funds from non-Federal sources of not less than $1 for every $1 provided by the Corporation, in excess of $250,000.'';

(2) by striking subsection (b) and inserting the following:

''(b) DISASTER SERVICE.—The Corporation may undertake activities, including activities carried out through part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), to involve programs that receive assistance under the national service laws in disaster relief efforts, and to support, including through mission assignments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), nonprofit organizations and public agencies responding to the needs of communities experiencing disasters.''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''to national service programs that receive assistance under section 121'' and inserting ''to programs supported under the national service laws''; and

(B) by striking paragraph (3) and inserting the following:

''(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, a grant under this subsection may provide not more than $1 of assistance under this subsection for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds under this paragraph in lieu of cash raised from private sources if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.''.

SEC. 1306. ALLOCATION OF ASSISTANCE TO STATES AND OTHER ELIGIBLE ENTITIES.

Section 129 (42 U.S.C. 12581) is amended to read as follows:

''SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

''(a) ONE PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The Corporation shall allot for a grant to each such territory under this subsection for a fiscal year an amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the territory bears to the total population of all such territories.

''(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes to be allotted by the Corporation on a competitive basis.

''(c) RESERVATION OF APPROVED POSITIONS.—The Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the National Civilian Community

Corps Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (d) and (e) for that fiscal year.

''(d) ALLOTMENT FOR COMPETITIVE GRANTS.—

''(1) IN GENERAL.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year and subject to section 133(d)(3), the Corporation shall reserve not more than 62.7 percent for grants awarded on a competitive basis to States specified in subsection (e)(1) for national service programs and to nonprofit organizations seeking to operate a national service program in 2 or more of those States.

''(2) EQUITABLE TREATMENT.—In the consideration of applications for such grants, the Corporation shall ensure the equitable treatment of applicants from urban areas, applicants from rural areas, applicants of diverse sizes (as measured by the number of participants served), applicants from States, and applicants from national nonprofit organizations.

''(3) ENCORE SERVICE PROGRAMS.—In making grants under this subsection for a fiscal year, the Corporation shall make an effort to allocate not less than 10 percent of the financial assistance and approved national service positions provided through the grants for that fiscal year to eligible entities proposing to carry out encore service programs, unless the Corporation does not receive a sufficient number of applications of adequate quality to justify making that percentage available to those eligible entities.

''(4) CORPS PROGRAMS.—In making grants under this subsection for a fiscal year, the Corporation—

''(A) shall select 2 or more of the national service corps described in section 122(a) to receive grants under this subsection; and

''(B) may select national service programs described in section 122(b) to receive such grants.

''(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

''(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

''(2) ALLOTMENTS.—The Corporation shall allot for a grant to each such State under this subsection for a fiscal year an amount that bears the same ratio to 35.3 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, in compliance with paragraph (3).

''(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year shall be at least $600,000, or 0.5 percent of the amount allocated for the State formula under this subsection for the fiscal year, whichever is greater.

''(f) EFFECT OF FAILURE TO APPLY.—If a State or territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or territory to—

''(1) make grants (and provide approved national service positions in connection with such grants) to other community-based entities under section 121 that propose to carry out national service programs in such State or territory; and

''(2) make reallotments to other States or territories with approved applications submitted under section 130, from the allotment funds not used to make grants as described in paragraph (1).

''(g) APPLICATION REQUIRED.—The Corporation shall make an allotment of assistance (including the provision of approved national service positions) to a recipient under this section only pursuant to an application submitted by a State or other applicant under section 130.

''(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

''(i) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

''(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of those approved national service positions shall be made pursuant to the agreement, and the creation of those positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

''(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

''(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—

''(1) RESERVATION.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and allocated to carry out subtitle C and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under subsections (b) and (c) of section 126.

''(2) LIMITATION.—The amount reserved under paragraph (1) for a fiscal year may not exceed $10,000,000.

''(3) TIMING.—The Corporation shall reserve such amount, and any amount reserved under subsection (k) from funds appropriated and allocated to carry out subtitle C, before allocating funds for the provision of assistance under any other provision of this subtitle.

''(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—

''(1) RESERVATION.—To make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose, and subject to the limitation in paragraph (2), the Chief Executive Officer shall reserve not less than 1 percent from the amounts, appropriated to carry out subtitles C, D, E, and H for each fiscal year.

''(2) LIMITATION.—The amount reserved under paragraph (1) for a fiscal year may not exceed $10,000,000.

''(3) REMAINDER.—The Chief Executive Officer may use the funds reserved under paragraph (1), and not distributed to make grants under this subsection for other activities described in section 501(a)(2).

''(l) AUTHORITY FOR FIXED-AMOUNT GRANTS.—

''(1) IN GENERAL.—

''(A) AUTHORITY.—From amounts appropriated for a fiscal year to provide financial assistance under the national service laws, the Corporation may provide assistance in the form of fixed-amount grants in an amount determined by the Corporation under paragraph (2) rather than on the basis of actual costs incurred by a program.

''(B) LIMITATION.—Other than fixed-amount grants to support programs described in section 129A, for the 1-year period beginning on the effective date of the Serve America Act, the Corporation may provide assistance in the form of fixed-amount grants to programs that only offer full-time positions.

''(2) DETERMINATION OF AMOUNT OF FIXED-AMOUNT GRANTS.—A fixed-amount grant authorized by this subsection shall be in an amount determined by the Corporation that is—

''(A) significantly less than the reasonable and necessary costs of administering the program supported by the grant; and

''(B) based on an amount per individual enrolled in the program receiving the grant, taking into account—

''(i) the capacity of the entity carrying out the program to manage funds and achieve programmatic results;

''(ii) the number of approved national service positions, approved silver scholar positions, or approved summer of service positions for the program, if applicable;

''(iii) the proposed design of the program;

''(iv) whether the program provides service to, or involves the participation of, disadvantaged youth or otherwise would reasonably incur a relatively higher level of costs; and

''(v) such other factors as the Corporation may consider under section 133 in considering applications for assistance.

''(3) REQUIREMENTS FOR GRANT RECIPIENTS.—In awarding a fixed-amount grant under this subsection, the Corporation—

''(A) shall require the grant recipient—

''(i) to return a pro rata amount of the grant funds based upon the difference between the number of hours served by a participant and the minimum number of hours for completion of a term of service (as established by the Corporation);

''(ii) to report on the program's performance on standardized measures and performance levels established by the Corporation;

''(iii) to cooperate with any evaluation activities undertaken by the Corporation; and

''(iv) to provide assurances that additional funds will be raised in support of the program, in addition to those received under the national service laws; and

''(B) may adopt other terms and conditions that the Corporation considers necessary or appropriate based on the relative risks (as determined by the Corporation) associated with any application for a fixed-amount grant.

''(4) OTHER REQUIREMENTS NOT APPLICABLE.—Limitations on administrative costs and matching fund documentation requirements shall not apply to fixed-amount grants provided in accordance with this subsection.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall relieve a grant recipient of the responsibility to comply with the requirements of chapter 75 of title 31, United States Code, or other requirements of Office of Management and Budget Circular A-133.''.

SEC. 1307. ADDITIONAL AUTHORITY.

Part II of subtitle C of title I is amended by inserting after section 129 (42 U.S.C. 12581) the following:

''SEC. 129A. EDUCATIONAL AWARDS ONLY PROGRAM.

''(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed-amount grants (in accordance with section 129(1)), provide operational support to programs that receive approved national service positions but do not receive funds under section 121(a).

''(b) LIMIT ON CORPORATION GRANT FUNDS.—The Corporation may provide the operational support under this section for a program in an amount that is not more than $800 per individual enrolled in an approved national service position, or not more than $1,000 per such individual if at least 50 percent of the persons enrolled in the program are disadvantaged youth.

''(c) INAPPLICABLE PROVISIONS.—The following provisions shall not apply to programs funded under this section:

''(1) The limitation on administrative costs under section 121(d).

''(2) The matching funds requirements under section 121(e).

''(3) The living allowance and other benefits under sections 131(e) and 140 (other than individualized support services for participants with disabilities under section 140(f)).''.

SEC. 1308. STATE SELECTION OF PROGRAMS.

Section 130 (42 U.S.C. 12582) is amended—

(1) in subsection (a)—

(A) by striking ''section 121'' and inserting ''section 121(a)'';

(B) by inserting after ''assistance, a State,'' the following: ''territory,''; and

(C) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education'';

(2) in subsection (b)—

(A) in paragraph (9), by striking ''section 122(c)'' and inserting ''section 122(f)''; and

(B) in paragraph (12), by inserting ''municipalities and governments of counties in which such a community is located,'' after ''providing services,'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''jobs or positions'' and inserting ''proposed positions''; and

(ii) by striking '', including'' and all that follows through the period at the end and inserting a period;

(B) in paragraph (2), by inserting ''proposed'' before ''minimum''; and

(C) by adding at the end the following:

''(3) In the case of a nonprofit organization intending to operate programs in 2 or more States, a description of the manner in which and extent to which the organization consulted with the State Commissions of each State in which the organization intends to operate and the nature of the consultation.'';

(4) in subsection (d)(1)—

(A) in subparagraphs (A) and (B), by striking ''subsection (a) or (b) of section 121'' and inserting ''section 121(a)'';

(B) in subparagraph (B), by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122'';

(5) by redesignating subsections (d) through (g) as subsections (e) through (h), respectively and inserting after subsection (c) the following:

''(d) ADDITIONAL REQUIRED APPLICATION INFORMATION.—An application submitted under subsection (a) for programs described in 122(a) shall also contain—

''(1) measurable goals, to be used for annual measurements of the program's performance on 1 or more of the corresponding indicators described in section 122;

''(2) information describing how the applicant proposes to utilize funds to improve performance on the corresponding indicators utilizing participants, including describing the activities in which such participants will engage to improve performance on those indicators;

''(3) information identifying the geographical area in which the eligible entity proposing to carry out the program proposes to use funds to improve performance on the corresponding indicators, and demographic information on the students or individuals, as appropriate, in such area, and statistics demonstrating the need to improve such indicators in such area; and

''(4) if applicable, information on how the eligible entity will work with other community-based entities to carry out activities to improve performance on the corresponding indicators using such funds.'';

(6) in paragraph (2)(A) of subsection (f) (as so redesignated), by striking ''were selected'' and inserting ''were or will be selected'';

(7) in subsection (g) (as so redesignated)—

(A) in paragraph (1), by striking ''a program applicant'' and inserting ''an applicant''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''PROGRAM APPLICANT'' and inserting ''APPLICANT'';

(ii) in the matter preceding subparagraph (A), by striking ''program applicant'' and inserting ''applicant'';

(iii) in subparagraph (A)—

(I) by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(iv) in subparagraph (B)—

(I) by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(8) by amending subsection (h) (as so redesignated) to read as follows:

''(h) LIMITATION ON SAME PROJECT RECEIVING MULTIPLE GRANTS.—Unless specifically authorized by law, the Corporation may not provide more than 1 grant under the national service laws for a fiscal year to support the same project under the national service laws.''.

SEC. 1309. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

Section 131(c) (42 U.S.C. 12583(c)) is amended—

(1) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) the community served, the municipality and government of the county (if appropriate) in which the community is located, and potential participants in the program; and''; and

(2) by striking paragraph (3) and inserting the following:

''(3) in the case of a program that is not funded through a State (including a national service program that a nonprofit organization seeks to operate in 2 or more States), consult with and coordinate activities with the State Commission for each State in which the program will operate, and the Corporation shall obtain confirmation from the State Commission that the applicant seeking assistance under this Act has consulted with and coordinated with the State Commission when seeking to operate the program in that State.''.

SEC. 1310. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

Subtitle C of title I (42 U.S.C. 12571 et seq.) is amended by inserting after section 132 the following:

''SEC. 132A. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

''(a) PROHIBITED ACTIVITIES.—An approved national service position under this subtitle may not be used for the following activities:

''(1) Attempting to influence legislation.

''(2) Organizing or engaging in protests, petitions, boycotts, or strikes.

''(3) Assisting, promoting, or deterring union organizing.

''(4) Impairing existing contracts for services or collective bargaining agreements.

''(5) Engaging in partisan political activities, or other activities designed to influence the outcome of an election to Federal office or the outcome of an election to a State or local public office.

''(6) Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials.

''(7) Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of proselytization, consistent with section 132.

''(8) Consistent with section 132, providing a direct benefit to any—

''(A) business organized for profit;

''(B) labor union;

''(C) partisan political organization;

''(D) nonprofit organization that fails to comply with the restrictions contained in section 501(c) of the Internal Revenue Code of 1986, except that nothing in this paragraph shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and

''(E) organization engaged in the religious activities described in paragraph (7), unless the position is not used to support those religious activities.

''(9) Providing abortion services or referrals for receipt of such services.

''(10) Conducting a voter registration drive or using Corporation funds to conduct a voter registration drive.

''(11) Carrying out such other activities as the Corporation may prohibit.

''(b) INELIGIBILITY.—No assistance provided under this subtitle may be provided to any organization that has violated a Federal criminal statute.

''(c) NONDISPLACEMENT OF EMPLOYED WORKERS OR OTHER VOLUNTEERS.—A participant in an approved national service position under this subtitle may not be directed to perform any services or duties, or to engage in any activities, prohibited under the nonduplication, nondisplacement, or nonsupplantation requirements relating to employees and volunteers in section 177.''.

SEC. 1311. CONSIDERATION OF APPLICATIONS.

Section 133 (42 U.S.C. 12585) is amended—

(1) in subsection (b)(2)(B), by striking ''jobs or'';

(2) in subsection (d)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122''; and

(II) by striking ''section 129(d)(2)'' and inserting ''section 129(d)'';

(ii) by striking subparagraphs (A) through (G) and inserting the following:

''(A) national service programs that—

''(i) conform to the national service priorities in effect under section 122(f);

''(ii) are innovative; and

''(iii) are well established in 1 or more States at the time of the application and are proposed to be expanded to additional States using assistance provided under section 121;

''(B) grant programs in support of other national service programs if the grant programs are to be conducted by nonprofit organizations with demonstrated and extensive expertise in the provision of services to meet human, educational, environmental, or public safety needs; and

''(C) professional corps programs described in section 122(c)(1)(D).''; and

(B) in paragraph (3), by striking ''section 129(d)(2)'' and inserting ''section 129(d)'';

(3) in subsection (e), by striking ''subsections (a) and (d)(1) of section 129'' and inserting ''subsections (d) and (e) of section 129'';

(4) in subsection (f)—

(A) in paragraph (1), by striking ''section 129(a)(1)'' and inserting ''section 129(e)''; and

(B) in paragraph (3)—

(i) by striking ''section 129(a)'' and inserting ''section 129(e)''; and

(ii) by striking ''paragraph (3) of such subsection'' and inserting ''section 129(f)'';

(5) by redesignating subsection (f) as subsection (g); and

(6) by inserting after subsection (e) the following:

''(f) VIEWS OF STATE COMMISSION.—In making competitive awards under section 129(d), the Corporation shall solicit and consider the views of a State Commission regarding any application for assistance to carry out a national service program within the State.''.

SEC. 1312. DESCRIPTION OF PARTICIPANTS.

Section 137 (42 U.S.C. 12591) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''section 122(a)(2) or a program described in section 122(a)(9)'' and inserting ''section 122(a)(3)(B)(x)''; and

(B) in paragraph (1), by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(3) in subsection (c), by striking ''(a)(5)'' and inserting ''(a)(4)''.

SEC. 1313. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

Section 138 (42 U.S.C. 12592) is amended—

(1) in subsection (a), by striking ''conducted by the State'' and all that follows through ''or other entity'' and inserting ''conducted by the entity''; and

(2) in subsection (e)(2)(C), by inserting before the semicolon at the end the following: '', particularly those who were considered, at the time of their service, disadvantaged youth''.

SEC. 1314. TERMS OF SERVICE.

Section 139 (42 U.S.C. 12593) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''not less than 9 months and'';

(B) in paragraph (2), by striking ''during a period of—'' and all that follows through the period at the end and inserting ''during a period of not more than 2 years.''; and

(C) by adding at the end the following:

''(4) EXTENSION OF TERM FOR DISASTER PURPOSES.—

''(A) EXTENSION.—An individual in an approved national service position performing service directly related to disaster relief efforts may continue in a term of service for a period of 90 days beyond the period otherwise specified in, as appropriate, this subsection or section 153(d) or in section 104 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4954).

''(B) SINGLE TERM OF SERVICE.—A period of service performed by an individual in an originally-agreed to term of service and service performed under this paragraph shall constitute a single term of service for purposes of subsections (b)(1) and (c) of section 146.

''(C) BENEFITS.—An individual performing service under this paragraph may continue to receive a living allowance and other benefits under section 140 but may not receive an additional national service educational award under section 141.''; and

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking ''as demonstrated by the participant'' and inserting ''as determined by the organization responsible for granting the release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the term of service''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''provide to the participant that portion of the national service educational award'' and inserting ''certify the participant's eligibility for that portion of the national service educational award''; and

(ii) in subparagraph (B), by striking ''to allow return to the program with which the individual was serving in order''.

SEC. 1315. ADJUSTMENTS TO LIVING ALLOWANCE.

Section 140 (42 U.S.C. 12594) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (2) and (3)'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2);

(D) by inserting after paragraph (2) (as so redesignated) the following:

''(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided under paragraph (1) to an individual whose term of service includes hours for which the individual receives a Federal work-study award under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) shall be reduced by the amount of the individual's Federal work study award.''; and

(E) in paragraph (4), by striking ''a reduced term of service under section 139(b)(3)'' and inserting ''a term of service that is less than 12 months'';

(2) in subsection (b), by striking ''shall include an amount sufficient to cover 85 percent of such taxes'' and all that follows through the period at the end and inserting ''may be used to pay the taxes described in this subsection.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''section 122(a)(8)'' and inserting ''section 122(c)(1)(D)''; and

(ii) by striking ''subsection (a)(3)'' and inserting ''subsection (a)(2)'';

(B) in paragraph (1), by adding ''and'' at the end;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2);

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''shall provide'' and inserting ''shall provide or make available''; and

(ii) by striking the second sentence; and

(B) in paragraph (2), by striking ''provide from its own funds'' and inserting ''provide from its own funds or make available''; and

(5) by striking subsections (g) and (h).

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

SEC. 1401. AVAILABILITY OF FUNDS IN THE NATIONAL SERVICE TRUST.

(a) SUBTITLE HEADING.—The subtitle heading for subtitle D of title I is amended to read as follows:

''Subtitle D—National Service Trust and Provision of Educational Awards''.

(b) ESTABLISHMENT OF TRUST.—Section 145 (42 U.S.C. 12601) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''pursuant to section 501(a)(2)''; and

(ii) in subparagraph (A), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, and silver scholar educational awards'';

(B) in paragraph (2)—

(i) by striking ''pursuant to section 196(a)(2)'' and inserting ''pursuant to section 196(a)(2), if the terms of such donations direct that the donated amounts be deposited in the National Service Trust''; and

(ii) by striking ''and'' at the end;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

''(3) any amounts recovered by the Corporation pursuant to section 146A; and'';

(2) in subsection (c), by striking ''for payments of national service educational awards in accordance with section 148.'' and inserting ''for—

''(1) payments of national service educational awards, summer of service educational awards, and silver scholar educational awards in accordance with section 148; and

''(2) payments of interest in accordance with section 148(e).''; and

(3) in subsection (d)—

(A) in the subsection heading, by striking ''CONGRESS'' and inserting ''THE AUTHORIZING COMMITTEES'';

(B) in the matter preceding paragraph (1), by striking ''the Congress'' and inserting ''the authorizing committees'';

(C) in paragraphs (2), (3), and (4), by inserting '', summer of service educational awards, or silver scholar awards'' after ''national service educational awards'' each place the term appears; and

(D) in paragraph (4)—

(i) by inserting '', additional approved summer of service positions, and additional approved silver scholar positions'' after ''additional approved national service positions''; and

(ii) by striking ''under subtitle C''.

SEC. 1402. INDIVIDUALS ELIGIBLE TO RECEIVE AN EDUCATIONAL AWARD FROM THE TRUST.

Section 146 (42 U.S.C. 12602) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE AN EDUCATIONAL AWARD FROM THE TRUST.''; and

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting '', summer of service educational award, or silver scholar educational award'' after ''national service educational award''; and

(ii) by striking ''if the individual'' and inserting ''if the organization responsible for the individual's supervision in a national service program certifies that the individual'';

(B) by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) met the applicable eligibility requirements for the approved national service position, approved silver scholar position, or approved summer of service position, as appropriate, in which the individual served;

''(2)(A) for a full-time or part-time national service educational award, successfully completed the required term of service described in subsection (b)(1) in the approved national service position;

''(B) for a partial educational award in accordance with section 139(c)—

''(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under such section; and

''(ii) completed at least 15 percent of the required term of service described in subsection (b) for the approved national service position;

''(C) for a summer of service educational award, successfully completed the required term of service described in subsection (b)(2) in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 138(f); or

''(D) for a silver scholar educational award, successfully completed the required term of service described in subsection (b)(3) in an approved silver scholar position, as certified through a process determined by the Corporation through regulations consistent with section 138(f); and''.

(C) by redesignating paragraph (4) as paragraph (3);

(3) in subsection (b)—

(A) by striking ''The term'' and inserting the following:

''(1) APPROVED NATIONAL SERVICE POSITION.—The term''; and

(B) by adding at the end the following:

''(2) APPROVED SUMMER OF SERVICE POSITION.—The term of service for an approved summer of service position shall not be less than 100 hours of service during the summer months.

''(3) APPROVED SILVER SCHOLAR POSITION.—The term of service for an approved silver scholar position shall be not less than 350 hours during a 1-year period.'';

(4) by striking subsection (c) and inserting the following:

''(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, through national service educational awards and silver scholar educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of the national service educational awards the individual may receive.'';

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''SEVEN-YEAR REQUIREMENT'' and inserting ''IN GENERAL'';

(ii) by striking ''An'' and inserting ''Subject to paragraph (2), an'';

(iii) by inserting ''or a silver scholar educational award'' after ''national service educational award'';

(iv) by inserting ''or an approved silver scholar position, as applicable,'' after ''approved national service position''; and

(v) by adding at the end the following: ''Subject to paragraph (2), an individual eligible to receive a summer of service educational award under this section may not use such award after the end of the 10-year period beginning on the date the individual completes the term of service in an approved summer of service position that is the basis of the award.'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) and in subparagraph (A), by inserting '', summer of service educational award, or silver scholar educational award'' after ''national service educational award'';

(ii) in subparagraph (A), by inserting '', or 10-year period, as appropriate'' after ''7-year period''; and

(iii) in subparagraph (B), by inserting '', approved summer of service position, or approved silver scholar position'' after ''approved national service position''; and

(C) by adding at the end the following:

''(3) TERM FOR TRANSFERRED EDUCATIONAL AWARDS.—For purposes of applying paragraphs (1) and (2)(A) to an individual who is eligible to receive an educational award as a designated individual (as defined in section 148(f)(8)), references to a seven-year period shall be considered to be references to a 10-year period that begins on the date the individual who transferred the educational award to the designated individual completed the term of service in the approved national service position or approved silver scholar position that is the basis of the award.''; and

(6) in subsection (e)(1)—

(A) by inserting after ''qualifying under this section'' the following: ''or under section 119(c)(8)''; and

(B) by inserting after ''to receive a national service educational award'' the following: '', a summer of service educational award, or a silver scholar educational award''.

SEC. 1403. CERTIFICATIONS.

The Act is amended by adding after section 146 (42 U.S.C. 12602) the following:

''SEC. 146A. CERTIFICATIONS OF SUCCESSFUL COMPLETION OF TERMS OF SERVICE.

''(a) CERTIFICATIONS.—In making any authorized disbursement from the National Service Trust in regard to an eligible individual (including disbursement for a designated individual, as defined in section 148(f)(8), due to the service of an eligible individual) under section 146 who served in an approved national service position, an approved summer of service position, or an approved silver scholar position, the Corporation shall rely on a certification. The certification shall be made by the entity that selected the individual for and supervised the individual in the approved national service position in which such individual successfully completed a required term of service, in a national service program.

''(b) EFFECT OF ERRONEOUS CERTIFICATIONS.—If the Corporation determines that the certification under subsection (a) is erroneous or incorrect, the Corporation may assess against the national service program a charge for the amount of any associated payment or potential payment from the National Service Trust. In assessing the charge, the Corporation shall consider the full facts and circumstances surrounding the erroneous or incorrect certification, and may determine the charge based on principles of equity and good conscience.''.

SEC. 1404. DETERMINATION OF THE AMOUNT OF THE EDUCATIONAL AWARD.

Section 147 (42 U.S.C. 12603) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 147. DETERMINATION OF THE AMOUNT OF THE EDUCATIONAL AWARD.''; and

(2) by amending subsection (a) to read as follows:

''(a) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position shall receive a national service educational award having a value equal to the maximum amount of a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) that a student eligible for such Grant may receive in the aggregate (without regard to whether the funds are provided through discretionary or mandatory appropriations), for the award year for which the national service position is approved by the Corporation.'';

(3) in subsection (b), by striking '', for each of not more than 2 of such terms of service,''; and

(4) by adding at the end the following:

''(d) AMOUNT FOR SUMMER OF SERVICE.—An individual described in section 146(a) who successfully completes a required summer of service term shall receive a summer of service educational award having a value, for each of not more than 2 of such terms of service, equal to $500 (or, at the discretion of the Chief Executive Officer, equal to $750 in the case of a participant who is economically disadvantaged).

''(e) AMOUNT FOR SILVER SCHOLARS.—An individual described in section 146(a) who successfully completes a required silver scholar term shall receive a silver scholar educational award having a value of $1,000.''.

SEC. 1405. DISBURSEMENT OF EDUCATIONAL AWARDS.

Section 148 (42 U.S.C. 12604) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 148. DISBURSEMENT OF EDUCATIONAL AWARDS.'';

(2) in subsection (a)—

(A) in paragraph (2), by striking ''cost of attendance'' and inserting ''cost of attendance or other educational expenses'';

(B) in paragraph (3), by striking ''and'';

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

''(4) to pay expenses incurred in enrolling in an educational institution or training establishment that is approved under chapter 36 of title 38, United States Code, or other applicable provisions of law, for offering programs of education, apprenticeship, or on-job training for which educational assistance may be provided by the Secretary of Veterans Affairs; and'';

(3) in subsection (b)—

(A) in paragraph (1), by inserting after ''the national service educational award of the individual'' the following: '', an eligible individual under section 146(a) who served in a summer of service program and desires to apply that individual's summer of service educational award, or an eligible individual under section 146(a) who served in a silver scholar program and desires to apply that individual's silver scholar educational award,'';

(B) in paragraph (2), by inserting after ''the national service educational award'' the following: '', the summer of service educational award, or the silver scholar educational award, as applicable,'';

(C) in paragraph (5), by inserting after ''the national service educational award'' the following: '', the summer of service educational award, or the silver scholar educational award, as applicable''; and

(D) in paragraph (7)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to cover a student's educational expenses and made, insured, or guaranteed by—

''(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

''(ii) the direct student loan program under part D of title IV of such Act (20 U.S.C. 1087a et seq.);

''(iii) a State agency; or

''(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.'';

(4) in subsection (c)—

(A) in paragraph (1), by inserting after ''national service educational award'' the following: '', an eligible individual under section 146(a) who desires to apply the individual's summer of service educational award, or an eligible individual under section 146(a) who served in a silver scholar program and desires to apply that individual's silver scholar educational award,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award, as applicable,''; and

(ii) in subparagraph (C)(iii), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, or silver scholar educational awards, as applicable,'';

(C) in paragraph (3), by inserting after ''national service educational awards'' the following: ''summer of service educational awards, or silver scholar educational awards'';

(D) in paragraph (5)—

(i) in the first sentence, by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award, as applicable,''; and

(ii) in the third sentence, by inserting before the period the following: '', additional approved summer of service positions, and additional approved silver scholar positions''; and

(E) in paragraph (6)—

(i) in the matter preceding subparagraph (A), by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award'';

(ii) in subparagraph (A), by inserting ''and other educational expenses'' after ''cost of attendance''; and

(iii) by striking subparagraph (B) and inserting the following:

''(B) the student's estimated financial assistance for such period under part A of title IV of such Act (20 U.S.C. 1070 et seq.).'';

(5) in subsection (d), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, and silver scholar educational awards'';

(6) in subsection (e), by striking ''subsection (b)(6)'' and inserting ''subsection (b)(7)'';

(7) in subsection (f)—

(A) by striking ''Director'' and inserting ''Chief Executive Officer''; and

(B) by inserting '', summer of service educational award, or silver scholar educational award, as appropriate,'' after ''national service educational award'';

(8) by redesignating subsections (f) and (g) as subsections (g) and (h) respectively; and

(9) by inserting after subsection (e) the following:

''(f) TRANSFER OF EDUCATIONAL AWARDS.—

''(1) IN GENERAL.—An individual who is eligible to receive a national service educational award or silver scholar educational award due to service in a program described in paragraph (2) may elect to receive the award (in the amount described in the corresponding provision of section 147) and transfer the award to a designated individual. Subsections (b), (c), and (d) shall apply to the designated individual in lieu of the individual who is eligible to receive the national service educational award or silver scholar educational award, except that amounts refunded to the account under subsection (c)(5) on behalf of a designated individual may be used by the Corporation to fund additional placements in the national service program in which the eligible individual who transferred the national service educational award or silver scholar educational award participated for such award.

''(2) CONDITIONS FOR TRANSFER.—An educational award may be transferred under this subsection if—

''(A)(i) the award is a national service educational award for service in a national service program that receives a grant under subtitle C; and

''(ii) before beginning the term of service involved, the eligible individual is age 55 or older; or

''(B) the award is a silver scholarship educational award under section 198C(a).

''(3) MODIFICATION OR REVOCATION.—

''(A) IN GENERAL.—An individual transferring an educational award under this subsection may, on any date on which a portion of the educational award remains unused, modify or revoke the transfer of the educational award with respect to that portion.

''(B) NOTICE.—A modification or revocation of the transfer of an educational award under this paragraph shall be made by the submission of written notice to the Corporation.

''(4) PROHIBITION ON TREATMENT OF TRANSFERRED AWARD AS MARITAL PROPERTY.—An educational award transferred under this subsection may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

''(5) DEATH OF TRANSFEROR.—The death of an individual transferring an educational award under this subsection shall not affect the use of the educational award by the child, foster child, or grandchild to whom the educational award is transferred if such educational award is transferred prior to the death of the individual.

''(6) PROCEDURES TO PREVENT WASTE, FRAUD, OR ABUSE.—The Corporation shall establish requirements to prevent waste, fraud, or abuse in connection with the transfer of an educational award and to protect the integrity of the educational award under this subsection.

''(7) TECHNICAL ASSISTANCE.—The Corporation may, as appropriate, provide technical assistance, to individuals and eligible entities carrying out national service programs, concerning carrying out this subsection.

''(8) DEFINITION OF A DESIGNATED INDIVIDUAL.—In this subsection, the term 'designated individual' is an individual—

''(A) whom an individual who is eligible to receive a national service educational award or silver scholar educational award due to service in a program described in paragraph (2) designates to receive the educational award;

''(B) who meets the eligibility requirements of paragraphs (3) and (4) of section 146(a); and

''(C) who is a child, foster child, or grandchild of the individual described in subparagraph (A).''.

SEC. 1406. APPROVAL PROCESS FOR APPROVED POSITIONS.

(a) IN GENERAL.—Subtitle D of title I (42 U.S.C. 12601 et seq.) is amended by adding at the end the following new section:

''SEC. 149. APPROVAL PROCESS FOR APPROVED POSITIONS.

''(a) TIMING AND RECORDING REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding subtitles C, D, and H, and any other provision of law, in approving a position as an approved national service position, an approved summer of service position, or an approved silver scholar position, the Corporation—

''(A) shall approve the position at the time the Corporation—

''(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act, section 198B or 198C(a), or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), a summer of service program described in section 119(c)(8), or a silver scholarship program described in section 198C(a); or

''(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

''(B) shall record as an obligation an estimate of the net present value of the national service educational award, summer of service educational award, or silver scholar educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards, summer of service educational awards, or silver scholar educational awards, as appropriate, for such a program and remain available.

''(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

''(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to the authorizing committees a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

''(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position, approved summer of service position, or approved silver scholarship position that the Corporation approves—

''(A) during fiscal year 2010; and

''(B) during any subsequent fiscal year.

''(b) RESERVE ACCOUNT.—

''(1) ESTABLISHMENT AND CONTENTS.—

''(A) ESTABLISHMENT.—Notwithstanding subtitles C, D, and H, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

''(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions, approved summer of service positions, and approved silver scholar positions, for each fiscal year, the Corporation shall place in the account—

''(i) during fiscal year 2010, a portion of the funds that were appropriated for fiscal year 2010 or a previous fiscal year under section 501 of this Act or section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081), were made available to carry out subtitle C, D, or E of this title, section 198B or 198C(a), subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service programs described in section 119(c)(8), and remain available; and

''(ii) during fiscal year 2011 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501 of this Act or section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081), were made available to carry out subtitle C, D, or E of this title, section

198B or 198C(a), subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service programs described in section 119(c)(8), and remain available.

''(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

''(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions, summer of service educational awards associated with previously approved summer of service positions, and silver scholar educational awards associated with previously approved silver scholar positions; or

''(B) obligates the funds for the payment of national service educational awards for such previously approved national service positions, summer of service educational awards for such previously approved summer of service positions, or silver scholar educational awards for such previously approved silver scholar positions, as applicable.

''(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, approved summer of service positions, and approved silver scholar positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

''(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards, summer of service educational awards, or silver scholar educational awards under section 148.''.

(b) CONFORMING REPEAL.—The Strengthen AmeriCorps Program Act (42 U.S.C. 12605) is repealed.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

SEC. 1501. PURPOSE.

Section 151 (42 U.S.C. 12611) is amended to read as follows:

''SEC. 151. PURPOSE.

''It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs. The needs to be met under such programs include those needs related to—

''(1) natural and other disasters;

''(2) infrastructure improvement;

''(3) environmental stewardship and conservation;

''(4) energy conservation; and

''(5) urban and rural development.''.

SEC. 1502. PROGRAM COMPONENTS.

Section 152 (42 U.S.C. 12612) is amended—

(1) by amending the section heading to read as follows:

''SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.'';

(2) in subsection (a), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(3) in the matter preceding paragraph (1) of subsection (b)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''a Civilian Community Corps'' and inserting ''a National Civilian Community Corps''; and

(4) by striking subsection (c) and inserting the following:

''(c) RESIDENTIAL COMPONENTS.—Both programs referred to in subsection (b) may include a residential component.''.

SEC. 1503. ELIGIBLE PARTICIPANTS.

Section 153 (42 U.S.C. 12613) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps'';

(2) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) is, or will be, at least 18 years of age on or before December 31 of the calendar year in which the individual enrolls in the program, but is not more than 24 years of age as of the date the individual begins participating in the program; and'';

(3) in subsection (c)—

(A) in the subsection heading, by striking ''BACKROUNDS'' and inserting ''BACKGROUNDS''; and

(B) by adding at the end the following: ''The Director shall take appropriate steps, including through outreach and recruitment activities, to increase the percentage of participants in the program who are disadvantaged youth to 50 percent of all participants by year 2012. The Director shall report to the authorizing committees biennially on such steps, any challenges faced, and the annual participation rates of disadvantaged youth in the program.'';

(4) by striking subsection (d); and

(5) by redesignating subsection (e) as subsection (d).

SEC. 1504. SUMMER NATIONAL SERVICE PROGRAM.

Section 154 (42 U.S.C. 12614) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps''; and

(2) in subsection (b), by striking ''shall be'' and all that follows through the period at the end and inserting ''shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.''.

SEC. 1505. NATIONAL CIVILIAN COMMUNITY CORPS.

Section 155 (42 U.S.C. 12615) is amended—

(1) by amending the section heading to read as follows:

''SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.'';

(2) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''the Civilian Community Corps shall'' and inserting ''the National Civilian Community Corps shall'';

(3) in subsection (b)—

(A) by amending the subsection heading to read as follows:

''(b) MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.—'';

(B) in paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(C) in paragraph (3)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' and inserting ''campus''; and

(D) by adding at the end the following:

''(4) TEAM LEADERS.—

''(A) IN GENERAL.—The Director may select individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps, to perform service that includes leading and supervising teams of Corps members. Each team leader shall be selected without regard to the age limitation under section 153(b).

''(B) RIGHTS AND BENEFITS.—A team leader shall be provided the same rights and benefits applicable to other Corps members, except that the Director may increase the limitation on the amount of the living allowance under section 158(b) by not more than 10 percent for a team leader.'';

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows:

''(d) CAMPUSES.—'';

(B) in paragraph (1)—

(i) by amending the paragraph heading to read as follows:

''(1) UNITS TO BE ASSIGNED TO CAMPUSES.—'';

(ii) by striking ''in camps'' and inserting ''in campuses'';

(iii) by striking ''Corps camp'' and inserting ''Corps campus''; and

(iv) by striking ''in the camps'' and inserting ''in the campuses'';

(C) by amending paragraphs (2) and (3) to read as follows:

''(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.

''(3) ELIGIBLE SITE FOR CAMPUS.—A campus shall be cost effective and may, upon the completion of a feasibility study, be located in a facility referred to in section 162(c).'';

(5) in subsection (e)—

(A) by amending the subsection heading to read as follows:

''(e) DISTRIBUTION OF UNITS AND CAMPUSES.—'';

(B) by striking ''camps are distributed'' and inserting ''campuses are cost effective and are distributed''; and

(C) by striking ''rural areas'' and all that follows through the period at the end and inserting ''rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region.''; and

(6) in subsection (f)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''superintendent of a camp'' and inserting ''campus director of a campus'';

(ii) in subparagraph (A)—

(I) by striking ''superintendent'' and inserting ''campus director'';

(II) by striking ''superintendent's'' and inserting ''campus director's''; and

(III) by striking ''camp'' each place such term appears and inserting ''campus''; and

(iii) in subparagraph (B), by striking ''superintendent'' and inserting ''campus director''; and

(C) in paragraph (3), by striking ''camp superintendent'' and inserting ''campus director''.

SEC. 1506. TRAINING.

Section 156 (42 U.S.C. 12616) is amended—

(1) in subsection (a)—

(A) by inserting ''National'' before ''Civilian Community Corps''; and

(B) by adding at the end the following: ''The Director shall ensure that, to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.'';

(2) in subsection (b)(1), by inserting before the period at the end the following: '', including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs, as appropriate'';

(3) by amending subsection (c)(2) to read as follows:

''(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide, either directly or through grants, contracts, or cooperative agreements, the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, other qualified individuals, or organizations with expertise in training youth, including disadvantaged youth, in the skills described in such subsection.''; and

(4) in subsection (d), by striking ''section 162(a)(3)'' and inserting ''section 162(c)''.

SEC. 1507. CONSULTATION WITH STATE COMMISSIONS.

Section 157 (42 U.S.C. 12617) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(B) in paragraph (1), by inserting before the semicolon the following: '', with specific emphasis on projects in support of infrastructure improvement, energy conservation, and urban and rural development''; and

(C) in paragraph (2), by striking ''service learning'' and inserting ''service-learning'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''and the Secretary of Housing and Urban Development'' and inserting ''the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the Forest Service''; and

(ii) in subparagraph (B)—

(I) by inserting ''community-based entities and'' before ''representatives of local communities''; and

(II) by striking ''camp'' both places such term appears and inserting ''campus''; and

(B) in paragraph (2), by inserting ''State Commissions,'' before ''and persons involved in other youth service programs.''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' both places such term appears and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus''; and

(B) in paragraph (2), by striking ''camp superintendents'' and inserting ''campus directors''.

SEC. 1508. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

Section 158 (42 U.S.C. 12618) is amended—

(1) in subsection (a), by inserting ''National'' before ''Civilian Community Corps''; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''National'' before ''Civilian Community Corps''; and

(ii) by inserting before the colon the following: '', as the Director determines appropriate'';

(B) in paragraph (6), by striking ''Clothing'' and inserting ''Uniforms''; and

(C) in paragraph (7), by striking ''Recreational services and supplies'' and inserting ''Supplies''.

SEC. 1509. PERMANENT CADRE.

Section 159 (42 U.S.C. 12619) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) in paragraph (1)—

(i) by inserting ''including those'' before ''recommended''; and

(ii) by inserting ''National'' before ''Civilian Community Corps'';

(2) in subsection (b)(1), by inserting ''National'' before ''Civilian Community Corps'';

(3) in subsection (c)—

(A) in paragraph (1)(B)(i), by inserting ''National'' before ''Civilian Community Corps''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''The Director shall establish a permanent cadre of'' and inserting ''The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed''; and

(II) by inserting ''National'' before ''Civilian Community Corps'';

(ii) in subparagraph (B), by striking ''The Director shall appoint the members'' and inserting ''The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members'';

(iii) in subparagraph (C)—

(I) in the matter preceding clause (i), by striking ''the Director'' and inserting ''the Chief Executive Officer'';

(II) in clause (i), by striking ''section 162(a)(2)'' and inserting ''section 162(b)'';

(III) in clause (iii), by striking ''and'' at the end;

(IV) by redesignating clause (iv) as clause (v); and

(V) by inserting after clause (iii) the following:

''(iv) give consideration to retired and other former law enforcement, fire, rescue, and emergency personnel, and other individuals with backgrounds in disaster preparedness, relief, and recovery; and''; and

(iv) in subparagraph (E)—

(I) by striking ''to members'' and inserting ''to other members'';

(II) by inserting after ''techniques'' the following: '', including techniques for working with and enhancing the development of disadvantaged youth,''; and

(III) by striking ''service learning'' and inserting ''service-learning''; and

(C) in paragraph (3)—

(i) in the first sentence, by striking ''the members'' and inserting ''other members''; and

(ii) in the third sentence, by striking ''section 162(a)(2)(A)'' and inserting ''162(b)(1)''.

SEC. 1510. STATUS OF CORPS MEMBERS AND CORPS PERSONNEL UNDER FEDERAL LAW.

Section 160(a) (42 U.S.C. 12620(a)) is amended by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1511. CONTRACT AND GRANT AUTHORITY.

Section 161 (42 U.S.C. 12621) is amended—

(1) in subsection (a), by striking ''perform any program function under this subtitle'' and inserting ''carry out the National Civilian Community Corps program''; and

(2) in subsection (b)—

(A) in paragraph (1)(B), by striking ''section 162(a)(3)'' and inserting ''section 162(c)''; and

(B) in paragraph (2), by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1512. OTHER DEPARTMENTS.

(a) IN GENERAL.—Section 162 (42 U.S.C. 12622) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''National'' before ''Civilian Community Corps''; and

(ii) in subparagraph (B)(i), by striking ''the registry established by'' and all that follows through the semicolon and inserting ''the registry established by section 1143a of title 10, United States Code;'';

(B) in paragraph (2)(A), by striking ''to be recommended for appointment'' and inserting ''from which individuals may be selected for appointment by the Director''; and

(C) in paragraph (3), by inserting ''National'' before ''Civilian Community Corps''; and

(2) by striking subsection (b).

