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Senate

The Senate met at 9:30 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 and blessed God, in the midst of our days of labor, we are grateful for opportunities to pray.

As our lawmakers grapple with pressing issues, give them the wisdom to seek Your guidance and to depend upon Your direction. Respond to their petition by undergirding them with Your enabling might, empowering them to exercise responsible stewardship of their influence by striving to be lights in a dark world. Open their ears and hearts this day to hear Your voice and obey Your commands, strengthening them to make their utmost contribution to healing a hurting world.

We pray in Your great 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. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 30, 2010.

To the Senate:

Under the provisions of rule I, paragraph 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.

DANIEL K. INOUYE,
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, if any, the Senate will turn to a period of morning business for 2 hours, with Senators during that period of time allowed to speak for up to 10 minutes. Following morning business, the Senate will proceed to executive session and will debate the nomination of GEN David Petraeus. There will be up to 20 minutes for debate prior to a vote on confirmation of the nomination. Senators should expect that vote to occur around noon today.

As a reminder to all Senators, last evening I filed cloture on unemployment insurance and the home buyer tax credit extension. That vote would occur tomorrow unless we arrange, by unanimous consent, sometime today to do this. I will work with the Republican leader on an agreement that would let us vote on that issue today if the minority is so determined.

We will also be able to resume consideration of the small business jobs bill this afternoon. We will consider amendments. Rollcall votes are expected to occur throughout the afternoon and into the evening.

I say to Democratic Senators, we were looking yesterday for an amendment, but none was available. So I agreed to have something happen in the interim and let the Republicans offer amendments if we have none ready or offered. I hope we will also be able to resume consideration of this matter and make headway. It is extremely important that we do that.

On unemployment compensation, we really need to do this. I have had a number of conversations with Senators from individual States about how difficult it is for them to have these long-term unemployed no longer having anyplace to go for help, and there are newspaper articles about people who are desperate throughout America. So I hope we can do something on that.

We have here, and I will call for it in a little bit, the reading of the bill we got from the House of Representatives dealing with extending the first-time home buyer tax credit. That will allow the paperwork to be completed. There is significant support on the other side for this, and I would hope we could do this by consent. If not, it will be part of the vote we have on unemployment compensation. There is no effort to do anything other than to get these two matters passed. So I would hope my friends on the other side of the aisle would consider just letting us do the home buyers assistance, the thing that passed the House. It is paid for. It has been agreed to by Democrats and Republicans. It passed the House last night with 400 votes—400 votes. So I would hope we could get that done by consent. It is the end of the month today, and we should get this done. I hope we can do that.

As many people are aware, Senator BYRD will lay in repose in the Senate Chamber from 10 a.m. until 4 p.m. tomorrow. The family will be in the Chamber from 10 a.m. until 12 noon. Members are encouraged to pay their respects to the family from 10:15 a.m. until 12 noon.

Senate staff with floor privileges and a congressional ID are invited to pay respects from the Senate floor and should enter the Chamber through the north door of the Capitol. Members of the public and Senate staff without floor privileges are invited to pay tribute to Senator BYRD from the Senate

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

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galleries from 10:15 a.m. until 3:45 p.m. The public and staff without floor privileges should enter via the Capitol Visitor Center.

MEASURE PLACED ON THE CALENDAR—H.R. 5623

Mr. REID. Mr. President, as I indicated, H.R. 5623, the Homebuyer Assistance and Improvement Act, is at the desk. I believe it is due for a second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 5623) to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

Mr. REID. Mr. President, I would at this time object to any further proceedings.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

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

CAP AND TRADE

Mr. MCCONNELL. Mr. President, yesterday, President Obama invited a group of Senators down to the White House to talk about the kind of energy bill he would like Congress to pass sometime this summer.

The first thing we heard about this meeting is that the President said it was not a meeting about the oilspill. Let me say that again. The President said the purpose of this meeting was not to discuss the ongoing crisis in the Gulf of Mexico, where up to 60,000 barrels of oil are spewing into the gulf waters each and every day, and which have been for 72 days now.

Senator ALEXANDER had to raise the issue himself, only to be dismissed by the President. Well, I am sure that will be of great comfort to the people of the gulf coast. When the President called Senators to the White House to talk about energy, I am sure most people in the gulf thought the crisis down there would at least be a topic of discussion. Evidently, they were wrong.

The second thing we heard about the meeting is that the President made what was described as a ''very passionate'' argument in favor of ''putting a price on carbon.'' This, of course, is code for the new national energy tax commonly referred to around here as cap and trade.