(b) TECHNICAL AMENDMENTS.—Section 162 (42 U.S.C. 12622), as amended by subsection (a), is further amended—

(1) in the section heading, by striking ''**OTHER DEPARTMENTS**'' and inserting ''**DEPARTMENT OF DEFENSE**'';

(2) by redesignating paragraphs (2), (3), and (4) of subsection (a) as subsections (b), (c), and (d), respectively, and aligning the margins of such subsections with the margins of section 161(a) of the Act;

(3) by striking ''(a) SECRETARY'' and all that follows through ''OFFICE.—'' and inserting the following:

''(a) LIAISON OFFICE.—'';

(4) in subsection (a) (as amended by paragraph (3))—

(A) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and aligning the margins of such paragraphs with the margins of section 161(b)(1) of the Act; and

(B) by redesignating clauses (i) and (ii) of paragraph (2) (as redesignated by subparagraph (A)) as subparagraphs (A) and (B), respectively, and aligning the margins of such subparagraphs with the margins of section 161(b)(1)(A) of the Act;

(5) in subsection (b) (as redesignated by paragraph (2))—

(A) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and aligning the margins of such paragraphs with the margins of section 161(b)(1) of the Act;

(B) in paragraph (1) (as redesignated by subparagraph (A)), by striking ''paragraph (1)'' and inserting ''subsection (a)''; and

(C) in paragraph (2) (as redesignated by subparagraph (A)), by striking ''paragraph'' and inserting ''subsection''; and

(6) in subsection (c) (as redesignated by paragraph (2))—

(A) by striking ''this paragraph'' and inserting ''this subsection''; and

(B) by striking ''paragraph (1)'' and inserting ''subsection (a)''.

SEC. 1513. ADVISORY BOARD.

Section 163 (42 U.S.C. 12623) is amended—

(1) in subsection (a)—

(A) by striking ''Upon the establishment of the Program, there shall also be'' and inserting ''There shall be'';

(B) by inserting ''National'' before ''Civilian Community Corps Advisory Board''; and

(C) by striking ''to assist'' and all that follows through the period at the end and inserting ''to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. The Advisory Board members shall help coordinate activities

with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.'';

(2) in subsection (b)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (13) and (14), respectively;

(B) by inserting after paragraph (7) the following:

''(8) The Administrator of the Federal Emergency Management Agency.

''(9) The Secretary of Transportation.

''(10) The Chief of the Forest Service.

''(11) The Administrator of the Environmental Protection Agency.

''(12) The Secretary of Energy.''; and

(C) in paragraph (13), as so redesignated, by striking ''industry,'' and inserting ''public and private organizations,''.

SEC. 1514. EVALUATIONS.

Section 164 (42 U.S.C. 12624) is amended—

(1) in the section heading, by striking ''**ANNUAL EVALUATION**'' and inserting ''**EVALUATIONS**'';

(2) by striking ''an annual evaluation'' and inserting ''periodic evaluations'';

(3) by striking ''Civilian Community Corps programs'' and inserting ''National Civilian Community Corps Program''; and

(4) by adding at the end the following: ''Upon completing each such evaluation, the Corporation shall transmit to the authorizing committees a report on the evaluation.''.

SEC. 1515. REPEAL OF FUNDING LIMITATION.

Section 165 (42 U.S.C. 12625) is repealed.

SEC. 1516. DEFINITIONS.

Subtitle E of title I (42 U.S.C. 12611 et seq.), as amended by this subtitle, is further amended—

(1) by redesignating section 166 as 165; and

(2) in section 165 (as redesignated by paragraph (1))—

(A) by striking paragraphs (2), (3), and (9);

(B) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(C) by inserting after paragraph (1) the following:

''(2) CAMPUS DIRECTOR.—The term 'campus director', with respect to a Corps campus, means the head of the campus under section 155(d).

''(3) CORPS.—The term 'Corps' means the National Civilian Community Corps required under section 155 as part of the National Civilian Community Corps Program.

''(4) CORPS CAMPUS.—The term 'Corps campus' means the facility or central location established as the operational headquarters and boarding place for particular Corps units.'';

(D) in paragraph (5) (as so redesignated), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(E) in paragraph (6) (as so redesignated), by inserting ''National'' before ''Civilian Community Corps'';

(F) in paragraph (8) (as so redesignated), by striking ''The terms'' and all that follows through ''Demonstration Program'' and inserting ''The term 'Program' means the National Civilian Community Corps Program''; and

(G) in paragraph (9) (as so redesignated)—

(i) in the paragraph heading, by striking ''SERVICE LEARNING'' and inserting ''SERVICE-LEARNING''; and

(ii) in the matter preceding subparagraph (A), by striking ''service learning'' and inserting ''service-learning''.

SEC. 1517. TERMINOLOGY.

Subtitle E of title I (as so amended) (42 U.S.C. 12611 et seq.) is further amended by striking the subtitle heading and inserting the following:

''Subtitle E—National Civilian Community Corps''.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

SEC. 1601. FAMILY AND MEDICAL LEAVE.

Section 171(a)(1) (42 U.S.C. 12631(a)(1)) is amended by striking ''with respect to a project'' and inserting ''with respect to a project authorized under the national service laws''.

SEC. 1602. REPORTS.

Section 172 (42 U.S.C. 12632) is amended—

(1) in subsection (b)(1), by striking ''appropriate authorizing and appropriations Committees of Congress'' and inserting ''authorizing committees, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate''; and

(2) in subsection (c)(2), by striking ''the appropriate committees of Congress'' and inserting ''the authorizing committees, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate''.

SEC. 1603. USE OF FUNDS.

Section 174 (42 U.S.C. 12634) is amended by adding at the end the following:

''(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal Government.''.

SEC. 1604. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

Section 176 (42 U.S.C. 12636) is amended—

(1) in subsection (a)(2)(A), by striking ''30 days'' and inserting ''1 or more periods of 30 days not to exceed a total of 90 days''; and

(2) in subsection (f)—

(A) in paragraph (1), by striking ''A State or local applicant'' and inserting ''An entity''; and

(B) in paragraph (6)—

(i) in subparagraph (C), by striking ''and'';

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) in a case in which the grievance is filed by an individual applicant or participant—

''(i) the applicant's selection or the participant's reinstatement, as the case may be; and

''(ii) other changes in the terms and conditions of service applicable to the individual; and''.

SEC. 1605. RESOLUTION OF DISPLACEMENT COMPLAINTS.

Section 177 (42 U.S.C. 12637) is amended—

(1) in subsections (a) and (b), by striking ''under this title'' each place it appears and inserting ''under the national service laws'';

(2) in subsection (b)(1), by striking ''employee or position'' and inserting ''employee, position, or volunteer (other than a participant under the national service laws)''; and

(3) by adding at the end the following:

''(f) PARENTAL INVOLVEMENT.—

''(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

''(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, before transporting minor children, provide the children's parents with the reason for the transportation and obtain the parents' written permission for such transportation, consistent with State law.''.

SEC. 1606. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

Section 178 (42 U.S.C. 12638) is amended—

(1) in subsection (a)(2), by striking ''sections 117B and 130'' and inserting ''section 130'';

(2) in subsection (c)(1)—

(A) in subparagraph (I), by striking ''section 122(a)'' and all that follows through the period at the end and inserting ''subsection (a), (b), or (c) of section 122.''; and

(B) by adding at the end the following:

''(J) A representative of the volunteer sector.'';

(3) in subsection (c)(3), by striking '', unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity'';

(4) in subsection (d)(6)(B), by striking ''section 193A(b)(11)'' and inserting ''section 193A(b)(12)'';

(5) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

''(1) Preparation of a national service plan for the State that—

''(A) is developed, through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from the private sector, organizations, and public agencies, using service and volunteerism as strategies to meet critical community needs, including service through programs funded under the national service laws;

''(B) covers a 3-year period, the beginning of which may be set by the State;

''(C) is subject to approval by the chief executive officer of the State;

''(D) includes measurable goals and outcomes for the State national service programs in the State consistent with the performance levels for national service programs as described in section 179(k);

''(E) ensures outreach to diverse community-based agencies that serve underrepresented populations, through established networks and registries at the State level, or through the development of such networks and registries;

''(F) provides for effective coordination of funding applications submitted by the State and other organizations within the State under the national service laws;

''(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State;

''(H) ensures outreach to, and coordination with, municipalities (including large cities) and county governments regarding the national service laws; and

''(I) contains such information as the State Commission considers to be appropriate or as the Corporation may require.''; and

(B) in paragraph (2), by striking ''sections 117B and 130'' and inserting ''section 130'';

(6) by redesignating subsections (f) through (j) as subsections (h) through (l), respectively; and

(7) by inserting after subsection (e) the following:

''(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive for the State, or specify alternatives for the State to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by the State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State.

''(g) STATE SERVICE PLAN FOR ADULTS AGE 55 OR OLDER.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State shall work with appropriate State agencies and private entities to develop a comprehensive State service plan for service by adults age 55 or older.

''(2) MATTERS INCLUDED.—The State service plan shall include—

''(A) recommendations for policies to increase service for adults age 55 or older, including how to best use such adults as sources of social capital, and how to utilize their skills and experience to address community needs;

''(B) recommendations to the State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) on—

''(i) a marketing outreach plan to businesses; and

''(ii) outreach to—

''(I) nonprofit organizations;

''(II) the State educational agency;

''(III) institutions of higher education; and

''(IV) other State agencies;

''(C) recommendations for civic engagement and multigenerational activities, such as—

''(i) early childhood education and care, family literacy, and after school programs;

''(ii) respite services for adults age 55 or older and caregivers; and

''(iii) transitions for older adults age 55 or older to purposeful work in their post-career lives; and

''(D) recommendations for encouraging the development of Encore service programs in the State.

''(3) KNOWLEDGE BASE.—The State service plan shall incorporate the current knowledge base (as of the time of the plan) regarding—

''(A) the economic impact of the roles of workers age 55 or older in the economy;

''(B) the social impact of the roles of such workers in the community; and

''(C) the health and social benefits of active engagement for adults age 55 or older.

''(4) PUBLICATION.—The State service plan shall be made available to the public and be transmitted to the Chief Executive Officer.''.

SEC. 1607. EVALUATION AND ACCOUNTABILITY.

Section 179 (42 U.S.C. 12639) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

''(1) the effectiveness of programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such programs, including an evaluation of each such program's performance based on the performance levels established under subsection (k); and

''(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease with which recipients were able to receive services, to maximize the cost effectiveness and the impact of such programs.'';

(2) in subsection (g)—

(A) in paragraph (3), by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(B) in paragraph (9), by striking ''to public service'' and all that follows through the period at the end and inserting ''to engage in service that benefits the community.'';

(3) in the matter preceding subparagraph (A) of subsection (i)(2), by striking ''Congress'' and inserting ''the authorizing committees''; and

(4) by adding at the end the following:

''(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—Notwithstanding any other provision of law, in addition to amounts appropriated to carry out this section, the Corporation may reserve not more than 1 percent of the total funds appropriated for a fiscal year under section 501 of this Act and sections 501 and 502 of the Domestic Volunteer Service Act of 1973 to support program accountability activities under this section.

''(k) PERFORMANCE LEVELS.—The Corporation shall, in consultation with each recipient of assistance under the national service laws, establish performance levels for such recipient to meet during the term of the assistance. The performance levels may include, for each national service program carried out by the recipient, performance levels based on the following performance measures:

''(1) Number of participants enrolled in the program and completing terms of service, as compared to the stated participation and retention goals of the program.

''(2) Number of volunteers recruited from the community in which the program was implemented.

''(3) If applicable based on the program design, the number of individuals receiving or benefitting from the service conducted.

''(4) Number of disadvantaged and underrepresented youth participants.

''(5) Measures of the sustainability of the program and the projects supported by the program, including measures to ascertain the level of community support for the program or projects.

''(6) Measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service.

''(7) Other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance and the Corporation.

''(l) CORRECTIVE ACTION PLANS.—

''(1) IN GENERAL.—A recipient of assistance under the national service laws that fails, as determined by the Corporation, to meet or exceed the performance levels agreed upon under subsection (k) for a national service program, shall reach an agreement with the Corporation on a corrective action plan to meet such performance levels.

''(2) ASSISTANCE.—

''(A) NEW PROGRAM.—For a program that has received assistance under the national service laws for less than 3 years and for which the recipient is failing to meet or exceed the performance levels agreed upon under subsection (k), the Corporation shall—

''(i) provide technical assistance to the recipient to address targeted performance problems relating to the performance levels for the program; and

''(ii) require the recipient to submit quarterly reports on the program's progress toward meeting the performance levels for the program to the—

''(I) appropriate State, territory, or Indian tribe; and

''(II) the Corporation.

''(B) ESTABLISHED PROGRAMS.—For a program that has received assistance under the national service laws for 3 years or more and for which the recipient is failing to meet or exceed the performance levels agreed upon under subsection (k), the Corporation shall require the recipient to submit quarterly reports on the program's progress toward the performance levels for the program to—

''(i) the appropriate State, territory, or Indian tribe; and

''(ii) the Corporation.

''(m) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation in accordance with subsection (l), a recipient of assistance under the national service laws fails to meet or exceed the performance levels for a national service program, the Corporation shall—

''(1) reduce the annual amount of the assistance received by the underperforming recipient by at least 25 percent, for each remaining year of the grant period for that program; or

''(2) terminate assistance to the underperforming recipient for that program, in accordance with section 176(a).

''(n) REPORTS.—The Corporation shall submit to the authorizing committees not later than 2 years after the date of enactment of the Serve America Act, and annually thereafter, a report containing information on the number of—

''(1) recipients of assistance under the national service laws implementing corrective action plans under subsection (l)(1);

''(2) recipients for which the Corporation provides technical assistance for a program under subsection (l)(2)(A)(i);

''(3) recipients for which the Corporation terminates assistance for a program under subsection (m);

''(4) entities whose application for assistance under a national service law was rejected; and

''(5) recipients meeting or exceeding their performance levels under subsection (k).''.

SEC. 1608. CIVIC HEALTH ASSESSMENT.

(a) IN GENERAL.—Subtitle F of title I (42 U.S.C. 12631 et seq.), as amended by this subtitle, is further amended by inserting after section 179 the following:

''SEC. 179A. CIVIC HEALTH ASSESSMENT AND VOLUNTEERING RESEARCH AND EVALUATION.

''(a) DEFINITION OF PARTNERSHIP.—In this section, the term 'partnership' means the Corporation, acting in conjunction with (consistent with the terms of an agreement entered into between the Corporation and the National Conference) the National Conference on Citizenship referred to in section 150701 of title 36, United States Code, to carry out this section.

''(b) IN GENERAL.—The partnership shall facilitate the establishment of a Civic Health Assessment by—

''(1) after identifying public and private sources of civic health data, selecting a set of civic health indicators, in accordance with subsection (c), that shall comprise the Civic Health Assessment;

''(2) obtaining civic health data relating to the Civic Health Assessment, in accordance with subsection (d); and

''(3) conducting related analyses, and reporting the data and analyses, as described in paragraphs (4) and (5) of subsection (d) and subsections (e) and (f).

''(c) SELECTION OF INDICATORS FOR CIVIC HEALTH ASSESSMENT.—

''(1) IDENTIFYING SOURCES.—The partnership shall select a set of civic health indicators that shall comprise the Civic Health Assessment. In making such selection, the partnership—

''(A) shall identify public and private sources of civic health data;

''(B) shall explore collaborating with other similar efforts to develop national indicators in the civic health domain; and

''(C) may sponsor a panel of experts, such as one convened by the National Academy of Sciences, to recommend civic health indicators and data sources for the Civic Health Assessment.

''(2) TECHNICAL ADVICE.—At the request of the partnership, the Director of the Bureau

of the Census and the Commissioner of Labor Statistics shall provide technical advice to the partnership on the selection of the indicators for the Civic Health Assessment.

''(3) UPDATES.—The partnership shall periodically evaluate and update the Civic Health Assessment, and may expand or modify the indicators described in subsection (d)(1) as necessary to carry out the purposes of this section.

''(d) DATA ON THE INDICATORS.—

''(1) SPONSORED DATA COLLECTION.—In identifying the civic health indicators for the Civic Health Assessment, and obtaining data for the Assessment, the partnership may sponsor the collection of data for the Assessment or for the various civic health indicators being considered for inclusion in the Assessment, including indicators related to—

''(A) volunteering and community service;

''(B) voting and other forms of political and civic engagement;

''(C) charitable giving;

''(D) connecting to civic groups and faith-based organizations;

''(E) interest in employment, and careers, in public service in the nonprofit sector or government;

''(F) understanding and obtaining knowledge of United States history and government; and

''(G) social enterprise and innovation.

''(2) DATA FROM STATISTICAL AGENCIES.—The Director of the Bureau of the Census and the Commissioner of Labor Statistics shall collect annually, to the extent practicable, data to inform the Civic Health Assessment, and shall report data from such collection to the partnership. In determining the data to be collected, the Director and the Commissioner shall examine privacy issues, response rates, and other relevant issues.

''(3) SOURCES OF DATA.—To obtain data for the Civic Health Assessment, the partnership shall consider—

''(A) data collected through public and private sources; and

''(B) data collected by the Bureau of the Census, through the Current Population Survey, or by the Bureau of Labor Statistics, in accordance with paragraph (2).

''(4) DEMOGRAPHIC CHARACTERISTICS.—The partnership shall seek to obtain data for the Civic Health Assessment that will permit the partnership to analyze the data by age group, race and ethnicity, education level, and other demographic characteristics of the individuals involved.

''(5) OTHER ISSUES.—In obtaining data for the Civic Health Assessment, the partnership may also obtain such information as may be necessary to analyze—

''(A) the role of Internet technology in strengthening and inhibiting civic activities;

''(B) the role of specific programs in strengthening civic activities;

''(C) the civic attitudes and activities of new citizens and immigrants; and

''(D) other areas related to civic activities.

''(e) REPORTING OF DATA.—

''(1) IN GENERAL.—The partnership shall, not less often than once each year, prepare a report containing—

''(A) detailed data obtained under subsection (d), including data on the indicators comprising the Civic Health Assessment; and

''(B) the analyses described in paragraphs (4) and (5) of subsection (d), to the extent practicable based on the data the partnership is able to obtain.

''(2) AGGREGATION AND PRESENTATION.—The partnership shall, to the extent practicable, aggregate the data on the civic health indicators comprising the Civic Health Assessment by community, by State, and nationally. The report described in paragraph (1) shall present the aggregated data in a form that enables communities and States to assess their civic health, as measured on each of the indicators comprising the Civic Health Assessment, and compare those measures with comparable measures of other communities and States.

''(3) SUBMISSION.—The partnership shall submit the report to the authorizing committees, and make the report available to the general public on the Corporation's website.

''(f) PUBLIC INPUT.—The partnership shall—

''(1) identify opportunities for public dialogue and input on the Civic Health Assessment; and

''(2) hold conferences and forums to discuss the implications of the data and analyses reported under subsection (e).

''(g) VOLUNTEERING RESEARCH AND EVALUATION.—

''(1) RESEARCH.—The partnership shall provide for baseline research and tracking of domestic and international volunteering, and baseline research and tracking related to relevant data on the indicators described in subsection (d). In providing for the research and tracking under this subsection, the partnership shall consider data from the Supplements to the Current Populations Surveys conducted by the Bureau of the Census for the Bureau of Labor Statistics, and data from other public and private sources, including other data collected by the Bureau of the Census and the Bureau of Labor Statistics.

''(2) IMPACT RESEARCH AND EVALUATION.—The partnership shall sponsor an independent evaluation of the impact of domestic and international volunteering, including an assessment of best practices for such volunteering, and methods of improving such volunteering through enhanced collaboration among—

''(A) entities that recruit, manage, support, and utilize volunteers;

''(B) institutions of higher education; and

''(C) research institutions.

''(h) DATABASE PROHIBITION.—Nothing in this Act shall be construed to authorize the development, implementation, or maintenance of a Federal database of personally identifiable information on individuals participating in data collection for sources of information under this section.''.

SEC. 1609. CONTINGENT EXTENSION.

Section 181 (42 U.S.C. 12641) is amended by striking ''Section 414'' and inserting ''Section 422''.

SEC. 1610. PARTNERSHIPS WITH SCHOOLS.

Section 182(b) (42 U.S.C. 12642(b)) is amended to read as follows:

''(b) REPORT.—

''(1) FEDERAL AGENCY SUBMISSION.—The head of each Federal agency and department shall prepare and submit to the Corporation a report concerning the implementation of this section, including an evaluation of the agency or department's performance on performance goals and benchmarks for each partnership program of the agency or department.

''(2) REPORT TO CONGRESS.—The Corporation shall prepare and submit to the authorizing committees a compilation of the information received under paragraph (1).''.

SEC. 1611. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

Section 183 (42 U.S.C. 12643) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''The'' and inserting ''Consistent with otherwise applicable law, the''; and

(B) in paragraph (1), by inserting ''territory,'' after ''local government,'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The'' and inserting ''Consistent with otherwise applicable law, the''; and

(B) in paragraph (1), by inserting ''territory'' after ''local government,''; and

(3) by adding at the end the following:

''(c) INSPECTOR GENERAL.—Consistent with otherwise applicable law, the Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

''(1) within the possession or control of the Corporation or any State or local government, territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under the national service laws; and

''(2) that relates to—

''(A) such assistance; and

''(B) the duties of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.).''.

SEC. 1612. ADDITIONAL ADMINISTRATIVE PROVISIONS.

Subtitle F of title I (42 U.S.C. 12631 et seq.) is amended by adding at the end the following:

''SEC. 185. CONSOLIDATED APPLICATION AND REPORTING REQUIREMENTS.

''(a) IN GENERAL.—To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs, projects, and activities funded under the national service laws.

''(b) REPORT TO CONGRESS.—Not later than 18 months after the effective date of the Serve America Act, the Corporation shall submit to the authorizing committees a report containing information on the actions taken to consolidate or modify the application procedures and reporting requirements for programs, projects, and activities funded under the national service laws, including a description of the procedures for consultation with recipients of the funding.

''SEC. 186. SUSTAINABILITY.

''The Corporation, after consultation with State Commissions and recipients of assistance, may set sustainability goals for projects or programs under the national service laws, so that recipients of assistance under the national service laws are carrying out sustainable projects or programs. Such sustainability goals shall be in writing and shall be used—

''(1) to build the capacity of the projects or programs that receive assistance under the national service laws to meet community needs;

''(2) in providing technical assistance to recipients of assistance under the national service laws regarding acquiring and leveraging non-Federal funds for support of the projects or programs that receive such assistance; and

''(3) to determine whether the projects or programs, receiving such assistance, are generating sufficient community support.

''SEC. 187. GRANT PERIODS.

''Unless otherwise specifically provided, the Corporation has authority to award a grant or contract, or enter into a cooperative agreement, under the national service laws for a period of 3 years.

''SEC. 188. GENERATION OF VOLUNTEERS.

''In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs. In reviewing the application for this purpose, the Corporation may take into account the mission of the applicant.

''SEC. 189. LIMITATION ON PROGRAM GRANT COSTS.

''(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section,

the amount of funds approved by the Corporation for a grant to operate a program authorized under the national service laws, for supporting individuals serving in approved national service positions, may not exceed $18,000 per full-time equivalent position.

''(b) COSTS SUBJECT TO LIMITATION.—The limitation under subsection (a), and the increased limitation under subsection (e)(1), shall apply to the Corporation's share of the member support costs, staff costs, and other costs to operate a program authorized under the national service laws incurred, by the recipient of the grant.

''(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation under subsection (a), and the increased limitation under subsection (e)(1), shall not apply to expenses under a grant authorized under the national service laws to operate a program that are not included in the grant award for operating the program.

''(d) ADJUSTMENTS FOR INFLATION.—The amounts specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

''(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

''(1) WAIVER.—The Chief Executive Officer may increase the limitation under subsection (a) to not more than $19,500 per full-time equivalent position if necessary to meet the compelling needs of a particular program, such as—

''(A) exceptional training needs for a program serving disadvantaged youth;

''(B) the need to pay for increased costs relating to the participation of individuals with disabilities;

''(C) the needs of tribal programs or programs located in the territories; and

''(D) the need to pay for start-up costs associated with a first-time recipient of assistance under a program of the national service laws.

''(2) REPORTS.—The Chief Executive Officer shall report to the authorizing committees annually on all limitations increased under this subsection, with an explanation of the compelling needs justifying such increases.

''SEC. 189A. MATCHING FUNDS FOR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.

''(a) IN GENERAL.—Notwithstanding any other provision of law, a severely economically distressed community that receives assistance from the Corporation for any program under the national service laws shall not be subject to any requirements to provide matching funds for any such program, and the Federal share of such assistance for such a community may be 100 percent.

''(b) SEVERELY ECONOMICALLY DISTRESSED COMMUNITY.—For the purposes of this section, the term 'severely economically distressed community' means—

''(1) an area that has a mortgage foreclosure rate, home price decline, and unemployment rate all of which are above the national average for such rates or level, for the most recent 12 months for which satisfactory data are available; or

''(2) a residential area that lacks basic living necessities, such as water and sewer systems, electricity, paved roads, and safe, sanitary housing.

''SEC. 189B. AUDITS AND REPORTS.

''The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 901 note; Public Law 101–576) and chapter 91 of title 31, United States Code (commonly known as the 'Government Corporation Control Act'). The Corporation shall report to the authorizing committees any failure to comply with such requirements.

''SEC. 189C. RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

''(a) GENERAL PROHIBITION.—Nothing in the national service laws shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

''(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—Notwithstanding any other prohibition of Federal law, no funds provided to the Corporation under this Act may be used by the Corporation to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

''(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION STANDARDS.—Notwithstanding any other provision of Federal law, not State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

''SEC. 189D. CRIMINAL HISTORY CHECKS.

''(a) IN GENERAL.—Each entity selecting individuals to serve in a position in which the individuals receive a living allowance, stipend, national service educational award, or salary through a program receiving assistance under the national service laws, shall, subject to regulations and requirements established by the Corporation, conduct criminal history checks for such individuals.

''(b) REQUIREMENTS.—A criminal history check under subsection (a) shall, except in cases approved for good cause by the Corporation, include—

''(1) a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); and

''(2)(A) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; or

''(B) submitting fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

''(c) ELIGIBILITY PROHIBITION.—An individual shall be ineligible to serve in a position described under subsection (a) if such individual—

''(1) refuses to consent to the criminal history check described in subsection (b);

''(2) makes a false statement in connection with such criminal history check;

''(3) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

''(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.''.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

SEC. 1701. TERMS OF OFFICE.

Section 192 (42 U.S.C. 12651a) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.''; and

(2) by adding at the end the following:

''(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve on the Board until the date on which the member's successor takes office, which period shall not exceed 1 year.''.

SEC. 1702. BOARD OF DIRECTORS AUTHORITIES AND DUTIES.

Section 192A(g) (42 U.S.C. 12651b(g)) is amended—

(1) in the matter preceding paragraph (1), by striking ''shall—'' and inserting ''shall have responsibility for setting overall policy for the Corporation and shall—'';

(2) in paragraph (1), by inserting before the semicolon at the end the following: '', and review the budget proposal in advance of submission to the Office of Management and Budget'';

(3) in paragraph (5)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;'';

(4) in paragraph (8), by striking ''the Congress'' each place it appears and inserting ''the authorizing committees'';

(5) by striking paragraph (10) and inserting the following:

''(10) notwithstanding any other provision of law—

''(A) make grants to or contracts with Federal and other public departments or agencies, and private nonprofit organizations, for the assignment or referral of volunteers under the provisions of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.) (except as provided in section 108 of such Act), which may provide that the agency or organization shall pay all or a part of the costs of the program; and

''(B) enter into agreements with other Federal agencies or private nonprofit organizations for the support of programs under the national service laws, which—

''(i) may provide that the agency or organization shall pay all or a part of the costs of the program, except as is provided in section 121(b); and

''(ii) shall provide that the program (including any program operated by another Federal agency) will comply with all requirements related to evaluation, performance, and other goals applicable to similar programs under the national service laws, as determined by the Corporation,''; and

(6) in paragraph (11)—

(A) by striking ''Congress'' each place it appears and inserting ''authorizing committees'';

(B) by striking ''section 193A(b)(10)'' and inserting ''section 193A(b)(11)''; and

(C) by striking ''September 30, 1995'' and inserting ''January 1, 2012''.

SEC. 1703. CHIEF EXECUTIVE OFFICER COMPENSATION.

Section 193(b) (42 U.S.C. 12651c(b)) is amended by striking the period and inserting '', plus 3 percent.''.

SEC. 1704. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

Section 193A (42 U.S.C. 12651d) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''shall—'' and inserting '', in collaboration with the State Commissions, shall—'';

(B) in paragraph (1), by inserting after ''a strategic plan'' the following: '', including a plan for having 50 percent of all approved national service positions be full-time positions by 2012,'';

(C) in paragraph (2)(B), by inserting '', approved summer of service positions, and approved silver scholar positions'' after ''approved national service positions'';

(D) by redesignating paragraphs (7) through (11) as paragraphs (8) through (12), respectively;

(E) by inserting after paragraph (6) the following:

''(7) prepare and submit to the authorizing committees and the Board an annual report on actions taken to achieve the goal of having 50 percent of all approved national service positions be full-time positions by 2012 as described in paragraph (1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal;'';

(F) in the matter preceding subparagraph (A) of paragraph (10) (as so redesignated), by striking ''appropriate committees of Congress'' and inserting ''authorizing committees'';

(G) in paragraph (11) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking ''by June 30, 1995,'' and inserting ''periodically,'';

(ii) in subparagraph (A)(i)—

(I) by striking ''described in section 122(c)(1)''; and

(II) by striking ''national priorities designed to meet the'' and inserting ''national priorities, as described in section 122(f)(1), designed to meet''; and

(iii) in subparagraph (B), by striking ''and'' after a semicolon;

(H) in paragraph (12) (as so redesignated), by striking the period at the end and inserting a semicolon; and

(I) by adding at the end the following:

''(13) bolster the public awareness of and recruitment efforts for the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

''(A) print media;

''(B) the Internet and related emerging technologies;

''(C) television;

''(D) radio;

''(E) presentations at public or private forums;

''(F) other innovative methods of communication; and

''(G) outreach to offices of economic development, State employment security agencies, labor organizations and trade associations, local educational agencies, institutions of higher education, agencies and organizations serving veterans and individuals with disabilities, and other institutions or organizations from which participants for programs receiving assistance from the national service laws can be recruited;

''(14) identify and implement methods of recruitment to—

''(A) increase the diversity of participants in the programs receiving assistance under the national service laws; and

''(B) increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

''(15) coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

''(16) collaborate with organizations with demonstrated expertise in supporting and accommodating individuals with disabilities, including institutions of higher education, to identify and implement methods of recruitment to increase the number of participants who are individuals with disabilities in the programs receiving assistance under the national service laws;

''(17) identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

''(18) collaborate with organizations that have established volunteer recruitment programs to increase the recruitment capacity of the Corporation;

''(19) where practicable, provide application materials in languages other than English for individuals with limited English proficiency who wish to participate in a national service program;

''(20) collaborate with the training and technical assistance programs described in subtitle J with respect to the activities described in section 199N(b));

''(21) coordinate the clearinghouses described in section 198O;

''(22) coordinate with entities receiving funds under subtitle C in establishing the National Service Reserve Corps under section 198H, through which alumni of the national service programs and veterans can serve in disasters and emergencies (as such terms are defined in section 198H(a));

''(23) identify and implement strategies to increase awareness among Indian tribes of the types and availability of assistance under the national service laws, increase Native American participation in programs under the national service laws, and collect information on challenges facing Native American communities;

''(24) conduct outreach to ensure the inclusion of economically disadvantaged individuals in national service programs and activities authorized under the national service laws; and

''(25) ensure that outreach, awareness, and recruitment efforts are consistent with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).'';

(2) in subsection (c)—

(A) in paragraph (9)—

(i) by striking ''Congress'' each place the term occurs and inserting ''the authorizing committees''; and

(ii) by striking ''and'' at the end;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by inserting after paragraph (9) the following:

''(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and'';

(3) in subsection (f)(2)(B), by striking ''date specified in subsection (b)(10)'' and inserting ''the first date that a report is submitted under subsection (b)(11) after the effective date of the Serve America Act''; and

(4) by adding at the end the following:

''(h) AUTHORITY TO CONTRACT WITH BUSINESSES.—The Chief Executive Officer may, through contracts or cooperative agreements, carry out the marketing duties described in subsection (b)(13), with priority given to those entities that have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and older adults.

''(i) CAMPAIGN TO SOLICIT FUNDS.—The Chief Executive Officer may conduct a campaign to solicit funds to conduct outreach and recruitment campaigns to recruit a diverse population of service sponsors of, and participants in, programs and projects receiving assistance under the national service laws.''.

SEC. 1705. CHIEF FINANCIAL OFFICER STATUS.

Section 194(c) (42 U.S.C. 12651e(c)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the Chief Executive Officer pursuant to subsections (a) and (b) of section 195.''; and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 1706. NONVOTING MEMBERS; PERSONAL SERVICES CONTRACTS.

Section 195 (42 U.S.C. 12651f) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(B), by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(B) in paragraph (3)—

(i) in the heading, by striking ''MEMBER'' and inserting ''NONVOTING MEMBER''; and

(ii) by inserting ''nonvoting'' before ''member''; and

(2) by adding at the end the following new subsection:

''(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.''.

SEC. 1707. DONATED SERVICES.

Section 196(a) (42 U.S.C. 12651g(a)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

''(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking ''Such a volunteer'' and inserting ''A person who provides assistance, either individually or as a member of an organization, in accordance with subparagraph (A)'';

(ii) in clause (i), by striking ''a volunteer under this subtitle'' and inserting ''such a person'';

(iii) in clause (ii), by striking ''volunteers under this subtitle'' and inserting ''such persons''; and

(iv) in clause (iii), by striking ''such a volunteer'' and inserting ''such a person''; and

(C) in subparagraph (C)(i), by striking ''Such a volunteer'' and inserting ''Such a person''; and

(2) by striking paragraph (3).

SEC. 1708. ASSIGNMENT TO STATE COMMISSIONS.

Subtitle G of title I (42 U.S.C. 12651 et seq.) is further amended by adding at the end the following:

''SEC. 196B. ASSIGNMENT TO STATE COMMISSIONS.

''(a) ASSIGNMENT.—In accordance with section 193A(c)(1), the Chief Executive Officer may assign to State Commissions specific programmatic functions upon a determination that such an assignment will increase efficiency in the operation or oversight of a program under the national service laws. In carrying out this section, and before executing any assignment of authority, the Corporation shall seek input from and consult Corporation employees, State Commissions, State educational agencies, and other interested stakeholders.

''(b) REPORT.—Not later than 2 years after the effective date of the Serve America Act, the Corporation shall submit a report to the authorizing committees describing the consultation process described in subsection (a), including the stakeholders consulted, the recommendation of stakeholders, and any actions taken by the Corporation under this section.''.

SEC. 1709. STUDY OF INVOLVEMENT OF VETERANS.

Subtitle G of title I (42 U.S.C. 12651 et seq.) is further amended by adding at the end the following:

"SEC. 196C. STUDY OF INVOLVEMENT OF VETERANS.

''(a) STUDY AND REPORT.—The Corporation shall conduct a study and submit a report to the authorizing committees, not later than 3 years after the effective date of the Serve America Act, on—

''(1) the number of veterans serving in national service programs historically by year;

''(2) strategies being undertaken to identify the specific areas of need of veterans, including any goals set by the Corporation for veterans participating in the service programs;

''(3) the impact of the strategies described in paragraph (2) and the Veterans Corps on enabling greater participation by veterans in the national service programs carried out under the national service laws;

''(4) how existing programs and activities carried out under the national service laws could be improved to serve veterans, veterans service organizations, families of active-duty military, including gaps in services to veterans;

''(5) the extent to which existing programs and activities carried out under the national service laws are coordinated and recommendations to improve such coordination including the methods for ensuring the efficient financial organization of services directed towards veterans; and

''(6) how to improve utilization of veterans as resources and volunteers.

''(b) CONSULTATION.—In conducting the studies and preparing the reports required under this subsection, the Corporation shall consult with veterans' service organizations, the Secretary of Veterans Affairs, State veterans agencies, the Secretary of Defense, as appropriate, and other individuals and entities the Corporation considers appropriate.''.

SEC. 1710. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR DISPLACED WORKERS IN SERVICES CORPS AND COMMUNITY SERVICE AND TO DEVELOP PILOT PROGRAM PLANNING STUDY.

(a) PLANNING STUDY.—The Corporation shall conduct a study to identify—

(1) specific areas of need for displaced workers;

(2) how existing programs and activities (as of the time of the study) carried out under the national service laws could better serve displaced workers and communities that have been adversely affected by plant closings and job losses;

(3) prospects for better utilization of displaced workers as resources and volunteers; and

(4) methods for ensuring the efficient financial organization of services directed towards displaced workers.

(b) CONSULTATION.—The study shall be carried out in consultation with the Secretary of Labor, State labor agencies, and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 1 year after the effective date of this Act, the Corporation shall submit to the authorizing committees a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving displaced workers.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation shall develop and carry out a pilot program based on the findings and plan in the report submitted under subsection (c).

(e) DEFINITIONS.—In this section, the terms ''Corporation'', ''authorizing committees'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2014.

SEC. 1711. STUDY TO EVALUATE THE EFFECTIVENESS OF AGENCY COORDINATION.

(a) STUDY.—In order to reduce administrative burdens and lower costs for national service programs carried out under the national service laws, the Corporation shall conduct a study to determine the feasibility and effectiveness of implementing a data matching system under which the statements of an individual declaring that such individual is in compliance with the requirements of section 146(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12602(a)(3)) shall be verified by the Corporation by comparing information provided by the individual with information relevant to such a declaration in the possession of other Federal agencies. Such study shall—

(1) review the feasibility of—

(A) expanding, and participating in, the data matching conducted by the Department of Education with the Social Security Administration and the Department of Homeland Security, pursuant to section 484(g) of the Higher Education Act of 1965 (20 U.S.C. 1091(g)); or

(B) establishing a comparable system of data matching with the Social Security Administration and the Department of Homeland Security; and

(2) identify—

(A) the costs, for both the Corporation and the other Federal agencies identified in paragraph (1), associated with expanding or establishing such a system of data matching;

(B) the benefits or detriments of such an expanded or comparable system both for the Corporation and for the other Federal agencies so identified;

(C) strategies for ensuring the privacy and security of participant information that is shared between Federal agencies and organizations receiving assistance under the national service laws;

(D) the information that needs to be shared in order to fulfill the eligibility requirements of section 146(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12602(a)(3));

(E) an alternative system through which an individual's compliance with section 146(a)(3) of such Act may be verified, should such an expanded or comparable system fail to verify the individual's declaration of compliance; and

(F) recommendations for implementation of such an expanded or comparable system.

(b) CONSULTATION.—The Corporation shall carry out the study in consultation with the Secretary of Education, the Commissioner of the Social Security Administration, the Secretary of Homeland Security, and other Federal agencies, entities, and individuals that the Corporation considers appropriate.

(c) REPORT.—Not later than 9 months after the effective date of this Act, the Corporation shall submit to the authorizing committees a report on the results of the study required by subsection (a) and a plan for implementation of a pilot data matching program using promising strategies and approaches identified in such study, if the Corporation determines such program to be feasible.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation may develop and carry out a pilot data matching program based on the report submitted under subsection (c).

(e) DEFINITIONS.—In this section, the terms ''Corporation'', ''authorizing committees'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

SEC. 1712. STUDY OF PROGRAM EFFECTIVENESS.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall develop performance measures for each program receiving Federal assistance under the national service laws.

(b) CONTENTS.—The performance measures developed under subsection (a) shall—

(1) to the maximum extent practicable draw on research-based, quantitative data;

(2) take into account program purpose and program design;

(3) include criteria to evaluate the cost effectiveness of programs receiving assistance under the national service laws;

(4) include criteria to evaluate the administration and management of programs receiving Federal assistance under the national service laws; and

(5) include criteria to evaluate oversight and accountability of recipients of assistance through such programs under the national service laws.

(c) REPORT.—Not later than 2 years after the development of the performance measures under subsection (a), and every 5 years thereafter, the Comptroller General of the United States shall prepare and submit to the authorizing committees and the Corporation's Board of Directors a report containing an assessment of each such program with respect to the performance measures developed under subsection (a).

(d) DEFINITIONS.—In this section:

(1) IN GENERAL.—The terms ''authorizing committees'', ''Corporation'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(2) PROGRAM.—The term ''program'' means an entire program carried out by the Corporation under the national service laws, such as the entire AmeriCorps program carried out under subtitle C.

Subtitle H—Amendments to Subtitle H (Investment for Quality and Innovation)

SEC. 1801. TECHNICAL AMENDMENT TO SUBTITLE H.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is amended by inserting after the subtitle heading and before section 198 the following:

"PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE".

SEC. 1802. ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.

(a) TECHNICAL AMENDMENTS.—Section 198 (42 U.S.C. 12653) is amended—

(1) in subsection (a), by striking ''subsection (r)'' and inserting ''subsection (g)'';

(2) in the matter preceding paragraph (1) of subsection (b), by striking ''to improve the quality'' and all that follows through ''including—'' and inserting ''to address emergent needs through summer programs and other activities, and to support service-learning programs and national service programs, including—'';

(3) by striking subsections (c), (d), (e), (f), (h), (i), (j), (l), (m), and (p) and redesignating subsections (g), (k), (n), (o), (q), (r), and (s) as subsections (c), (d), (e), (f), (g), (h), and (i), respectively.

(b) GLOBAL YOUTH SERVICE DAYS.—Section 198 (42 U.S.C. 12653), as amended in subsection (a), is further amended—

(1) in subsection (g) (as redesignated by subsection (a)(3))—

(A) in the subsection heading, by striking ''NATIONAL'' and inserting ''GLOBAL'';

(B) by striking ''National Youth'' each place it appears and inserting ''Global Youth'';

(C) in paragraph (1)—

(i) by striking the first sentence and inserting ''April 24, 2009, and April 23, 2010, are each designated as 'Global Youth Service Days'.''; and

(ii) in the second sentence, by striking ''appropriate ceremonies and activities'' and inserting ''appropriate youth-led community improvement and service-learning activities'';

(D) in paragraph (2)—

(i) by inserting ''and other Federal departments and agencies'' after ''Corporation''; and

(ii) by striking ''ceremonies and activities'' and inserting ''youth-led community improvement and service-learning activities''; and

(E) in paragraph (3), by inserting ''and other Federal departments and agencies'' after ''Corporation''.

(c) CALL TO SERVICE CAMPAIGN AND SEPTEMBER 11TH DAY OF SERVICE.—Section 198 (42 U.S.C. 12653), as amended by subsection (a), is further amended by adding at the end the following:

''(j) CALL TO SERVICE CAMPAIGN.—Not later than 180 days after the date of enactment of the Serve America Act, the Corporation shall conduct a nationwide 'Call To Service' campaign, to encourage all people of the United States, regardless of age, race, ethnicity, religion, or economic status, to engage in full- or part-time national service, long- or short-term public service in the nonprofit sector or government, or volunteering. In conducting the campaign, the Corporation may collaborate with other Federal agencies and entities, State Commissions, Governors, nonprofit and faith-based organizations, businesses, institutions of higher education, elementary schools, and secondary schools.

''(k) SEPTEMBER 11TH DAY OF SERVICE.—

''(1) FEDERAL ACTIVITIES.—The Corporation may organize and carry out appropriate ceremonies and activities, which may include activities that are part of the broader Call to Service Campaign under subsection (j), in order to observe the September 11th National Day of Service and Remembrance at the Federal level.

''(2) ACTIVITIES.—The Corporation may make grants and provide other support to community-based organizations to assist in planning and carrying out appropriate service, charity, and remembrance opportunities in conjunction with the September 11th National Day of Service and Remembrance.

''(3) CONSULTATION.—The Corporation may consult with and make grants or provide other forms of support to nonprofit organizations with expertise in representing families of victims of the September 11, 2001 terrorist attacks and other impacted constituencies, and in promoting the establishment of September 11 as an annually recognized National Day of Service and Remembrance.''.

SEC. 1803. REPEALS.

(a) REPEALS.—The following provisions are repealed:

(1) CLEARINGHOUSES.—Section 198A (42 U.S.C. 12653a).

(2) MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.—Section 198C (42 U.S.C. 12653c).

(3) SPECIAL DEMONSTRATION PROJECT.—Section 198D (42 U.S.C. 12653d).

(b) REDESIGNATION.—Section 198B (42 U.S.C. 12653b) is redesignated as section 198A.

SEC. 1804. PRESIDENTIAL AWARDS.

Section 198A(a)(2) (as redesignated by section 1803(b)) (42 U.S.C. 12653b(a)(2)) is further amended by striking ''section 101(19)'' and inserting ''section 101''.

SEC. 1805. NEW FELLOWSHIPS.

Part I of subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following new sections:

''SEC. 198B. SERVEAMERICA FELLOWSHIPS.

''(a) DEFINITIONS.—In this section:

''(1) AREA OF NATIONAL NEED.—The term 'area of national need' means an area involved in efforts to—

''(A) improve education in schools for economically disadvantaged students;

''(B) expand and improve access to health care;

''(C) improve energy efficiency and conserve natural resources;

''(D) improve economic opportunities for economically disadvantaged individuals; or

''(E) improve disaster preparedness and response.

''(2) ELIGIBLE FELLOWSHIP RECIPIENT.—The term 'eligible fellowship recipient' means an individual who is selected by a State Commission under subsection (c) and, as a result of such selection, is eligible for a ServeAmerica Fellowship.

''(3) FELLOW.—The term 'fellow' means an eligible fellowship recipient who is awarded a ServeAmerica Fellowship and is designated a fellow under subsection (e)(2).

''(4) SMALL SERVICE SPONSOR ORGANIZATION.—The term 'small service sponsor organization' means a service sponsor organization described in subsection (d)(1) that has not more than 10 full-time employees and 10 part-time employees.

''(b) GRANTS.—

''(1) IN GENERAL.—From the amounts appropriated under section 501(a)(4)(B) and allotted under paragraph (2)(A), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions), to the State Commission of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico with an application approved under this section, to enable such State Commissions to award ServeAmerica Fellowships under subsection (e).

''(2) ALLOTMENT; ADMINISTRATIVE COSTS.—

''(A) ALLOTMENT.—The amount allotted to a State Commission for a fiscal year shall be equal to an amount that bears the same ratio to the amount appropriated under section 501(a)(4)(B), as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(B) REALLOTMENT.—If a State Commission does not apply for an allotment under this subsection for any fiscal year, or if the State Commission's application is not approved, the Corporation shall reallot the amount of the State Commission's allotment to the remaining State Commissions in accordance with subparagraph (A).

''(C) ADMINISTRATIVE COSTS.—Of the amount allotted to a State Commission under subparagraph (A), not more than 1.5 percent of such amount may be used for administrative costs.

''(3) NUMBER OF POSITIONS.—The Corporation shall—

''(A) establish or increase the number of approved national service positions under this subsection during each of fiscal years 2010 through 2014;

''(B) establish the number of approved positions at 500 for fiscal year 2010; and

''(C) increase the number of the approved positions to—

''(i) 750 for fiscal year 2011;

''(ii) 1,000 for fiscal year 2012;

''(iii) 1,250 for fiscal year 2013; and

''(iv) 1,500 for fiscal year 2014.

''(4) USES OF GRANT FUNDS.—

''(A) REQUIRED USES.—A grant awarded under this subsection shall be used to enable fellows to carry out service projects in areas of national need.

''(B) PERMITTED USES.—A grant awarded under this subsection may be used for—

''(i) oversight activities and mechanisms for the service sites of the fellows, as determined necessary by the State Commission or the Corporation, which may include site visits;

''(ii) activities to augment the experience of fellows, including activities to engage the fellows in networking opportunities with other national service participants; and

''(iii) recruitment or training activities for fellows.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State Commission shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including information on the criteria and procedures that the State Commission will use for overseeing ServeAmerica Fellowship placements for service projects, under subsection (e).

''(c) ELIGIBLE FELLOWSHIP RECIPIENTS.—

''(1) APPLICATION.—

''(A) IN GENERAL.—An applicant desiring to become an eligible fellowship recipient shall submit an application to a State Commission that has elected to participate in the program authorized under this section, at such time and in such manner as the Commission may require, and containing the information described in subparagraph (B) and such additional information as the Commission may require. An applicant may submit such application to only 1 State Commission for a fiscal year.

''(B) CONTENTS.—The Corporation shall specify information to be provided in an application submitted under this subsection, which—

''(i) shall include—

''(I) a description of the area of national need that the applicant intends to address in the service project;

''(II) a description of the skills and experience the applicant has to address the area of national need;

''(III) a description of the type of service the applicant plans to provide as a fellow; and

''(IV) information identifying the local area within the State served by the Commission in which the applicant plans to serve for the service project; and

''(ii) may include, if the applicant chooses, the size of the registered service sponsor organization with which the applicant hopes to serve.

''(2) SELECTION.—Each State Commission shall—

''(A) select, from the applications received by the State Commission for a fiscal year, the number of eligible fellowship recipients that may be supported for that fiscal year based on the amount of the grant received by the State Commission under subsection (b); and

''(B) make an effort to award one-third of the fellowships available to the State Commission for a fiscal year, based on the amount of the grant received under subsection (b), to applicants who propose to serve the fellowship with small service sponsor organizations registered under subsection (d).

''(d) SERVICE SPONSOR ORGANIZATIONS.—

''(1) IN GENERAL.—Each service sponsor organization shall—

''(A) be a nonprofit organization;

''(B) satisfy qualification criteria established by the Corporation or the State Commission, including standards relating to organizational capacity, financial management, and programmatic oversight;

''(C) not be a recipient of other assistance, approved national service positions, or approved summer of service positions under the national service laws; and

''(D) at the time of registration with a State Commission, enter into an agreement providing that the service sponsor organization shall—

''(i) abide by all program requirements;

''(ii) provide an amount described in subsection (e)(3)(b) for each fellow serving with the organization through the ServeAmerica Fellowship;

''(iii) be responsible for certifying whether each fellow serving with the organization successfully completed the ServeAmerica Fellowship, and record and certify in a manner specified by the Corporation the number of hours served by a fellow for purposes of determining the fellow's eligibility for benefits; and

''(iv) provide timely access to records relating to the ServeAmerica Fellowship to the State Commission, the Corporation, and the Inspector General of the Corporation.

''(2) REGISTRATION.—

''(A) REQUIREMENT.—No service sponsor organization may receive a fellow under this section until the organization registers with the State Commission.

''(B) CLEARINGHOUSE.—The State Commission shall maintain a list of registered service sponsor organizations on a public website.

''(C) REVOCATION.—If a State Commission determines that a service sponsor organization is in violation of any of the applicable provisions of this section—

''(i) the State Commission shall revoke the registration of the organization;

''(ii) the organization shall not be eligible to receive assistance, approved national service positions, or approved summer of service positions under this title for not less than 5 years; and

''(iii) the State Commission shall have the right to remove a fellow from the organization and relocate the fellow to another site.

''(e) FELLOWS.—

''(1) IN GENERAL.—To be eligible to participate in a service project as a fellow and receive a ServeAmerica Fellowship, an eligible fellowship recipient shall—

''(A) within 3 months after being selected as an eligible fellowship recipient by a State Commission, select a registered service sponsor organization described in subsection (d)—

''(i) with which the recipient is interested in serving under this section; and

''(ii) that is located in the State served by the State Commission;

''(B) enter into an agreement with the organization—

''(i) that specifies the service the recipient will provide if the placement is approved; and

''(ii) in which the recipient agrees to serve for 1 year on a full-time or part-time basis (as determined by the Corporation); and

''(C) submit such agreement to the State Commission.

''(2) AWARD.—Upon receiving the eligible fellowship recipient's agreement under paragraph (1), the State Commission shall award a ServeAmerica Fellowship to the recipient and designate the recipient as a fellow.

''(3) FELLOWSHIP AMOUNT.—

''(A) IN GENERAL.—From amounts received under subsection (b), each State Commission shall award each of the State's fellows a ServeAmerica Fellowship amount that is equal to 50 percent of the amount of the average annual VISTA subsistence allowance.

''(B) AMOUNT FROM SERVICE SPONSOR ORGANIZATION.—

''(i) IN GENERAL.—Except as provided in clause (ii) and subparagraph (E), the service sponsor organization shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of such amount and the ServeAmerica Fellowship amount the fellow receives under subparagraph (A)) is equal to or greater than 70 percent of the average annual VISTA subsistence allowance.

''(ii) SMALL SERVICE SPONSOR ORGANIZATIONS.—In the case of a small service sponsor organization, the small service sponsor organization may decrease the amount of the service sponsor organization award required under clause (i) to not less than an amount that will ensure that the total award received by the fellow for service in the service project (as calculated in clause (i)) is equal to or greater than 60 percent of the average annual VISTA subsistence allowance.

''(C) MAXIMUM LIVING ALLOWANCE.—The total amount that may be provided to a fellow under this subparagraph shall not exceed 100 percent of the average annual VISTA subsistence allowance.

''(D) PRORATION OF AMOUNT.—In the case of a fellow who is authorized to serve a part-time term of service under the agreement described in paragraph (1)(B)(ii), the amount provided to a fellow under this paragraph shall be prorated accordingly.

''(E) WAIVER.—The Corporation may allow a State Commission to waive the amount required under subparagraph (B) from the service sponsor organization for a fellow serving the organization if—

''(i) such requirement is inconsistent with the objectives of the ServeAmerica Fellowship program; and

''(ii) the amount provided to the fellow under subparagraph (A) is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the ServeAmerica Fellowship program is located.

''(F) DEFINITION.—In this paragraph, the term 'average annual VISTA subsistence allowance' means the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(f) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service under a ServeAmerica Fellowship shall comply with section 132(a). For purposes of applying that section to this subsection, a reference to assistance shall be considered to be a reference to assistance provided under this section.

''(g) REPORTS.—Each service sponsor organization that receives a fellow under this section shall, on a biweekly basis, report to the Corporation on the number of hours served and the services provided by that fellow. The Corporation shall establish a web portal for the organizations to use in reporting the information.

''(h) EDUCATIONAL AWARDS.—A fellow who serves in a service project under this section shall be considered to have served in an approved national service position and, upon meeting the requirements of section 147 for full-time or part-time national service, shall be eligible for a national service educational award described in such section. The Corporation shall transfer an appropriate amount of funds to the National Service Trust to provide for the national service educational award for such fellow.

''SEC. 198C. SILVER SCHOLARSHIPS AND ENCORE FELLOWSHIPS.

''(a) SILVER SCHOLARSHIP GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Corporation may award fixed-amount grants (in accordance with section 129(1)) to community-based entities to carry out a Silver Scholarship Grant Program for individuals age 55 or older, in which such individuals complete not less than 350 hours of service in a year carrying out projects of national need and receive a Silver Scholarship in the form of a $1,000 national service educational award. Under such a program, the Corporation shall establish criteria for the types of the service required to be performed to receive such award.

''(2) TERM.—Each program funded under this subsection shall be carried out over a period of 3 years (which may include 1 planning year), with a 1-year extension possible, if the program meets performance levels developed in accordance with section 179(k) and any other criteria determined by the Corporation.

''(3) APPLICATIONS.—To be eligible for a grant under this subsection, a community-based entity shall—

''(A) submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require; and

''(B) be a listed organization as described in subsection (b)(4).

''(4) COLLABORATION ENCOURAGED.—A community-based entity awarded a grant under this subsection is encouraged to collaborate with programs funded under title II of the Domestic Volunteer Service Act of 1973 in carrying out this program.

''(5) ELIGIBILITY FOR FELLOWSHIP.—An individual is eligible to receive a Silver Scholarship if the community-based entity certifies to the Corporation that the individual has completed not less than 350 hours of service under this section in a 1-year period.

''(6) TRANSFER TO TRUST.—The Corporation shall transfer an appropriate amount of funds to the National Service Trust to provide for the national service educational award for each silver scholar under this subsection.

''(7) SUPPORT SERVICES.—A community-based entity receiving a fixed-amount grant under this subsection may use a portion of the grant to provide transportation services to an eligible individual to allow such individual to participate in a service project.

''(b) ENCORE FELLOWSHIPS.—

''(1) ESTABLISHMENT.—The Corporation may award 1-year Encore Fellowships to enable individuals age 55 or older to—

''(A) carry out service projects in areas of national need; and

''(B) receive training and development in order to transition to full- or part-time public service in the nonprofit sector or government.

''(2) PROGRAM.—In carrying out the program, the Corporation shall—

''(A) maintain a list of eligible organizations for which Encore Fellows may be placed to carry out service projects through the program and shall provide the list to all Fellowship recipients; and

''(B) at the request of a Fellowship recipient—

''(i) determine whether the requesting recipient is able to meet the service needs of a listed organization, or another organization that the recipient requests in accordance with paragraph (5)(B), for a service project; and

''(ii) upon making a favorable determination under clause (i), award the recipient with an Encore Fellowship, and place the recipient with the organization as an Encore Fellow under paragraph (5)(C).

''(3) ELIGIBLE RECIPIENTS.—

''(A) IN GENERAL.—An individual desiring to be selected as a Fellowship recipient shall—

''(i) be an individual who—

''(I) is age 55 or older as of the time the individual applies for the program; and

''(II) is not engaged in, but who wishes to engage in, full- or part-time public service in the nonprofit sector or government; and

''(ii) submit an application to the Corporation, at such time, in such manner, and containing such information as the Corporation may require, including—

''(I) a description of the area of national need that the applicant hopes to address through the service project;

''(II) a description of the skills and experience the applicant has to address an area of national need; and

''(III) information identifying the region of the United States in which the applicant wishes to serve.

''(B) SELECTION BASIS.—In determining which individuals to select as Fellowship recipients, the Corporation shall—

''(i) select not more than 10 individuals from each State; and

''(ii) give priority to individuals with skills and experience for which there is an ongoing high demand in the nonprofit sector and government.

''(4) LISTED ORGANIZATIONS.—To be listed under paragraph (2)(A), an organization shall—

''(A) be a nonprofit organization; and

''(B) submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including—

''(i) a description of—

''(I) the services and activities the organization carries out generally;

''(II) the area of national need that the organization seeks to address through a service project; and

''(III) the services and activities the organization seeks to carry out through the proposed service project;

''(ii) a description of the skills and experience that an eligible Encore Fellowship recipient needs to be placed with the organization as an Encore Fellow for the service project;

''(iii) a description of the training and leadership development the organization shall provide an Encore Fellow placed with the organization to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(iv) evidence of the organization's financial stability.

''(5) PLACEMENT.—

''(A) REQUEST FOR PLACEMENT WITH LISTED ORGANIZATIONS.—To be placed with a listed organization in accordance with paragraph (2)(B) for a service project, an eligible Encore Fellowship recipient shall submit an application for such placement to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

''(B) REQUEST FOR PLACEMENT WITH OTHER ORGANIZATION.—An eligible Encore Fellowship recipient may apply to the Corporation to serve the recipient's Encore Fellowship year with a nonprofit organization that is not a listed organization. Such application shall be submitted to the Corporation at such time, in such manner, and containing such information as the Corporation shall require, and shall include—

''(i) an identification and description of—

''(I) the organization;

''(II) the area of national need the organization seeks to address; and

''(III) the services or activities the organization carries out to address such area of national need;

''(ii) a description of the services the eligible Encore Fellowship recipient shall provide for the organization as an Encore Fellow; and

''(iii) a letter of support from the leader of the organization, including—

''(I) a description of the organization's need for the eligible Encore Fellowship recipient's services;

''(II) evidence that the organization is financially sound;

''(III) an assurance that the organization will provide training and leadership development to the eligible Encore Fellowship recipient if placed with the organization as an Encore Fellow, to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(IV) a description of the training and leadership development to be provided to the Encore Fellowship recipient if so placed.

''(C) PLACEMENT AND AWARD OF FELLOWSHIP.—If the Corporation determines that the eligible Encore Fellowship recipient is able to meet the service needs (including skills and experience to address an area of national need) of the organization that the eligible fellowship recipient requests under subparagraph (A) or (B), the Corporation shall—

''(i) approve the placement of the eligible Encore Fellowship recipient with the organization;

''(ii) award the eligible Encore Fellowship recipient an Encore Fellowship for a period of 1 year and designate the eligible Encore Fellowship recipient as an Encore Fellow; and

''(iii) in awarding the Encore Fellowship, make a payment, in the amount of $11,000, to the organization to enable the organization to provide living expenses to the Encore Fellow for the year in which the Encore Fellow agrees to serve.

''(6) MATCHING FUNDS.—An organization that receives an Encore Fellow under this subsection shall agree to provide, for the living expenses of the Encore Fellow during the year of service, non-Federal contributions in an amount equal to not less than $1 for every $1 of Federal funds provided to the organization for the Encore Fellow through the Encore Fellowship.

''(7) TRAINING AND ASSISTANCE.—Each organization that receives an Encore Fellow under this subsection shall provide training, leadership development, and assistance to the Encore Fellow, and conduct oversight of the service provided by the Encore Fellow.

''(8) LEADERSHIP DEVELOPMENT.—Each year, the Corporation shall convene current and former Encore Fellows to discuss the Encore Fellows' experiences related to service under this subsection and discuss strategies for increasing leadership and careers in public service in the nonprofit sector or government.

''(c) EVALUATIONS.—The Corporation shall conduct an independent evaluation of the programs authorized under subsections (a) and (b) and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.''.

SEC. 1806. NATIONAL SERVICE RESERVE CORPS.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART II—NATIONAL SERVICE RESERVE CORPS

''SEC. 198H. NATIONAL SERVICE RESERVE CORPS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'National Service Reserve Corps member' means an individual who—

''(A) has completed a term of national service or is a veteran;

''(B) has successfully completed training described in subsection (c) within the previous 2 years;

''(C) completes not less than 10 hours of volunteering each year (which may include the training session described in subparagraph (B)); and

''(D) has indicated interest to the Corporation in responding to disasters and emergencies in a timely manner through the National Service Reserve Corps; and

''(2) the term 'term of national service' means a term or period of service under section 123.

''(b) ESTABLISHMENT OF NATIONAL SERVICE RESERVE CORPS.—

''(1) IN GENERAL.—In consultation with the Federal Emergency Management Agency, the Corporation shall establish a National Service Reserve Corps to prepare and deploy National Service Reserve Corps members to respond to disasters and emergencies in support of national service programs and other requesting programs and agencies.

''(2) GRANTS OR CONTRACTS.—In carrying out this section, the Corporation may enter into a grant or contract with an organization experienced in responding to disasters or in coordinating individuals who have completed a term of national service or are veterans, or may directly deploy National Service Reserve Corps members, as the Corporation determines necessary.

''(c) ANNUAL TRAINING.—The Corporation shall conduct or coordinate annual training sessions, consistent with the training requirements of the Federal Emergency Management Agency, for individuals who have completed a term of national service or are veterans, and who wish to join the National Service Reserve Corps.

''(d) DESIGNATION OF ORGANIZATIONS.—

''(1) IN GENERAL.—The Corporation shall designate organizations with demonstrated experience in responding to disasters or emergencies, including through using volunteers, for participation in the program under this section.

''(2) REQUIREMENTS.—The Corporation shall ensure that every designated organization is—

''(A) prepared to respond to disasters or emergencies;

''(B) prepared and able to utilize National Service Reserve Corps members in responding to disasters or emergencies; and

''(C) willing to respond in a timely manner when notified by the Corporation of a disaster or emergency.

''(e) DATABASES.—The Corporation shall develop or contract with an outside organization to develop—

''(1) a database of all National Service Reserve Corps members; and

''(2) a database of all nonprofit organizations that have been designated by the Corporation under subsection (d).

''(f) DEPLOYMENT OF NATIONAL SERVICE RESERVE CORPS.—

''(1) MAJOR DISASTERS OR EMERGENCIES.—If a major disaster or emergency is declared by the President pursuant to section 102 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5122), the Administrator of the Federal Emergency Management Agency, in consultation with the Corporation, may task the National Service Reserve Corps to assist in response.

''(2) OTHER DISASTERS OR EMERGENCIES.—For a disaster or emergency that is not declared a major disaster or emergency under section 102 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5122), the Corporation may directly, or through a grant or contract, deploy the National Service Reserve Corps.

''(3) DEPLOYMENT.—Under paragraph (1) or (2), the Corporation may—

''(A) deploy interested National Service Reserve Corps members on assignments of not more than 30 days to assist with local needs related to preparing or recovering from the incident in the affected area, either directly or through organizations designated under subsection (d);

''(B) make travel arrangements for the deployed National Service Reserve Corps members to the site of the incident; and

''(C) provide funds to those organizations that are responding to the incident with deployed National Service Reserve Corps members, to enable the organizations to coordinate and provide housing, living stipends, and insurance for those deployed members.

''(4) ALLOWANCE.—Any amounts that are utilized by the Corporation from funds appropriated under section 501(a)(4)(D) to carry out paragraph (1) for a fiscal year shall be kept in a separate fund. Any amounts in such fund that are not used during a fiscal year shall remain available to use to pay National Service Reserve Corps members an allowance, determined by the Corporation, for out-of-pocket expenses.

''(5) INFORMATION.—

''(A) NATIONAL SERVICE PARTICIPANTS.—The Corporation, the State Commissions, and entities receiving financial assistance for programs under subtitle C of this Act, or under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), shall inform participants about the National Service Reserve Corps upon the participants' completion of their term of national service.

''(B) VETERANS.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall inform veterans who are recently discharged, released, or separated from the Armed Forces about the National Service Reserve Corps.

''(6) COORDINATION.—In deploying National Service Reserve Corps members under this subsection, the Corporation shall—

''(A) avoid duplication of activities directed by the Federal Emergency Management Agency; and

''(B) consult and, as appropriate, partner with Citizen Corps programs and other local disaster agencies, including State and local emergency management agencies, voluntary organizations active in disaster, State Commissions, and similar organizations, in the affected area.''.

SEC. 1807. SOCIAL INNOVATION FUNDS PILOT PROGRAM.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART III—SOCIAL INNOVATION FUNDS PILOT PROGRAM

''SEC. 198K. FUNDS.

''(a) FINDINGS.—Congress finds the following:

''(1) Social entrepreneurs and other nonprofit community organizations are developing innovative and effective solutions to national and local challenges.

''(2) Increased public and private investment in replicating and expanding proven effective solutions, and supporting new solutions, developed by social entrepreneurs and other nonprofit community organizations could allow those entrepreneurs and organizations to replicate and expand proven initiatives, and support new initiatives, in communities.

''(3) A network of Social Innovation Funds could leverage Federal investments to increase State, local, business, and philanthropic resources to replicate and expand proven solutions and invest in supporting new innovations to tackle specific identified community challenges.

''(b) PURPOSES.—The purposes of this section are—

''(1) to recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in tackling national and local challenges;

''(2) to stimulate the development of a network of Social Innovation Funds that will increase private and public investment in nonprofit community organizations that are effectively addressing national and local challenges to allow such organizations to replicate and expand proven initiatives or support new initiatives;

''(3) to assess the effectiveness of such Funds in—

''(A) leveraging Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

''(B) providing resources to replicate and expand effective initiatives; and

''(C) seeding experimental initiatives focused on improving outcomes in the areas described in subsection (f)(3); and

''(4) to strengthen the infrastructure to identify, invest in, replicate, and expand initiatives with effective solutions to national and local challenges.

''(c) DEFINITIONS.—In this section:

''(1) COMMUNITY ORGANIZATION.—The term 'community organization' means a nonprofit organization that carries out innovative, effective initiatives to address community challenges.

''(2) COVERED ENTITY.—The term 'covered entity' means—

''(A) an existing grantmaking institution (existing as of the date on which the institution applies for a grant under this section); or

''(B) a partnership between—

''(i) such an existing grantmaking institution; and

''(ii) an additional grantmaking institution, a State Commission, or a chief executive officer of a unit of general local government.

''(3) ISSUE AREA.—The term 'issue area' means an area described in subsection (f)(3).

''(d) PROGRAM.—From the amounts appropriated to carry out this section that are not reserved under subsections (l) and (m), the Corporation shall establish a Social Innovation Funds grant program to make grants on a competitive basis to eligible entities for Social Innovation Funds.

''(e) PERIODS; AMOUNTS.—The Corporation shall make such grants for periods of 5 years, and may renew the grants for additional periods of 5 years, in amounts of not less than $1,000,000 and not more than $10,000,000 per year.

''(f) ELIGIBILITY.—To be eligible to receive a grant under subsection (d), an entity shall—

''(1) be a covered entity;

''(2) be focused on—

''(A) serving a specific local geographical area; or

''(B) addressing a specific issue area;

''(3) be focused on improving measurable outcomes relating to—

''(A) education for economically disadvantaged elementary or secondary school students;

''(B) child and youth development;

''(C) reductions in poverty or increases in economic opportunity for economically disadvantaged individuals;

''(D) health, including access to health services and health education;

''(E) resource conservation and local environmental quality;

''(F) individual or community energy efficiency;

''(G) civic engagement; or

''(H) reductions in crime;

''(4) have an evidence-based decision-making strategy, including—

''(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; and

''(B) a well-articulated plan to—

''(i)(I) replicate and expand research-proven initiatives that have been shown to produce sizeable, sustained benefits to participants or society; or

''(II) support new initiatives with a substantial likelihood of significant impact; or

''(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of such initiatives; and

''(5) have appropriate policies, as determined by the Corporation, that protect against conflict of interest, self-dealing, and other improper practices.

''(g) APPLICATION.—To be eligible to receive a grant under subsection (d) for national leveraging capital, an eligible entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may specify, including, at a minimum—

''(1) an assurance that the eligible entity will—

''(A) use the funds received through that capital in order to make subgrants to community organizations that will use the funds to replicate or expand proven initiatives, or support new initiatives, in low-income communities;

''(B) in making decisions about subgrants for communities, consult with a diverse cross section of community representatives in the decisions, including individuals from the public, nonprofit private, and for-profit private sectors; and

''(C) make subgrants of a sufficient size and scope to enable the community organizations to build their capacity to manage initiatives, and sustain replication or expansion of the initiatives;

''(2) an assurance that the eligible entity will not make any subgrants to the parent organizations of the eligible entity, a subsidiary organization of the parent organization, or, if the eligible entity applied for funds under this section as a partnership, any member of the partnership;

''(3) an identification of, as appropriate—

''(A) the specific local geographical area referred to in subsection (f)(2)(A) that the eligible entity is proposing to serve; or

''(B) the issue area referred to in subsection (f)(2)(B) that the eligible entity will address, and the geographical areas that the eligible entity is likely to serve in addressing such issue area;

''(4)(A) information identifying the issue areas in which the eligible entity will work to improve measurable outcomes;

''(B) statistics on the needs related to those issue areas in, as appropriate—

''(i) the specific local geographical area described in paragraph (3)(A); or

''(ii) the geographical areas described in paragraph (3)(B), including statistics demonstrating that those geographical areas have the highest need in the specific issue area that the eligible entity is proposing to address; and

''(C) information on the specific measurable outcomes related to the issue areas involved that the eligible entity will seek to improve;

''(5) information describing the process by which the eligible entity selected, or will select, community organizations to receive the subgrants, to ensure that the community organizations—

''(A) are institutions—

''(i) with proven initiatives and a demonstrated track record of achieving specific outcomes related to the measurable outcomes for the eligible entity; or

''(ii) that articulate a new solution with a significant likelihood for substantial impact;

''(B) articulate measurable outcomes for the use of the subgrant funds that are connected to the measurable outcomes for the eligible entity;

''(C) will use the funds to replicate, expand, or support their initiatives;

''(D) provide a well-defined plan for replicating, expanding, or supporting the initiatives funded;

''(E) can sustain the initiatives after the subgrant period concludes through reliable public revenues, earned income, or private sector funding;

''(F) have strong leadership and financial and management systems;

''(G) are committed to the use of data collection and evaluation for improvement of the initiatives;

''(H) will implement and evaluate innovative initiatives, to be important contributors to knowledge in their fields; and

''(I) will meet the requirements for providing matching funds specified in subsection (k);

''(6) information about the eligible entity, including its experience managing collaborative initiatives, or assessing applicants for grants and evaluating the performance of grant recipients for outcome-focused initiatives, and any other relevant information;

''(7) a commitment to meet the requirements of subsection (i) and a plan for meeting the requirements, including information on any funding that the eligible entity has secured to provide the matching funds required under that subsection;

''(8) a description of the eligible entity's plan for providing technical assistance and support, other than financial support, to the community organizations that will increase the ability of the community organizations to achieve their measurable outcomes;

''(9) information on the commitment, institutional capacity, and expertise of the eligible entity concerning—

''(A) collecting and analyzing data required for evaluations, compliance efforts, and other purposes;

''(B) supporting relevant research; and

''(C) submitting regular reports to the Corporation, including information on the initiatives of the community organizations, and the replication or expansion of such initiatives;

''(10) a commitment to use data and evaluations to improve the eligible entity's own model and to improve the initiatives funded by the eligible entity; and

''(11) a commitment to cooperate with any evaluation activities undertaken by the Corporation.

''(h) SELECTION CRITERIA.—In selecting eligible entities to receive grants under subsection (d), the Corporation shall—

''(1) select eligible entities on a competitive basis;

''(2) select eligible entities on the basis of the quality of their selection process, as described in subsection (g)(5), the capacity of the eligible entities to manage Social Innovation Funds, and the potential of the eligible entities to sustain the Funds after the conclusion of the grant period;

''(3) include among the grant recipients eligible entities that propose to provide subgrants to serve communities (such as rural low-income communities) that the eligible entities can demonstrate are significantly philanthropically underserved;

''(4) select a geographically diverse set of eligible entities; and

''(5) take into account broad community perspectives and support.

''(i) MATCHING FUNDS FOR GRANTS.—

''(1) IN GENERAL.—The Corporation may not make a grant to an eligible entity under subsection (d) for a Social Innovation Fund unless the entity agrees that, with respect to the cost described in subsection (d) for that Fund, the entity will make available matching funds in an amount equal to not less than $1 for every $1 of funds provided under the grant.

''(2) ADDITIONAL REQUIREMENTS.—

''(A) TYPE AND SOURCES.—The eligible entity shall provide the matching funds in cash. The eligible entity shall provide the matching funds from State, local, or private sources, which may include State or local agencies, businesses, private philanthropic organizations, or individuals.

''(B) ELIGIBLE ENTITIES INCLUDING STATE COMMISSIONS OR LOCAL GOVERNMENT OFFICES.—

''(i) IN GENERAL.—In a case in which a State Commission, a local government office, or both entities are a part of the eligible entity, the State involved, the local government involved, or both entities, respectively, shall contribute not less than 30 percent and not more than 50 percent of the matching funds.

''(ii) LOCAL GOVERNMENT OFFICE.—In this subparagraph, the term 'local government office' means the office of the chief executive officer of a unit of general local government.

''(3) REDUCTION.—The Corporation may reduce by 50 percent the matching funds required by paragraph (1) for an eligible entity serving a community (such as a rural low-income community) that the eligible entity can demonstrate is significantly philanthropically underserved.

''(j) SUBGRANTS.—

''(1) SUBGRANTS AUTHORIZED.—An eligible entity receiving a grant under subsection (d) is authorized to use the funds made available through the grant to award, on a competitive basis, subgrants to expand or replicate proven initiatives, or support new initiatives with a substantial likelihood of success, to—

''(A) community organizations serving low-income communities within the specific local geographical area described in the eligible entity's application in accordance with subsection (g)(3)(A); or

''(B) community organizations addressing a specific issue area described in the eligible entity's application in accordance with subsection (g)(3)(B), in low-income communities in the geographical areas described in the application.

''(2) PERIODS; AMOUNTS.—The eligible entity shall make such subgrants for periods of not less than 3 and not more than 5 years, and may renew the subgrants for such periods, in amounts of not less than $100,000 per year.

''(3) APPLICATIONS.—To be eligible to receive a subgrant from an eligible entity under this section, including receiving a payment for that subgrant each year, a community organization shall submit an application to an eligible entity that serves the specific local geographical area, or geographical areas, that the community organization proposes to serve, at such time, in such manner, and containing such information as the eligible entity may require, including—

''(A) a description of the initiative the community organization carries out and plans to replicate or expand, or of the new initiative the community organization intends to support, using funds received from the eligible entity, and how the initiative relates to the issue areas in which the eligible entity has committed to work in the eligible entity's application, in accordance with subsection (g)(4)(A);

''(B) data on the measurable outcomes the community organization has improved, and information on the measurable outcomes the community organization seeks to improve by replicating or expanding a proven initiative or supporting a new initiative, which shall be among the measurable outcomes that the eligible entity identified in the eligible entity's application, in accordance with subsection (g)(4)(C);

''(C) an identification of the community in which the community organization proposes to carry out an initiative, which shall be within a local geographical area described in the eligible entity's application in accordance with subparagraph (A) or (B) of subsection (g)(3), as applicable;

''(D) a description of the evidence-based decisionmaking strategies the community organization uses to improve the measurable outcomes, including—

''(i) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; or

''(ii) a well-articulated plan to conduct, or partner with a research organization to conduct, rigorous evaluations to assess the effectiveness of initiatives addressing national or local challenges;

''(E) a description of how the community organization uses data to analyze and improve its initiatives;

''(F) specific evidence of how the community organization will meet the requirements for providing matching funds specified in subsection (k);

''(G) a description of how the community organization will sustain the replicated or expanded initiative after the conclusion of the subgrant period; and

''(H) any other information the eligible entity may require, including information necessary for the eligible entity to fulfill the requirements of subsection (g)(5).

''(k) MATCHING FUNDS FOR SUBGRANTS.—

''(1) IN GENERAL.—An eligible entity may not make a subgrant to a community organization under this section for an initiative described in subsection (j)(3)(A) unless the organization agrees that, with respect to the cost of carrying out that initiative, the organization will make available, on an annual basis, matching funds in an amount equal to not less than $1 for every $1 of funds provided under the subgrant. If the community organization fails to make such matching funds available for a fiscal year, the eligible entity shall not make payments for the remaining fiscal years of the subgrant period, notwithstanding any other provision of this part.

''(2) TYPES AND SOURCES.—The community organization shall provide the matching funds in cash. The community organization shall provide the matching funds from State, local, or private sources, which may include funds from State or local agencies or private sector funding.

''(l) DIRECT SUPPORT.—

''(1) PROGRAM AUTHORIZED.—The Corporation may use not more than 10 percent of the funds appropriated for this section to award grants to community organizations serving low-income communities or addressing a specific issue area in geographical areas that have the highest need in that issue area, to enable such community organizations to replicate or expand proven initiatives or support new initiatives.

''(2) TERMS AND CONDITIONS.—A grant awarded under this subsection shall be subject to the same terms and conditions as a subgrant awarded under subsection (j).

''(3) APPLICATION; MATCHING FUNDS.—Paragraphs (2) and (3) of subsection (j) and subsection (k) shall apply to a community organization receiving or applying for a grant under this subsection in the same manner as such subsections apply to a community organization receiving or applying for a subgrant under subsection (j), except that references to a subgrant shall mean a grant and references to an eligible entity shall mean the Corporation.

''(m) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—The Corporation may reserve not more than 5 percent of the funds appropriated for this section for a fiscal year to support, directly or through contract with

an independent entity, research and evaluation activities to evaluate the eligible entities and community organizations receiving grants under subsections (d) and (l) and the initiatives supported by the grants.

''(2) RESEARCH AND EVALUATION ACTIVITIES.—

''(A) RESEARCH AND REPORTS.—

''(i) IN GENERAL.—The entity carrying out this subsection shall collect data and conduct or support research with respect to the eligible entities and community organizations receiving grants under subsections (d) and (l), and the initiatives supported by such eligible entities and community organizations, to determine the success of the program carried out under this section in replicating, expanding, and supporting initiatives, including—

''(I) the success of the initiatives in improving measurable outcomes; and

''(II) the success of the program in increasing philanthropic investments in philanthropically underserved communities.

''(ii) REPORTS.—The Corporation shall submit periodic reports to the authorizing committees including—

''(I) the data collected and the results of the research under this subsection;

''(II) information on lessons learned about best practices from the activities carried out under this section, to improve those activities; and

''(III) a list of all eligible entities and community organizations receiving funds under this section.

''(iii) PUBLIC INFORMATION.—The Corporation shall annually post the list described in clause (ii)(III) on the Corporation's website.

''(B) TECHNICAL ASSISTANCE.—The Corporation shall, directly or through contract, provide technical assistance to the eligible entities and community organizations that receive grants under subsections (d) and (l).

''(C) KNOWLEDGE MANAGEMENT.—The Corporation shall, directly or through contract, maintain a clearinghouse for information on best practices resulting from initiatives supported by the eligible entities and community organizations.

''(D) RESERVATION.—Of the funds appropriated under section 501(a)(4)(E) for a fiscal year, not more than 5 percent may be used to carry out this subsection.''.

SEC. 1808. CLEARINGHOUSES.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSES; VOLUNTEER GENERATION FUND

''SEC. 198O. NATIONAL SERVICE PROGRAMS CLEARINGHOUSES.

''(a) IN GENERAL.—The Corporation shall provide assistance, by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish 1 or more clearinghouses for information regarding the national service laws, which shall include information on service-learning and on service through other programs receiving assistance under the national service laws.

''(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

''(1) assist entities carrying out State or local service-learning and national service programs with needs assessments and planning;

''(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws, except that such clearinghouse may not conduct such research and evaluations if the recipient of the grant, contract, or cooperative agreement establishing the clearinghouse under this section is receiving funds for such purpose under part III of subtitle B or under this subtitle (not including this section);

''(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

''(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

''(4) facilitate communication among—

''(A) entities carrying out service-learning programs and programs offered under the national service laws; and

''(B) participants in such programs;

''(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

''(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

''(7) disseminate applications in languages other than English;

''(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national service laws, components of such successful programs, innovative curricula related to service-learning, and service-learning projects; and

''(B) coordinate the activities of the clearinghouse with appropriate entities to avoid duplication of effort;

''(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

''(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

''(11) disseminate effective strategies for working with disadvantaged youth in national service programs, as determined by organizations with an established expertise in working with such youth; and

''(12) carry out such other activities as the Chief Executive Officer determines to be appropriate.

''SEC. 198P. VOLUNTEER GENERATION FUND.

''(a) GRANTS AUTHORIZED.—Subject to the availability of appropriations for this section, the Corporation may make grants to State Commissions and nonprofit organizations for the purpose of assisting the State Commissions and nonprofit organizations to—

''(1) develop and carry out volunteer programs described in subsection (c); and

''(2) make subgrants to support and create new local community-based entities that recruit, manage, or support volunteers as described in such subsection.

''(b) APPLICATION.—

''(1) IN GENERAL.—Each State Commission or nonprofit organization desiring a grant under this section shall submit an application to the Corporation at such time, in such manner, and accompanied by such information as the Corporation may reasonably require.

''(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall contain—

''(A)(i) a description of the program that the applicant will provide;

''(B) an assurance that the applicant will annually collect information on—

''(i) the number of volunteers recruited for activities carried out under this section, using funds received under this section, and the type and amount of activities carried out by such volunteers; and

''(ii) the number of volunteers managed or supported using funds received under this section, and the type and amount of activities carried out by such volunteers;

''(C) a description of the outcomes the applicant will use to annually measure and track performance with regard to—

''(i) activities carried out by volunteers; and

''(ii) volunteers recruited, managed, or supported; and

''(D) such additional assurances as the Corporation determines to be essential to ensure compliance with the requirements of this section.

''(c) ELIGIBLE VOLUNTEER PROGRAMS.—A State Commission or nonprofit organization receiving a grant under this section shall use the assistance—

''(1) directly to carry out volunteer programs or to develop and support community-based entities that recruit, manage, or support volunteers, by carrying out activities consistent with the goals of the subgrants described in paragraph (2); or

''(2) through subgrants to community-based entities to carry out volunteer programs or develop and support such entities that recruit, manage, or support volunteers, through 1 or more of the following types of subgrants:

''(A) A subgrant to a community-based entity for activities that are consistent with the priorities set by the State's national service plan as described in section 178(e), or by the Corporation.

''(B) A subgrant to recruit, manage, or support volunteers to a community-based entity such as a volunteer coordinating agency, a nonprofit resource center, a volunteer training clearinghouse, an institution of higher education, or a collaborative partnership of faith-based and community-based organizations.

''(C) A subgrant to a community-based entity that provides technical assistance and support to—

''(i) strengthen the capacity of local volunteer infrastructure organizations;

''(ii) address areas of national need (as defined in section 198B(a)); and

''(iii) expand the number of volunteers nationally.

''(d) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—Of the funds allocated by the Corporation for provision of assistance under this section for a fiscal year—

''(A) the Corporation shall use 50 percent of such funds to award grants, on a competitive basis, to State Commissions and nonprofit organizations for such fiscal year; and

''(B) the Corporation shall use 50 percent of such funds make an allotment to the State Commissions of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico based on the formula described in subsections (e) and (f) of section 129, subject to paragraph (2).

''(2) MINIMUM GRANT AMOUNT.—In order to ensure that each State Commission is able to improve efforts to recruit, manage, or support volunteers, the Corporation may determine a minimum grant amount for allotments under paragraph (1)(B).

''(e) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount of any grant provided under this section for a fiscal year may be used to pay for administrative costs incurred by either the recipient of the grant or any community-based entity receiving assistance or a subgrant under such grant.