This is what the meeting was really about. And those of us who said that this is also what the President was talking about in his Oval Office speech a couple weeks ago were right: when the President urged Americans to view the gulf oilspill as a reason to embrace his vision of energy consumption in this country, he was talking about giving government vast new powers over industry and over the everyday lives of Americans through a new national energy tax.

In other words, at a moment when the American people were hoping to hear about what the White House was doing to fix the oil leak in the gulf, the President was using that moment to prepare the ground for yet another piece of legislation that would expand the reach of government, and which would do absolutely nothing to solve the crisis at hand.

The leak still is not fixed. For more than 2 months, this pipe has gushed oil into the gulf, polluting our waters and our beaches, wreaking havoc on the lives and livelihoods of millions along the gulf. I think it is most people's view that the left-wing wish-list can wait. Fixing this immediate problem should be the top priority right now.

One of the President's senior advisers said the other day that when the President was elected, he had to deal with problems that had been put off for too long. But the administration needs to solve the most urgent problems first, and the most urgent problem is not a new national energy tax, it is the crisis in the gulf.

Former President Clinton had it right the other day. He said the Federal Government's position on this issue ought to be very straightforward. The most important thing, he said, is to fix the leak. The second most important thing is to keep oil away from the shores. The third most important thing is to minimize the damage from the oil that reaches the shores. And the fourth most important thing is to find out who did what wrong, at BP and in the Federal Government, and to hold them accountable.

But the first thing is to fix the leak.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois.

ADDRESSING THE ISSUES

Mr. DURBIN. In response to the Republican leader's speech, I have three words: Drill, baby, drill. That was the chant we heard across the United States from the Republican side of the aisle during the last Presidential campaign. The notion was that if we just started drilling in every direction, we could solve America's energy problems. It was an irresponsible chant, failing to address the most fundamental issue of our time: the future of America's national energy picture.

What you heard this morning from the Republican leader is a return to the subject but ignoring the past. What we know is this: We know we have become more and more dependent on foreign oil. It costs us, as a Nation, $1 billion a day that we are sending overseas to other countries to buy their oil to sustain our economy. This dependence, unfortunately, leads to commitments we have to make—military commitments, political commitments, economic commitments—because of this dependence on foreign oil.

The second reality is this: We understand there is a new, emerging energy technology in the 21st century. It is an energy technology based on efficiency, economy, and the reduction of costs. There are other countries in the world that are taking the lead in this area, not the least of which is the nation of China.

I recently heard from MICHAEL BENNET of Colorado, who spoke to us at a Democratic Senate luncheon. He came up with a statistic which in many ways is hard to believe but equally scary, and here is what it is: The largest export of the United States of America of any product is in the aircraft industry. Look at Boeing. Look at all of the aircraft we are exporting around the world. It is our major export. Yet if you compare our major export to the export by China—by China—of energy technology to the world, they are now at 50 percent of the value of our annual aircraft exports. China has decided that the future of the world is based on new, clean energy technology, and they are doing something about it. They don't come to their leadership and squabble, at least not in a public fashion; they get focused—focused on creating businesses and jobs and being ready to compete in the 21st century.

The third premise of our energy policy goes to something on which the Senator from Kentucky may or may not agree with me. I happen to believe the activities of humans on this Earth make a difference when it comes to the planet. I happen to believe when we look at glacial melt around the world, it reflects the fact that the world is changing. Ever so gradually, it is getting warmer. As the Earth increases its temperature, it changes weather patterns, the currents of the oceans, the land we live on, the crops we grow, and our future. Some people don't accept that. Some don't see a connection. They don't believe any of the carbon released into the atmosphere creates a problem. I have met many of them. Some are people who in good faith don't come to the same conclusion I reach. I respect them, but I respectfully think they are wrong.

What have we learned from the gulf crisis? We have learned a lot. Yesterday I had one of the vice presidents of BP America in my office. I talked to him about how we have reached this point. I said: When we have reached the point where we are drilling deep, going after the tough, deep oil to fuel our economy and its needs, we are engendering more problems and more challenges than before. Had there been a spill of oil in downstate Illinois or in Alaska or Texas, it would have been terrible, but it could have been contained much more quickly than this gusher of oil coming from the floor of the Gulf of Mexico. As we explore in new areas, tougher, more challenging areas, we run greater risk. That is a reality.

I take exception to the remarks of the Senator from Kentucky who suggested this administration is not doing everything in its power to deal with this spill in the gulf. Let's look at what we have done. This President called in BP and made it clear that the cost of this damage will be borne by that oil company, not by the taxpayers. I was pleasantly surprised when the Governor of Mississippi, Haley Barbour, a man who in the past was as passionate in his beliefs as I am in my Democratic beliefs, came out and praised President Obama for sitting down with BP and getting a commitment of $20 billion in a fund to deal with the economic losses associated with this spill. BP has bought commercials that most of us have seen saying: We will pay for this, all of it. I don't know if the Senator from Kentucky thinks that is unimportant. I believe it is important.