''(f) MATCHING FUND REQUIREMENTS.—The Corporation share of the cost of carrying out a program that receives assistance under

this section, whether the assistance is provided directly or as a subgrant from the original recipient of the assistance, may not exceed—

''(1) 80 percent of such cost for the first year in which the recipient receives such assistance;

''(2) 70 percent of such cost for the second year in which the recipient receives such assistance;

''(3) 60 percent of such cost for the third year in which the recipient receives such assistance; and

''(4) 50 percent of such cost for the fourth year in which the recipient receives such assistance and each year thereafter.''.

Subtitle I—Training and Technical Assistance

SEC. 1821. TRAINING AND TECHNICAL ASSISTANCE.

Title I is further amended by adding at the end the following new subtitle:

''Subtitle J—Training and Technical Assistance

''SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

''(a) IN GENERAL.—The Corporation shall, directly or through grants, contracts, or cooperative agreements (including through State Commissions), conduct appropriate training for and provide technical assistance to—

''(1) programs receiving assistance under the national service laws; and

''(2) entities (particularly entities in rural areas and underserved communities) that desire to—

''(A) carry out or establish national service programs; or

''(B) apply for assistance (including subgrants) under the national service laws.

''(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

''(1) providing technical assistance to entities applying to carry out national service programs or entities carrying out national service programs;

''(2) promoting leadership development in national service programs;

''(3) improving the instructional and programmatic quality of national service programs;

''(4) developing the management and budgetary skills of individuals operating or overseeing national service programs, including developing skills to increase the cost effectiveness of the programs under the national service laws;

''(5) providing for or improving the training provided to the participants in programs under the national service laws;

''(6) facilitating the education of individuals participating in national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

''(7) training individuals operating or overseeing national service programs—

''(A) in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner, which training results in high-quality service and the desire of participants and volunteers to continue to serve in other capacities after the program is completed;

''(B) in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the national service programs; or

''(C) to effectively accommodate individuals with disabilities to increase the participation of individuals with disabilities in national service programs, which training may utilize funding from the reservation of funds under section 129(k) to increase the participation of individuals with disabilities;

''(8) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation in national service programs, and to coordinate community-wide planning and service with respect to national service programs;

''(9) providing training and technical assistance for the National Senior Service Corps, including providing such training and technical assistance to programs receiving assistance under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001); and

''(10) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

''(c) PRIORITY.—In carrying out this section, the Corporation shall give priority to programs under the national service laws and entities eligible to establish such programs that seek training or technical assistance and that—

''(1) seek to carry out high-quality programs where the services are needed most;

''(2) seek to carry out high-quality programs where national service programs do not exist or where the programs are too limited to meet community needs;

''(3) seek to carry out high-quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

''(4) seek to assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.''.

Subtitle J—Repeal of Title III (Points of Light Foundation)

SEC. 1831. REPEAL.

(a) IN GENERAL.—Title III (42 U.S.C. 12661 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—Section 401 (42 U.S.C. 12671) is amended—

(1) in subsection (a), by striking ''term'' and all that follows through the period and inserting the following: ''term 'administrative organization' means a nonprofit private organization that enters into an agreement with the Corporation to carry out this section.''; and

(2) by striking ''Foundation'' each place it appears and inserting ''administrative organization''.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

SEC. 1841. AUTHORIZATION OF APPROPRIATIONS.

Section 501 (42 U.S.C. 12681) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) TITLE I.—

''(1) SUBTITLE B.—

''(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

''(i) $97,000,000 for fiscal year 2010; and

''(ii) such sums as may be necessary for each of fiscal years 2011 through 2014.

''(B) PART IV RESERVATION.—Of the amount appropriated under subparagraph (A) for a fiscal year, the Corporation may reserve such sums as may be necessary to carry out part IV of subtitle B of title I.

''(C) SECTION 118A.—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than $7,000,000 shall be made available for awards to Campuses of Service under section 118A.

''(D) SECTION 119(C)(8).—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than $10,000,000 shall be made available for summer of service program grants under section 119(c)(8), and not more than $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards, consistent with section 119(c)(8).

''(E) SECTION 119(C)(9).—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than $20,000,000 shall be made available for youth engagement zone programs under section 119(c)(9).

''(F) GENERAL PROGRAMS.—Of the amount remaining after the application of subparagraphs (A) through (E) for a fiscal year—

''(i) not more than 60 percent shall be available to provide financial assistance under part I of subtitle B of title I;

''(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

''(iii) not less than 15 percent shall be available to provide financial assistance under part III of such subtitle.

''(2) SUBTITLES C AND D.—There are authorized to be appropriated, for each of fiscal years 2010 through 2014, such sums as may be necessary to provide financial assistance under subtitle C of title I and to provide national service educational awards under subtitle D of title I for the number of participants described in section 121(f)(1) for each such fiscal year.

''(3) SUBTITLE E.—

''(A) IN GENERAL.—There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under subtitle E of title I, such sums as may be necessary for each of fiscal years 2010 through 2014.

''(B) PRIORITY.—Notwithstanding any other provision of this Act, in obligating the amounts made available pursuant to the authorization of appropriations in this paragraph, priority shall be given to programs carrying out activities in areas for which the President has declared the existence of a major disaster, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), including a major disaster as a consequence of Hurricane Katrina or Rita.

''(4) SUBTITLE H.—

''(A) AUTHORIZATION.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2010 through 2014 to provide financial assistance under subtitle H of title I.

''(B) SECTION 198B.—Of the amount authorized under subparagraph (A) for a fiscal year, such sums as may be necessary shall be made available to provide financial assistance under section 198B and to provide national service educational awards under subtitle D of title I to the number of participants in national service positions established or increased as provided in section 198B(b)(3) for such year.

''(C) SECTION 198C.—Of the amount authorized under subparagraph (A) for a fiscal year, $12,000,000 shall be made available to provide financial assistance under section 198C.

''(D) SECTION 198H.—Of the amount authorized under subparagraph (A) for a fiscal year, such sums as may be necessary shall be made available to provide financial assistance under section 198H.

''(E) SECTION 198K.—Of the amount authorized under subparagraph (A), there shall be made available to carry out section 198K—

''(i) $50,000,000 for fiscal year 2010;

''(ii) $60,000,000 for fiscal year 2011;

''(iii) $70,000,000 for fiscal year 2012;

''(iv) $80,000,000 for fiscal year 2013; and

''(v) $100,000,000 for fiscal year 2014.

''(F) SECTION 198P.—Of the amount authorized under subparagraph (A), there shall be made available to carry out section 198P—

''(i) $50,000,000 for fiscal year 2010;

''(ii) $60,000,000 for fiscal year 2011;

''(iii) $70,000,000 for fiscal year 2012;

''(iv) $80,000,000 for fiscal year 2013; and

''(v) $100,000,000 for fiscal year 2014.

''(5) ADMINISTRATION.—

''(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act, including financial assistance under section 126(a), such sums as may be necessary for each of fiscal years 2010 through 2014.

''(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, a portion shall be made available to provide financial assistance under section 126(a).

''(6) EVALUATION, TRAINING, AND TECHNICAL ASSISTANCE.—Notwithstanding paragraphs (1), (2), and (4) and any other provision of law, of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve not more than 2.5 percent to carry out sections 112(e) and 179A and subtitle J, of which $1,000,000 shall be used by the Corporation to carry out section 179A. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which the amounts are reserved.'';

(2) by striking subsections (b) and (d); and

(3) by redesignating subsection (c) as subsection (b).

TITLE II—DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SEC. 2001. REFERENCES.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

SEC. 2002. VOLUNTEERISM POLICY.

Section 2 (42 U.S.C. 4950) is amended—

(1) in subsection (a), by striking ''both young'' and all that follows through the period and inserting ''individuals of all ages and backgrounds.''; and

(2) in subsection (b), by inserting after ''State, and local agencies'' the following: '', expand relationships with, and support for, the efforts of civic, community, and educational organizations,''.

Subtitle A—National Volunteer Antipoverty Programs

CHAPTER 1—VOLUNTEERS IN SERVICE TO AMERICA

SEC. 2101. STATEMENT OF PURPOSE.

Section 101 (42 U.S.C. 4951) is amended—

(1) in the second sentence, by striking ''exploit'' and all that follows through the period and inserting ''increase opportunities for self-advancement by persons affected by such problems.''; and

(2) in the third sentence, by striking ''at the local level'' and all that follows through the period and inserting ''at the local level, to support efforts by local agencies and community organizations to achieve long-term sustainability of projects, and to strengthen local agencies and community organizations to carry out the objectives of this part.''.

SEC. 2102. SELECTION AND ASSIGNMENT OF VOLUNTEERS.

Section 103 (42 U.S.C. 4953) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa,'';

(B) in paragraph (2), by striking ''handicapped individuals'' and all that follows through the semicolon and inserting ''individuals with disabilities, especially individuals with severe disabilities;'';

(C) in paragraph (3), by striking ''the jobless, the hungry,'' and inserting ''unemployed individuals,'';

(D) in paragraph (4), by striking ''prevention, education,'' and inserting ''through prevention, education, rehabilitation, treatment,'';

(E) in paragraph (5), by striking ''chronic and life-threatening illnesses'' and inserting ''mental illness, chronic and life-threatening illnesses,'';

(F) in paragraph (6)—

(i) by striking ''Headstart act'' and inserting ''Head Start Act''; and

(ii) by striking ''and'' after the semicolon at the end;

(G) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(H) by adding at the end the following:

''(8) in assisting with the reentry and reintegration of formerly incarcerated youth and adults into society, including providing training and counseling in education, employment, and life skills;

''(9) in developing and carrying out financial literacy, financial planning, budgeting, saving, and reputable credit accessibility programs in low-income communities, including those programs that educate individuals about financing home ownership and higher education;

''(10) in initiating and supporting before-school and after-school programs, serving children in low-income communities, that may engage participants in mentoring, tutoring, life skills and study skills programs, service-learning, physical, nutrition, and health education programs, and other activities addressing the needs of the children;

''(11) in establishing and supporting community economic development initiatives, with a priority on work on such initiatives in rural areas and the other areas where such initiatives are needed most;

''(12) in assisting veterans and their family members through establishing or augmenting programs that assist such persons with access to legal assistance, health care (including mental health care), employment counseling or training, education counseling or training, affordable housing, and other support services; and

''(13) in addressing the health and wellness of individuals in low-income communities and individuals in underserved communities, including programs to increase access to preventive services, insurance, and health services.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''recruitment and placement procedures'' and inserting ''placement procedures that involve sponsoring organizations and'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''Community Service Trust Act of 1993'' and all that follows through the period at the end of the fourth sentence and inserting ''Community Service Act of 1990.'';

(ii) in subparagraph (B), by striking ''central information system that shall, on request, promptly provide'' and inserting ''database that provides''; and

(iii) in subparagraph (C), in the second sentence, by inserting ''and management'' after ''the recruitment''; and

(C) in paragraph (5)(B), by striking ''information system'' and inserting ''database'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''the Internet and related technologies,'' before ''radio,'';

(ii) in subparagraph (B), by inserting ''Internet and related technologies,'' before ''print media,'';

(iii) in subparagraph (C), by inserting ''State or local offices of economic development, State employment security agencies, employment offices,'' before ''and other institutions''; and

(iv) in subparagraph (F), by striking ''Community Service Trust Act of 1993'' and inserting ''Community Service Act of 1990''; and

(B) by striking paragraph (4);

(4) in subsection (d), in the second sentence, by striking ''private industry council established under the Job Training Partnership Act or'';

(5) in subsection (g), in the first sentence, by striking '', and such'' and all that follows through the period and inserting a period; and

(6) by adding at the end the following:

''(i) The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this part.''.

SEC. 2103. SUPPORT SERVICE.

Section 105(a)(1)(B) (42 U.S.C. 4955(a)(1)(B)) is amended—

(1) by striking the first sentence and inserting the following: ''Such stipend shall be set at a rate that is not less than a minimum of $125 per month and not more than a maximum of $150 per month, subject to the availability of funds to provide such a maximum rate.''; and

(2) in the second sentence, by striking ''stipend of a maximum of $200 per month'' and inserting ''stipend set at a rate that is not more than a maximum of $250 per month''.

SEC. 2104. REPEAL.

Section 109 (42 U.S.C. 4959) is repealed.

SEC. 2105. REDESIGNATION.

Section 110 (42 U.S.C. 4960) is redesignated as section 109.

CHAPTER 2—UNIVERSITY YEAR FOR VISTA

SEC. 2121. UNIVERSITY YEAR FOR VISTA.

Part B of title I (42 U.S.C. 4971 et seq.) is repealed.

CHAPTER 3—SPECIAL VOLUNTEER PROGRAMS

SEC. 2131. STATEMENT OF PURPOSE.

Section 121 (42 U.S.C. 4991) is amended in the second sentence by striking ''situations'' and inserting ''organizations''.

SEC. 2132. LITERACY CHALLENGE GRANTS.

Section 124 (42 U.S.C. 4995) is repealed.

Subtitle B—National Senior Service Corps

SEC. 2141. TITLE.

Title II (42 U.S.C. 5000 et seq.) is amended by striking the title heading and inserting the following:

''TITLE II—NATIONAL SENIOR SERVICE CORPS''.

SEC. 2142. STATEMENT OF PURPOSE.

Section 200 (42 U.S.C. 5000) is amended to read as follows:

''SEC. 200. STATEMENT OF PURPOSE.

''It is the purpose of this title to provide—

''(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

''(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs, to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

''(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge,

experiences, abilities, and skills for the betterment of their communities and themselves;

''(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need; and

''(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide support services and companionship to other older individuals through volunteer service.''.

SEC. 2143. RETIRED AND SENIOR VOLUNTEER PROGRAM.

Section 201 (42 U.S.C. 5001(a)) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''avail'' and all that follows through ''community,'' and inserting ''share their experiences, abilities, and skills to improve their communities and themselves through service in their communities,'';

(B) in paragraph (2), by striking '', and individuals 60 years of age or older will be given priority for enrollment,''; and

(C) in paragraph (4)—

(i) by striking ''established and will be carried out'' and inserting ''designed and implemented''; and

(ii) by striking ''field of service'' and all that follows through the period at the end and inserting ''field of service to be provided, as well as persons who have expertise in the management of volunteers and the needs of older individuals.''; and

(2) by adding at the end the following:

''(e)(1) Beginning with fiscal year 2013 and for each fiscal year thereafter, each grant or contract awarded under this section, for such a year, shall be—

''(A) awarded for a period of 3 years, with an option for a grant renewal of 3 years if the grantee meets the performances measures established under subsection (g); and

''(B) awarded through a competitive process described in paragraph (2).

''(2)(A) The Corporation shall promulgate regulations establishing the competitive process required under paragraph (1)(B), and make such regulations available to the public, not later than 18 months after the date of the enactment of the Serve America Act. The Corporation shall consult with the directors of programs receiving grants under this section during the development and implementation of the competitive process.

''(B) The competitive process required by subparagraph (A) shall—

''(i) include the use of a peer review panel, including members with expertise in senior service and aging, to review applications;

''(ii) include site inspections of programs assisted under this section, as appropriate;

''(iii) in the case of an applicant who has previously received a grant or contract for a program under this section, include an evaluation of the program conducted by a review team, as described in subsection (f);

''(iv) ensure that—

''(I) the grants or contracts awarded under this section through the competitive process for a grant or contract cycle support an aggregate number of volunteer service years for a given geographic service area that is not less than the aggregate number of volunteer service years supported under this section for such service area for the previous grant or contract cycle;

''(II) the grants or contracts awarded under this section through the competitive process for a grant or contract cycle maintain a similar program distribution, as compared to the program distribution for the previous grant or contract cycle; and

''(III) every effort is made to minimize the disruption to volunteers; and

''(v) include the use of performance measures, outcomes, and other criteria established under subsection (g).

''(f)(1) Notwithstanding section 412, and effective beginning 180 days after the date of enactment of the Serve America Act, each grant or contract under this section that expires in fiscal year 2011, 2012, or 2013 shall be subject to an evaluation process conducted by a review team described in paragraph (4). The evaluation process shall be carried out, to the maximum extent practicable, in fiscal year 2010, 2011, and 2012, respectively.

''(2) The Corporation shall promulgate regulations establishing the evaluation process required under paragraph (1), and make such regulations available to the public, not later than 18 months after the date of enactment of the Serve America Act. The Corporation shall consult with the directors of programs receiving grants under this section during the development and implementation of the evaluation process.

''(3) The evaluation process required under paragraph (1) shall—

''(A) include performance measures, outcomes, and other criteria established under subsection (g); and

''(B) evaluate the extent to which the recipient of the grant or contract meets or exceeds such performance measures, outcomes, and other criteria through a review of the recipient.

''(4) To the maximum extent practicable, the Corporation shall provide that each evaluation required by this subsection is conducted by a review team that—

''(A) includes individuals who are knowledgeable about programs assisted under this section;

''(B) includes current or former employees of the Corporation who are knowledgeable about programs assisted under this section;

''(C) includes representatives of communities served by volunteers of programs assisted under this section; and

''(D) shall receive periodic training to ensure quality and consistency across evaluations.

''(5) The findings of an evaluation described in this subsection of a program described in paragraph (1) shall—

''(A) be presented to the recipient of the grant or contract for such program in a timely, transparent, and uniform manner that conveys information of program strengths and weaknesses and assists with program improvement; and

''(B) be used as the basis for program improvement, and for the provision of training and technical assistance.

''(g)(1) The Corporation shall, with particular attention to the different needs of rural and urban programs assisted under this section, develop performance measures, outcomes, and other criteria for programs assisted under this section that—

''(A) include an assessment of the strengths and areas in need of improvement of a program assisted under this section;

''(B) include an assessment of whether such program has adequately addressed population and community-wide needs;

''(C) include an assessment of the efforts of such program to collaborate with other community-based organizations, units of government, and entities providing services to seniors, taking into account barriers to such collaboration that such program may encounter;

''(D) include a protocol for fiscal management that shall be used to assess such program's compliance with the program requirements for the appropriate use of Federal funds;

''(E) include an assessment of whether the program is in conformity with the eligibility, outreach, enrollment, and other requirements for programs assisted under this section; and

''(F) contain other measures of performance developed by the Corporation, in consultation with the review teams described in subsection (f)(4).

''(2)(A) The performance measures, outcomes, and other criteria established under this subsection may be updated or modified as necessary, in consultation with directors of programs under this section, but not earlier than fiscal year 2014.

''(B) For each fiscal year preceding fiscal year 2014, the Corporation may, after consulting with directors of the programs under this section, determine that a performance measure, outcome, or criterion established under this subsection is operationally problematic, and may, in consultation with such directors and after notifying the authorizing committees—

''(i) eliminate the use of that performance measure, outcome or criterion; or

''(ii) modify that performance measure, outcome, or criterion as necessary to render it no longer operationally problematic.

''(3) In the event that a program does not meet one or more of the performance measures, outcome, or criteria established under this subsection, the Corporation shall initiate procedures to terminate the program in accordance with section 412.

''(h) The Chief Executive Officer shall develop procedures by which programs assisted under this section may receive training and technical assistance, which may include regular monitoring visits to assist programs in meeting the performance measures, outcomes, and criteria.

''(i)(1) Notwithstanding subsection (g)(3) or section 412, the Corporation shall continue to fund a program assisted under this section that has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection for not more than 12 months if the competitive process established under subsection (e) does not result in a successor grant or contract for such program, in order to minimize the disruption to volunteers and the disruption of services.

''(2) In the case where a program is continued under paragraph (1), the Corporation shall conduct outreach regarding the availability of a grant under this section for the area served by such program and establish a new competition for awarding the successor program to the continued program. The recipient operating the continued program shall remain eligible for the new competition.

''(3) The Corporation may monitor the recipient of a grant or contract supporting a program continued under paragraph (1) during this period and may provide training and technical assistance to assist such recipient in meeting the performance measures for such program.

''(j) The Corporation shall develop and disseminate an online resource guide for programs under this section not later than 180 days after the date of enactment of the Serve America Act, which shall include—

''(1) examples of high-performing programs assisted under this section;

''(2) corrective actions for underperforming programs; and

''(3) examples of meaningful outcome-based performance measures, outcomes, and criteria that capture a program's mission and priorities.''.

SEC. 2144. FOSTER GRANDPARENT PROGRAM.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking ''aged sixty'' and inserting ''age 55''; and

(ii) by striking ''children having exceptional needs'' and inserting ''children having special or exceptional needs or circumstances identified as limiting their academic, social, or emotional development''; and

(B) in the second sentence—

(i) by striking ''any of a variety of''; and

(ii) by striking ''children with special or exceptional needs'' and inserting ''children having special or exceptional needs or circumstances identified as limiting their academic, social, or emotional development'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''shall have'' and all that follows through ''(2) of the subsection'' and inserting ''may determine'';

(ii) in subparagraph (A), by striking ''and'' after the semicolon at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(C) whether it is in the best interest of the child receiving, and the particular foster grandparent providing, services in such a project, to continue the relationship between the child and the grandparent under this part after the child reaches the age of 21, if such child is an individual with a disability who was receiving such services prior to attaining the age of 21.''; and

(B) by striking paragraph (2) and inserting the following:

''(2) If an assignment of a foster grandparent under this part is suspended or discontinued, the replacement of that foster grandparent shall be determined in a manner consistent with paragraph (3).'';

(3) in subsection (d), by striking ''$2.45 per hour'' and all that follows through ''five cents, except'' and inserting ''$3.00 per hour, except'';

(4) in subsection (e)—

(A) in paragraph (1), by striking ''125 per centum'' and inserting ''200 percent''; and

(B) in paragraph (2), by striking ''per centum'' and inserting ''percent''; and

(5) in subsection (f)(1)—

(A) in subparagraph (A), by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraph (B)''; and

(B) by striking subparagraph (C).

SEC. 2145. SENIOR COMPANION PROGRAM.

Section 213(a) (42 U.S.C. 5013(a)) is amended by striking ''aged 60 or over'' and inserting ''age 55 or older''.

SEC. 2146. GENERAL PROVISIONS.

(a) PROMOTION OF NATIONAL SENIOR SERVICE CORPS.—Section 221 (42 U.S.C. 5021) is amended—

(1) in the section heading, by striking ''VOLUNTEER'' and inserting ''SERVICE''; and

(2) in subsection (b)(2), by striking ''participation of volunteers'' and inserting ''participation of volunteers of all ages and backgrounds, living in urban or rural communities''.

(b) MINORITY POPULATION PARTICIPATION.—Section 223 (42 U.S.C. 5023) is amended—

(1) in the section heading, by striking ''GROUP'' and inserting ''POPULATION''; and

(2) by striking ''sixty years and older from minority groups'' and inserting ''age 55 years or older from minority populations''.

(c) USE OF LOCALLY GENERATED CONTRIBUTIONS IN NATIONAL SENIOR SERVICE CORPS.—Section 224 (42 U.S.C. 5024) is amended—

(1) in the section heading, by striking ''VOLUNTEER'' and inserting ''SERVICE''; and

(2) by striking ''Volunteer Corps'' and inserting ''Service Corps''.

(d) NATIONAL PROBLEMS OF LOCAL CONCERN.—Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''(10), (12), (15), and (16)'' and inserting ''(9), (11), and (14)''; and

(ii) in subparagraph (C), by striking ''(10)'' and inserting ''(9)'';

(B) by amending paragraph (2) to read as follows:

''(2) An applicant for a grant under paragraph (1) shall determine whether the program to be supported by the grant is a program under part A, B, or C, and shall submit an application as required for such program.''; and

(C) by adding at the end the following:

''(4) To the maximum extent practicable, the Director shall ensure that not less than 25 percent of the funds appropriated under this section are used to award grants—

''(A) to applicants for grants under this section that are not receiving assistance from the Corporation at the time of such grant award; or

''(B) to applicants from locations where no programs supported under part A, B, or C are in effect at the time of such grant award.

''(5) Notwithstanding paragraph (4), if, for a fiscal year, less than 25 percent of the applicants for grants under this section are applicants described in paragraph (4), the Director may use an amount that is greater than 75 percent of the funds appropriated under this subsection to award grants to applicants that are already receiving assistance from the Corporation at the time of such grant award.'';

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''through education, prevention, treatment, and rehabilitation'' before the period at the end;

(B) by striking paragraph (4) and inserting the following:

''(4) Programs that establish and support mentoring programs for low-income youth, including mentoring programs that match such youth with mentors and match such youth with employment and training programs, including apprenticeship programs.'';

(C) in paragraph (5), by inserting '', including literacy programs that serve youth, and adults, with limited English proficiency'' before the period at the end;

(D) by striking paragraphs (6) and (7) and inserting the following:

''(6) Programs that provide respite care, including care for elderly individuals and for children and individuals with disabilities or chronic illnesses who are living at home.

''(7) Programs that provide before-school and after-school activities, serving children in low-income communities, that may engage participants in mentoring relationships, tutoring, life skills, and study skills programs, service-learning, physical, nutrition, and health education programs, and other activities addressing the needs of the children in the communities, including children of working parents.'';

(E) by striking paragraph (8);

(F) by redesignating paragraphs (9) through (15) as paragraphs (8) through (14), respectively;

(G) in paragraph (10) (as redesignated by subparagraph (F))—

(i) by striking ''educationally disadvantaged children'' and inserting ''students''; and

(ii) by striking ''the basic skills of such children'' and inserting ''the academic achievement of such students'';

(H) by striking paragraph (11) (as redesignated by subparagraph (F)) and inserting the following:

''(11) Programs that engage older individuals with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community, including service relating to conducting energy audits, insulating homes, or conducting other activities to promote energy efficiency.'';

(I) by striking paragraph (14) (as redesignated by subparagraph (F)) and inserting the following:

''(14) Programs in which the grant recipients involved collaborate with criminal justice professionals and organizations in order to provide prevention programs that serve low-income youth or youth reentering society after incarceration and their families, which prevention programs may include mentoring, counseling, or employment counseling.'';

(J) by striking paragraph (16); and

(K) by redesignating paragraphs (17) and (18) as paragraphs (15) and (16), respectively;

(3) in subsection (c)(1), by inserting ''and that such applicant has expertise applicable to implementing the proposed program for which the applicant is requesting the grant'' before the period at the end; and

(4) in subsection (e), by inserting ''widely'' after ''shall''.

(e) ACCEPTANCE OF DONATIONS.—Part D of title II (42 U.S.C. 5021 et seq.) is amended by adding at the end the following:

''SEC. 228. ACCEPTANCE OF DONATIONS.

''(a) IN GENERAL.—Except as provided in subsection (b), an entity receiving assistance under this title may accept donations, including donations in cash or in kind fairly evaluated, including plant, equipment, or services.

''(b) EXCEPTION.—An entity receiving assistance under this title to carry out an activity shall not accept donations from the beneficiaries of the activity.''.

Subtitle C—Administration and Coordination

SEC. 2151. SPECIAL LIMITATIONS.

Section 404(a) (42 U.S.C. 5044(a)) is amended by inserting ''or other volunteers (not including participants under this Act and the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.)),'' after ''employed workers'' both places such term appears.

SEC. 2152. APPLICATION OF FEDERAL LAW.

Section 415 (42 U.S.C. 5055) is amended—

(1) in subsection (c), by inserting ''(as such part was in effect on the day before the date of enactment of the Serve America Act)'' after ''part B''; and

(2) in subsection (e), by inserting ''(as such part was in effect on the day before the date of enactment of the Serve America Act)'' after ''A, B''.

SEC. 2153. EVALUATION.

Section 416 (42 U.S.C. 5056) is amended—

(1) in subsection (a), in the first sentence, by striking ''(including'' and all that follows through ''3 years)''; and

(2) in subsection (f)(3), by striking ''Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees''.

SEC. 2154. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) in paragraph (2), by inserting '', the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa'';

(2) by striking paragraph (7);

(3) in paragraph (13), by striking ''Volunteer Corps'' and inserting ''Service Corps'';

(4) in paragraph (14), by striking ''Volunteer Corps'' and inserting ''Service Corps'';

(5) by redesignating paragraphs (8) through (20) as paragraphs (7) through (19), respectively;

(6) in paragraph (18) (as redesignated by paragraph (5)), by striking ''and'' after the semicolon at the end;

(7) in paragraph (19) (as redesignated by paragraph (5)), by striking the period at the end and inserting ''; and''; and

(8) by adding at the end the following:

''(20) the term 'authorizing committees' means the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.''.

SEC. 2155. PROTECTION AGAINST IMPROPER USE.

Section 425 (42 U.S.C. 5065) is amended, in the matter following paragraph (2), by striking ''Volunteer Corps'' and inserting ''Service Corps''.

SEC. 2156. PROVISIONS UNDER THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Title IV (42 U.S.C. 5043 et seq.) is amended by adding at the end the following:

''SEC. 426. PROVISIONS UNDER THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

''The Corporation shall carry out this Act in accordance with the provisions of this Act and the relevant provisions of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.), particularly the provisions of section 122 and subtitle F of title I of the National and Community Service Act of 1990 (42 U.S.C. 12572, 12631 et seq.) relating to the national service laws.''.

Subtitle D—Authorization of Appropriations

SEC. 2161. AUTHORIZATIONS OF APPROPRIATIONS.

(a) NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.—Section 501 (42 U.S.C. 5081) is amended—

(1) in subsection (a)—

(A) by striking paragraphs (1) through (4) and inserting the following:

''(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out part A of title I $100,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(2) SPECIAL VOLUNTEER PROGRAMS.—There are authorized to be appropriated to carry out part C of title I such sums as may be necessary for each of fiscal years 2010 through 2014.''; and

(B) by redesignating paragraph (5) as paragraph (3);

(2) in subsection (c), by striking ''part B or C'' and inserting ''part C''; and

(3) by striking subsection (e).

(b) NATIONAL SENIOR SERVICE CORPS.—Section 502 (42 U.S.C. 5082) is amended to read as follows:

''SEC. 502. NATIONAL SENIOR SERVICE CORPS.

''(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $70,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $55,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, such sums as may be necessary for each of the fiscal years 2010 through 2014.''.

(c) ADMINISTRATION AND COORDINATION.—Section 504 (42 U.S.C. 5084) is amended—

(1) in subsection (a), by striking ''fiscal years 1994 through 1996'' and inserting ''fiscal years 2010 through 2014''; and

(2) in subsection (b), by striking ''fiscal years 1994 through 1996'' and inserting ''fiscal years 2010 through 2014''.

TITLE III—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

SEC. 3101. TABLE OF CONTENTS OF THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Section 1(b) of the National and Community Service Act of 1990 is amended to read as follows:

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

''Sec. 1. Short title and table of contents.
''Sec. 2. Findings and purpose.

''TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

''Subtitle A—General Provisions

''Sec. 101. Definitions.
''Sec. 102. Authority to make State grants.

''Subtitle B—School-Based and Community-Based Service-Learning Programs

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS

''Sec. 111. Purpose.
''Sec. 111A. Definitions.
''Sec. 112. Assistance to States, territories, and Indian tribes.
''Sec. 112A. Allotments.
''Sec. 113. Applications.
''Sec. 114. Consideration of applications.
''Sec. 115. Participation of students and teachers from private schools.
''Sec. 116. Federal, State, and local contributions.
''Sec. 117. Limitations on uses of funds.

''PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

''Sec. 118. Higher education innovative programs for community service.
''Sec. 118A. Campuses of Service.

''PART III—INNOVATIVE AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS AND RESEARCH

''Sec. 119. Innovative and community-based service-learning programs and research.

''PART IV—SERVICE-LEARNING IMPACT STUDY

''Sec. 120. Study and report.

''Subtitle C—National Service Trust Program

''PART I—INVESTMENT IN NATIONAL SERVICE

''Sec. 121. Authority to provide assistance and approved national service positions.
''Sec. 122. National service programs eligible for program assistance.
''Sec. 123. Types of national service positions eligible for approval for national service educational awards.
''Sec. 124. Types of program assistance.
''Sec. 126. Other special assistance.

''PART II—APPLICATION AND APPROVAL PROCESS

''Sec. 129. Provision of assistance and approved national service positions.
''Sec. 129A. Educational awards only program.
''Sec. 130. Application for assistance and approved national service positions.
''Sec. 131. National service program assistance requirements.
''Sec. 132. Ineligible service categories.
''Sec. 132A. Prohibited activities and ineligible organizations.
''Sec. 133. Consideration of applications.

''PART III—NATIONAL SERVICE PARTICIPANTS

''Sec. 137. Description of participants.
''Sec. 138. Selection of national service participants.
''Sec. 139. Terms of service.
''Sec. 140. Living allowances for national service participants.
''Sec. 141. National service educational awards.

''Subtitle D—National Service Trust and Provision of Educational Awards

''Sec. 145. Establishment of the National Service Trust.
''Sec. 146. Individuals eligible to receive an educational award from the Trust.
''Sec. 146A. Certifications of successful completion of terms of service.
''Sec. 147. Determination of the amount of the educational award.
''Sec. 148. Disbursement of educational awards.
''Sec. 149. Approval process for approved positions.

''Subtitle E—National Civilian Community Corps

''Sec. 151. Purpose.
''Sec. 152. Establishment of National Civilian Community Corps Program.
''Sec. 153. National service program.
''Sec. 154. Summer national service program.
''Sec. 155. National Civilian Community Corps.
''Sec. 156. Training.
''Sec. 157. Service projects.
''Sec. 158. Authorized benefits for Corps members.
''Sec. 159. Administrative provisions.
''Sec. 160. Status of Corps members and Corps personnel under Federal law.
''Sec. 161. Contract and grant authority.
''Sec. 162. Responsibilities of Department of Defense.
''Sec. 163. Advisory board.
''Sec. 164. Evaluations.
''Sec. 165. Definitions.

''Subtitle F—Administrative Provisions

''Sec. 171. Family and medical leave.
''Sec. 172. Reports.
''Sec. 173. Supplementation.
''Sec. 174. Prohibition on use of funds.
''Sec. 175. Nondiscrimination.
''Sec. 176. Notice, hearing, and grievance procedures.
''Sec. 177. Nonduplication and nondisplacement.
''Sec. 178. State Commissions on National and Community Service.
''Sec. 179. Evaluation.
''Sec. 179A. Civic Health Assessment and volunteering research and evaluation.
''Sec. 180. Engagement of participants.
''Sec. 181. Contingent extension.
''Sec. 182. Partnerships with schools.
''Sec. 183. Rights of access, examination, and copying.
''Sec. 184. Drug-free workplace requirements.
''Sec. 185. Consolidated application and reporting requirements.
''Sec. 186. Sustainability.
''Sec. 187. Grant periods.
''Sec. 188. Generation of volunteers.
''Sec. 189. Limitation on program grant costs.
''Sec. 189A. Matching requirements for severely economically distressed communities.
''Sec. 189B. Audits and reports.
''Sec. 189C. Restrictions on Federal Government and uses of Federal funds.
''Sec. 189D. Criminal history checks.

''Subtitle G—Corporation for National and Community Service

''Sec. 191. Corporation for National and Community Service.
''Sec. 192. Board of Directors.
''Sec. 192A. Authorities and duties of the Board of Directors.
''Sec. 193. Chief Executive Officer.

''Sec. 193A. Authorities and duties of the Chief Executive Officer.
''Sec. 194. Officers.
''Sec. 195. Employees, consultants, and other personnel.
''Sec. 196. Administration.
''Sec. 196A. Corporation State offices.
''Sec. 196B. Assignment to State Commissions.
''Sec. 196C. Study of involvement of veterans.
''Subtitle H—Investment for Quality and Innovation
''PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE
''Sec. 198. Additional corporation activities to support national service.
''Sec. 198A. Presidential awards for service.
''Sec. 198B. ServeAmerica Fellowships.
''Sec. 198C. Silver Scholarships and Encore Fellowships.
''PART II—NATIONAL SERVICE RESERVE CORPS
''Sec. 198H. National Service Reserve Corps.
''PART III—SOCIAL INNOVATION FUNDS PILOT PROGRAM
''Sec. 198K. Funds.
''PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSES; VOLUNTEER GENERATION FUND
''Sec. 198O. National service programs clearinghouses.
''Sec. 198P. Volunteer generation fund.
''Subtitle I—American Conservation and Youth Corps
''Sec. 199. Short title.
''Sec. 199A. General authority.
''Sec. 199B. Limitation on purchase of capital equipment.
''Sec. 199C. State application.
''Sec. 199D. Focus of programs.
''Sec. 199E. Related programs.
''Sec. 199F. Public lands or Indian lands.
''Sec. 199G. Training and education services.
''Sec. 199H. Preference for certain projects.
''Sec. 199I. Age and citizenship criteria for enrollment.
''Sec. 199J. Use of volunteers.
''Sec. 199K. Living allowance.
''Sec. 199L. Joint programs.
''Sec. 199M. Federal and State employee status.
''Subtitle J—Training and Technical Assistance
''Sec. 199N. Training and technical assistance.
''TITLE II—MODIFICATIONS OF EXISTING PROGRAMS
''Subtitle A—Publication
''Sec. 201. Information for students.
''Sec. 202. Exit counseling for borrowers.
''Sec. 203. Department information on deferments and cancellations.
''Sec. 204. Data on deferments and cancellations.
''Subtitle B—Youthbuild Projects
''Sec. 211. Youthbuild projects.
''Subtitle C—Amendments to Student Literacy Corps
''Sec. 221. Amendments to Student Literacy Corps.
''TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS
''Sec. 401. Projects.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. Authorization of appropriations.
''TITLE VI—MISCELLANEOUS PROVISIONS
''Sec. 601. Amtrak waste disposal.
''Sec. 602. Exchange program with countries in transition from totalitarianism to democracy.''.

SEC. 3102. TABLE OF CONTENTS OF THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973.

Section 1(b) of the Domestic Volunteer Service Act of 1973 is amended to read as follows:

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

''Sec. 1. Short title; table of contents.
''Sec. 2. Volunteerism policy.
''TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS
''PART A—VOLUNTEERS IN SERVICE TO AMERICA
''Sec. 101. Statement of purpose.
''Sec. 102. Authority to operate VISTA program.
''Sec. 103. Selection and assignment of volunteers.
''Sec. 104. Terms and periods of service.
''Sec. 105. Support service.
''Sec. 106. Participation of beneficiaries.
''Sec. 107. Participation of younger and older persons.
''Sec. 108. Limitation.
''Sec. 109. Applications for assistance.
''PART C—SPECIAL VOLUNTEER PROGRAMS
''Sec. 121. Statement of purpose.
''Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
''Sec. 123. Technical and financial assistance.
''TITLE II—NATIONAL SENIOR SERVICE CORPS
''Sec. 200. Statement of purpose.
''PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM
''Sec. 201. Grants and contracts for volunteer service projects.
''PART B—FOSTER GRANDPARENT PROGRAM
''Sec. 211. Grants and contracts for volunteer service projects.
''PART C—SENIOR COMPANION PROGRAM
''Sec. 213. Grants and contracts for volunteer service projects.
''PART D—GENERAL PROVISIONS
''Sec. 221. Promotion of National Senior Service Corps.
''Sec. 222. Payments.
''Sec. 223. Minority population participation.
''Sec. 224. Use of locally generated contributions in National Senior Service Corps.
''Sec. 225. Programs of national significance.
''Sec. 226. Adjustments to Federal financial assistance.
''Sec. 227. Multiyear grants or contracts.
''Sec. 228. Acceptance of donations.
''PART E—DEMONSTRATION PROGRAMS
''Sec. 231. Authority of Director.
''TITLE IV—ADMINISTRATION AND COORDINATION
''Sec. 403. Political activities.
''Sec. 404. Special limitations.
''Sec. 406. Labor standards.
''Sec. 408. Joint funding.
''Sec. 409. Prohibition of Federal control.
''Sec. 410. Coordination with other programs.
''Sec. 411. Prohibition.
''Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.
''Sec. 414. Distribution of benefits between rural and urban areas.
''Sec. 415. Application of Federal law.
''Sec. 416. Evaluation.
''Sec. 417. Nondiscrimination provisions.
''Sec. 418. Eligibility for other benefits.
''Sec. 419. Legal expenses.
''Sec. 421. Definitions.
''Sec. 422. Audit.
''Sec. 423. Reduction of paperwork.
''Sec. 424. Review of project renewals.
''Sec. 425. Protection against improper use.
''Sec. 426. Provisions under the National and Community Service Act of 1990.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. National volunteer antipoverty programs.
''Sec. 502. National Senior Service Corps.
''Sec. 504. Administration and coordination.
''Sec. 505. Availability of appropriations.
''TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS
''Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.
''Sec. 602. Creditable service for civil service retirement.
''Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
''Sec. 604. Repeal of title VI of the Older Americans Act.''.

TITLE IV—AMENDMENTS TO OTHER LAWS

SEC. 4101. INSPECTOR GENERAL ACT OF 1978.

Section 8F(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''National and Community Service Trust Act of 1993'' and inserting ''National and Community Service Act of 1990''.

TITLE V—VOLUNTEERS FOR PROSPERITY PROGRAM

SEC. 5101. FINDINGS.

Congress makes the following findings:

(1) Americans engaged in international volunteer service, and the organizations deploying them—

(A) play critical roles in responding to the needs of people living throughout the developing world; and

(B) advance the international public diplomacy of the United States.

(2) The Volunteers for Prosperity Program has successfully promoted international volunteer service by skilled American professionals.

(3) In its first 4 years, the VfP Program helped to mobilize 74,000 skilled Americans, including doctors, nurses, engineers, businesspeople, and teachers, through a network of 250 nonprofit organizations and companies in the United States, to carry out development and humanitarian efforts for those affected by great global challenges in health, the environment, poverty, illiteracy, financial literacy, disaster relief, and other challenges.

(4) The VfP Program has undertaken activities, including—

(A) direct outreach to leading nonprofit organizations and companies in the United States;

(B) promotion of the work of skilled Americans and nonprofit organizations and companies in the United States as it relates to international volunteer service;

(C) public recognition of skilled American volunteers;

(D) support for organizations that utilize skilled Americans as volunteers;

(E) participation in the development of special initiatives to further opportunities for skilled Americans; and

(F) leadership of an innovative public-private partnership to provide eligible skilled with financial assistance for volunteer assignments.

SEC. 5102. DEFINITIONS.

In this title:

(1) VFP OFFICE.—The term ''VfP Office'' means the Office of Volunteers for Prosperity of the United States Agency for International Development.

(2) VFP PROGRAM.—The term ''VfP Program'' means the Volunteers for Prosperity

Program established through Executive Order 13317.

(3) VFPSERVE.—The term ''VfPServe'' means a program established by the VfP Office, in cooperation with the USA Freedom Corps, to provide eligible skilled professionals with fixed amount stipends to offset the travel and living costs of volunteering abroad.

SEC. 5103. OFFICE OF VOLUNTEERS FOR PROSPERITY.

(a) FUNCTIONS.—The VfP Office shall pursue the objectives of the VfP Program described in subsection (b) by—

(1) implementing the VfPServe Program to provide eligible skilled professionals with matching grants to offset the travel and living expenses of volunteering abroad with nonprofit organizations;

(2) otherwise promoting short- and long-term international volunteer service by skilled American professionals, including connecting such professionals with nonprofit organizations, to achieve such objectives;

(3) helping nonprofit organizations in the United States recruit and effectively manage additional skilled American professionals for volunteer assignments throughout the developing world;

(4) providing recognition for skilled American volunteers and the organizations deploying them;

(5) helping nonprofit organizations and corporations in the United States to identify resources and opportunities in international volunteer service utilizing skilled Americans;

(6) encouraging the establishment of international volunteer programs for employees of United States corporations; and

(7) encouraging international voluntary service by highly skilled Americans to promote health and prosperity throughout the world.

(b) VFP PROGRAM OBJECTIVES.—The objectives of the VfP Program should include—

(1) eliminating extreme poverty;

(2) reducing world hunger and malnutrition;

(3) increasing access to safe potable water;

(4) enacting universal education;

(5) reducing child mortality and childhood diseases;

(6) combating the spread of preventable diseases, including HIV, malaria, and tuberculosis;

(7) providing educational and work skill support for girls and empowering women to achieve independence;

(8) creating sustainable business and entrepreneurial opportunities; and

(9) increasing access to information technology.

(c) VOLUNTEERS FOR PROSPERITY SERVICE INCENTIVE PROGRAM.—

(1) IN GENERAL.—The VfP Office may provide matching grants to offset the travel and living costs of volunteering abroad to any eligible organization that—

(A) has members who possess skills relevant to addressing any objective described in subsection (b); and

(B) provides a dollar-for-dollar match for such grant—

(i) through the organization with which the individual is serving; or

(ii) by raising private funds.

(2) NONDISCRIMINATION REQUIREMENT.—The VfP Office may not provide a stipend to an individual under paragraph (1) unless the nonprofit organization to which the individual is assigned has certified to the VfP Office that it does not discriminate with respect to any project or activity receiving Federal financial assistance, including a stipend under this title, because of race, religion, color, national origin, sex, political affiliation, or beliefs.

(3) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service carried out by a volunteer receiving funds under this section may not provide a direct benefit to any—

(A) business organized for profit;

(B) labor union;

(C) partisan political organization; or

(D) religious or faith-based organization for the purpose of proselytization, worship or any other explicitly religious activity.

(d) FUNDING.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development shall make available the amounts appropriated pursuant to section 5104 to the VfP Office to pursue the objectives described in subsection (b) by carrying out the functions described in subsection (a).

(2) USE OF FUNDS.—Amounts made available under paragraph (1) may be used by the VfP Office to provide personnel and other resources to develop, manage, and expand the VfP Program, under the supervision of the United States Agency for International Development.

(e) COORDINATION.—The VfP Office shall coordinate its efforts with other public and private efforts that aim to send skilled professionals to serve in developing nations.

(f) REPORT.—The VfP Office shall submit an annual report to Congress on the activities of the VfP Office.

SEC. 5104. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title $10,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

(b) ALLOCATION OF FUNDS.—Not more than 10 percent of the amounts appropriated pursuant to subsection (a) may be expended for the administrative costs of the United States Agency for International Development to manage the VfP Program.

TITLE VI—EFFECTIVE DATE

SEC. 6101. EFFECTIVE DATE.

(a) IN GENERAL.—This Act, and the amendments made by this Act, take effect on October 1, 2009.

(b) REGULATIONS.—Effective on the date of enactment of this Act, the Chief Executive Officer of the Corporation for National and Community Service may issue such regulations as may be necessary to carry out this Act and the amendments made by this Act.

SA 688. Mr. CRAPO (for himself, Mr. CORKER, Mr. GREGG, and Mr. BOND) proposed an amendment to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, to reauthorize and reform the national service laws; as follows:

At the appropriate place, add the following:

SEC. ___. INCREASED BORROWING AUTHORITY OF THE FEDERAL DEPOSIT INSURANCE CORPORATION.

Section 14(a) of the Federal Deposit Insurance Act (12 U.S.C. 1824(a)) is amended—

(1) by striking ''$30,000,000,000'' and inserting ''$100,000,000,000'';

(2) by striking ''The Corporation is authorized'' and inserting the following:

''(1) IN GENERAL.—The Corporation is authorized'';

(3) by striking ''There are hereby'' and inserting the following:

''(2) FUNDING.—There are hereby''; and

(4) by adding at the end the following:

''(3) TEMPORARY INCREASES AUTHORIZED.—

''(A) RECOMMENDATIONS FOR INCREASE.—During the period beginning on the date of enactment of this paragraph and ending on December 31, 2010, if, upon the written recommendation of the Board of Directors (upon a vote of not less than two-thirds of the members of the Board of Directors) and the Board of Governors of the Federal Reserve System (upon a vote of not less than two-thirds of the members of such Board), the Secretary of the Treasury (in consultation with the President) determines that additional amounts above the $100,000,000,000 amount specified in paragraph (1) are necessary, such amount shall be increased to the amount so determined to be necessary, not to exceed $500,000,000,000.

''(B) REPORT REQUIRED.—If the borrowing authority of the Corporation is increased above $100,000,000,000 pursuant to subparagraph (A), the Corporation shall promptly submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing the reasons and need for the additional borrowing authority and its intended uses.''.

SA 689. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 1388, to reauthorize and reform the national service laws; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ___. INCREASED BORROWING AUTHORITY OF THE FEDERAL DEPOSIT INSURANCE CORPORATION.

Section 14(a) of the Federal Deposit Insurance Act (12 U.S.C. 1824(a)) is amended—

(1) by striking ''$30,000,000,000'' and inserting ''$100,000,000,000'';

(2) by striking ''The Corporation is authorized'' and inserting the following:

''(1) IN GENERAL.—The Corporation is authorized'';

(3) by striking ''There are hereby'' and inserting the following:

''(2) FUNDING.—There are hereby''; and

(4) by adding at the end the following:

''(3) TEMPORARY INCREASES AUTHORIZED.—

''(A) RECOMMENDATIONS FOR INCREASE.—During the period beginning on the date of enactment of this paragraph and ending on December 31, 2010, if, upon the written recommendation of the Board of Directors (upon a vote of not less than two-thirds of the members of the Board of Directors) and the Board of Governors of the Federal Reserve System (upon a vote of not less than two-thirds of the members of such Board), the Secretary of the Treasury (in consultation with the President) determines that additional amounts above the $100,000,000,000 amount specified in paragraph (1) are necessary, such amount shall be increased to the amount so determined to be necessary, not to exceed $500,000,000,000.

''(B) REPORT REQUIRED.—If the borrowing authority of the Corporation is increased above $100,000,000,000 pursuant to subparagraph (A), the Corporation shall promptly submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing the reasons and need for the additional borrowing authority and its intended uses.''.

SA 690. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, to reauthorize and reform the national service laws; which was ordered to lie on the table; as follows:

On page 145, strike lines 4 through 10 and insert the following:

shall assess against the national service program a charge for the amount of any associated payment or potential payment from the National Service Trust.''.

SA 691. Mr. DORGAN (for himself, Mr. BINGAMAN, Ms. MURKOWSKI, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, to reauthorize and reform the national service laws; which was ordered to lie on the table; as follows:

Section 129(d) of the National and Community Service Act of 1990 (as amended by section 1306) is amended by striking ''and to nonprofit organizations seeking to operate a national service program in 2 or more of those States'' and inserting '', to nonprofit organizations seeking to operate a national service program in 2 or more of those States, and to Indian tribes''.

Section 193A(b)(23) of the National and Community Service Act of 1990 (as amended by section 1704(1)) is amended by striking ''and collect information on challenges facing Native American communities'' and inserting ''collect information on challenges facing Native American communities, and designate a Strategic Advisor for Native American Affairs to be responsible for the execution of those activities under the national service laws''.

SA 692. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, to reauthorize and reform the national service laws; as follows:

On page 297, between lines 16 and 17, insert the following:

SEC. ___. NONPROFIT CAPACITY BUILDING PROGRAM.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is amended by adding at the end the following:

"PART V—NONPROFIT CAPACITY BUILDING PROGRAM

"SEC. 198S. NONPROFIT CAPACITY BUILDING.

''(a) DEFINITIONS.—In this section:

''(1) INTERMEDIARY NONPROFIT GRANTEE.—The term 'intermediary nonprofit grantee' means an intermediary nonprofit organization that receives a grant under subsection (b).

''(2) INTERMEDIARY NONPROFIT ORGANIZATION.—The term 'intermediary nonprofit organization' means an experienced and capable nonprofit entity with meaningful prior experience in providing organizational development assistance, or capacity building assistance, focused on small and midsize nonprofit organizations.

''(3) NONPROFIT.—The term 'nonprofit', used with respect to an entity or organization, means—

''(A) an entity or organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

''(B) an entity or organization described in paragraph (1) or (2) of section 170(c) of such Code.

''(4) STATE.—The term 'State' means each of the several States, and the District of Columbia.

''(b) GRANTS.—The Corporation shall establish a Nonprofit Capacity Building Program to make grants to intermediary nonprofit organizations to serve as intermediary nonprofit grantees. The Corporation shall make the grants to enable the intermediary nonprofit grantees to pay for the Federal share of the cost of delivering organizational development assistance, including training on best practices, financial planning, grantwriting, and compliance with the applicable tax laws, for small and midsize nonprofit organizations, especially those nonprofit organizations facing resource hardship challenges. Each of the grantees shall match the grant funds by providing a non-Federal share as described in subsection (f).

''(c) AMOUNT.—To the extent practicable, the Corporation shall make such a grant to an intermediary nonprofit organization in each State, and shall make such grant in an amount of not less than $200,000.

''(d) APPLICATION.—To be eligible to receive a grant under this section, an intermediary nonprofit organization shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require. The intermediary nonprofit organization shall submit in the application information demonstrating that the organization has secured sufficient resources to meet the requirements of subsection (f).

''(e) PREFERENCE AND CONSIDERATIONS.—

''(1) PREFERENCE.—In making such grants, the Corporation shall give preference to intermediary nonprofit organizations seeking to become intermediary nonprofit grantees in areas where nonprofit organizations face significant resource hardship challenges.

''(2) CONSIDERATIONS.—In determining whether to make a grant the Corporation shall consider—

''(A) the number of small and midsize nonprofit organizations that will be served by the grant;

''(B) the degree to which the activities proposed to be provided through the grant will assist a wide number of nonprofit organizations within a State, relative to the proposed amount of the grant; and

''(C) the quality of the organizational development assistance to be delivered by the intermediary nonprofit grantee, including the qualifications of its administrators and representatives, and its record in providing services to small and midsize nonprofit organizations.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost as referenced in subsection (b) shall be 50 percent.

''(2) NON-FEDERAL SHARE.—

''(A) IN GENERAL.—The non-Federal share of the cost as referenced in subsection (b) shall be 50 percent and shall be provided in cash.

''(B) THIRD PARTY CONTRIBUTIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), an intermediary nonprofit grantee shall provide the non-Federal share of the cost through contributions from third parties. The third parties may include charitable grantmaking entities and grantmaking vehicles within existing organizations, entities of corporate philanthropy, corporations, individual donors, and regional, State, or local government agencies, or other non-Federal sources.

''(ii) EXCEPTION.—If the intermediary nonprofit grantee is a private foundation (as defined in section 509(a) of the Internal Revenue Code of 1986), a donor advised fund (as defined in section 4966(d)(2) of such Code), an organization which is described in section 4966(d)(4)(A)(i) of such Code, or an organization which is described in section 4966(d)(4)(B) of such Code, the grantee shall provide the non-Federal share from within that grantee's own funds.

''(iii) MAINTENANCE OF EFFORT, PRIOR YEAR THIRD-PARTY FUNDING LEVELS.—For purposes of maintaining private sector support levels for the activities specified by this program, a non-Federal share that includes donations by third parties shall be composed in a way that does not decrease prior levels of funding from the same third parties granted to the nonprofit intermediary grantee in the preceding year.

''(g) RESERVATION.—Of the amount authorized to provide financial assistance under this subtitle, there shall be made available to carry out this section $5,000,000 for each of fiscal years 2010 through 2014.''.

SA 693. Mr. JOHANNS proposed an amendment to amendment SA 687 by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, to reauthorize and reform the national service laws; as follows:

On page 115, line 15, strike ''1 percent'' and insert ''2 percent''.

On page 115, line 20, strike ''$10,000,000'' and insert ''$20,000,000''.

On page 213, after line 21, insert the following:

SEC. 1613. AVAILABILITY OF ASSISTANCE.

(a) FINDINGS.—Congress finds the following:

(1) Special Olympics is a nonprofit movement with the mission to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy, and participate in a sharing of gifts, skills, and friendship with their families, other Special Olympics athletes and the community.

(2) With sports at the core, Special Olympics is a leader in the field of intellectual disability, and is making impressive strides in the areas of health, education, family support, research, and policy change for people with intellectual disabilities.

(b) AMENDMENT.—Subtitle F of title I is further amended by inserting after section 184 the following:

"SEC. 184A. AVAILABILITY OF ASSISTANCE.

''Notwithstanding any other provision of this Act relating to eligibility, a reference in subtitle C, D, E, or H of title I regarding an entity eligible to receive direct or indirect assistance to carry out a national service program shall include an organization promoting competitive and non-competitive sporting events involving individuals with disabilities (including the Special Olympics), which promote the quality of life for individuals with disabilities.''.

SA 694. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 1388, to reauthorize and reform the national service laws; which was ordered to lie on the table; as follows:

On page 213, line 4, strike ''or'' and insert ''and''.

SA 695. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 1388, to reauthorize and reform the national service laws; which was ordered to lie on the table; as follows:

On page 19, line 25, insert ''and to secondary schools with graduation rates (as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in section 200.19(b)(1) of title 34, Code of

Federal Regulations) of less than 70 percent'' before the semicolon.

SA 696. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 1388, to reauthorize and reform the national service laws; which was ordered to lie on the table; as follows:

On page 49, line 15, insert ''(as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in section 200.19(b)(1) of title 34, Code of Federal Regulations)'' after ''graduation rate''.

On page 59, line 9, insert ''and as clarified in section 200.19(b)(1) of title 34, Code of Federal Regulations'' before ''; and''.

On page 69, line 14, insert ''and as clarified in section 200.19(b)(1) of title 34, Code of Federal Regulations'' before the semicolon.

SA 697. Mrs. MURRAY (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 37, calling on Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman; as follows:

Strike all after the resolving clause and insert the following:

That the Senate calls on Brazil—

(1) to fulfill its obligations under the Convention on the Civil Aspects of International Child Abduction, done at the Hague October 25, 1980 (TIAS 11670); and

(2) to assist in the safe return of Sean Goldman to his father, David Goldman, in the United States.

SA 698. Mrs. MURRAY (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 37, calling on Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman; as follows:

Strike the 12th whereas clause of the preamble.

Strike the 13th whereas clause of the preamble.

Strike the 15th whereas clause of the preamble.

Strike the 16th whereas clause of the preamble and insert the following:

Whereas the Goldman case has been pending in the courts of Brazil since 2004;

SA 699. Mrs. MURRAY (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 37, calling on Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman; as follows:

Amend the title so as to read: ''Calling on Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman.''.

SA 700. Mr. BINGAMAN submitted an amendment intended to be propsoed by him to the bill H.R. 1388, to reauthorize and reform the national service laws; which was ordered to lie on the table; as follows:

Add at the end the following:

TITLE VII—ROOSEVELT SCHOLARS

SEC. 7101. SHORT TITLE.

This title may be cited as the ''Roosevelt Scholars Act of 2009''.

SEC. 7102. DEFINITIONS.

For purposes of this title—

(1) the term ''Foundation'' means the Theodore Roosevelt Scholarship Foundation, as described in section 7103(a);

(2) the term ''Board'' means the Board of Trustees of the Theodore Roosevelt Scholarship Foundation, as described in section 7103(b);

(3) the term ''Fund'' means the Theodore Roosevelt Memorial Scholarship Trust Fund, as described in section 7107;

(4) the term ''Federal agency'' means an Executive agency, as defined by section 105 of title 5, United States Code;

(5) the term ''State'' includes the District of Columbia;

(6) the term ''graduate student'' means a student in a master's, law, or doctoral degree program at a university accredited by a nationally recognized accrediting agency or association;

(7) the term ''undergraduate student'' means a student enrolled or accepted for enrollment at a university accredited by a nationally recognized accrediting agency or association; and

(8) the term ''mission-critical occupational area'' refers to those positions that a Federal agency identifies as essential to achieving its strategic goals, as determined through the workforce analysis process of the Federal agency's workforce planning system.

SEC. 7103. THEODORE ROOSEVELT SCHOLARSHIP FOUNDATION.

(a) ESTABLISHMENT.—There is established, as an independent establishment in the executive branch of the Government, a foundation to be known as the ''Theodore Roosevelt Scholarship Foundation''.

(b) BOARD OF TRUSTEES.—The Foundation shall be subject to the supervision and direction of a Board of Trustees. The Board shall be composed of 9 members, plus 1 non-voting ex officio member, as follows:

(1) 2 members shall be appointed by the President, with the advice and consent of the Senate, after considering the recommendations made by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives.

(2) 2 members shall be appointed by the President, with the advice and consent of the Senate, after considering the recommendations made by the President pro tempore of the Senate in consultation with the minority leader of the Senate.

(3) 5 members, not more than 3 of whom shall be of the same political party, shall be appointed by the President, with the advice and consent of the Senate, from among individuals who—

(A) have demonstrated leadership or expertise in public service or higher education; or

(B) represent a Federal agency or a professional association related to mission-critical occupational areas.

(4) The Director of the Office of Personnel Management (or a designee) shall serve as a non-voting, ex officio member of the Board.

(c) TERM OF OFFICE.—

(1) IN GENERAL.—Except as provided in paragraph (2) or (3), the term of each member (other than the ex officio member) shall be 6 years.

(2) INITIAL APPOINTEES.—As designated by the President at the time of appointment, of the members first appointed—

(A) 1 member appointed under subsection (b)(2) and 2 members appointed under subsection (b)(3) shall be appointed for a term of 2 years;

(B) 1 member appointed under subsection (b)(1) and 2 members appointed under subsection (b)(3) shall be appointed for a term of 4 years; and

(C) 1 member appointed under subsection (b)(1), 1 member appointed under subsection (b)(2), and 1 member appointed under subsection (b)(3) shall be appointed for a term of 6 years.

(3) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A vacancy on the Board shall be filled in the manner in which the original appointment was made.

(d) COMPENSATION.—Members of the Board shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties as members of the Board.

SEC. 7104. ROOSEVELT SCHOLARS.

(a) IN GENERAL.—The Foundation shall award scholarships to undergraduate students and graduate students who demonstrate outstanding potential for a career in a mission-critical occupational area within the Federal Government. The recipient of a scholarship under this title shall be known as a ''Roosevelt Scholar''.

(b) SELECTION PROCESS.—

(1) NATIONWIDE COMPETITION.—The Foundation shall—

(A) provide for the conduct of an annual Nationwide competition, including an application and interview process, for the purpose of selecting Roosevelt Scholars; and

(B) market the scholarship program to diverse populations.

(2) CRITERIA AND PROCEDURES.—The Foundation shall adopt selection criteria and procedures to ensure a diverse cohort of scholarship recipients each year who—

(A) at the time of applying for a scholarship under this title, are enrolled in or seeking admission to an accredited full-time undergraduate or graduate degree program in a discipline that is determined by the Foundation to be directly related to 1 or more mission-critical occupational areas within the Federal Government;

(B) have been nominated by an appropriate faculty member or other representative of the institution in which they are enrolled, of which they are a graduate, or to which they are seeking admission, or by another individual, who has direct knowledge of the candidate's academic or work experience; and

(C) are citizens or legal permanent residents of the United States.

(c) SCHOLARSHIP AMOUNTS.—Each student awarded a scholarship under this title shall receive, for each academic year in which such student is enrolled full time in the undergraduate or graduate degree program described in subsection (b)(2)(A), the cost of tuition plus a stipend, except that—

(1) the stipend awarded under this title to a student for an academic year may not exceed the lesser of—

(A) a monthly living stipend of not more than $300 per month and an amount equal to the cost to the student, for such academic year, of—

(i) room and board;

(ii) books; and

(iii) materials and fees associated with coursework; or

(B) $12,000 (adjusted annually to reflect any increase in the consumer price index for all urban consumers, as published by the Bureau of Labor Statistics);

(2) the total scholarship awarded under this title to a student for an academic year, for tuition and stipend combined, may not exceed—

(A) $60,000 (adjusted at the same time and in the same manner as the dollar amount under paragraph (1)(B)), minus

(B) the sum of all scholarships, grants, or other similar cash awards received by the student for such academic year from any source apart from this title; and

(3) scholarships under this title may be awarded to a student for such periods as the Foundation may prescribe, but not to exceed 5 academic years.

(d) SCHOLARSHIP CONDITIONS.—

(1) SATISFACTORY PROFICIENCY.—A student awarded a scholarship under this title shall continue to receive the payments provided for under this title only during such periods as the Foundation finds that such student is maintaining satisfactory proficiency and devoting full time to study or research designed to prepare such student for a career in the Federal Government, unless otherwise approved by the Foundation.

(2) REPORTS.—The Foundation may require reports containing such information, in such form, and to be filed at such times as the Foundation determines to be necessary from any student awarded a scholarship under this title. Such reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, approved by the Foundation, stating that such individual is making satisfactory progress in, and is devoting essentially full time to study or research, except as otherwise provided in this subsection.

SEC. 7105. REQUIREMENTS FOR ROOSEVELT SCHOLARS.

(a) SERVICE REQUIREMENT.—

(1) IN GENERAL.—Each student awarded a scholarship under this title shall be required to enter into a service agreement with the Foundation which provides for such student to complete, in return for the scholarship, a specified period of service with the Federal Government. Under the agreement, the period of service shall be for the number of years equal to the total number of academic years for which the student received a scholarship under this title, except that the total period of service shall not be less than 3 years nor more than 5 years.

(2) FAILURE TO FULFILL.—

(A) IN GENERAL.—An agreement under this section shall provide that an individual shall, in the event that such individual fails to meet the service requirement under paragraph (1), be required to repay to the Foundation the amount equal to—

(i) the total amount of scholarship monies (tuition and stipends combined) received by the individual under such agreement, multiplied by

(ii) a fraction, the numerator of which is the amount of service not completed and the denominator of which is the total period of service agreed to.

(B) AMOUNT TREATED AS A LOAN.—An amount under this paragraph shall be treated as a Federal Direct Unsubsidized Stafford Loan under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a and following), and shall be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Secretary of Education.

(3) REGULATIONS.—The Foundation, in consultation with the Director of the Office of Personnel Management, shall prescribe any regulations necessary to carry out this subsection, including provisions under which the service requirement specified by paragraph (1) or a repayment otherwise required under paragraph (2) may be waived, in whole or in part, in appropriate circumstances.

(b) INTERNSHIP REQUIREMENT.—

(1) IN GENERAL.—Roosevelt Scholars shall be required to complete at least 1 internship related to their field of study in a Federal agency while earning their undergraduate, graduate, or other advanced degree.

(2) REGULATIONS.—The Foundation, in consultation with the Director of the Office of Personnel Management, shall prescribe any regulations necessary to carry out this subsection, including provisions under which the internship requirement specified by subsection (b) may be waived in appropriate circumstances.

(c) PARTICIPATION IN EXTRACURRICULAR ACTIVITIES.—While earning their undergraduate, graduate, or other advanced degree and during their period of obligated service (as described in subsection (a)), Roosevelt Scholars shall be required, in accordance with such terms as the Foundation shall establish, to participate in extracurricular activities as described in section 7111(a)(5).

(d) AVAILABILITY AS A SOURCE OF INFORMATION.—

(1) IN GENERAL.—While earning their undergraduate, graduate, or other advanced degree and during their period of obligated service (as described in subsection (a)), Roosevelt Scholars shall be required, in accordance with such terms as the Foundation shall establish, to serve as a resource for—

(A) individuals interested in becoming a Roosevelt Scholar or seeking employment with the Federal Government;

(B) faculty, career services professionals, and other personnel at universities who advise students on career opportunities with the Federal Government; and

(C) Federal agencies which might be interested in promoting, at the institution of higher education at which the student is enrolled, career opportunities with the Federal Government.

(2) MEMORANDA OF UNDERSTANDING.—The Foundation may enter into memoranda of understanding with any institution of higher education regarding any facilities or resources that will be made available to Roosevelt Scholars for purposes of this subsection.

(3) TRAINING.—The Foundation, in cooperation with the Director of the Office of Personnel Management, may provide for Roosevelt Scholars to receive any training which they might need in order to carry out their responsibilities under this subsection.

SEC. 7106. SPECIAL HIRING AUTHORITY.

Under such regulations as the Director of the Office of Personnel Management shall prescribe, a Federal agency may make a noncompetitive appointment (in the excepted service, as defined by section 2103 of title 5, United States Code, leading to conversion to career or career-conditional employment) of any Roosevelt Scholar who has successfully completed the program of study for which the scholarship was granted. A noncompetitive appointment under this section shall be for a period not to exceed 2 years, and shall be to a mission–critical occupational area, with the possibility of an extension for one additional year by the employing agency. At the end of the period of the noncompetitive appointment, conversion to career or career-conditional employment in a mission-critical position shall be granted to those Roosevelt Scholars who meet all qualification, suitability, and performance requirements.

SEC. 7107. THEODORE ROOSEVELT MEMORIAL SCHOLARSHIP TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the ''Theodore Roosevelt Memorial Scholarship Trust Fund'' to be administered by the Foundation. The Fund shall consist of amounts appropriated to it pursuant to section 7113 and amounts paid into the Fund pursuant to section 7110(a)(4).

(b) INVESTMENT IN INTEREST-BEARING OBLIGATIONS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such currently available portions of the Fund as are not, in the judgment of the Secretary, immediately required for payments from the Fund. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) ACQUISITION OF OBLIGATIONS.—For such purpose, such obligations may be acquired—

(A) at original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

The purposes for which obligations of the United States may be issued under chapter 31 of title 31, United States Code, are hereby extended to authorize the issuance at par of special obligations exclusively to the Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States or original issue at the market price, is not in the public interest.

(3) SALE AND REDEMPTION OF OBLIGATIONS.—Any obligations acquired by the Fund, except for those special obligations issued exclusively to the Fund, may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

(4) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of any obligations held in the Fund shall be credited to, and form a part of, the Fund.

SEC. 7108. EXPENDITURES AND AUDIT OF TRUST FUND.

(a) AUTHORIZATION OF FUNDING.—The Secretary of the Treasury may pay to the Foundation from the interest and earnings of the Fund such sums as the Board determines are necessary and appropriate to enable the Foundation to carry out the purposes of this title.

(b) AUDITS BY GOVERNMENT ACCOUNTABILITY OFFICE.—The activities of the Foundation under this title may be audited by the Government Accountability Office under such rules and regulations as may be prescribed by the Comptroller General. Representatives of the Government Accountability Office shall have access to all books, accounts, records, reports, and files and all other papers, things, or property belonging to or in use by the Foundation, pertaining to such activities and necessary to facilitate the audit.

SEC. 7109. EXECUTIVE SECRETARY OF THE FOUNDATION.

(a) IN GENERAL.—There shall be an Executive Secretary of the Foundation, who shall be the chief executive officer of the Foundation and shall carry out the functions of the Foundation, subject to the supervision and direction of the Board. The Executive Secretary shall carry out such other functions

consistent with the provisions of this title as the Board may delegate.

(b) APPOINTMENT.—The Executive Secretary shall be appointed by the Board and shall be a member of the Senior Executive Service. The Executive Secretary shall have demonstrated significant management experience and shall possess a high level of expertise in the recruitment and retention of personnel.

(c) TERM OF OFFICE.—The Executive Secretary shall serve for a term of 5 years, and may be reappointed. The Executive Secretary may be removed by a vote of ⅔ of the Board membership.

(d) COMPENSATION.—The Board shall appoint and fix the compensation of the Executive Secretary at a rate not to exceed the maximum rate for a member of the Senior Executive Service.

SEC. 7110. ADMINISTRATIVE PROVISIONS.

(a) POWERS OF THE FOUNDATION.—In order to carry out this title, the Foundation may—

(1) appoint and fix the compensation of such personnel as may be necessary, at rates not to exceed level IV of the Executive Schedule under section 5315 of title 5, United States Code;

(2) procure temporary and intermittent services of experts and consultants as are necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate for level IV of the Executive Schedule under section 5315 of title 5, United States Code;

(3) prescribe such regulations as it considers necessary to carry out its functions under this title;

(4) receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of the Foundation, and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(5) accept and utilize the services of voluntary and non-compensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(6) enter into contracts, grants, or other arrangements, or modifications thereof, to carry out such provisions of this title, and such contracts or modifications may, with the concurrence of ⅔ of the members of the Board, be entered into without performance or other bonds, and without regard to section 5 of title 41, United States Code;

(7) rent office space in the District of Columbia; and

(8) make other necessary expenditures.

(b) ANNUAL REPORTS.—The Foundation shall submit to the President and to the Congress an annual report on its operations under this title.

(c) CONTRACT AUTHORITY.—The Foundation may enter into contracts under this title only to such extent or in such amounts as may be provided for in advance in appropriations Acts.

SEC. 7111. ADDITIONAL FUNCTIONS OF THE FOUNDATION.

(a) IN GENERAL.—In addition to its other functions, the Foundation shall—

(1) create, maintain, and promote an online directory of all Federal scholarship opportunities available to individuals pursuing temporary or permanent employment with the Federal Government;

(2) in consultation with the Director of the Office of Personnel Management and the Chief Human Capital Officers Council, create and maintain an online directory of current mission-critical occupational areas;

(3) partner with Federal agencies to place Roosevelt Scholars in positions in the Federal Government;

(4) to the extent practical, assist Federal agencies and other Federal scholarship foundations in placing Federal scholarship recipients in positions in the Federal Government;

(5) design and implement mandatory extracurricular programs and activities that—

(A) promote team-building and create a network and community for past, present, and future Roosevelt Scholars;

(B) motivate Roosevelt Scholars to become career Federal employees;

(C) are offered regularly during each year in which an individual is receiving a Roosevelt Scholarship, including during intervals between periods of enrollment;

(D) expose Roosevelt Scholars to the business, political, demographic, cultural, and economic climate of the Federal Government; and

(E) help Roosevelt Scholars to develop leadership qualities; and

(6) within 2 years after the date of the enactment of this title, submit to Congress (and make available to the public) a report regarding—

(A) any barriers to appointing Roosevelt Scholars and other Federal scholarship recipients to positions in the Federal Government; and

(B) recommendations to—

(i) remove barriers to appointing Roosevelt Scholars and other Federal scholarship recipients to positions in the Federal Government; and

(ii) educate Federal agencies on the best use of personnel flexibilities in the appointment of Federal scholarship recipients, including Roosevelt Scholars.

(b) SECURITY CLEARANCES.—The Foundation may, consistent with regulations of the Director of the Office of Personnel Management, request and fund security clearances for Roosevelt Scholars, as necessary.

SEC. 7112. EXCLUSION OF ROOSEVELT SCHOLARSHIP AWARDS FROM GROSS INCOME.

(a) IN GENERAL.—Section 117 of the Internal Revenue Code of 1986 (relating to qualified scholarships) is amended by adding at the end the following:

''(e) ROOSEVELT SCHOLARSHIPS.—Gross income shall not include any amount awarded under section 7104 of the Roosevelt Scholars Act of 2009.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this title.

SEC. 7113. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $10,000,000 for fiscal year 2010 and such sums as may be necessary for succeeding fiscal years.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 24, 2009, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 24, 2009 at 10 a.m. to conduct a hearing entitled ''Modernizing Bank Supervision and Regulation, Part II.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, March 24, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 24, 2009, at 9:30 a.m., to hold a hearing entitled Alleviating Global Hunger: Challenges and Opportunities for U.S. Leadership.''

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

COMMITTEE ON FOREIGN RELATIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 24, 2009, at 2:30 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Addressing Insurance Market Reform in Health Care Reform'' on Tuesday, March 24, 2009. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 24, 2009 at 2:30 p.m.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Abusive Credit Card Practices and Bankruptcy?'' on Tuesday, March 24, 2009, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON CLEAR AIR AND NUCLEAR SAFETY

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear

Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, March 24, 2009 at 10:30 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, ''Three Mile Island—Looking Back on Thirty Years of Lessons Learned.''

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that on Wednesday, March 25, at 12 noon, the Senate proceed to executive session to consider Calendar No. 27, the nomination of David S. Kris to be an Assistant Attorney General, and that the Senate then immediately vote on the confirmation of the nomination; that upon confirmation, the motion to reconsider be laid upon the table, no further motions be in order; that any statements relating to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 33, the nomination of Gary Locke to be Secretary of Commerce; that the nomination be confirmed and the motion to reconsider be laid upon the table; that no further motions be in order; that any statements relating to this nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF COMMERCE

Gary Locke, of Washington, to be Secretary of Commerce.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF GARY LOCKE

Ms. CANTWELL. Mr. President, I rise to thank my colleagues for the expeditious approval of former Washington Gov. Gary Locke as the 36th Secretary of Commerce.

I have known Gary Locke for more than 20 years and I can say to my colleagues you did the right thing tonight by approving him for this job.

He has helped our State with broadband service delivery to rural communities. Under his leadership, Washington State used E-rate funds to help develop a K–20 network, a high-speed, high-capacity network linking K–12 schools and universities across the State of Washington.

He has been involved with both public and private sector trade missions in helping to promote U.S. products abroad. At the International Trade Administration within Commerce, he will put that experience to good use. Part of that agency's mission is to provide for advocacy for American companies abroad, and it can mean the difference between whether major foreign sales opportunities go to U.S. companies or to foreign competitors.

At NOAA, which is over half the Department of Commerce's budget, Governor Locke's prior experience with the complexities of Puget Sound, endangered salmon species, and the hazards of oil spills, will all be invaluable. As Governor, Gary Locke dealt with many of our most trying fishing issues and was in charge of appointing members to the North Pacific Fisheries Management Council.

Fisheries in the North Pacific have been recognized by many organizations, including the U.S. Oceans Commission and the Pew Oceans Commission, as some of the best managed fisheries in the world.

In addition to that effort, Governor Locke has dealt with the complexities of endangered salmon species and getting the first locally developed regional salmon recovery plan for Washington State. I know that this expertise will be put to good use at NOAA.

Many of my colleagues understand that there are challenges at the Department of Commerce, including management challenges—from the set-top box program for the digital television transition, to getting the NOAA satellite program back on track, to wisely investing the $4.7 billion of broadband grants as part of the American Recovery and Reinvestment Act.

I know Governor Locke, who has never shied away from management challenges, will put his expertise to good work in making sure these programs are implemented effectively.

He worked with Democrats and Republicans in our State after the tech bubble crisis to come up with a budget and spending reduction proposals that were certainly unpopular at the time, but what the State budget needed. I know he will continue in the same bipartisan fashion as Secretary of Commerce.

I believe Governor Locke will help round out the President's economic team. He is someone who understands the challenges many Americans face as we try to stabilize our economy. Governor Locke was born and raised in public housing. He combined an intense work ethic with part-time jobs and financial aid, and graduated from Yale University and received a subsequent law degree from Boston University.

He became the first Chinese American elected Governor in the United States when he was elected to be Governor of the State of Washington.

He is a testament to the American dream.

So I hope that as we have approved this nomination, he will get started immediately on helping our economy return to robust growth and use the great resourcefulness he has demonstrated as Governor of Washington State. He will make sure the Commerce Department plays a key role in getting our economy moving.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I join my colleague from Washington State, Senator CANTWELL, this evening to congratulate Gary Locke on his confirmation now as our next Secretary of Commerce. This confirmation comes at an important time in our Nation's history as we all work very hard to recover from the worst economic downturn since the Great Depression. We need a Commerce Secretary with the dedication and expertise to carry out policies that are going to strengthen our economy far into the future. Gary Locke is uniquely qualified for that task because he does have a lifetime of experience built on hard work, a wealth of knowledge, and a unique appreciation of the American dream.

Governor Locke understands the importance of the American dream because he lived it. His grandfather emigrated from China, and he worked as a servant about a mile from the Governor's mansion in Olympia that one day his grandson would call home. There are a lot of reasons why Governor Locke is an ideal Commerce Secretary, but I wish to tell a personal story this evening that I think illustrates his commitment to public service and to making sure we make the best decision for our taxpayers.

I first met Governor Locke when he was in the Washington State legislature and he was chair of the House Appropriations Committee and I was a new State Senator trying to get a piece of legislation passed that was critical to my constituents. As part of getting that bill passed, I had to go before then-Gov. Gary Locke as chair of that Appropriations Committee, and it was one of the toughest political experiences of my lifetime. He knew the

budget inside and out. He ran me through the paces. He grilled me about what my bill would do and how much it would cost and what kind of impact it would have on the taxpayers. He was very tough. But ultimately, because he asked those hard questions and made me defend my legislation, we improved the focus of that legislation and we got it passed. Governor Locke has brought that level of expertise and dedication to the taxpayers in every single position he has held, and it makes him an ideal person now to lead the Commerce Department.

So let me say a few words about the experience Governor Locke brings to this position. One of the most critical jobs the Commerce Secretary performs is finding markets for American products and technologies. He understands how important this is, and he knows how to do it successfully. As the two-term Governor of the Nation's most trade-dependent State, he spent 8 years breaking down trade barriers and promoting our American products, from airplanes to apples to operating systems. He has led numerous successful delegations to our Asian trading partners to help build those relationships. He also understands that the health of the environment has a direct impact on our quality of life and on our economy.

All of Governor Locke's experience means he is going to hit the ground running as our Commerce Secretary as we confront global climate change and other environmental concerns, including the management of our fisheries. So I was very pleased to help support the confirmation of Gary Locke. He won unanimous approval from our Commerce Committee, and today he won unanimous approval from the Senate. He has served the people of Washington State well, and he will bring that same level of commitment and intelligence to this administration.

Thank you, Mr. President. I yield the floor.

HONORING GALLAUDET UNIVERSITY ESTABLISHMENT AUTHORIZATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Con. Res. 12, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 12) recognizing and honoring the signing by President Abraham Lincoln of the legislation authorizing the establishment of collegiate programs at Gallaudet University.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 12) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 12

Whereas in 2009, the United States honored the 200th anniversary of the birth of President Abraham Lincoln;

Whereas on July 4, 1861, President Lincoln stated in a message to Congress that a principal aim of the United States Government should be ''to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all, an unfettered start, and a fair chance, in the race of life'';

Whereas on April 8, 1864, President Lincoln signed into law the legislation (Act of April 8, 1864, ch. 52, 13 Stat. 45) authorizing the conferring of collegiate degrees by the Columbia Institution for Instruction of the Deaf and Dumb and the Blind, which is now called Gallaudet University;

Whereas that law led for the first time in history to higher education for deaf students in an environment designed to meet their communication needs;

Whereas Gallaudet University was the first, and is still the only, institution in the world that focuses on educational programs for deaf and hard-of-hearing students from the pre-school through the doctoral level;

Whereas Gallaudet University has been a world leader in the fields of education and research for more than a century; and

Whereas since 1869, graduates of Gallaudet University have pursued distinguished careers of leadership in the United States and throughout the world: Now, therefore, be it

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

(1) congratulates and honors Gallaudet University on the 145th anniversary of President Abraham Lincoln's signing of the legislation authorizing the establishment of collegiate programs at Gallaudet University; and

(2) congratulates Gallaudet University for 145 years of unique and exceptional service to the deaf people of the United States and the world deaf community.

NATIONAL CEREBRAL PALSY AWARENESS DAY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 83, which was submitted earlier today.

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

The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 83) designating March 25, 2009, as National Cerebral Palsy Awareness Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SPECTER. Mr. President, I have sought recognition today to submit a resolution to designate March 25, 2009, as National Cerebral Palsy Awareness Day.

Cerebral palsy is a group of chronic, neurological disorders that appear in infancy or early childhood and permanently affect body movement and muscle coordination necessary to maintain balance and posture. Cerebral palsy is caused by damage to one or more specific areas of the brain, usually occurring during fetal development; before, during or shortly after birth; or during infancy. The top two risk factors for the disorders are premature births and multiple births, and despite the introductions of modern prenatal testing, improved obstetric care, and newborn intensive care technologies, the Centers for Disease Control and Prevention, CDC, estimates that every year 10,000 babies born in the United States will develop cerebral palsy. These disorders are not caused by problems in the muscles or nerves but, instead, damage to motor areas in the brain.

Cerebral palsy currently affects children at a rate of 1 in 278 and an estimated 800,000 Americans. The majority of children who have cerebral palsy are born with it, rather than developing the disorder over time; however, it may not be detected for months or years. Over 75 percent of individuals with cerebral palsy also have one or more additional developmental disability including epilepsy, intellectual disability, autism and visual impairments or blindness. The disorders are not progressive and are noncommunicable.

Currently, there is no cure for cerebral palsy. There are treatments, however, which can serve to alleviate some of the symptoms. Treatments now include physical and occupational therapy; speech therapy; drugs to control seizures, relax muscle spasms, and alleviate pain; surgery to correct anatomical abnormalities or release tight muscles; braces and other orthotic devices; wheelchairs and rolling walkers; and communication aids such as computers with attached voice synthesizers.

It is essential that more research be conducted on ways in which to prevent and treat cerebral palsy. As chairman and ranking member of the Labor, Health and Human Services, and Education Appropriations Subcommittee, I led the effort to successfully double funding for the National Institutes of Health, NIH. Funding for the NIH has increased from $11.3 billion in fiscal year 1995 to $30 billion in fiscal year 2009. In addition, I cosponsored an amendment to H.R. 1, the American Recovery and Reinvestment Act to provide an additional $10 billion to the NIH. In 2008, the NIH provided $28 million for cerebral palsy research, which is a $16.5 million increase over 2000, when the NIH provided $11.5 million. The Department of Health and Human Services' ''Healthy People 2010'' report identified cerebral palsy as one of the important public health conditions to be monitored, and the CDC regularly conducts studies on the prevalence of cerebral palsy across the nation. This report will help the CDC to provide a more comprehensive picture of cerebral palsy and advance efforts to provide better services for these children.

Raising awareness of cerebral palsy is integral in the fight against this debilitating condition. I encourage my colleagues to work with Senator CASEY and me to designate March 25, 2009, as ''National Cerebral Palsy Awareness Day.''