Secondly, I am as troubled by the continuing spill as anyone. I know the President feels that has to end and end immediately. But as the Senator from Kentucky knows, we don't have a U.S. department of deep sea drilling. It doesn't exist. What we are relying on is the private sector's capacity, technology, equipment, and expertise to find a way to cope with this problem. I am as frustrated as any American that on day 75 of this spill, it has not come to an end. But it continues. The President focuses on this every day, as does his Cabinet.

Yesterday we had a meeting with Interior Secretary Ken Salazar. The man has spent day after weary day devoting himself completely to this. Carol Browner, an environmental assistant in the White House, was there talking about the massive commitment which we have made. She was asked pointblank: Are you providing the booms, the things they spread out in the water to stop the flow and spread of this oil, are you supplying all of the booms requested by all of the States in the Gulf of Mexico?

She said: We are supplying not only 100 percent of their requests but over 100 percent of their requests, and we are going to continue to manufacture and secure this boom to protect our shoreline. She said: Of course, we haven't done everything right, but when we see a problem, we move on it quickly to try to solve it.

We are talking about the commitment of thousands of vessels to skim the surface of the gulf and to try to salvage as much of this oil as possible. It is a massive national commitment by our government, by the private sector. The suggestion of the Senator from Kentucky that the President is not focused on it is not accurate nor fair.

I believe we need to focus on energy. We need to be honest about the future when it comes to energy. If we accept the premise that we will continue to be dependent on foreign oil indefinitely, that we will spend a billion dollars a day, sending it to many countries which not only disagree with us in terms of our values but turn around and spend our dollars against us to foster and to be patrons to terrorism, if we accept that, then we will do nothing about a national energy policy. If we accept the premise that we should do nothing about clean energy technology and all the potential for business and jobs it creates, that America is going to take a back seat to China and other countries, then we will do nothing about the national energy policy. If we accept the premise that there is no global warming and we should not lose a moment's sleep worrying about it, then we will do nothing about a national energy policy.

That is what we hear from the other side of the aisle, do nothing, say no. Over and over throughout this congressional session, the response of Senate Republicans has been say no. When we tackled the tough and controversial issue of containing health care costs, runaway costs that are affecting every business, every family and every level of government, Republicans said: No, we will not engage. We will not be part of that conversation.

When we went after Wall Street reform and said: After this recession, we have learned lessons; we will not allow these titans on Wall Street to repeat their mistakes and kill more jobs in the future, all but four Republicans said: No, we are not interested in that conversation. We don't want to be part of that effort.

Now we find again, in one of the most telling and important issues of the moment, unemployment compensation for the hundreds of thousands of Americans out of work, Republicans have said, no, we will not lend a helping hand to the people of America out of work.

I look at the numbers of those who are unemployed across the country, who will lose their benefits because Republicans continue to say no. I look at States such as Kentucky, the home State of the Republican leader, where 22,600 Kentucky families had their unemployment cut off because Senator MCCONNELL and his colleagues voted no when it came to extending unemployment benefits. In my State of Illinois, 80,000 families had their unemployment cut off this month because Republicans said no. One of my friends who is a woman out of work, with a family, called me over the weekend at home. We keep in touch. She said: Let me tell you, Senator, what it means. They are cutting off the utilities. I don't know what to do. Three kids in the house and a grandson, and they are cutting off my utilities.

That is the real world of the real votes cast by the other side of the aisle.

This morning the New York Times had an editorial which I want to make reference to. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 30, 2010]

WHO WILL FIGHT FOR THE UNEMPLOYED?

Without doubt, the two biggest threats to the economy are unemployment and the dire financial condition of the states, yet lawmakers have failed to deal intelligently with either one.

Federal unemployment benefits began to expire nearly a month ago. Since then, 1.2 million jobless workers have been cut off. The House passed a six-month extension as part of a broader spending bill in May, but the Senate, despite three attempts, has not been able to pass a similar bill. The majority leader, Harry Reid, said he was ready to give up after the third try last week when all of the Senate's Republicans and a lone Democrat, Ben Nelson of Nebraska, blocked the bill.

Meanwhile, the states face a collective budget hole of some $112 billion, but neither the House nor the Senate has a plan to help. The House stripped a provision for $24 billion in state fiscal aid from its earlier spending bill. The Senate included state aid in its ill-fated bill to extend unemployment benefits; when that bill failed, the promise of aid vanished as well.