Mrs. MURRAY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 83) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 83

Whereas the term ''cerebral palsy'' refers to any number of neurological disorders that appear in infancy or early childhood and permanently affect body movement and the muscle coordination necessary to maintain balance and posture;

Whereas cerebral palsy is caused by damage to 1 or more specific areas of the brain, which usually occurs during fetal development, before, during, or shortly after birth, or during infancy;

Whereas the majority of children who have cerebral palsy are born with the disorder, although cerebral palsy may remain undetected for months or years;

Whereas 75 percent of people with cerebral palsy also have 1 or more developmental disabilities, including epilepsy, intellectual disability, autism, visual impairments, and blindness;

Whereas the Centers for Disease Control and Prevention recently released information indicating that cerebral palsy is increasingly prevalent and that about 1 in 278 children have cerebral palsy;

Whereas approximately 800,000 people in the United States are affected by cerebral palsy;

Whereas, although there is no cure for cerebral palsy, treatment often improves the capabilities of a child with cerebral palsy;

Whereas scientists and researchers are hopeful that breakthroughs in cerebral palsy research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving cerebral palsy; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of cerebral palsy: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 25, 2009, as ''National Cerebral Palsy Awareness Day'';

(2) encourages all people in the United States to become more informed and aware of cerebral palsy; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to Reaching for the Stars: A Foundation of Hope for Children with Cerebral Palsy.

CALLING ON BRAZIL TO COMPLY WITH THE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 37, and the Senate proceed to its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 37) calling on officials of the Government of Brazil and the federal courts of Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. I ask unanimous consent that the amendment to the resolution at the desk be agreed to; that the resolution, as amended, be agreed to; that an amendment to the preamble, which is at the desk, be agreed to; the preamble, as amended, be agreed to; further, that an amendment to the title be agreed to; and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The amendment (No. 697) was agreed to, as follows:

(Purpose: To amend the resolving clause)

Strike all after the resolving clause and insert the following:

That the Senate calls on Brazil—

(1) to fulfill its obligations under the Convention on the Civil Aspects of International Child Abduction, done at the Hague October 25, 1980 (TIAS 11670); and

(2) to assist in the safe return of Sean Goldman to his father, David Goldman, in the United States.

The amendment (No. 698) was agreed to, as follows:

(Purpose: To amend the preamble)

Strike the 12th whereas clause of the preamble.

Strike the 13th whereas clause of the preamble.

Strike the 15th whereas clause of the preamble.

Strike the 16th whereas clause of the preamble and insert the following:

Whereas the Goldman case has been pending in the courts of Brazil since 2004;

The resolution (S. Res. 37), as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

(The resolution will be printed in a future edition of the RECORD.)

The amendment (No. 699) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''Calling on Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman.''.

ORDERS FOR WEDNESDAY, MARCH 25, 2009

Mrs. MURRAY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, March 25; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period for the transaction of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half; that following morning business, the Senate resume consideration of H.R. 1388, the national service legislation; finally, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2 p.m. to allow for the Democratic caucus luncheon.

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

PROGRAM

Mrs. MURRAY. Mr. President, under a previous order, the Senate will vote at 12 noon on confirmation of the nomination of David Kris to be an Assistant Attorney General. That will be the first vote of the day. Additional votes in relation to amendments are expected to occur throughout the afternoon.

For the information of all Senators, there will be no rollcall votes on Monday, March 30.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mrs. MURRAY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:37 p.m., adjourned until Wednesday, March 25, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

MARISA J. DEMEO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE RUFUS GUNN KING, III, RETIRED.

FLORENCE Y. PAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE LINDA TURNER HAMILTON.

CONFIRMATION

Executive nomination confirmed by the Senate, Tuesday, March 24, 2009:

DEPARTMENT OF COMMERCE

GARY LOCKE, OF WASHINGTON, TO BE SECRETARY OF COMMERCE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 24, 2009 withdrawing from further Senate consideration the following nomination:

STUART GORDON NASH, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE RUFUS GUNN KING, III, RETIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 8, 2009.

EXTENSIONS OF REMARKS

STIMULUS: BUSINESS GROWTH, NOT SPENDING

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. KINGSTON. Madam Speaker, on January 9, 2009, then President-Elect Obama stated that "[t]here is no disagreement that we need action by our government, a recovery plan that will help jumpstart the economy."

I rise today to submit to the RECORD the following list of economists, compiled by the CATO Institute, that disagree with the President's remarks. Along with these economists, myself and my colleagues from both parties believe that increased government spending and higher taxes deter productivity instead of encouraging development. History has shown that an increase government spending does not solve problems. The way to solve our problems is to lower taxes across the board, encourage investment, and restore fiscal responsibility in the White House and Congress. Passing the burden of deficit spending to our children and grandchildren does not lead to a brighter future. We need a policy based on facilitating business growth, not government spending, to reinvigorate our economy.

BURTON ABRAMS, Univ. of Delaware; DOUGLAS ADIE, Ohio University; LEE ADKINS, Oklahoma State University; WILLIAM ALBRECHT, Univ. of Iowa; RYAN AMACHER, Univ. of Texas at Arlington; J.J. ARIAS, Georgia College & State University; HOWARD BAETJER, JR., Towson University; CHARLES BAIRD, California State University, East Bay; STACIE BECK, Univ. of Delaware; DON BELLANTE, Univ. of South Florida; JAMES BENNETT, George Mason University; BRUCE BENSON, Florida State University; SANJAI BHAGAT, Univ. of Colorado at Boulder; MARK BILS, Univ. of Rochester; ALBERTO BISIN, New York University.

WALTER BLOCK, Loyola University New Orleans; CECIL BOHANON, Ball State University; MICHELE BOLDRIN, Washington University in St. Louis; DONALD BOOTH, Chapman University; MICHAEL BORDO, Rutgers University; SAMUEL BOSTAPH, Univ. of Dallas; DONALD BOUDREAUX, George Mason University; SCOTT BRADFORD, Brigham Young University; GENEVIEVE BRIAND, Eastern Washington University; IVAN BRICK, Rutgers University; GEORGE BROWER, Moravian College; PHILLIP BRYSON, Brigham Young University; JAMES BUCHANAN, Nobel laureate; RICHARD BURDEKIN, Claremont McKenna College.

RICHARD BURKHAUSER, Cornell University; EDWIN T. BURTON, Univ. of Virginia; JIM BUTKIEWICZ, Univ. of Delaware; HENRY BUTLER, Northwestern University; WILLIAM BUTOS, Trinity College; PETER CALCAGNO, College of Charleston; BRYAN CAPLAN, George Mason University; ART CARDEN, Rhodes College; JAMES CARDON, Brigham Young University; DUSTIN CHAMBERS, Salisbury University; EMILY CHAMLEE-WRIGHT, Beloit College; V.V. CHARI, Univ. of Minnesota; BARRY CHISWICK, Univ. of Illinois at Chicago; LAWRENCE CIMA, John Carroll University; J.R. CLARK, Univ. of Tennessee at Chattanooga; GIAN LUCA CLEMENTI, New York University; R. MORRIS COATS, Nicholls State University; JOHN COCHRAN, Metropolitan State College at Denver; JOHN COCHRANE, Univ. of Chicago; JOHN COGAN, Hoover Institution, Stanford University.

LLOYD COHEN, George Mason University; JOHN COLEMAN, Duke University; BOYD COLLIER, Tarleton State University; ROBERT COLLINGE, Univ. of Texas at San Antonio; PETER COLWELL, Univ. of Illinois at Urbana-Champaign; MICHAEL CONNOLLY, Univ. of Miami; LEE COPPOCK, Univ. of Virginia; MARIO CRUCINI, Vanderbilt University; CHRISTOPHER CULP, Univ. of Chicago; KIRBY CUNDIFF, Northeastern State University; ANTONY DAVIES, Duquesne University; JOHN DAWSON, Appalachian State University; A. EDWARD DAY, Univ. of Texas at Dallas; CLARENCE DEITSCH, Ball State University; ALLAN DESERPA, Arizona State University.

WILLIAM DEWALD, Ohio State University; ARTHUR DIAMOND, JR., Univ. of Nebraska at Omaha; JOHN DOBRA, Univ. of Nevada, Reno; JAMES DORN, Towson University; CHRISTOPHER DOUGLAS, Univ. of Michigan, Flint; FLOYD DUNCAN, Virginia Military Institute; FRANCIS EGAN, Trinity College; JOHN EGGER, Towson University; KENNETH ELZINGA, Univ. of Virginia; PAUL EVANS, Ohio State University; FRANK FALERO, California State University, Bakersfield; EUGENE FAMA, Univ. of Chicago; W. KEN FARR, Georgia College & State University; DANIEL FEENBERG, National Bureau of Economic Research; HARTMUT FISCHER, Univ. of San Francisco; ERIC FISHER, California State Polytechnic University; FRED FOLDVARY, Santa Clara University; MURRAY FRANK, Univ. of Minnesota; PETER FRANK, Wingate University; TIMOTHY FUERST, Bowling Green State University; B. DELWORTH GARDNER, Brigham Young University.

JOHN GAREN, Univ. of Kentucky; RICK GEDDES, Cornell University; AARON GELLMAN, Northwestern University; WILLIAM GERDES, Clarke College; JOSEPH GIACALONE, St. John's University; MICHAEL GIBBS, Univ. of Chicago; OTIS GILLEY, Louisiana Tech University; STEPHAN GOHMANN, Univ. of Louisville; RODOLFO GONZALEZ, San Jose State University; RICHARD GORDON, Penn State University; PETER GORDON, Univ. of Southern California; ERNIE GOSS, Creighton University; PAUL GREGORY, Univ. of Houston; EARL GRINOLS, Baylor University; DANIEL GROPPER, Auburn University; R.W. HAFER, Southern Illinois University, Edwardsville; ARTHUR HALL, Univ. of Kansas.

STEVE HANKE, Johns Hopkins University; STEPHEN HAPPEL, Arizona State University; RICHARD HART, Miami University; THOMAS HAZLETT, George Mason University; FRANK HEFNER, College of Charleston; SCOTT HEIN, Texas Tech University; RONALD HEINER, George Mason University; DAVID HENDERSON, Hoover Institution, Stanford University; ROBERT HERREN, North Dakota State University; GAILEN HITE, Columbia University; STEVEN HORWITZ, St. Lawrence University; DANIEL HOUSER, George Mason University; JOHN HOWE, Univ. of Missouri, Columbia; JEFFREY HUMMEL, San Jose State University; BRUCE HUTCHINSON, Univ. of Tennessee at Chattanooga; BRIAN JACOBSEN, Wisconsin Lutheran College; SHERRY JARRELL, Wake Forest University.

JASON JOHNSTON, Univ. of Pennsylvania; BOYAN JOVANOVIC, New York University; JONATHAN KARPOFF, Univ. of Washington; BARRY KEATING, Univ. of Notre Dame; NAVEEN KHANNA, Michigan State University; NICHOLAS KIEFER, Cornell University; DANIEL KLEIN, George Mason University; PAUL KOCH, Univ. of Kansas; NARAYANA KOCHERLAKOTA, Univ. of Minnesota; MAREK KOLAR, Delta College; ROGER KOPPL, Fairleigh Dickinson University; KISHORE KULKARNI, Metropolitan State College of Denver; DEEPAK LAL, UCLA; GEORGE LANGELETT, South Dakota State University; JAMES LARRIVIERE, Spring Hill College; ROBERT LAWSON, Auburn University; JOHN LEVENDIS, Loyola University New Orleans; DAVID LEVINE, Washington University in St. Louis; PETER LEWIN, Univ. of Texas at Dallas; W. CRIS LEWIS, Utah State University; DEAN LILLARD, Cornell University; ZHENG LIU, Emory University.

ALAN LOCKARD, Binghampton University; EDWARD LOPEZ, San Jose State University; JOHN R. LOTT, Jr., Univ. of Maryland; JOHN LUNN, Hope College; GLENN MACDONALD, Washington University in St. Louis; HENRY MANNE, George Mason University; MICHAEL MARLOW, California Polytechnic State University; DERYL MARTIN, Tennessee Tech University; DALE MATCHECK, Northwood University; JOHN MATSUSAKA, Univ. of Southern California; THOMAS MAYOR, Univ. of Houston; DEIRDRE MCCLOSKEY, University of Illinois at Chicago; JOHN MCDERMOTT, Univ. of South Carolina; JOSEPH MCGARRITY, Univ. of Central Arkansas; ROGER MEINERS, Univ. of Texas at Arlington; ALLAN MELTZER, Carnegie Mellon University; JOHN MERRIFIELD, Univ. of Texas at San Antonio; JAMES MILLER III, George Mason University; JEFFREY MIRON, Harvard University.

THOMAS MOELLER, Texas Christian University; JOHN MOORHOUSE, Wake Forest University; ANDREA MORO, Vanderbilt University; ANDREW MORRISS, Univ. of Illinois at Urbana-Champaign; MICHAEL MUNGER, Duke University; KEVIN MURPHY, Univ. of Southern California; DAVID MUSTARD, Univ. of Georgia; RICHARD MUTH, Emory University; CHARLES NELSON, Univ. of Washington; WILLIAM NISKANEN, Cato Institute; SETH NORTON, Wheaton College; LEE OHANIAN, UCLA; LYDIA ORTEGA, San Jose State University; EVAN OSBORNE, Wright State University; RANDALL PARKER, East Carolina University; ALLEN PARKMAN, Univ. of New Mexico; DONALD PARSONS, George Washington University.

SAM PELTZMAN, Univ. of Chicago; TIMOTHY PERRI, Appalachian State University; MARK PERRY, Univ. of Michigan, Flint; CHRISTOPHER PHELAN, Univ. of Minnesota; GORDON PHILLIPS, Univ. of Maryland; MICHAEL PIPPENGER, Univ. of Alaska, Fairbanks; TOMASZ PISKORSKI, Columbia University; BRENNAN PLATT,

Brigham Young University; JOSEPH POMYKALA, Towson University; WILLIAM POOLE, Univ. of Delaware; BARRY POULSON, Univ. of Colorado at Boulder; BENJAMIN POWELL, Suffolk University; EDWARD PRESCOTT, Nobel laureate; GARY QUINLIVAN, Saint Vincent College; REZA RAMAZANI, Saint Michael's College; ADRIANO RAMPINI, Duke University; ERIC RASMUSEN, Indiana University; MARIO RIZZO, New York University; NANCY ROBERTS, Arizona State University; RICHARD ROLL, UCLA.

ROBERT ROSSANA, Wayne State University; JAMES ROUMASSET, Univ. of Hawaii at Manoa; JOHN ROWE, Univ. of South Florida; CHARLES ROWLEY, George Mason University; JUAN RUBIO-RAMIREZ, Duke University; ROY RUFFIN, Univ. of Houston; KEVIN SALYER, Univ. of California, Davis; THOMAS SAVING, Texas A&M University; PAVEL SAVOR, Univ. of Pennsylvania; RONALD SCHMIDT, Univ. of Rochester; CARLOS SEIGLIE, Rutgers University; ALAN SHAPIRO, Univ. of Southern California; WILLIAM SHUGHART II, Univ. of Mississippi; CHARLES SKIPTON, Univ. of Tampa; JAMES SMITH, Western Carolina University; VERNON SMITH, Nobel laureate; LAWRENCE SOUTHWICK, JR., Univ. at Buffalo; DEAN STANSEL, Florida Gulf Coast University; HOUSTON STOKES, Univ. of Illinois at Chicago; BRIAN STROW, Western Kentucky University; SHIRLEY SVORNY, California State University, Northridge; JOHN TATOM, Indiana State University; WADE THOMAS, State University of New York at Oneonta.

HENRY THOMPSON, Auburn University; ALEX TOKAREV, The King's College; EDWARD TOWER, Duke University; LEO TROY, Rutgers University; WILLIAM TRUMBULL, West Virginia University; DAVID TUERCK, Suffolk University; CHARLOTTE TWIGHT, Boise State University; KAMAL UPADHYAYA, Univ. of New Haven; CHARLES UPTON, Kent State University; T. NORMAN VAN COTT, Ball State University; RICHARD VEDDER, Ohio University; RICHARD WAGNER, George Mason University; DOUGLAS M. WALKER, College of Charleston; DOUGLAS O. WALKER, Regent University; MARC WEIDENMIER, Claremont McKenna College; CHRISTOPHER WESTLEY, Jacksonville State University; ROBERT WHAPLES, Wake Forest University; LAWRENCE WHITE, Univ. of Missouri at St. Louis; WALTER WILLIAMS, George Mason University; DOUG WILLS, Univ. of Washington Tacoma; DENNIS WILSON, Western Kentucky University; GARY WOLFRAM, Hillsdale College; HUIZHONG ZHOU, Western Michigan University.

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. YOUNG of Alaska. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2009 Omnibus.

Requesting Member: Congressman DON YOUNG

Bill Number: H.R. 1105

Account: Department of Justice, OJP—Juvenile Justice

Legal Name of Requesting Entity: i-SAFE, Inc

Address of Requesting Entity: 5900 Pasteur Court, Suite 100 Carlsbad, CA 92008

Description of Request: $300,000 will allow i-SAFE to expand services to a projected 6.2 million students nationally by the end of the 2009 school year. It will also help to fund the i-SAFE initiatives that provide data to FBI, local law enforcement, schools and industry leaders such as USPTO, RIAA and ASCAP. This data is provided through the i-SAFE National Assessment Center—a compilation of student surveys that serve as the world's largest data base of student online behavior and attitudes. The State of Alaska provides contract funds for the Village Public Safety Officer program.

i-SAFE Inc. is the leading provider of e-Safety education and training in schools nationwide. i-SAFE also provides schools/districts behavioral statistical data regarding Internet behavior and usage by their students. i–SAFE programmatic assets address a broad range of e-Safety issues through a uniquely comprehensive and holistic framework that includes training of educators (i.e., Professional Development Program—i-SAFE has trained over 85,000 educators nationwide) both online and in-person, extensive community outreach programs towards parents, seniors, legal/law-enforcement officers and, most importantly, a world-class age-appropriate curriculum which features integrated teaching and learning activities for students in all grades from primary to secondary schools. i-SAFE has educated over 8.5 million students nationwide and has cooperative agreement with many of the State Dept of Education(s) and Districts in all 50 states including schools in Washington, DC to name a few: Sidwell Friends School; St. Patricks Episcopal Day School; Woodridge Elementary; Woodridge High School & St. Peters Interparish School.

i-SAFE fulfills a vital role in the digital age and global information society, throughout the United States by empowering Internet users with the knowledge and awareness needed to garner the most benefit from Information and Communications Technologies (ICTs) and the Internet via safe, responsible, ethical and legal use.

Beginning in 2009 Congress mandated that elementary and secondary schools receiving E-Rate discounts must submit a certification to the Federal Communications Commission that as part of their Internet safety policy they are educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response. i-SAFE can provide to every school, throughout the United States the "E-Rate Certification Compliance Package." This package includes all classroom curriculum that is mandated to be taught through the Legislation mandate of the Broadband Act.

Funding will be used to expand the i-SAFE curriculum to more students and classrooms throughout the nation as well as implement the "E-Rate Compliance Package" into schools throughout the nation.

This request will also allow i-SAFE to provide, on a quarterly basis, student assessment data (i.e., metrics) to the district/schools upon request allowing them to have metrics on students behavioral attitudes towards online safety.

This Administration is focused on providing every student and school(s) the ability to communicate and learn through today's 21st century communication. Safety is a key component for schools that provide students with the means to access online information and services within their learning environment in the classroom. Education is the diadem to the success of students being empowered with the knowledge of learning safe and responsible tactics as a citizen in today's global economy. The only environment that is conducive for every student, regardless of age, race or socio-economic, to deploy such global education, is that of the classroom. To date, over 8.5 million students nationwide have acquired the critical thinking and decision-making skills to ensure safe online behavior. The efficacy of the i-SAFE program has proven invaluable to the tax payers nationwide.

Requesting Member: Congressman DON YOUNG

Bill Number: H.R. 1105

Account: Dept of Education—National Projects—Innovation and Improvement

Legal Name of Requesting Entity: Reading Is Fundamental

Address of Requesting Entity: 1825 Connecticut Avenue, NW Washington, DC 20009

Description of Request: Reading Is Fundamental (RIF) (authorized under Title V, Part D, Subpart 5) prepares children to read by delivering free books and literacy resources to those children who need them most. The $24.8 million awarded to RIF will be used to advance their efforts with improving childhood literacy.

Requesting Member: Congressman DON YOUNG

Bill Number: H.R. 1105

Account: Dept of Education—National Projects—Safe Schools and Citizenship Education

Legal Name of Requesting Entity: Center for Civic Education

Address of Requesting Entity: 5145 Douglas Fir Road, Calabasas, California 91302

Description of Request: $25,095,000 for the Center for Civic Education to be used to support programs that educate American students about our nation's fundamental ideals and democratic values.

Requesting Member: Congressman DON YOUNG

Bill Number: H.R. 1105

Account: Dept of Education—National Projects—Safe Schools and Citizenship Education

Legal Name of Requesting Entity: National Council of Economic Education

Address of Requesting Entity: 1140 Avenue of the Americas, Suite 202, New York, New York 10036

Description of Request: $5,019,000 for the National Council of Economic Education to support programs that educate American students about our nation's fundamental ideals and democratic values.

Requesting Member: Congressman DON YOUNG

Bill Number: H.R. 1105

Account: Dept of Education—National Projects—Innovation and Improvement

Legal Name of Requesting Entity: Reach Out and Read National Center

Address of Requesting Entity: 56 Roland Street, Suite 100–D, Boston, MA 02129

Description of Request: Provide $4,965,000 for reading based federally-funded national educational program that makes literacy promotion a standard part of pediatric primary care, so that children grow up with books, language skills, and the ability to read.

UP FRONT, ''THE SKINNIE''

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. KINGSTON. Madam Speaker, I rise today to submit for the RECORD this article from ''The Skinnie'' written by Scott Loretti.

The W–2 summary statement detailing my '08 taxable earnings arrived by mail last week. As usual, I opened it, skimmed the numbers, cursed the government, and reminded myself to be grateful.

I try to let daydreams of bureaucratic misuse of MY fiercely-fought-for funds die there. Send the thing off to my accountant and be done with it for another year. But, it's inevitable. At some point, I'll say it. Just like you probably have. To your spouse. Your mother. Your financial advisor. Your god. Or yourself. In both anger and disbelief. ''Can you believe I paid (fill in the blank with the appropriate amount) in taxes?! And for what?!''

But, the point is, you pay them. Just like I do. You might not like it. But you recognize you're not above the law. You were fortunate enough to be born under the Red, White, and Blue, or you found your way here one way or another, and you accept that the privilege comes with costs. You might be summoned to jury duty. You're conduct is bound by a set of laws. You can choose to wear the uniform of a particular service branch. And, if you earn a certain amount of money, the government's going to compel you to surrender some of it.

So, despite your political inclinations, you should be apoplectically outraged.

Timothy Geithner is a tax cheat.

Timothy Geithner is the 75th Secretary of the United States Treasury.

Among other things, the United States Treasury runs the Internal Revenue Service, the bureau responsible for collecting your taxes.

Don't be blinded by your ideology. And don't buy into the comically ridiculous notion that this is the only guy who could handle the job. Want the truth? I'll summarize Geithner's resume for you. He has ZERO meaningful private-sector experience. He has spent most of his 23-year professional life at three public-sector-focused institutions—the Treasury Department, the International Monetary Fund and The Federal Reserve Bank of New York. Is he a smart guy? Sure. He graduated from Dartmouth and earned a master's degree from Johns Hopkins. Never mind that government and Asian studies were his academic areas of concentration.

So—ONLY guy for this crucial job during this time when we've embraced (inexplicably) the notion of equivalence between the federal government and our collective savior?! Out of more than 300 million American citizens?! Are we really that naïve? Forget naïve—stupid. I could reproduce the resumes of my 750 classmates from the Wharton School and you'd probably find 300 that make Geithner look like an underachiever.

Moving on, we have former senator Tom Daschle. He cheated on his taxes, too. Okay, he's sorry. And, he says, it was ''inadvertent.'' Apparent working definition of inadvertent: When you realize you're about to get caught and you've been named to the President's cabinet, call your accountant and let him know you stole from the American people. Then, start to cover your tracks. When that fails, promise to return the spoils of your theft. Finally, frown deeply and speak in somber tones as you feign contrition in front of the cameras you conveniently assembled.

Don't misinterpret my message. I can promise you the Democrats don't hold a monopoly on deceit and defamation of the public trust. In fact, Geithner could be a Republican for all I know. And, with certainty, the House of Representatives is home to tax cheats on both sides of the aisle as I type.

Here's the point. You're giving trillions of dollars to companies that have failed or underperformed. Would you do that with your own savings? Say you own a stock. The company is doing lousy. The management stinks. The industry is dying. Would you take more of your money and double down? Or would you sell so fast your broker's head would spin and redeploy the money elsewhere.

It's a no-brainer. You don't want to own a portfolio full of dogs. You try to reward winners with good ideas. It's your money. You make the smartest choices you can.

Well, the ''bailout'' is exactly the opposite. It's the forced allocation of capital to institutions that haven't earned it by merit. In a capitalist economy, capital (where do you think the name came from, anyway?) flows toward opportunities that provide promising returns and away from festering sinkholes of imprudence. Guess what—you don't live in such a place anymore.

So, throw up our hands or move to Antarctica? No. We love it here. But let's start small. One simple demand. Any public employee at some predetermined level of seniority must be subjected to an IRS audit. Period. Every representative. Every senator. Every secretary and undersecretary. Refuse, and forfeit your spot.

We have the resources. Instead of randomly auditing a few thousand private citizens, redirect the resources to this end. Remember, all of these people work for us.

Oh, you argue, ''Qualified people won't seek these jobs.''

I respond, ''If they cheat on their taxes, they're not qualified.''

One more thing—something Messrs. Geithner and Daschle probably wouldn't like. If you cheat, you're out. Go try and make a living in the real world like the rest of us.

RECOGNIZING THE 150TH ANNIVERSARY OF THE VILLAGE OF MIDDLEPORT

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LEE of New York. Madam Speaker. It is with great pride that I rise today to commemorate the 150th Anniversary of the Village of Middleport, New York, a family-oriented community that nearly 2,000 Niagara County residents call home. Located just 45 minutes from Buffalo and Niagara Falls, the Village of Middleport, rich in history, has rightfully earned its ''Friendly Community'' moniker. The slogan came from President Franklin D. Roosevelt, who stopped in Middleport while traveling along the Erie Canal. FDR rightfully called Middleport ''a friendly community.''

Middleport's history is closely tied to the Erie Canal. Founded in 1859, the Village quickly became a popular stopping place for workers on the historic waterway. Many residents can remember a time when dozens of barges would line the canal and workers would stop by the local mills, factories and businesses on a daily basis.

The Village prides itself on being a family-centered hamlet. It is no surprise that in 2007 BusinessWeek Magazine named Middleport the best place to raise a child in New York State because it ''provides a good measure of all the things a child needs to grow and prosper.''

The celebration of all these historic accomplishments wouldn't be possible without the dedication of trusted Village Historian Anna Wallace. For three decades, Anna has done an extraordinary job documenting Middleport's narrative. Her years of work in archiving the background of the Erie Canal and its role in the development of Middleport will be used for generations to come.

Madam Speaker, in recognition of the 150th Anniversary of the Village of Middleport, I ask this Honorable Body to join me in honoring the Village of Middleport and their dedicated Village Historian Anna Wallace.

COMMENDING INA GOLUB OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Ina Golub of Mountainside, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is hosted by the Union County Commission on the Status of Women in the Seventh Congressional District and highlights the amazing work of individuals who are making our communities better places to live. The Commission on the Status of Women recognizes the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service and women's advocacy and lifetime achievement.

This year's Fine Arts Award will be given to Ina Golub whose fiber and bead artwork is known nationally and internationally. She is currently the subject of a major exhibition at the Newark Museum. Working largely with Judaic themes, Ms. Golub has created artwork for synagogues, museums, and private collectors throughout the United States and Israel, including nine monumental ark curtains, more than 450 Torah mantles, wedding canopies, hand-woven tapestries, decorative wall hangings, and a major Holocaust memorial. She has also created many rabbinical garments and prayer shawls. Awarded the Philip and Sylvia Spertus Judaica Award in 1998, and 2005, Ina's works were included in a major exhibition at the Contemporary Jewish Museum in San Francisco.

Ms. Golub is particularly known for her beaded spice containers which have received national and international recognition. Her works have also been commissioned by synagogues and private collectors, creating custom designed fiber art of all descriptions and forms.

Ina Golub of Mountainside, New Jersey has made significant achievements for her artistic talents. I am pleased to congratulate Ina Golub for her outstanding efforts and share

her good work with my colleagues in the United States Congress and the American people.

GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1388) to reauthorize and reform the national service laws.

Ms. McCOLLUM. Mr. Chair, as a member of the National Service Caucus, I rise today in strong support of H.R. 1388, the Generations Invigoration, and Education or GIVE Act.

President and First Lady Obama have encouraged a renewed spirit of service and active citizenship in America. The GIVE Act answers that call to service by reauthorizing and expanding the National and Community Service Act of 1990.

H.R. 1388 will increase national service opportunities for many more of our citizens. This bill expands AmeriCorps, an existing and outstanding service-learning program with a proven track record of integrating academic study with community service. It also creates four new service corps in the areas of clean energy, education, health care, and veteran service and adds new programs to enable middle and high-school youth and retirees to serve their communities. Finally, this bill expands the National Civilian Community Corps to include disaster relief and energy conservation and provides funds to help non-profits recruit new volunteers.

The GIVE Act more than triples the number of federal volunteers serving in our communities so that an estimated 250,000 Americans will be able to participate in a year of service by 2014. These extra volunteers will help their neighbors endure these tough economic times by improving education, providing food and other services to the disadvantaged, and rebuilding towns and cities after disasters. This bill will also strengthen the economy because every dollar invested in service produces up to $3.90 in direct, measurable benefits.

Volunteerism is growing in America. From 2002 to 2007, one million more citizens across the country started dedicating their time to worthy causes. Twenty-seven percent of all Americans are now volunteering. My state of Minnesota has a proud tradition of civic engagement. In a study conducted by the Corporation for National and Community Service, Minneapolis-St. Paul was ranked number one for volunteer rates in a large city.

American men and women who choose to better their communities and themselves by responding to the nation's critical education, safety, homeland security, and health needs exemplify the values of America. I want to thank every American volunteer and urge my colleagues to support this important bill.

HONORING MAYOR CAROLYN RISHER OF INGLIS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor a true public servant who dedicated nearly two decades to serving her community. Mrs. Carolyn Risher, long time mayor of Inglis, Florida will retire this week after 18 years of public service.

Born and raised in Inglis, Mayor Risher's dedication to the town of Inglis is deep seeded. She followed her father's example, first serving as Road and Bridge Commissioner before being elected mayor in 1993.

Fondly known as a ''Working Mayor,'' Mayor Risher led by example as hands-on manager, from helping neighbors in the aftermath of hurricanes to raising funds for the annual community Fourth of July celebration. Without Mayor Risher's efforts, the South Levy Recreation Park would not be what it is today.

Mayor Risher cherished her roles as wife, mother and mayor. Married for 50 years, Carolyn and James Risher are parents to five children and eight grandchildren, many who live in the area and will continue the family's involvement in their community.

Madam Speaker, it is public servants like Mayor Risher who keep our communities and towns running strong at home. Her dedication and willingness to serve are admired and stand as a model to others. We thank her for her service. She may no longer be Mayor, but Mrs. Risher will not be forgotten and will surely be missed.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Ms. CLARKE. Madam Speaker, I would like to state for the record my position on the following votes I missed due to personal reasons.

On Monday, March 23, 2009 I missed Rollcall votes 145 and 146. Had I been present, I would have voted ''aye'' on the following votes:

Rollcall vote 145: Yes on the motion to suspend the rules and pass H.R. 918, to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the ''Stan Lundine Post Office Building'';

Rollcall vote 146: Yes on the motion to suspend the rules and pass H.R. 1218, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''.

COMMENDING BALDEEP DUA OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Baldeep Dua of Berkeley Heights, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is hosted by the Union County Commission on the Status of Women in the Seventh Congressional District and highlights the amazing work of individuals who are making our communities better places to live. The Commission on the Status of Women recognizes the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service and women's advocacy and lifetime achievement.

This year's Entrepreneurial Award will be given to Baldeep Dua because of her extensive leadership, management skills and efforts to benefit her community. Specifically, Baldeep utilizes her management skills in her position as the Chief Financial Officer of Kirusa Inc., an international communications Technology Company located in New Providence, New Jersey. Through her position as CFO, Baldeep has managed to steer her technologically oriented start-up company that is a leading developer of value added mobile services, towards its goal of profitability.

Baldeep is active as an advisor to the New Jersey Technological Council, a group that connects companies, capital and government. Members are involved in research, development, manufacture, supply, and sales of high technology products, services, materials and components. Under her direction, the company is the proud recipient of the Business Employment Incentive Program, recognized as a high-growth company in the critical industry of technology.

Baldeep is also a member of the Board for The Indus Entrepreneur, a group that fosters entrepreneurship globally through mentoring, networking and education. Dedicated to giving back to the community, this group is focused on cultivating and nurturing the next generation of entrepreneurs. In 2008, Baldeep was recognized by the Executive Women of New Jersey for her professional distinction. Through this association she mentors other women, encouraging them to take charge and advance their own careers.

Baldeep Dua of Berkely Heights, New Jersey has made significant achievements both in business and in her community. And I am very pleased to congratulate Baldeep for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

STEPHEN MARCHAM OF VERNON, CONNECTICUT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. COURTNEY. Madam Speaker, I rise today to celebrate the extraordinary life of Stephen Marcham of Vernon, Connecticut who passed away after a courageous battle with cancer on March 19, 2009.

Steve Marcham was a lifelong resident of Vernon, a town he loved dearly. Steve attended Rockville High School and later enrolled at the University of Connecticut where he earned his degree from the School of Pharmacy. After graduation, Steve returned to Vernon, Connecticut and became co-owner of Vincent's Pharmacy where he had worked since high school. During his more than 30 years at Vincent's, Steve was recognized for his outstanding community service when he received the A. H. Robbins Bowl of Hygeia Award, the Pharmacy Leadership Award from the National Association of Retail Druggists and the 2006 Daniel Leone Pharmacist of the Year award from the Connecticut Pharmacists Association. As his customers could tell you, Steve's care and compassion for his fellow man found their outlet within the walls of Vincent's.

In addition to his service as a community pharmacist, Steve had a deep passion for public service. It was here in the public arena that Steve created a lasting mark as a progressive who built consensus with one overriding goal: improving his community. In 1969 while still attending the University of Connecticut, Steve became the youngest official elected to public office when he won a seat on the Board of Education. After serving on the Board of Education for a number of terms, Steve was elected to the Town Council before being appointed in 1986 to serve as the Mayor, a position which he held until 1989. A decade later, he was re-elected to that office. As Mayor, Steve was well known for his efforts to bridge the political divide. Above all of his political achievements, however, it was the kindness and grace of Steve that endeared him to both his colleagues and the people of Vernon.

Even more than his impressive success as a health care provider and public official, Steve was a wonderful parent and husband. He was part of a beautiful family including his wife Jan and daughter Ashley. They did everything together—trips to Cape Cod, campaigning together for office, attending Ashley's marching band events and family gatherings with the Marchams and the Bozcars.

Steve was a true example and inspiration to us all showing how to balance work, community and family flawlessly. He was in many ways a Jimmy Stewart-like figure from ''It's a Wonderful Life.'' It was an honor to have known him and worked with him during my years in the state legislature and the Congress.

For those of us who knew him and had the honor and privilege to call him a friend, this is a difficult time. To Janice, his wife, Ashley, his daughter, and his beloved mother Frances, we offer our sympathy and thanks for allowing Steve to be a part of our lives. I ask my colleagues to join me in honoring the life and service of Steve Marcham.

GREEK INDEPENDENCE

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to honor the anniversary of Greek independence, which occurred on March 25, 1821. It's been one hundred and eighty-eight years since Greece obtained freedom from the oppressive Ottoman Empire.

Like our own American Founding Fathers, the people of Greece fought valiantly to achieve independence from a sprawling empire that treated its citizens like subjects. The Greek revolutionaries also drew much of their authority from European philosophers, much like our forefathers who were motivated by classical and English values. A culture steeped in such a rich tradition, such as Greece, can be celebrated by all Americans. As the birthplace of democracy, Greece has informed numerous self-government efforts across the world.

The celebration of Greek independence coincides with a Greek Orthodox holiday, the Annunciation of the Theotokos. Yet Greece's bloody struggle for independence from the Ottoman Empire bears little resemblance to the peaceful appearance of the Archangel Gabriel. The Greeks endured atrocities such as the Chios Massacre, the massacre of Heraklion, and the Destruction of Psara; most of these conflicts were religiously motivated and they highlight the Greek dedication to freedom.

After eight years of brutal fighting, the Greek people were finally able to achieve independence. The Treaty of Constantinople was signed in July 1832, giving Greece its independence from the Ottoman Empire.

I am honored to cosponsor H.J. Res. 39, which recognizes the 188th anniversary of the independence of Greece. Furthermore, I am pleased that this bill is scheduled to be considered by the House of Representatives today.

I would again like to congratulate Greece for celebrating such a momentous occasion. This anniversary is a time to remember the sacrifices of the past, to take pride in your nation, and to look ahead to a future of promise.

COMMENDING MILDRED LEWIS OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Mildred Lewis of Berkeley Heights, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is hosted by the Union County Commission on the Status of Women in the Seventh Congressional District and highlights the amazing work of individuals who are making our communities better places to live. The Commission on the Status of Women recognizes the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service and women's advocacy and lifetime achievement.

This year's Civic Leadership Award will be given to Mildred Lewis because of her extensive commitment to making our community a better place. For 15 years, Mildred has served as the president of the Cranford Chapter of the League of Women Voters, coordinating candidates' forums at both the municipal and county levels. Mildred has conducted voter registration drives and prepared and distributed educational materials about voters' rights and ballot initiatives regarding education, women's issues, and natural resources.

Mildred is also a member of the Roselle-Cranford Hadassah where she is active in many aspects, including the Bulletin, American Affairs, and fund-raising dinners. Ms. Lewis also worked as a full time volunteer at Alexian Brothers Hospital in Elizabeth, New Jersey where she manages volunteers. Mildred also volunteered at Temple Beth El Mekor Chayim as the kitchen coordinator, where she plans and creates meals for more than 100 people.

Mildred has also been active in the Cranford Historical Society and is a member of several other Jewish organizations, including National Council of Jewish Women and the Sisterhood of Temple Beth El Mekor Chayim.

Mrs. Lewis and her husband George have been married for more than 60 years. They have three children and four grandchildren.

Mildred Lewis of Cranford, New Jersey has made significant contributions to so many in her community. I am pleased to congratulate Mildred Lewis for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

HONORING WILLIAM ''BILLY'' THOMAS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. ENGEL. Madam Speaker, I rise today to bring to the attention of my colleagues and the entire nation, the work of my constituent William ''Billy'' Thomas. Mr. Thomas is a great man who will be honored by the citizens of Mount Vernon, New York for his lifelong work. It is a body of work that has always personified actions that go way beyond the call of duty. The City of Mount Vernon, New York, will rename South Sixth Avenue William ''Billy'' Thomas Boulevard, after its beloved local and national pioneer in youth development.

William ''Billy'' Thomas began working at the Mount Vernon (NY) Boys' Club (MVBC) in 1955. Over the next 22 years he rose from athletic to program to camp and finally to Executive Director. During each and every year, young men were placed in his skillful hands and taught the values of life, service to community, sportsmanship, courage, integrity and respect for self and others. He became an icon, a living legend for his work in inspiring young people to pursue and live positive and progressive family and professional lives.

In 1968, duty to his nation called. Mr. Thomas took leave from his work and joined the United States Army to serve in Vietnam. He

returned to the Boys' Club in 1971 to continue his work and improve the life skills and lives of young men in the community. He has served the Mount Vernon community in various capacities for over 45 years. Mr. Thomas's accomplishments are too many to site, but a few must be noted.

In 1993, Mr. Thomas was joined by Denzel Washington, as they received The Boys and Girls Club of America Connection Magazines Mentor Magic Award. In 1997 Mr. Thomas received the "Man of the Year Award" from the National Association of Negro Business & Professional Women's Club of New Rochelle, New York.

Mr. Thomas worked with countless young people in an effort to either turn their lives around, or continue their lives on a positive path. Over the years, Mr. Thomas mentored thousands of young people. Some are now doctors, lawyers, bus drivers, ministers, fathers and mothers as well as the current executive director of the Mount Vernon Club—Lowes Moore. Mr. Thomas also influenced several former NBA players: brothers Gus and Ray Williams, as well as Calvin "Scooter" and Rodney McCray. Mr. Thomas always went about his work without praise or formal recognition. He has taught all the young people that entered the club that each has a responsibility to lend a hand to those less fortunate. His actions speak volumes as he worked with special needs children in New Rochelle and White Plains, New York. He also volunteered his services in many areas that included teaching chess, reading, a Youth Commissioner for the City of New Rochelle and of course, a basketball coach.

Mr. Thomas sacrificed a great deal to give back to his community. It is only fitting that the community honor his deeds by renaming the street in front of the Boys Club William "Billy" Thomas Boulevard. This is testament that hard work and dedication are appreciated by the community and that the seeds sowed will blossom for many years to come. The renaming of South Sixth Avenue to "William Billy Thomas Boulevard" is an important testament to the hundreds of lives nurtured on this block at this Boys' and Girls' Club under his leadership and care.

We in Congress share the City of Mount Vernon's recognition of William "Billy" Thomas's outstanding life with the nation.

PAULE MARSHALL—HONORING A NEW YORK CITY LITERARY GREAT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. RANGEL. Madam Speaker, I stand before you today to acknowledge Paule Marshall, a renowned American author and poet who published her first novel, "Brown Girl, Brownstones", 50 years ago, and served as an influential trailblazer for emerging black female writers in the 60s and 70s.

I introduce into the RECORD an article from the New York Times of March 12, 2009 highlighting the career of Paule Marshall and her new publication titled "Triangular Road", a memoir that follows her early years as a writer.

Born in Brooklyn, NY to Caribbean parents and raised in a Bedford-Stuyvesant brownstone, Ms. Marshall brought a unique voice to the literary genre. She captured, in a fine balance, the stories of West Indian life emerged in American culture. It is no surprise that Langton Hughes selected her to accompany him on a tour of Europe in 1965.

Over the last 50 years, she has consistently remained relevant, publishing 2 collections of short stories and five novels, while simultaneously teaching at various universities, including Yale and New York University.

Ms. Marshall has received many awards and honors throughout her career, including an American Book Award and a John Dos Passos Award of Literature. She was a MacArthur Fellow and designated as a Literary Lion by the New York Public Library in 1994. In 2001, Marshall was inducted into the Celebrity Path at the Brooklyn Botanic Garden.

At this time, I would like to honor this distinguished New York City literary figure and offer recognition of the work she has contributed to American literature.

CELEBRATING COLONEL CHRISTOPHER O'CONNOR, COMMANDING OFFICER OF MIRAMAR MARINE CORPS AIR STATION

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. BILBRAY. Madam Speaker, I rise today to pay tribute to Colonel Christopher O'Connor, Commanding Officer of Marine Corps Air Station, Miramar (MCAS, Miramar) which I have the pleasure of representing. Colonel O'Connor has served his country with distinction for over twenty years and I wish him nothing but the best as a new chapter in his life begins.

Colonel O'Connor was born and raised in New York where he received his commission through the Naval Reserve Officer Training Corps (NROTC) at the University of Rochester in May of 1979. Since then, he has participated in humanitarian relief operations while deployed to the Republic of the Philippines, served as the Aviation Department's action officer for Base Realignment and Closure (BRAC) issues and aviation training range systems and reported to the Office of Asian and Pacific Affairs in the Office of the Secretary of Defense where he served as the Country Director for Australia and New Zealand.

In August 2006, Colonel O'Connor took over as Commanding Officer of MCAS, Miramar where he has excelled in working with local leaders while representing the Marine Corp with professionalism and distinction to communities surrounding the base and San Diego County as a whole. Colonel O'Connor's decorations include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal with gold star, Joint Service Commendation Medal, Navy Commendation Medal, and Navy Achievement Medal.

I applaud the good service that Colonel O'Connor has provided this country. He has been an absolute pleasure to work with throughout his tenure and I urge my colleagues to join me in celebrating this great American.

HONORING THE HEROIC ACTIONS OF CHAD LINDSEY

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. CROWLEY. Madam Speaker, I rise today to recognize the bravery of Chad Lindsey, a constituent of mine who jumped onto the New York subway tracks to rescue a fellow passenger that had fallen.

On March 16, 2009, Mr. Lindsey was waiting for the subway at Penn Station in New York City when he saw a man fall onto the track and hit his head.

Knowing that a train was coming shortly, Mr. Lindsey courageously jumped onto the subway track. The man who fell was unconscious, and despite repeated attempts did not wake up. Yet, with the lights of the train coming toward them, Mr. Lindsey knew he had to act and used all his strength to pull the man to the platform edge and, with the help of others, lifted him to safety.

Thanks to Mr. Lindsey's quick thinking and selfless actions, the injured man was taken to the hospital and later released. Mr. Lindsey, having done his part, got on the next train, ready to go back to his everyday life as a working New York City actor.

In the days since the incident, Mr. Lindsey has tried to resist the attempts of the media to label him a "hero". But this is exactly what he is.

He did not hesitate before rushing to help someone else in need, even though his actions put himself at risk. For Mr. Lindsey, this act of bravery came naturally.

His courageous act reminded us that there are people willing to put themselves in danger for the sake of others. He sets an example that we all should strive toward.

I applaud Chad Lindsey for his brave actions, and I am so proud to call him both a constituent and hero.

COMMENDING PATRICIA MURPHY OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Patricia Murphy of Springfield, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is hosted by the Union County Commission on the Status of Women in the Seventh Congressional District and highlights the amazing work of individuals who are making our communities better places to live. The Commission on the Status of Women recognizes the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service and women's advocacy and lifetime achievement.

This year's Lifetime Achievement Award will be given to Patricia Murphy because of her extensive lifetime achievements. Presently,

Patricia is a professor at the Muhlenberg Snyder School of Nursing. She is also involved in various professional nursing organizations, social and civic groups, and church activities in Springfield. Patricia is certified as a teacher of practical nursing and a school nurse in the state of New Jersey.

During her extensive career, Patricia Murphy has been an adjunct professor at Kean University and Felician College, staff nurse at Overlook Hospital, Obstetrics and Community Health Instructor, Oncology Clinical Nurse Specialist, full time Medical/Surgical Nursing III Instructor and as such has been honored with a distinguished Nursing Alumni Award, American Cancer Society Certificate of Appreciation, outstanding alumna award of Seton Hall University School of Nursing, and New Jersey State Nurses Association Medical-Surgical Nurse of the Year.

In addition to her nursing career, Patricia Murphy has written several articles for professional journals and presented a number of lectures and programs throughout Central New Jersey, focusing on the well-being of cancer patients, their families and the nursing care they receive. She has also developed, planned, and implemented the first on-line nursing course offered through Muhlenburg in conjunction with Union County College. Patricia is also the Parish Nurse Ministry coordinator at St. James Church in Springfield. She has also served as the past president of the Summit Area AARP.

Patricia Murphy of Springfield, New Jersey has made significant contributions to her community and led a long distinguished career. I am pleased to congratulate her and share her good work with my colleagues in the United States Congress and the American people.

THE 60 TO 55 RESERVE COMPONENT RETIREMENT ACT

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LoBIONDO. Madam Speaker, I rise today to introduce the 60 to 55 Reserve Component Retirement Act.

Given the increasing demands placed on the brave men and women who serve as citizen soldiers in the Reserve Component, it is time to recognize and reward them in a more timely fashion. The current age requirement for Reserve Component to begin receiving retirement pay is 60 years old, whereas the Active Duty may begin receiving retirement pay as soon as they serve their 20 years, which in some cases, may be as early as age 38. The age limitation placed on the Reserve Component was set in 1948, when the Reserve Component was a much different force. Since 9/11, the National Guard and Reserves have expanded beyond their traditional bounds into a fully functional, combat-ready, and deployable partner to the Active Duty Armed Forces. This shift in use to a full partner has placed tremendous strains on the men and women of the Guard and Reserves.

The legislation I am introducing with Congresswoman GABRIELLE GIFFORDS of Arizona will lower the age at which Reserve Component servicemembers can begin receiving their retirement pay from age 60 to age 55. This vital legislation will help close the gap between the Active Duty and Reserve Component retirement age, which will improve recruitment efforts and be more fair to the men and women serving in the National Guard and Reserve.

HONORING FORMER DELEGATE MICHAEL WEIR, SR.

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Michael Weir, Sr., a longtime Maryland legislator and public servant who is celebrating his 85th birthday.

Mike Weir, Sr. was born in Baltimore, Maryland, on March 24, 1924. He attended Baltimore County Public Schools and continued his education at Essex Community College and the University of Maryland. After he finished school he worked as a Masonry contractor through his company Mike Weir and Sons.

Mike served with the U.S. Army in the South Pacific during World War II, entering World War II in March of 1943 as a member of the U.S. Army with the 124th Infantry 31st Division. He was attached to the Reconnaissance Platoon as a medic and served in the South Pacific in New Guinea, Netherlands East Indies and the Philippines. Mike Weir, Sr. was honorably discharged in December of 1945.

Mike Weir Sr. served for 28 years in the Maryland House of Delegates representing communities from Essex in Baltimore County to Fallston in Harford County. He served in the House of Delegates from January 8, 1975 to January 8, 2003, representing first District 7 and then District 6 (Baltimore County & Harford County). He served as the House Chair of the Joint Committee on Chesapeake Bay Critical Areas from 1984–2003, and as a member of the Tort and Insurance Reform Oversight Committee in 1993. He served on the House Environmental Matters Committee from 1975–2003 and as Vice-Chair of the committee from 1995–2003. During his tenure he served on the agriculture, environment & natural resources, and health subcommittees. Mike also served as a member of the Rules and Executive Nominations Committee from 1995–2003.

Mike served as a member of the Chesapeake Bay Commission from 1984–2003, a member of the Migratory Waterfowl Advisory Committee since 1991, and the Maryland Recycling Advisory Group from 1995–1997. Mike is respected throughout the State of Maryland for his deep commitment to sportsman and environmental issues, especially those that relate to the Chesapeake Bay.

In honor of his years of service in the Maryland General Assembly, the Mike Weir, Sr. Scholarship Fund was established at the Community Colleges of Baltimore County to assist local college students.

Mike's enjoyment of the political world is evidenced by his memberships in the Fifth District, Fifteenth District, Riverside, Bird River, Norris, Deep Creek and East End Democratic Clubs. Mike is also a member of the American Legion, the Veterans of Foreign Wars, the Hawks and the Federation of Independent Business Men. Mike and his wife Clara have six children, many grandchildren, and one great-grandchild.

Mike Weir, Sr. has dedicated his life to the citizens and environment of the State of Maryland. Therefore, Madame Speaker, it is my pleasure to honor Mike as he celebrates his 85th birthday.

IN HONOR OF NATALIE WOLFE

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. CARSON of Indiana. Madam Speaker, today I rise to recognize Natalie Wolfe for her brilliant career as a child advocate. She has distinguished herself through her dedication to ensuring that all children are afforded the right to quality childcare services.

After losing her daughter due to the negligence of an unlicensed child-care provider, Natalie has committed herself as a driving force in the State of Indiana to increasing awareness about the need for child-care reform. As a result, she has helped establish the Indiana Association for Child Care Resource & Referral Better Baby Program. As a voice for thousands of parents who have suffered from similar circumstances, Natalie participated heavily in the passage of Reagan's Law.

Earlier this month, Natalie represented Hoosier families in Washington, D.C. at the National Association of Child Care Resource and Referral Agencies' (NACCRRA) National Policy Symposium. This conference allowed Natalie to meet with other child-care advocates and policy makers on the importance of passing sound legislation that protects and safeguards young children.

I urge my colleagues to join me in thanking Natalie Wolfe for her dedicated public service. Her efforts should inspire us all to recommit ourselves to ensuring that the growing child-care needs of our nation's children are effectively met.

EARMARK DECLARATION

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. CASTLE. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding funding the House Appropriations Committee appropriated for the following national projects my colleagues and I requested as part of FY 2009 Omnibus Appropriations Act, H.R. 1105:

Requesting Member: Congressman MICHAEL N. CASTLE

Bill Number: H.R. 1105

Account: Fund for the Improvement of Education, Innovation and Improvement

Legal Name of Requesting Entity: Reach Out and Read

Address of Requesting Entity: 56 Roland Street, Suite 100D, Boston, MA 02129–1243

Description of Request: $4,965,000 for the Reach Out and Read Program, authorized under the Elementary and Secondary Education Act to make literacy programs a standard part of pediatric primary care, trains doctors and nurses to train parents, and helps

families and communities encourage early literacy skills. Specifically, this funding will be used to ensure that all children and families receive the support and assistance they need to develop these skills and children are prepared to start kindergarten ready to learn. I support the funding of this nation-wide program and note that Delaware does not benefit more from this funding more than any other state.

Requesting Member: Congressman MICHAEL N. CASTLE

Bill Number: H.R. 1105

Account: Fund for the Improvement of Education, Innovation and Improvement

Legal Name of Requesting Entity: Teach for America

Address of Requesting Entity: 315 West 36th Street, 7th Floor, New York, NY 10018

Description of Request: $14,895,000 for the Teach for America Program, authorized under the Elementary and Secondary Education Act to provide for recruiting, selecting, training, and supporting a national teacher corps in underserved communities. I support the funding of this nation-wide program and note that Delaware does not benefit more from this funding more than any other state.

Requesting Member: Congressman MICHAEL N. CASTLE

Bill Number: H.R. 1105

Account: Fund for the Improvement of Education, Safe Schools and Citizenship Education

Legal Name of Requesting Entity: Center for Civic Education

Address of Requesting Entity: 5145 Douglas Fir Road, Calabasas, CA 91302–1440

Description of Request: $25,095,000 for Center for Civic Education's We the People Program and Cooperative Education Exchange Program, authorized under the Elementary and Secondary Education Act as part of the Civic Education Program to support programs which represent the federal government's most effective means of educating American students about the fundamental ideals of our nation and to assist emerging democracies in establishing a political culture supportive of democratic values, principles, and institutions. I support the funding of this nation-wide program and note that Delaware does not benefit more from this funding more than any other state.

Requesting Member: Congressman MICHAEL N. CASTLE

Bill Number: H.R. 1105

Account: Fund for the Improvement of Education, Safe Schools and Citizenship Education

Legal Name of Requesting Entity: Center for Civic Education

Address of Requesting Entity: 5145 Douglas Fir Road, Calabasas, CA 91302–1440

Description of Request: $5,019,000 for Center for Civic Education's National Council of Economic Education for cooperative Education Exchange Program, authorized under the Elementary and Secondary Education Act as part of the Civic Education Program to support programs which represent the federal government's most effective means of educating American students about the fundamental ideals of our nation and to assist emerging democracies in establishing a political culture supportive of democratic values, principles, and institutions. I support the funding of this nation-wide program and note that Delaware does not benefit more from this funding more than any other state.

CONGRATULATING MS. CAROL ROBINSON

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. TURNER. Madam Speaker, I am proud to recognize the members of the General Daniel ''Chappie'' James American Legion Auxiliary Post 776, located in my congressional district in Riverside Ohio, for the service its members have given to our nation and our community.

Ms. Carol T. Robinson has completed a successful year as the 2007–2008 Department of Ohio President of the American Legion Auxiliary. She is the first African-American woman to hold the office. Ms. Robinson joined the American Legion Auxiliary Unit 776 through her late brother, William A. Hawkins, a U.S. Army veteran during the Korean War.

Ms. Robinson organized a project with Sew Much Comfort, a local nonprofit organization, to supply adaptive clothing for hospitalized amputee service members. For the 89th Department of Ohio American Legion Convention held last July in Dayton, she asked each attendee to bring a donation for our troops. Ultimately, Ms. Robinson sorted, packed and shipped 48 boxes (503.7 pounds) for our wounded warriors. This summer, at the National Convention of the American Legion Auxiliary held in Phoenix, Arizona, Ms. Robinson accepted four National Awards, several Central Division Awards and Certificates for Auxiliary programs conducted during her administration.

The American Legion Auxiliary is the world's largest, nonprofit, patriotic women's service organization whose members do volunteer work for a multitude of worthwhile causes which benefit American's veterans, children and communities. It is my privilege to recognize Ms. Carol Robinson and the members of the General Daniel ''Chappie'' James American Legion Auxiliary Post 776 for their leadership and service to our community.

PERSONAL EXPLANATION

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Ms. RICHARDSON. Madam Speaker, on Monday, March 9, 2009 I did not vote due to my attendance of the funeral of Los Angeles Police Department's Deputy Chief Kenneth 0. Garner. Deputy Chief Garner attended schools in the California 37th District, commanded over many stations in my district and was instrumental to the success of the Watts Gang Task Force evident by the busloads of residents who attended his service. Deputy Chief Garner will be remembered for his 30 years of service to the Los Angeles community and his achievement of greater respect and peace within the police department and the African American/Latino neighborhoods. Had I been present I would have voted ''yea'' on rollcall votes No. 110, No. 111 and No. 112.

A TRIBUTE MR. JODIE BAILEY

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. CLAY. Madam Speaker, I rise today to honor Mr. Jodie Bailey a Missouri coaching and community legend. Mr. Bailey had a positive influence in the sport of basketball, in the lives of the young men he coached and his community.

My first encounter with Mr. Bailey was 45 years ago at the age of 7 years old. He was Head Camp Counselor for Camp Rivercliff of the YMCA, where I attend summer camp. He had a positive impact on my life at an impressionable age and helped make me the man I am today.

Mr. Bailey set unprecedented records and won championships over the span of 42 seasons at three different area St. Louis Public High schools. He had an outstanding record of 824 wins with only 198 losses. He coached many great sports stars, including the late Elston Howard of the New York Yankees and the Boston Celtics Jo Jo White. His accomplishments led him to be inducted into the Missouri Sports Hall of Fame in 1989.

He put an emphasis on teaching fundamentals in the game of basketball. He always worked to get young people to be the best they could be. In addition, Mr. Bailey was a teacher who took time to make personal investments in each of his student's lives, which they remember until this day.

Mr. Bailey always sought to impart knowledge into the people that came into his life. He was a tenacious but mild-mannered coach; always ready to give constructive and encouraging words of advice.

His success as a coach spanned four decades including the turbulent 1950's and 60's that included segregation and the Civil Rights movement. He continued coaching through the 1980's. Mr. Bailey was a role model on and off of the court teaching integrity and self-respect to his players. He was a respected community leader and viewed as a ''Godly'' man.

Madam Speaker, I am honored to pay tribute to Mr. Bailey, a man of humility and passion who's influence surpassed his coaching success. He made a difference in all the lives he touched. I urge my colleagues to join me in honoring Mr. Jodie Bailey, coaching and life legend.

IN HONOR OF BROTHER DIETRICH REINHART

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mrs. BACHMANN. Madam Speaker, I rise today to honor the life of service of Brother Dietrich Reinhart, President Emeritus of Saint John's University in Collegeville, MN. Brother Reinhart faithfully served his community since 1967 in various roles as a student, professor, dean and finally, as President of the University.

His accomplishments at Saint John's are numerous and have impacted so many students' everyday life. As liturgy director in

1983, Brother Reinhart led the committee on the revision of the Liturgy of the Hours at Saint John's Abbey, a version that is still used in public prayer services. Brother Reinhart oversaw the completion of student housing units, academic buildings, sports facilities, a student center and the art center as well as implementing the educational Core Curriculum and developing new majors in Peace Studies and in Communications to accommodate both the increasing number of students and the rising student academic profile.

In November of 2008, after being diagnosed with malignant metastatic melanoma, Brother Reinhardt commented that "Saint John's is a community where people stand by each other—they care about each other—and that there is always room in this community". Brother Reinhart passed away at the retirement center at St. John's Abbey on December 29, 2008. He will be deeply missed by his community and it is my honor to rise with the thousands of students whose lives he enriched to recognize his life and his accomplishments before you today.

COMMENDING JANET MALKO OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Janet Malko of Garwood, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is held by the Union County Commission on the Status of Women in the Seventh Congressional District to highlight the amazing work of individuals who are making our communities better places to live. The Commission on the Status of Women organization seeks to recognize the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service, women's advocacy and lifetime achievement.

This year's Lifetime Achievement Award for Education will be given to Janet Malko. Janet Malko has been associated with St. Mary of the Assumption High School, located in Elizabeth, New Jersey for forty years. She first served as a teacher and is currently the school's principal. She has been involved in nearly every facet of the educational process. In addition to her duties as principal, she teaches two math classes, greets students each day and knows most of them by name. Ms. Malko is sensitive to the unique needs of each student, handling each with compassion, helps struggling students, and offers support and encouragement to students and their families. She sets a positive tone for the school, encouraging her faculty to provide the student body with a strong foundation of discipline, tolerance, respect, integrity, self-reliance and confidence, while stressing the importance of a solid education, civic responsibility, and community service.

Under her leadership, the students at St. Mary's have succeeded academically, with over 87 percent of the 2008 graduating class attending four year colleges and universities on full academic scholarships, totally over 5 million dollars.

Janet Malko has made a difference in the lives of her students and has been a positive role model instilling the qualities of resilience and perseverance. She made significant achievements in education.

I am pleased to congratulate Janet Malko for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

RECOGNIZING AND REMEMBERING PETER J. COURCY, AND HIS SERVICE TO THE UNITED STATES OF AMERICA

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. BURGESS. Madam Speaker, I proudly rise today in memory of one of our nation's bravest and finest men who gave his life protecting our nation and its citizens. Corporal Peter J. Courcy, who served in Afghanistan as a part of the 4th Platoon, Company D, 2nd Battalion, 506th Infantry Regiment of the 101st Airborne Division, who made the ultimate sacrifice for his country on February 10th of 2009.

Courcy, a graduate of Frisco High School, was known by others for his positive outlook on life. Serving his country in the military was a lifelong dream of his, which he fulfilled when he joined the Army in 2006. He had ambitions to become part of Army Special Forces. His commitment to his country was so strong that he was willing to endure the pain of being away from his family—including his wife and newborn son, who live in The Colony, Texas. Corporal Courcy was preparing to end his tour in Afghanistan and return home to see his family when he was killed.

Corporal Courcy will forever remain in the hearts of his family, friends, and fellow soldiers. It is my honor to have represented Corporal Peter J. Courcy in the 26th District of Texas, and I extend my sincerest condolences to his family and friends. He will be deeply missed and the nation will be forever grateful for his honorable service.

HONORING COMMISSIONER MIKE FRANCIS OF SUMTER COUNTY, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor a man who dedicated many years and his final days to serving his community. Sumter County Commissioner Mike Francis passed away after a months long struggle with an illness. At a young 70, Mr. Francis was taken too soon.

Originally from Chicago, Mr. Francis first served as a Lady Lake Commissioner before being elected Sumter County Commissioner in 2004. A principled and passionate leader, he served as Chairman of the County Board in 2006 and 2007.

Mr. Francis was one of the first from The Villages to serve on the board. He was a tireless and vocal advocate for issues related to the Villages. He fought to reduce taxes for the community and promoted increased fiscal accountability county wide.

A well-loved family man, Mr. Francis leaves behind his wife Pat. The Francises have five grown childred, including one foster child, and seven grandchildren.

Madam Speaker, it is public servants like Mr. Francis that keep our communities and counties running strong at home. His dedication and willingness to serve are admired and stand as a model to others. We thank him for his service. He will be missed.

EARMARK DECLARATION

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. HASTINGS of Washington. Madam Speaker, to provide open disclosure, I am submitting the following information regarding projects that I support for inclusion in H.R. 1105, the Omnibus Appropriations Act of 2009.

Amount: $34,451,000

Account: Corps of Engineers, Construction

Entity receiving funds: Army Corps of Engineers located at 441 G St NW, Washington, DC 20314.

Description: Funds will be used to deepen the navigation channel from the mouth of the Columbia River to the Portland/Vancouver area.

Amount: $12,078,000

Account: US Bureau of Reclamation, Water and Related Resources

Entity receiving funds: US Bureau of Reclamation located at 115 N Curtis Road, Boise, ID 83706.

Description: Funds will be used to operate the Columbia Basin irrigation project.

Amount: $916,000

Account: US Bureau of Reclamation, Water and Related Resources

Entity receiving funds: US Bureau of Reclamation located at 115 N Curtis Road, Boise, ID 83706.

Description: Funds will be used to complete a study to address a depleted aquifer that farmers are dependent upon for irrigation water.

Amount: $145,000

Account: US Bureau of Reclamation, Water and Related Resources

Entity receiving funds: US Bureau of Reclamation located at 115 N Curtis Road, Boise, ID 83706.

Description: Funds will be used for critical Reclamation activities within Washington state.

Amount: $8,172,000

Account: US Bureau of Reclamation, Water and Related Resources

Account: Federal Highway Administration: Transportation, Community, and System Preservation

Entity receiving funds: Kittitas County Public Works located at 411 North Ruby Street, Suite 1, Ellensburg, WA 98926.

Description: This funding will be used to widen a portion of the Kittitas Highway.

Amount: $1,757,500

Account: Federal Transit Administration: Buses and Bus Facilities

Entity receiving funds: Ben Franklin Transit located at 1000 Columbia Park Trail, Richland, WA 99352.

Description: This funding will enable Ben Franklin Transit to expand its current bus facility.

Amount: $475,000

Account: Federal Transit Administration: Buses and Bus Facilities

Entity receiving funds: Grant Transit Authority located at 9 Basin Street Southwest, Suite 102, Ephrata, WA 98823.

Description: This funding will be used for a new operations and bus maintenance facility in Moses Lake, Washington.

Amount: $798,000

Account: Housing and Urban Development: Economic Development Initiative

Entity receiving funds: City of Roslyn located at 1st and Pennsylvania, Roslyn, WA 98941.

Description: This funding will be used to provide structural upgrades and other improvements to Roslyn's City Hall building, so that this 106 year-old building can continue to serve as a civic, cultural and community center.

Amount: $500,000

Account: U.S. Department of Justice

Entity receiving funds: City of Yakima located at 129 North 2nd Street, Yakima, WA 98901.

Description: These funds will be used to develop a system that allows all the public safety agencies in Yakima County to integrate their data communications and records systems. This system will provide comprehensive data to all local law enforcement officials, as well as federal and state agencies. It will give the various law enforcement agencies the tools they need to address the gang and drug problems in the region.

Amount: $1,000,000

Account: U.S. Department of Justice

Entity receiving funds: US Bureau of Reclamation located at 115 N Curtis Road, Boise, ID 83706.

Description: Funds will be used for the US Bureau of Reclamation Yakima Project.

Amount: $7,793,000

Account: US Bureau of Reclamation, Water and Related Resources

Entity receiving funds: US Bureau of Reclamation located at 115 N Curtis Road, Boise, ID 83706.

Description: Funds will be used to improve the water supply for irrigation and increase flows for fish.

Amount: $500,000

Account: US Bureau of Reclamation, Water and Related Resources

Entity receiving funds: US Bureau of Reclamation located at 115 N Curtis Road, Boise, ID 83706.

Description: Funds will be used for Yakima River Basin water storage.

Amount: $2,185,000

Account: Federal Highway Administration: Transportation, Community, and System Preservation

Entity receiving funds: City of Kennewick located at 210 West 6th Avenue, Kennewick, WA 99336.

Description: This funding will extend Steptoe Street, a major roadway through Kennewick and Richland. This project will assist in relieving traffic congestion on Columbia Center Boulevard.

Amount: $570,000

Account: Federal Highway Administration: Transportation, Community, and System Preservation

Entity receiving funds: City of Union Gap located at 102 West Ahtanum Road, Union Gap, WA 98903.

Description: This funding will make improvements to Valley Mall Boulevard in the City of Union Gap. It will alleviate safety hazards and provide access to growing commercial areas.

Amount: $736,250

Account: Federal Aviation Administration: Airport Improvements

Entity receiving funds: Pangborn Memorial Airport located at 1 Pangborn Drive, East Wenatchee, WA 98802.

Description: This funding will make modifications to the passenger terminal at the Pangborn Memorial Airport to accommodate larger commercial aircraft service.

Amount: $332,500

Entity receiving funds: Washington State Meth Initiative located at 510 Tacoma Avenue South, Tacoma, WA 98402.

Description: These funds will be used to fight methamphetamine in Washington state.

Amount: $2,192,000

Account: Agriculture Research Service—Buildings and Construction

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: These funds will help construct an ARS research facility in Pullman to provide a research facility for more than 40 ARS scientists and programs.

Amount: $254,000

Account: Agriculture Research Service

Entity receiving funds: Northwest Center for Small Fruits Research located at 4845 Southwest Dresden Avenue, Corvallis, OR 97333.

Description: This funding will provide enhanced research on small fruit pathology. In addition, the funds will be used for site feasibility and design for new facilities.

Amount: $245,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: This money will support research into the biomass potential of aegilops cylindricum and similar grassy weeds.

Amount: $469,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: This funding will support the International Marketing Program for Agricultural Commodities and Trade Center which applies science and technology to develop new export marketing opportunities.

Amount: $235,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: This funding will support a multi-state effort to improve efficiency of the U.S. dry pea, fresh pea, lentil, and chickpea industries.

Amount: $248,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: Funds will be used for research on organic cropping systems, nutrient and soil management and organic seed production.

Amount: $1,037,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164

Description: Funds will be used for research on potato production including varietal development testing.

Amount: $471,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: This will fund research to locate and characterize genes to use in applied barley breeding.

Amount: $307,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Northwest Center for Small Fruit Research located at 4845 SW Dresden Ave., Corvallis, OR 97333

Description: Funds will be used for research on berry and grape crops, including plant breeding and pest management.

Amount: $444,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: Funds will be used to develop planting systems that reduce soil erosion.

Amount: $223,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: Funds will be used to develop virus-free plant material for wine grapes.

Amount: $173,000

Account: Cooperative State Research, Education, and Extension Service, SRG

Entity receiving funds: Washington State University's Office of Grant and Research Development located at 423 Neill Hall, Pullman, WA 99164.

Description: Funds will be used to develop technologies that increase the competitiveness of the domestic asparagus industry.

Amount: $761,000

Account: Health, Resources and Services Administration—Health Facilities and Services

Entity receiving funds: Douglas, Grant, Lincoln and Okanogan Counties Public Hospital District #6, located at 411 Fortuyn Rd, Grand Coulee, WA 99133.

Description: Funds will be used for facilities and equipment for the hospital.

Amount: $809,000

Account: Health, Resources and Services Administration Health Facilities and Services

Entity receiving funds: Kadlec Medical Center, located at 888 Swift Blvd., Richland, WA 99352

Description: Funds will be used to construct and equip a new Pediatric Unit.

RECOGNIZING EISENHOWER HIGH SCHOOL IN RIALTO, CALIFORNIA, FOR WINNING THE DIVISION 2 STATE TITLE IN BOY'S BASKETBALL

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. BACA. Madam Speaker, I rise today to recognize the boy's basketball team at Eisenhower high school, in my hometown of Rialto, for winning the California Interscholastic Federation Division 2 state title on Friday, March 20.

The Eisenhower Eagles ended their 32–3 season with a 73–61 victory over the Rocklin Thunder. Friday's win was the 23rd consecutive victory for the Eagles, and occurred in front of a crowd of over 10,000 in Sacramento.

Eisenhower's remarkable run to the state title came after a 28–3 regular season, and playoff victories over state powerhouse Loyola, and a win against high rated Leuzinger.

Their historic victory marks the first ever California Interscholastic Federation state title for a school from San Bernardino County.

Everyone said they were too small, but led by head coach Steve Johnson, the undersized Eisenhower squad achieved victory against a taller Rocklin team by causing turnovers with quick-handed tactics and dominating the Thunder in transition points up and down the court.

Coach Johnson has led the Eagles program back to greatness only two years after taking a several year hiatus from coaching.

I specifically want to recognize all 9 Eisenhower players, and thank Andrew Bock, Bryan Bock, Alex Varner, Nicholas Carter, Keyon Sayles, Devin Garner, Nazareth Richardson, Bernard Ireland, and Kirby Gardner for their hard work and commitment to excellence throughout the season.

I also want to recognize the parents, assistant coaches, and school administrators—who all played a critical role in Eisenhower's State Championship run.

Brendan Lane, star player for the opposing Rocklin Thunder, said about the Eagles, "They're relentless. They get every rebound and every loose ball. They come after you the whole time."

On behalf of myself, my wife Barbara, Councilman Joe Baca Jr., Jeremy, Jennifer, and Natalie Baca, I congratulate the Eisenhower Eagles for their relentless effort, not just in the title game but throughout the season. I thank Coach Johnson and all the Eagle players, for their grit and determination, and the hope their achievement has brought to the Inland community in these times of economic difficulty.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. PASCRELL. Madam Speaker, I want to state for the record that today, March 24th, I was detained in my district and therefore missed the three rollcall votes of the day. Had I been present I would have voted "yea" on rollcall vote No. 147 on the Motion to Suspend the Rules and Pass H.R. 1617—Department of Homeland Security Component Privacy Act of 2009. Had I been present I would have also voted "yea" on rollcall vote No. 148 on the Motion to Suspend the Rules and Pass H.R. 730—Nuclear Forensics and Attribution Act. Lastly, had I been present I would have voted "yea" on rollcall vote No. 149 on the Motion to Suspend the Rules and Pass H. Res. 182—Expressing support for designation of the week of March 1 through March 8, 2009, as School Social Work Week.

TRIBUTE TO DAVID H. DUBBS, JR.

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. MEEK of Florida. Madam Speaker, I rise to pay tribute to the late Dr. David H. Dobbs, Jr., a beloved and dedicated public servant who tirelessly devoted his efforts to the well-being of our nation's most important asset, our children, as a valued educator of the Miami-Dade County community and beyond. Moreover, I would like to commend him for his years of service to the Miami-Dade County School System and his long standing involvement in the South Florida community.

Dr. Dobbs, a Miami native, was born to David H. Dobbs, Sr., and Gussie Dobbs on May 19, 1945. After graduating from Miami Northwestern Senior High School, he furthered his education at Central State University in Wilberforce, Ohio where he majored in political science. Dr. Dobbs then obtained his master's degree in administration and his doctorate in administration and supervision, both from Nova Southeastern University. Throughout his life, Dr. Dobbs' warm spirited persona and exceptional educational background contributed to his unwavering commitment to help others.

He began his professional career as a teacher at Pine Villa Elementary and then moved to Mays Elementary. Dr. Dobbs also taught at Citrus Grove Middle School, Henry Fowler Elementary School and Miami Beach Senior High School. As his career flourished, he then became an assistant principal at Miami Killian Senior High School and principal of Zora Neale Hurston Elementary where he retired from in 2006. He also served as a district director with the Miami-Dade County Public School System. Through his experience, it is quite clear that he was successful at meeting the challenge of educating the needs of his community's young people.

Upon retirement, Dr. Dobbs continued to devote his life to the field of education and to his community while serving on a number of boards, including vice-chairman of the Florida Memorial University advisory board. Aside from the fact that Dr. Dobbs was an outstanding professional educator, he was well read in African-American history and politics and would engage in a very stimulating conversation on any topic.

Dr. Dobbs is survived by his loving wife of 38 years, Mrs. Priscilla Dobbs and daughter Priscilla Rashida Dobbs.

Madam Speaker, I ask you and all the members of this esteemed legislative body to join me in recognizing the extraordinary life and accomplishments of Dr. David H. Dobbs, Jr. I am honored to pay tribute to Dr. Dobbs for his invaluable services and tireless dedication to the South Florida educational community. Dr. Dobbs' life was a triumph and he was blessed with a loving family who took pleasure in every aspect of his life and his interests. He will be missed by all who knew him, and I appreciate this opportunity to pay tribute to him before the United States House of Representatives.

CONGRATULATING JEFF PARKS UPON HIS GRADUATION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. BURGESS. Madam Speaker, I rise today to recognize Jeff Parks on the day of his graduation from the U.S. Marine Corps Officer Candidate School (OCS). Parks embodies the core values of Honor, Courage and Commitment that define a Marine.

Jeff Parks is an officer who truly exemplifies his school motto, "Ductus Exemplo" (Leadership by Example). Parks served for nine years as an enlisted officer in the Marines—two tours in Iraq and two in Africa on humanitarian missions—and I would like to congratulate him on earning the privilege to lead Marines.

I had the honor of having him work on my campaign, and I was impressed by his bold and noble goals and ambitions. He is a determined, hard-working individual, illustrated by the fact that he finished 2nd in his OCS class. Parks will continue with his training at The Basic School (TBS) at Quantico.

Madam Speaker, I am proud to recognize Jeff Parks for his outstanding accomplishment. His determination is a source of motivation to others. It is my honor to represent him in the 26th district of Texas.

HONORING LT. COLONEL PAUL MOORE, JR.

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. DOYLE. Madam Speaker, I rise today to honor a Pittsburgh resident and a constituent of mine, Lieutenant Colonel Paul Moore, Jr. Lieutenant Colonel Moore is retiring from the United States Army after an illustrious 22-year career protecting the safety and freedom of our great nation.

His career began while attending college at the University of Indiana of Pennsylvania, where he was enlisted in the Army Reserves as a wheeled vehicle mechanic while getting

his degree in criminology. Upon graduation, he received his first active duty assignment with the 3rd Armored Cavalry Regiment, stationed in Amberg, Germany. He was quickly assigned to a number of leadership positions while stationed there, including M1 Abrams tank platoon leader, scout platoon leader, support platoon leader, and executive officer.

The experiences he acquired in his first active duty assignment included the field that he would eventually devote the majority of his career to—military intelligence. Colonel Moore helped provide valuable intelligence to our service men and women across the globe to ensure they completed their missions efficiently and safely. He served the intelligence community as Detachment L commander for the Washington field office during Operation Desert Storm, Chief of the Military Intelligence and Electronic Warfare Team, Product Manager for Information Warfare within Program Executive Office Intelligence, and as the Army's Senior Systems Coordinator for Information Operations.

Lieutenant Colonel Moore has received countless awards and decorations from his years of service. These include, but are by no means limited to, the Legion of Merit, Defense Meritorious Service Medal, The Joint Service Commendation Medal, the Army Commendation Medal with Oak Leaf Cluster, Global War on Terrorism Service Medal, and The Army Achievement Medal with Oak Leaf Cluster.

Albert Einstein put it perfectly when he said "only a life lived for others is a life worthwhile." Lieutenant Colonel Moore has exemplified a life lived in the service of others. I want to commend Lieutenant Colonel Moore and thank him for his long and honorable service to our country. I wish him a happy retirement and many years of joy with his family and friends.

COMMENDING DENISE MILES OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Denise Miles of Summit, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is held by the Union County Commission on the Status of Women in the Seventh Congressional District to highlight the amazing work of individuals who are making our communities better places to live. The Commission on the Status of Women organization seeks to recognize the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service, women's advocacy and lifetime achievement.

This year's Volunteerism Award will be given to Denise because of her extensive volunteer efforts at numerous organizations throughout Union County.

Specifically, Denise is considered the backbone of the Wallace Chapel of the AME Zion Church, where every Monday she calls church members who were not in church on Sunday and checks in on those who are sick or homebound. Each Tuesday Denise delivers Meals on Wheels where she spends time with each family and brings them food and friendship. After working for 38 years at Overlook Hospital in Summit, New Jersey as a nurse, Denise now volunteers in the hospital's Chaplain Service. In this effort, she goes room to room visiting patients of all denominations. Denise also volunteers weekly at her local library and reads to preschoolers during story time.

Denise keeps this vigorous volunteer schedule despite the fact that she does not have a car. She literally volunteers every day of the week by walking from place to place or taking the bus.

Denise Miles of Summit, New Jersey is a true American hero. She has a demonstrated a deep commitment to helping others through her selfless sacrifice and hard work. So many people in Union County benefit directly from her efforts.

I am pleased to congratulate Denise Miles for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

OPPOSING THE BLAIR HOLT'S FIREARM LICENSING AND RECORD OF SALE ACT

HON. DENNY REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. REHBERG. Madam Speaker, a few weeks ago, I stood on the floor of the House of Representatives to express the outrage I'm hearing from Montanans regarding H.R. 45 and similar bills that erode our Second Amendment rights and make eventual confiscation of firearms easier. Even gun-control advocates understand that this bill goes too far. They promise that H.R. 45 will never pass.

Notice, they don't say it shouldn't pass—only that it won't.

Some of my colleagues here in Washington, D.C. wish it could pass. And that's why it remains so important to stand our ground against The Blair Holt's Firearm Licensing and Record of Sale Act and similar measures.

Thomas Jefferson wrote, "The price of freedom is eternal vigilance." While public outcry has made H.R. 45 a politically unattractive proposal for now, make no mistake about it: if we ease back, even for a moment, opponents of the Second Amendment will take advantage.

I recently created a user-group on the popular social networking website Facebook entitled "Fight to Protect the 2nd Amendment Against H.R. 45." It has been incredible to watch the response as friends have invited friends to join and people posted their opinions on "The Wall" for others to read. In a little over two weeks, the group has more than 1,500 members, with more joining every day.

Sadly a bill like H.R. 45 isn't politically unattractive because it's a bad idea. Congress passes bad ideas every day. It's politically unattractive because Americans like those in my Facebook group are taking Thomas Jefferson's advice and remaining vigilant. It's politically unattractive because of the grassroots advocacy that has arisen against it.

To make it clear that advocates of liberty will pay the price of vigilance for our freedom, here is a sampling of some of the comments that were written on the wall in that angry little corner of Facebook.

"The ability to bear arms has much more to do with being able to protect one's self then it does for those hunting. I used a 22 rifle once to keep an invader out of my apartment. I didn't have any ammo but all the guy needed to see was my gun pointing at him when he broke into my front door, he promptly left and I was one less victim of who knows what crime. Don't take that right to defend myself away from me. I don't want to be a statistic!"—Jaclyn Colebank

"As once was written, 'If guns kill people then pencils misspell words.' As an avid gun owner and 25 year old female I appreciate the constitution and the rights we have been given. The second amendment assists us in protecting the first. If someone decides to break into my home and deprive me of my life, liberty and/or happiness, I am going to protect those rights using a firearm if necessary."—Amanda Barta

"I use to never want to have a gun in my home. They always scared me. My husband is a trucker and over a year I am pretty much alone with just my son in the home. I am disabled so I can't really get away from someone if they were to break in. A couple of guys threatened my son and myself. Immediately I told my husband that soon as he came home we were going to get me a gun and he was going to teach me to shoot. I need to know how to protect my family and myself. I also realize that an unarmed society is nothing but slaves to the government. The Founding Fathers knew that the people needed a way to protect themselves from a government gone wild which is why they made sure we have the 2nd amendment. I am now a member of the NRA and I will not be disarmed. Statistics prove that areas that have gun bans have a much higher crime rate. I am a rape survivor and had I carried a gun then maybe I would not have been a victim. Never again."—Anita Calbert

"If I'm a violent criminal all set to ply my trade, I'd rather operate in an unarmed helpless community than your basic Montana town. What is it about an armed populace that is so frightening?"—Randy Nankivel

"The second amendment states, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." While H.R 45 does not outright ban guns, it would impair the purchase and ownership of arms to the point to where it would have the same effect as a ban, and as such H.R. 45 should be considered unconstitutional. Opponents will claim as long as there is the opportunity to buy a gun, however small, the second amendment would not be violated. This is an abuse of the definition and meaning of the second amendment, unfairly restricting the scope of amendment and marginalizing it until rendered ineffective."—Eric Fulton

"Being a gun owner is not only a privilege but my right. Anyone who wants to take our gun rights has forgotten how the birth of our great country came about. I enjoy target shooting as well as hunting. It is something my husband and I do to spend time together. If we let Congress pass any bill allowing them to take our guns, it would be detrimental to the well being of every American. The criminals will have them anyway and the hard working citizens will have no way to protect themselves, not to mention being able to hunt. Hunting is a way of life for a lot of families, especially families who cannot afford to buy beef etc. I see absolutely nothing positive being gained by taking our gun rights."—Tara Preshinger

''Guns have been a part of my life and my family's life since we have lived in the US. It has been a useful tool in feeding my family since we have been here. I am a soldier, hunter, brother, son and many other things and I refuse to let this right be taken from me when all that will happen is it will take firearms from people who use them as tools and a way of life and those who use them for bad will get them one way or another. If guns are outlawed only outlaws will have guns and we will have nothing to protect ourselves with. That's way I say this right is important to me. I am here to protect my family, friends, and the US from all enemies and I feel sorry for the poor sap that tries to take this right away from me.''—Clint Dean

''As a U.S. Soldier and a Montanan guns have always been a part of my life. I will never give up the right to keep and bear arms. I say if anyone wants to take my guns. . .. .You can try but you might want to wait till I'm reloading!!!!!''—Matt Calnan

''There are so many reasons to oppose gun control, it's hard to pick a favorite. I would say that the main reason is that it simply doesn't work. Look at places like Great Britain and Mexico—have they become violence-free Utopias, or do their defenseless citizens now suffer exploded rates of violent crimes committed with total impunity since having been disarmed? If civil disarmament worked well, then Great Britain wouldn't need 40 cameras on every street corner; and they wouldn't try to do it either for fear of armed revolt. What do our leaders hope to accomplish with gun control? Also, how many of them are willing to give up their own guns, or the guns of their bodyguards? Finally, if they take our weapons, will they legislate to overturn Castle Rock v. Gonzales? If not, then WHO will protect us?''—Ian Sean Montgomery

''Whether you are for or against gun control you can still recognize that H.R. 45 is simply unconstitutional''—Joe Chollak

''A fear of weapons is a sign of retarded sexual and emotional maturity.''—Sigmund Freud

''I live in Montana and I enjoy [spending] my time in the outdoors. I grew up learning the responsibilities of firearm ownership from my father and my grandfather. I use those same responsibilities in my everyday life. I spend my fall hunting and the meat that I harvest rarely remains in my freezer because I like to donate it to local charities like the rescue missions and the food banks in my hometown. If this regulation becomes readily available and can later be used as but step in the ladder to complete firearm [eradication]. If this bill is put into I know that many families who rely on groups like the food bank for meat will go without because this form of charity will become a distant memory.''—Ryan Belke

''Once freedom is given up, or even compromised, it can never be taken back. Compromise, even in the deceitful form of regulations, is not an infringement on the ownership of guns, but an infringement on what it means to be an American and the rights granted, declared, and (supposedly) defended by the government whom the people support. These are our rights as Americans. Take them away, and you take America away. You take away life, liberty, and the pursuit of happiness . . . because that is what Americans are promised. Take away the promise, and you leave us with nothing.''—Justin Countryman

''If the right to bear arms is taken away, what will be next? One by one other freedom will be stripped away. The right to bear arms gives citizens the right and ability to defend themselves against criminals, and even if necessary our own government. In these uncertain times this is definitely a right we don't want taken away. I've heard a quote and don't know the exact source that 'if guns are outlawed only outlaws will have guns.' ''—Niki Griffis

''HR 45 makes the jobs of criminals easier and threatens the safety of all law abiding citizens, with it you can also say goodbye to your 2nd and 4th amendment rights! It also hurts a family tradition of target shooting and hunting that so many people share.''—Brant Manley

''Honest citizens use the right to bear arms as a source of recreation through hunting, trap shooting, etc. as well as a for an essential source of protection in dangerous situations. We follow the firearm regulations that are already in place. Criminals, however, do not. The only people who will be affected by further restrictions against our right to bear arms will be law-abiding citizens. HR 45 will have no affect on criminals. Instead, the only people left with firearms will be the ones who should not possess them in the first place.''—Christine Hodges

''I have seen it argued that HR 45 is simply a bill proposing gun registration. That contention is absolutely false. HR 45 is nothing less than a backdoor attempt to circumvent the 2nd Amendment, by harassing law-abiding citizens into giving up their firearms. Criminals don't register guns anyway. It's quite obvious who this bill is directed toward . . . and it isn't criminals. HR 45 addresses only law-abiding citizens; yet, treats them no better than convicted sex offenders or other felons just because they own a firearm. When the government starts using heavy-handed tactics to suppress the freedoms of law-abiding citizens, then those citizens need to stand firm in defense of their rights, and preserve the integrity of the US Constitution.''—Debra Sullivan

CHILD CARE FACILITIES FINANCING ACT OF 2009

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mrs. McCARTHY of New York. Madam Speaker, I rise in support of legislation I am introducing in the House of Representatives today entitled, the ''Child Care Facilities Financing Act of 2009.'' I would like to thank the organizations that make up the National Children's Facilities Network (NCFN), as well as several of the Network's staffers, including Caitlin Kovalkoski, from the Local Initiatives Support Corporation (LISC) and Corey Carlisle, from the Low Income Investment Fund, for all their guidance in revising this legislation that, if adopted, will meet the financial and technical needs of early care development.

Early care and education has a profound impact on the development of our nation's youth. To date, the federal government, in conjunction with state and local efforts, has invested billions of dollars through the Child Care and Development Block Grant (CCDBG) and programs like Head Start and Early Head Start. While these efforts have done much to enhance early care in our nation, a lack of consistent funding and organized infrastructure has prevented the early childhood field from addressing its physical capital needs and creating the kind of environments that support quality programs.

President Obama has articulated on numerous occasions America's need to make headway in youth development programs. However, the supply of suitable spaces to house early childhood programs has not kept pace with the growth of the sector, and the shortage is especially severe in low-income communities—both urban and rural. Research conducted at a Connecticut preschool center documented how quality facilities result in more teacher-child interaction, more productive play with fewer conflicts among children, higher staff morale and lower staff turnover—all of which are established indicators of program quality. Yet it is rare to find high quality early learning centers designed to meet the unique needs of very young children, especially in low-income neighborhoods where programs typically occupy makeshift, surplus or donated space such as church basements or storefronts, and out of date school buildings designed for older children.

To address the shortfall in quality child care facilities, I am pleased to introduce the Child Care Facilities Financing Act of 2009, which will go a long way toward providing a dedicated source of capital for early care and education programs in our nation.

By allowing the Secretary of Health and Human Services to award competitive grants to experienced non-profit community development organizations, my bill will help providers develop well-designed and appropriately-located facilities that will foster an environment of productive play and staff dedication. Non-profit facilities organizations can leverage a relatively small public investment with additional private capital, multiplying the total investment in child care facilities and serving even more children.

Over the past several years, two Community Development Financial Institutions (CDFI's), the Leviticus Alternative Fund and the CDC of Long Island, have made nine loans to child care providers serving children from low-income families in my Congressional District. The Leviticus Fund lends to licensed child care centers and has made loans to Harbor Day Care, AMC Child Care Center, D&D Day Care, and Pat-Kam Early Childhood Center. The CDC of Long Island lends to Family Day Care providers and has lent to Susie's Day Care, Inc., Rosa's School House, Elena's Child Care, Barbara Grullon, and Carolyn Reid, all in the Fourth District. Passage of this legislation will further increase the support we can give to child care providers.

I urge my colleagues to support this important legislation for our nation's youth.

COMMENDING KIMBERLY NESBITT-GOOD OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Kimberly Nesbitt-Good of Elizabeth, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is hosted by the Union County Commission on the Status of Women in the Seventh Congressional District and highlights the amazing work of individuals

who are making our communities better places to live. The Commission on the Status of Women recognizes the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service and women's advocacy and lifetime achievement.

This year's Business Award will be given to Kimberly Nesbitt-Good because of her business efforts in Union County. Kimberly is the proprietor of Nesbitt Funeral Home, along with her husband Ted, which was established in 1931 by her adoptive parents, Bravell and Carrie Allen Nesbitt.

Ms. Nesbitt-Good has received several awards and recognition for her work in the funeral profession. She is a member of the Garden State Funeral Directors Association, the New Jersey Funeral Directors Association, the National Funeral Directors Association, the National Funeral Directors and Morticians Association, and the Epsilon Nu Delta Fraternity.

Kimberly is the cofounder of ''Friends,'' an organization of African American women that uplifts and supports women in African American communities. Listed in Who's Who Among Americans and Who's Who Among African American Funeral Directors, Kimberly has been recognized by many local, state and federal organizations for her varied and wide ranging work in the funeral profession.

Kimberly Nesbitt-Good of Elizabeth, New Jersey has made significant achievements in her business efforts. I am pleased to congratulate Kimberly Nesbitt-Good for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

RECOGNIZING THE IMPORTANCE OF ATHLETIC TRAINERS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize the importance of athletic trainers and all that they do to improve the health and quality of our lives.

As overweight and obesity rates soar, athletic trainers serve as an outstanding opponent to the frightening statistics. Their job widely varies, and they do far more than simply ''work out'' with others. Athletic trainers guide their clients with life-long fitness and exercise skills and push their clients to aerobic excellence. Many also provide nutritional guidance that helps those derailed from healthy eating habits develop better eating tendencies. In doing so, they often provide their clients with a greater sense of self worth.

Their impact on society is incredibly beneficial. Athletic trainers do much to help decrease the increasing population of the obese and overweight. For this, I thank those athletic trainers in the First District of Florida, as well as the rest of the Nation, who constantly make a difference. We are truly grateful.

HONORING GARY MORGAN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Ms. WOOLSEY. Madam Speaker, I rise today to honor Gary Lewis Morgan of Sonoma County, California, who passed away January 16, 2009, at the age of 55. Gary was a loving father to his son James and a loving friend to Emmie Morgan, his ex-wife, James' mother, and a member of my staff.

Born in the San Fernando Valley in 1953, Gary grew up there and attended Monroe High School where he excelled as a gymnast and as a barbershop quartet singer, a passion he later introduced to James.

In 1975, Gary graduated from California State University, Northridge with a degree in graphic design and a job designing ads for the Yellow Pages. He met Emmie at the home of a mutual friend and immediately offered to read her palm. As Emmie says, this ''involved some holding of the hand. After that, he was telling people about this wonderful woman he met named Emarah. That was our joke, and he still often called me that.''

They married in 1983, and their son James was born in March, 1985. Emmie recalls how ''the morning after he was born, Gar came to the hospital in striped suspenders and a button that said, 'Kids Are People, Too.' He loved being Jamie's Dad.''

Looking for the best place to raise Jamie, they moved to Sonoma County in 1986. Gary became well known there as a singer, muralist, and multimedia artist whose work includes statues, flags, and stained glass panels. One of his statues was purchased by the Queen of England, and a flag he designed was flown at the Washington Monument for the 1976 Bicentennial.

Gary's murals appear in various sites around Sonoma County, including Harmony School, an elementary school in Occidental. I was fortunate to have the opportunity to see this mural with Gary and talk with him about the creation of it. He was selected through an interview process that included students, and he made sure to seek their input as he developed the design. Of course, he had to listen to the teachers, too, so when one of them said, ''Hey, there has to be a book somewhere,'' he made sure he gave the dragon by the tree something to read.

Gary's musical abilities were evident in his beautiful voice, and he sang in three local choirs—the Occidental Community Choir, the Sufi Choir, and the Center for Spiritual Living's One Heart Choir.

His musical talents were clearly passed to Jarmie, but it was Gary's (and Emmie's) nurturing that also helped James grow into a fine young man. He is currently a student at Sacramento State University and will enter the Berklee College of Music in Boston in the fall, which would have made his father very proud.

One of Gary's other interests was metaphysics, the study of what lies beyond the physical world, and this interest was a comfort to him in his times of trouble.

In addition to Emmie and James, Gary is survived by his siblings Gale and Bryan, his mother Barbara, and his long-time friend, Zan Spencer.

Madam Speaker, Gary Morgan's life touched many people. As Emmie Morgan stated, ''He was an amazingly kind, authentic, sincere, honest human being. Every person I've talked to tells me they were close to him, even people who met him only once.'' That is a testament to Gary Morgan's character that makes me proud to honor him today.

COMMENDING HEATHER SUAREZ OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Heather Suarez of Springfield, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is hosted by the Union County Commission on the Status of Women in the Seventh Congressional District and highlights the amazing work of individuals who are making our communities better places to live. The Commission on the Status of Women recognizes the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service and women's advocacy and lifetime achievement.

This year's Law Award will be given to Heather Suarez who has been described as a pioneer in the legal industry. Heather was hired directly out of law school, by persuading the three male partners at her Newark law firm to hire her. She became the firm's first female attorney, staying with that firm ever since, now enjoying a tenure of 28 years.

After the firm relocated to Roseland, Ms. Suarez continued to be a leader in her field and at the firm. When she announced, in 1987, that she was pregnant, Heather was a change agent for the firm, resulting in its first maternity policy. Continuing to work at the firm while raising two young sons, Ms. Suarez not only became the first female partner, but also the first part time partner as the firm worked with her to accommodate and balance her busy home life with professional responsibilities.

Ms. Suarez has been recognized by many organizations in her field. Her commitment to women's advocacy is evident as she works tirelessly as a member of the New Jersey Supreme Court Committee on Women in the Courts.

Heather Suarez of Springfield, New Jersey has made significant achievements in the legal field. I am pleased to congratulate Heather Suarez for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

TEXAS TEACHER OF THE YEAR FOR 2009

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. REYES. Madam Speaker, El Paso, Texas has a history of producing strong, passionate, and caring educators who motivate

and engage our children to become lifelong learners. As a parent and grandparent, I am grateful for the contributions of our teachers in the El Paso area, and today I want to take this opportunity to congratulate Mrs. Christine Gleason, a teacher at Fabens High School in the Fabens Independent School District, for being selected as the 2009 Texas Secondary Teacher of the Year. The Texas Teacher of the Year is the highest honor that the State of Texas can award to a teacher and Mrs. Gleason will be representing the State of Texas in the National Teacher of the Year program in Washington, D.C. Facilitated by the Texas Education Agency, the Texas Teacher of the Year Program annually recognizes and rewards teachers who have demonstrated outstanding leadership and excellence in teaching. Mrs. Gleason represents the best of the best in the teaching profession, and we salute her energy, efforts, and dedication.

Mrs. Gleason earned a Bachelor's degree in English and creative writing as well as a Master's degree in English and American literature from the University of Texas at El Paso. At Fabens High School, she teaches English IV, AP English IV, and Dual Credit English. She currently serves the school district as Chair of the English Department, National Honor Society Sponsor, Dual Credit Facilitator, UIL Coordinator, and is a literary criticism coach. Mrs. Gleason originally intended to be a novelist, but found teaching to be ''life-changing'' and ''unreservedly rewarding.'' Mrs. Gleason said that her goal is to be a ''vibrant, tenacious, creative and absolutely unforgettable teacher because that is what [she] never had and that is what every kid in this country deserves in every classroom they attend.'' The El Paso community is very fortunate to have Mrs. Christine Gleason in the classroom and we are appreciative of her commitment to our children.

Mrs. Gleason is part of a larger history of educational excellence in El Paso. I am also proud to note that for the past three years, El Paso area educators have been chosen as Texas Teachers of the Year. In total, El Paso has had nine Texas Teachers of the Year. The National Teacher of the Year Program began in 1952 and continues as the oldest, most prestigious national honors program that focuses public attention on excellence in teaching.

In recognition of these distinguished educators, I am submitting the names of all former Texas Teachers of the Year from the El Paso area.

I am proud of the work of our teachers, and I am committed to ensuring that education remains a top priority in this Congress.

TEXAS TEACHERS OF THE YEAR FROM THE EL PASO, TEXAS AREA

1970—Clarence K. Stark; Irvin High School, El Paso, TX—Government.

1982—Rita Harlien; Eastwood High School, El Paso, TX—Speech.

1992—Rosa E. Lujan; Ysleta Elementary School, El Paso, TX—Bi-lingual Education.

1995—Miguel Ignacio Tinajero; Ramona Elementary School, El Paso, TX—Self-Contained 5th–6th Grade.

1997—Antonio A. Fierro; Sierra Vista Elementary, El Paso, TX—Bilingual Education K-1st Grade.

2004—Kyann McMillie; Canutillo Elementary, Canutillo, TX—Bilingual Education 1st–2nd Grade.

2007—Dana K. Boyd; Dolphin Terrace Elementary, El Paso, TX—2nd Grade.

2008—Paul F. Cain; Ysleta High School, El Paso, TX—Mathematics/Physics 9th–12th Grade.

2009—Christine Gleason; Fabens High School, Fabens, TX—English 12th Grade.

COMMENDING KRISTINA SILVESTRY OF UNION COUNTY, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Mr. LANCE. Madam Speaker, I rise in honor of National Women's History Month and to congratulate Kristina Silvestry of Cranford, New Jersey who will be honored on Friday, March 27, 2009 at the 17th Annual Women of Excellence Dinner held in Union County, New Jersey.

This special annual event is hosted by the Union County Commission on the Status of Women in the Seventh Congressional District and highlights the amazing work of individuals who are making our communities better places to live. The Commission on the Status of Women recognizes the contributions of women in the fields of education, health care, the arts, government, business, law, community service, technology, public service and women's advocacy and lifetime achievement.

This year's Women's Advocacy Award will be given to Kristina Silvestry. Currently, she is a primary counselor at ''A Child's View,'' a Union County PALS Program. Kristina currently is employed as a counselor for the YWCA of Eastern Union County, serving the women, children, and families of Union County. Kristina's position allows her to work with battered families in the area, helping to establish housing, financial assistance, education, and emotional readiness, assisting these victims of violence regain their lives.

In addition to her busy workload, Kristina spends a great deal of time working with the courts. She advocates for the safety and well being of families, serves as an expert witness in the field of domestic violence, accompanies victims to their hearings, and she provides the encouragement and support to victims of violence. Ms. Silvestry speaks at various meetings and organization gatherings to discuss issues such as Teen Dating Violence and Domestic Violence.

Kristina Silvestry of Cranford, New Jersey has made significant achievements in women's advocacy. I am very pleased to congratulate Kristina for her outstanding efforts and share her good work with my colleagues in the United States Congress and the American people.

IN MEMORY OF THE EXTRAORDINARY LIFE OF GEORGE KELLER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 2009

Ms. SPEIER. Madam Speaker, I rise in both sadness and awe as I reflect on the passing of George M. Keller who, together with his late wife Adelaide, was a philanthropic titan on the San Francisco peninsula and across our country.

Born in Kansas City and raised in Chicago, Mr. Keller moved to San Francisco with his new bride when he took a job with Standard Oil after graduating from the Massachusetts Institute of Technology with a degree in chemical engineering—a degree delayed by George's service in the United States Army Air Force during World War II.

Settling in San Mateo, George worked for Standard Oil (later Chevron) for half a century, eventually becoming the company's chairman in 1981. As chairman, he led Standard's 1984 bid to acquire Gulf Oil Corporation, at the time, the largest corporate takeover in history. Two years after retiring from Chevron in 1988, George and his wife established the George M. and Adelaide M. Keller Foundation.

Madam Speaker, I am constantly reminded of the generosity of the Keller family. The 12th Congressional District's San Mateo County Health Center is a principle beneficiary of the foundation, having received millions of dollars in recent years. Much of that money went to helping some of the most vulnerable members of our community through the Keller Center for Family Violence Intervention.

George Keller's work in our community touched virtually everyone. He served as Chairman of the Board of Belmont's Notre Dame de Namur University from 1982 to 1994 and as Chair of the Bay Area Council from 1985 to 1988. He and Adelaide's philanthropy has benefited many local institutions, including the Lighthouse for the Blind, the Exploratorium, the Coyote Point Museum and the Monterey Bay Aquarium. In addition, the Keller Foundation has supported homeless shelters, firefighters and helped build a playground for special needs children in Burlingame.

Adelaide, the love of George's life, passed away last year. She and George are survived by three sons, Bill, Bob and Barry, and six grandchildren.

Madam Speaker, not all of us leave an indelible mark on our community when our time on earth is done, but George Keller certainly did, and we are all the better because of it.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3621–S3737

Measures Introduced: Seventeen bills and two resolutions were introduced, as follows: S. 672–688, and S. Res. 83–84. **Pages S3657–58**

Measures Passed:

Recognizing the Establishment of Collegiate Programs at Gallaudet University: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 12, recognizing and honoring the signing by President Abraham Lincoln of the legislation authorizing the establishment of collegiate programs at Gallaudet University, and the resolution was then agreed to. **Page S3735**

National Cerebral Palsy Awareness Day: Senate agreed to S. Res. 83, designating March 25, 2009, as "National Cerebral Palsy Awareness Day". **Pages S3735–36**

Convention on the Civil Aspects of International Child Abduction: Committee on Foreign Relations was discharged from further consideration of S. Res. 37, calling on Brazil to comply with the requirements of the Convention on the Civil Aspects of International Child Abduction and to assist in the safe return of Sean Goldman to his father, David Goldman, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Page S3736**

Murray (for Lautenberg) Amendment No. 697, to amend the resolving clause. **Page S3736**

Murray (for Lautenberg) Amendment No. 698, to amend the preamble. **Page S3736**

Murray (for Lautenberg) Amendment No. 699, to amend the title. **Page S3736**

Measures Considered:

Generations Invigorating Volunteerism and Education Act—Agreement: Senate began consideration of H.R. 1388, to reauthorize and reform the national service laws, after agreeing to the motion to proceed to consideration thereto, and taking action on the following amendments proposed thereto: **Pages S3628–50**

Pending:

Mikulski Amendment No. 687, in the nature of a substitute. **Page S3636**

Crapo/Corker Amendment No. 688 (to Amendment No. 687), to increase the borrowing authority of the Federal Deposit Insurance Corporation. **Pages S3637–48**

Johanns Amendment No. 693 (to Amendment No. 687), to ensure that organizations promoting competitive and non-competitive sporting events involving individuals with disabilities may receive direct and indirect assistance to carry out national service programs. **Pages S3648–49**

Baucus/Grassley Amendment No. 692 (to Amendment No. 687), to establish a Nonprofit Capacity Building Program. **Pages S3649–50**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, March 25, 2008. **Page S3736**

Kris Nomination—Agreement: A unanimous-consent agreement was reached providing that at 12 noon, on Wednesday, March 25, 2009, Senate begin consideration of the nomination of David S. Kris, of Maryland, to be an Assistant Attorney General, and vote on confirmation of the nomination. **Page S3734**

Nomination Confirmed: Senate confirmed the following nomination:

Gary Locke, of Washington, to be Secretary of Commerce. **Pages S3734–35, S3737**

Nominations Received: Senate received the following nominations:

Marisa J. Demeo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Florence Y. Pan, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years. **Page S3736**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Stuart Gordon Nash, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen

years, which was sent to the Senate on January 8, 2009. **Page S3737**

Executive Communications: **Pages S3654–57**

Additional Cosponsors: **Pages S3658–59**

Statements on Introduced Bills/Resolutions: **Pages S3659–92**

Additional Statements: **Pages S3653–54**

Amendments Submitted: **Pages S3692–S3733**

Authorities for Committees to Meet: **Pages S3733–34**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:37 p.m., until 9:30 a.m. on Wednesday, March 25, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3736.)

Committee Meetings

(Committees not listed did not meet)

U.S. EUROPEAN COMMAND AND U.S. JOINT FORCES COMMAND

Committee on Armed Services: Committee concluded a hearing to examine United States European Command and United States Joint Forces Command, after receiving testimony from General Bantz J. Craddock, USA, Commander, United States European Command, and General James N. Mattis, USMC, Commander, United States Joint Forces Command, both of the Department of Defense.

BANK SUPERVISION AND REGULATION MODERNIZING

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine modernizing bank supervision and regulation, after receiving testimony from William R. Attridge, Connecticut River Community Bank, Wethersfield, on behalf of the Independent Community Bankers of America; Daniel A. Mica, Credit Union National Association, Washington, D.C.; Aubrey B. Patterson, BancorpSouth, Inc., Tupelo, Mississippi, on behalf of the American Bankers Association; and Christopher Whalen, Institutional Risk Analytics, Croton-on-Hudson, New York; and Gail Hillebrand, Consumers Union, Yonkers, New York.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Thomas L. Strickland, of Colorado, to be Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, after the nominee, who was introduced by Senator Udall (CO), testified and answered questions on his own behalf.

THREE MILE ISLAND

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety concluded a hearing to examine Three Mile Island, focusing on lessons learned over the past 30 years, after receiving testimony from Dale E. Klein, Chairman, Gregory B. Jaczko, Peter B. Lyons, and Kristine L. Svinicki, each a Commissioner, and Harold R. Denton, Former Director, Office of Nuclear Reactor Regulation, all of the Nuclear Regulatory Commission; Dick Thornburgh, former Pennsylvania Governor, K&L Gates LLP, and Marvin S. Fertel, Nuclear Energy Institute, both of Washington, D.C.; and Peter A. Bradford, Vermont Law School Institute for Energy and the Environment, South Royalton.

GLOBAL HUNGER CHALLENGES

Committee on Foreign Relations: Committee concluded a hearing to examine alleviating global hunger, focusing on challenges and opportunities for United States leadership, after receiving testimony from Dan Glickman, former Secretary of Agriculture; Catherine Bertini, former Executive Director of the United Nations World Food Programme, Syracuse, New York; David Beckmann, Bread for the World, Washington, D.C.; Robert Paarlberg, Wellesey College, Wellesey, Massachusetts; Edwin C. Price, Norman Borlaug Institute for International Agriculture, College Station, Texas; and Gebisa Ejeta, Purdue University, West Lafayette, Indiana.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Richard Rahul Verma, of Maryland, to be Assistant Secretary for Legislative Affairs, who was introduced by Senator Reid, Melanne Verveer, of the District of Columbia, to be Ambassador at Large for Women's Global Issues, who was introduced by Senators Casey and Hutchison, and Esther Brimmer, of the District of Columbia, to be Assistant Secretary for International Organization Affairs, who was introduced by Representative Norton, all of the Department of State, after the nominees testified and answered questions in their own behalf.

INSURANCE MARKET REFORM

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine addressing insurance market reform in national health reform, after receiving testimony from Sandy Praeger, Kansas Commissioner of Insurance, Kansas City, on

behalf of the National Association of Insurance Commissioners; Janet Stokes Trautwein, National Association of Health Underwriters, Arlington, Virginia; Ronald A. Williams, Aetna, Inc., Hartford, Connecticut; Karen Pollitz, Georgetown University Health Policy Institute, Karen Ignagni, America's Health Insurance Plans, and Len M. Nichols, New America Foundation, all of Washington, D.C.; and Katherine Baicker, Harvard School of Public Health Department of Health Policy and Management, Cambridge, Massachusetts.

CREDIT CARD PRACTICES AND BANKRUPTCY

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing to examine abusive credit card practices and bankruptcy, after receiving testimony from Rosemary Gambardella, United States Bankruptcy Judge for the District of New Jersey, Newark; Adam J. Levitin, Georgetown University Law Center, and David C. John, Heritage Foundation Thomas A. Roe Institute for Economic Policy Studies, both of Washington, D.C.; Mark S. Scarberry, Pepperdine University School of Law, Malibu, California; and Douglas J. Corey, North Scituate, Rhode Island.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 1677–1698; and 10 resolutions, H. Con. Res. 78–80; and H. Res. 277–279, 282–285 were introduced. **Pages H3833–35**

Additional Cosponsors: **Pages H3835–36**

Reports Filed: Reports were filed today as follows:

H.R. 1259, to amend the Federal Food, Drug, and Cosmetic Act with respect to the distribution of the drug dextromethorphan (H. Rept. 111–49);

H.R. 1575, to authorize the Attorney General to limit or recover excessive compensation paid or payable by entities that have received Federal financial assistance on or after September 1, 2008 (H. Rept. 111–50);

H. Res. 280, providing for consideration of the Senate amendments to the bill (H.R. 146) to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 (H. Rept. 111–51); and

H. Res. 281, providing for consideration of the bill (H.R. 1404) to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands and to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy (H. Rept. 111–52). **Page H3833**

Speaker: Read a letter from the Speaker wherein she appointed Representative Doyle to act as Speaker Pro Tempore for today. **Page H3751**

Recess: The House recessed at 11:21 a.m. and reconvened at 12 noon. **Pages H3756–57**

Committee Election: The House agreed to H. Res. 277, electing the following Member to the Committee on the Budget: Representative Latta. **Page H3757**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Department of Homeland Security Component Privacy Officer Act of 2009: H.R. 1617, to amend the Homeland Security Act of 2002 to provide for a privacy official within each component of the Department of Homeland Security, by a ⅔ yea-and-nay vote of 412 yeas to 3 nays, Roll No. 147; **Pages H3761–63, H3771–72**

Requiring the Secretary of Homeland Security to conduct a program in the maritime environment for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security: H.R. 1148, to require the Secretary of Homeland Security to conduct a program in the maritime environment for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security; **Pages H3763–65**

Nuclear Forensics and Attribution Act: H.R. 730, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear

material, by a ⅔ yea-and-nay vote of 402 yeas to 16 nays, Roll No. 148; **Pages H3765–69, H3772–73**

Expressing support for designation of the week of March 1 through March 8, 2009, as "School Social Work Week": H. Res. 182, to express support for designation of the week of March 1 through March 8, 2009, as "School Social Work Week", by a ⅔ yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 149; **Pages H3769–70, H3773**

Recognizing and honoring the signing by President Abraham Lincoln of the legislation authorizing the establishment of collegiate programs at Gallaudet University: H. Con. Res. 77, to recognize and honor the signing by President Abraham Lincoln of the legislation authorizing the establishment of collegiate programs at Gallaudet University; **Pages H3770–71**

Expressing support for designation of a "Welcome Home Vietnam Veterans Day": H. Res. 234, to express support for designation of a "Welcome Home Vietnam Veterans Day"; and **Pages H3773–77**

Recognizing the 30th anniversary of the Taiwan Relations Act: H. Con. Res. 55, amended, to recognize the 30th anniversary of the Taiwan Relations Act. **Pages H3777–80**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Recognizing the 188th anniversary of the independence of Greece and celebrating Greek and American democracy: H. Res. 273, to recognize the 188th anniversary of the independence of Greece and to celebrate Greek and American democracy. **Pages H3780–84**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H3771–72, H3772–73 and H3773. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 10:18 p.m.

Committee Meetings

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies held a hearing on Federal Law Enforcement Response to U.S.-Mexico Border Violence. Testimony was heard from. The following officials of the Department of Justice: Bill Newell, Special Agent in Charge, Phoenix Division, Bureau of Alcohol, Tobacco, Firearms, and Explosives; and Joseph Arabit, Special Agent in Charge, El Paso, Drug Enforcement Administration; Phil Gordon, Mayor, Phoenix, Arizona; and a public witness.

SECURITY DEVELOPMENT—PACIFIC COMMAND, EUROPEAN COMMAND AND FORCE KOREA

Committee on Armed Services: Held a hearing on security development in the areas of responsibility of the U.S. Pacific Command, U.S. European Command, and U.S. Forces Korea. Testimony was heard from the following officials of the Department of Defense: ADM Timothy J. Keating, USN, Commander, U.S. Pacific Command; GEN Bantz J. Craddoxck, USA, Commander, U.S. European Command, NATO Supreme Allied Commander Europe; and GEN Walter L. Sharp, USA, Commander, United Nations Command, Commander, United Nations Command, Commander, Republic of Korea-U.S. Combined Forces Command, Commander, U.S. Forces Korea.

DEFENSE HEALTH IT

Committee on Armed Services: Subcommittee on Military Personnel and the Subcommittee on Terrorism, Unconventional Threats and Capabilities held a joint hearing on Department of Defense Health Information Technology: AHTLA is "Intolerable," Where Do We Go From Here? Testimony was heard from the following officials of the Department of Defense: LTG Eric Schoomaker, USA, Commanding General, U.S. Army Medical Command, The Surgeon General, U.S. Army; LTC Hon S. Pak, USA, Chief Medical Information Officer, U.S. Army; RADM Thomas R. Cullison, USN, Deputy Surgeon General, U.S. Navy; MG Charles Bruce Green, USAF, Deputy Surgeon General, U.S. Air Force; LTC Donald Kowalewski, USAF, Internal Medicine Consultant to the Air Force Surgeon General, U.S. Air Force; S. Ward Casscells, M.D., Assistant Secretary, Health Affairs; Charles Campbell, Chief Informant Officer, Military Health System; COL Claude Hines, Jr., Program Manager, Defense Health Information Management Systems; Tommy J. Morris, Acting Director, Office of Deputy Assistant Secretary, Force, Health Protection and Readines Programs; and Tim Harp, Acting Deputy Assistant Secretary, Command, Control, Computers, Intelligence, Surveillance and Reconnaissance and Information Technology Acquisition.

RETIREMENT INVESTMENT ADVISERS

Committee on Education and Labor: Subcommittee on Health, Employment, Labor and Pensions held a hearing on Retirement Security: The Importance of an Independent Investment Adviser. Testimony was heard from Charles Jeszeck, Assistant Director, Education, Workforce and Income Security Issues, GAO; and public witnesses.

FTC CONSUMER CREDIT PROTECTION

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on Consumer Credit and Debt: The Role of the Federal Trade Commission in Protecting the Public. Testimony was heard from Jon Leibowitz, Chairman, FTC; and public witnesses.

HEALTHCARE ACCESS

Committee on Energy and Commerce: Subcommittee on Health held a hearing on Making Health Care Work for American families: Improving Access to Care. Testimony was heard from public witnesses.

AIG—FEDERAL OVERSIGHT

Committee on Financial Services: Held a hearing entitled ''Oversight of the Federal Government's Intervention at American International Group.'' Testimony was heard from Timothy F. Geithner, Secretary of the Treasury; Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System; and William C. Dudley, President and CEO, Federal Reserve Bank of New York.

LEBANON UPDATE

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing on Update on Lebanon. Testimony was heard from Jeffrey D. Feltman, Acting Assistant Secretary, Bureau of Eastern Affairs, Department of State and former Ambassador to Lebanon.

MILITARY MEDICAL ACCOUNTABILITY

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 1478, Carmelo Rodriguez Military Medical Accountability Act of 2009. Testimony was heard from Representative Hinchey; and public witnesses.

OUTER CONTINENTAL SHELF ENERGY DEVELOPMENT

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources and the Subcommittee on Insular Affair, Oceans and Wildlife held a joint oversight hearing entitled ''Energy Development on the Outer Continental Shelf and the Future of our Oceans.'' Testimony was heard from Ian A. Bowles, Secretary, Executive Office of Energy and Environmental Affairs, State of Massachusetts; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on the following bills: H.R. 689, To interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management; H.R. 1078, Harriet Tubman National Historical Park and Harriet Tubman Underground Railroad National Historical Park Act; and H.R. 1275, Utah Recreational Land Exchange Act of 2009. Testimony was heard from Representatives Herger, Matheson, Arcuri, Edwards of Maryland; and Kratovil; Michael Nedd, Acting Deputy Director, Bureau of Land Management, Department of the Interior; and public witnesses.

FEDERAL LAND ASSISTANCE, MANAGEMENT AND ENHANCEMENT (FLAME) ACT

Committee on Rules: The Committee granted, by a non-record vote, a structured rule providing for consideration of H.R. 1404, the ''Federal Land Assistance, Management and Enhancement (FLAME) Act.''

The rule provides for one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill.

The rule makes in order only those amendments printed in the report. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Rahall and Representatives Minnick, Connolly of Virginia, Luján, Hastings of Washington, and Goodlatte.

OMNIBUS PUBLIC LAND MANAGEMENT ACT—CONSIDERATION OF SENATE AMENDMENTS

Committee on Rules: The Committee granted, by a non-record vote, a rule making in order a motion by the Chair of the Committee on Natural Resources to concur in the Senate amendments to H.R. 146, the Omnibus Public Land Management Act of 2009.

The rule waives all points of order against the motion except clause 10 of rule XXI. The rule provides that the Senate amendments and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and

controlled by the chairman and ranking minority member of the Committee on Natural Resources. Testimony was heard from Chairman Rahall and Representatives Hastings of Washington, Bishop of Utah and Radanovich.

FEDERAL VEHICLE TECHNOLOGY RESEARCH/DEVELOPMENT

Committee on Science and Technology: Subcommittee on Energy and Environment held a hearing to Examine Federal Vehicle Technology Research and Development Programs. Testimony was heard from Steven Chalk, Principal Deputy Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy; and public witnesses.

INTERNATIONAL SCIENCE PARTNERSHIPS

Committee on Science and Technology: Subcommittee on Research and Science Education held a hearing on Coordination of International Science Partnerships. Testimony was heard from Jon Strauss, Chairman, Task Force on International Science, National Science Board, NSF; and public witnesses.

COAST GUARD ACQUISITION POLICIES AND PROGRAMS

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on Overview of Coast Guard Acquisition Policies and Programs. Testimony was heard from RADM Gary Blote, USCG, Assistant Commandant, Acquisition, U.S. Coast Guard, Department of Homeland Security, and John P. Hutton, Director, Acquisition and Sourcing Management, GAO.

POST TRAUMATIC STRESS DISORDER

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing on the Nexus between Engaged in Combat with the Enemy and PTSD in an Era of Changing Warfare Tactics. Testimony was heard from the following officials of the Department of Defense: RADM David J. Smith, USN, Joint Staff Surgeon; COL Robert Ireland, Program Director, Mental Health Policy, Office of the Assistant Secretary, Health Affairs; Bradley G. Mayes, Director, Compensation and Pension Service; Antonette Zeiss, Deputy Chief Officer, Mental Health Services; and Maureen Murdoch, M.D., Core Investigator, Center for Chronic Disease Outcomes Research, Minneapolis Veterans Affairs Medical Center, all with the Veterans Health Administration, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

SOCIAL SECURITY DISABILITY BACKLOG

Committee on Ways and Means: Subcommittee on Social Security and the Subcommittee on Income Security and Family Support held a joint hearing on Eliminating the Social Security Disability Backlog. Testimony was heard from the following officials of the SSA: Michael J. Astrue, Commissioner; and Patrick O'Carroll, Inspector General; Dan Bertoni, Director, Disability Issues for the Education, Workforce and Income Security Team, GAO; and public witnesses.

CLIMATE LEGISLATION TRADE ASPECTS

Committee on Ways and Means: Subcommittee on Trade held a hearing on Trade Aspects of Climate Change Legislation. Testimony was heard from public witnesses.

SRP BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on SRP. The Committee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 25, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine the President's proposed budget request for fiscal year 2010 for National Guard and Reserve, 10 a.m., SD–192.

Committee on Armed Services: Subcommittee on Personnel, to hold hearings to examine reserve component programs of the Department of Defense, 2:30 p.m., SR–232A.

Committee on the Budget: business meeting to mark up the concurrent resolution on the budget for fiscal year 2010, 2:30 p.m., SD–608.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine Federal Aviation Administration reauthorization, focusing on NextGen and the benefits of modernization, 9:45 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Energy, to hold hearings to examine how to improve energy market transparency and regulation, 2 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine transportation investment, 10 a.m., SD–406.

Committee on Finance: Subcommittee on Health Care, to hold hearings to examine the role of long-term care in health reform, 2:30 p.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nomination of Christopher R. Hill, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador to the Republic of Iraq, 9:30 a.m., SD–419.

Full Committee, to hold hearings to examine foreign policy and the global economic crisis, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine Southern border violence, focusing on homeland security threats, vulnerabilities, and responsibilities, 9:30 a.m., SD–342.

Committee on the Judiciary: to hold an oversight hearing to examine the Federal Bureau of Investigation, 9:30 a.m., SH–216.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the President's proposed budget request for fiscal year 2010 for the Small Business Administration, 10:30 a.m., SR–428A.

Committee on Veterans' Affairs: to hold hearings to examine State-of-the-Art information technology (IT) solutions for Veterans' Affairs benefits delivery, 9:30 a.m., SR–418.

Special Committee on Aging: to hold hearings to examine an update from the Alzheimer's Study Group, 10:30 a.m., SD–106.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Energy and Research, hearing to review the USDA administration of conservation program contracts, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Defense, on Combat Aircraft Acquisition, 10 a.m., H–140 Capitol.

Subcommittee on Financial Services, and General Government, on U.S. Consumer Product Safety Commission, 10 a.m., 2220 Rayburn.

Subcommittee on Homeland Security and the Subcommittee on Legislative Branch, joint hearing on Protecting our Nation's Leaders: Challenges of 2008 Presidential Campaign and the 56th Presidential Inauguration, 2 p.m., 2359 Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Native-American and Alaska Natives Issues, 9:30 a.m., and 1:30 p.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Raising Wages and Living Standards for Families and Workers, 10 a.m., 2359 Rayburn.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on European Command, 10 a.m., and on Department of Defense/Veterans Affairs Medical Transition, 2 p.m., H–143 Capitol.

Subcommittee on State, Foreign Operations and Related Programs, on Public Witnesses, 9:30 a.m., 2358 A Rayburn.

Committee on Armed Services,, hearing on Effective Counterinsurgency: How the Use and Misuse of Reconstruction Funding Affects the War Effort in Iraq and Afghanistan, 10 a.m., 2118 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Contingency Contracting: Has the Call for Urgent Reform Been Answered? 4 p.m., 2212 Rayburn.

Subcommittee on Readiness, hearing on readiness and sustainment of the Navy's surface fleet, 2 p.m., 2118 Rayburn.

Committee on the Budget, to mark the Concurrent Resolution on the Budget for Fiscal Year 2010, 10:30 a.m., 210 Cannon.

Committee on Education and Labor, hearing on GAO's Undercover Investigation: Wage Theft of America's Vulnerable Workers, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Environment, hearing on Adaptation Policies in Climate legislation, 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled ''Exploring the Balance between Increased Credit Availability and Prudent Lending Standards,'' 10 a.m., followed by a markup of the following measures: To amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008, to prohibit unreasonable and excessive compensation and compensation not based on performance standards; and H. Res. 251, Directing the Secretary of the Treasury to transmit to the House of Representatives all information in his possession relating to specific communications with American International Group, Inc, (AIG), 2:15 p.m., 2128 Rayburn.

Committee on Foreign Affairs, to mark up H. Res. 152, Expressing the sense of the House of Representatives that the United States remains committed to the North Atlantic Treaty; followed by a hearing on Climate Change and the Arctic: New Frontiers of National Security, 9:30 a.m., 2172 Rayburn.

Committee on House Administration, to mark up the following measures: Providing for the expenses of certain committees of the House of Representatives in the One Hundred Eleventh Congress; Dismissing the election contest relating to the office of Representatives from the First Congressional District of Hawaii; H.R. 1299, Capitol Police Administrative Technical Corrections Act of 2009; House Reservists Pay Adjustment Act of 2009; H.R. 151, Daniel Webster Congressional Clerkship Act of 2009; H.R. 749, To amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; H.R. 415, Fallen Heroes Flag Act of 2009; and Committee Resolution No. 111–5, providing Official Mail Allowance to Committee of the House for the 111th Congress, 11 a.m., 1310 Longworth.

Committee on the Judiciary, to continue markup of H.R. 1139, COPS Improvements Act of 2009; and to mark up H.R. 985, Free Flow of Information Act of 2009, 10 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, to mark up H.R. 626, Federal Employees Paid Parental Leave Act of 2009, followed by a hearing on Restoring the Financial Stability of the U.S.

Postal Service: What Needs to be Done? 9:30 a.m., 2154 Rayburn.

Subcommittee on Government Management, Organization, and Procurement, hearing on Roles and Responsibilities of Inspectors General in Financial Markets Regulatory Agencies, 2 p.m., 2247 Rayburn.

Committee on Science and Technology, to mark up the following: H.R. 1580, Electronic Waste Research and Development Act; and H.R. 1145, National Water Research and Development Initiative Act of 2009, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Oversight of the Small Business Administration and its Programs,'' 2 p.m., 2360 Rayburn.

Committee on Veterans' Affairs, to mark up the following bills: H.R. 1171, Homeless Veterans Reintegration Program Reauthorization Act of 2009; H.R. 1377, To amend title 38, United States Code, to expand veterans' eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility; and H.R. 1513, Veterans' Compensation Cost-of-Living Adjustment Act of 2009, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on NSA, 9:30 a.m., HVC.

Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Hot Spots, 4 p.m., HVC.

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 25

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 1388, Generations Invigorating Volunteerism and Education Act. Also, at 12 noon, Senate will begin consideration of the nomination of David S. Kris, of Maryland, to be an Assistant Attorney General, and vote on confirmation thereon.

(Senate will recess from 12:30 p.m. until 2 p.m. for the Democratic party conference.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 25

House Chamber

Program for Wednesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Baca, Joe, Calif., E755
Bachmann, Michele, Minn., E752
Bilbray, Brian P., Calif., E750
Brown-Waite, Ginny, Fla., E748, E753
Burgess, Michael C., Tex., E753, E755
Carson, André, Ind., E751
Castle, Michael N., Del., E751
Clarke, Yvette D., N.Y., E748
Clay, Wm. Lacy, Mo., E752
Courtney, Joe, Conn., E749
Crowley, Joseph, N.Y., E750
Doyle, Michael F., Pa., E755
Engel, Eliot L., N.Y., E749
Garrett, Scott, N.J., E749
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