As a result, 30 states that had counted on the money to help balance their budgets will be forced to raise taxes even higher and to cut spending even deeper in the budget year that begins on July 1. That will only worsen unemployment, both among government workers and the states' private contractors. Worsening unemployment means slower growth, or worse, renewed recession.

So if lawmakers are wondering why consumer confidence and the stock market are tanking (the Standard & Poor's 500-stock index hit a new low for the year on Tuesday), they need look no further than a mirror.

The situation cries out for policies to support economic growth—specifically jobless benefits and fiscal aid to states. But instead of delivering, Congressional Republicans and many Democrats have been asserting that the nation must act instead to cut the deficit. The debate has little to do with economic reality and everything to do with political posturing. A lot of lawmakers have concluded that the best way to keep their jobs is to pander to the nation's new populist mood and play off the fears of the very Americans whose economic well-being Congress is threatening.

Deficits matter, but not more than economic recovery, and not more urgently than the economic survival of millions of Americans. A sane approach would couple near-term federal spending with a credible plan for deficit reduction—a mix of tax increases

and spending cuts—as the economic recovery takes hold.

But today's deficit hawks—many of whom eagerly participated in digging the deficit ever deeper during the George W. Bush years—are not interested in the sane approach. In the Senate, even as they blocked the extension of unemployment benefits, they succeeded in preserving a tax loophole that benefits wealthy money managers at private equity firms and other investment partnerships. They also derailed an effort to end widespread tax avoidance by owners of small businesses organized as S-corporations. If they are really so worried about the deficit, why balk at these evidently sensible ways to close tax loopholes and end tax avoidance?

House lawmakers made an effort on Tuesday to extend jobless benefits but failed to get the necessary votes, and it remains uncertain if an extension can pass both the House and Senate before Congress leaves town on Friday for a weeklong break. What's needed, and what's lacking, is leadership, both in Congress and from the White House, to set the terms of the debate—jobs before deficit reduction—and to fight for those terms, with failure not an option.

Mr. DURBIN. The New York Times editorial today reads: ''Who Will Fight for the Unemployed?''

I want to quote a few sentences from it:

Without doubt, the two biggest threats to the economy are unemployment and the dire financial condition of the states, yet lawmakers have failed to deal intelligently with either one.

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Meanwhile, the states face a collective budget hole of some $112 billion, but neither the House nor the Senate has a plan to help. The House stripped a provision for $24 billion in state fiscal aid from its earlier spending bill. The Senate included state aid in its ill-fated bill to extend unemployment benefits; when that bill failed, the promise of aid vanished as well.

As a result, 30 states that had counted on the money to help balance their budgets will be forced to raise taxes even higher and to cut spending even deeper in the budget year that begins on July 1. That will only worsen unemployment, both among government workers and the states' private contractors. Worsening unemployment means slower growth, or worse, renewed recession.

I might add a comment here. This morning's newspapers, the Washington Post and the New York Times, at least the ones I have seen, and the Chicago papers as well, question what the reaction of our economy is going to be. They looked at the stock market yesterday. One day does not make a trend, but there is a growing concern that we are sliding back into a recession because of the failure of Republicans to support not only the President's stimulus package but also to send unemployment benefits to those needy people across America. This is a repeat, unfortunately, of a chapter in American history when after the Great Depression, President Roosevelt initiated the New Deal and injected into our economy massive amounts of money to create jobs so people would go to work, earn a paycheck, and spend it for goods and services, breathing life back into a dying economy, trying to turn it around. After 4 years of that effort, President Roosevelt, at the urging of more conservative political leaders, said: We better start focusing now on the deficit. They started tapping the breaks on spending, and the unemployment rate shot up again, creating a follow-on to the Great Depression which was not relieved until the beginning of World War II.

Sadly, it appears we are about to repeat that historical mistake. We know Republicans continue to argue that because of our deficit, we should not worry about the recession or spending money to stimulate the creation of jobs. The money we send out to unemployed people is turned around immediately into the economy. These people are living hand to mouth. Every dollar they receive is spent. As it is spent at a business, it creates business profits and small business jobs. One thing leads to another as the multiplier takes that dollar, responds it many times in our economy and breathes life back into an economy which has been fraught with a recession. That is the reality of the need today. The failure to meet that need will guarantee the deficit continues and gets worse. It will be a self-fulfilling prophecy as Republicans turn down unemployment benefits, arguing that we can't afford it as a nation because of the deficit and, as a result, drive up unemployment in the country, driving up the very deficits they say they want to end. It is a lesson of history. Those who ignore history are likely and condemned to repeat it.

Returning to this New York Times editorial:

So if lawmakers are wondering why consumer confidence and the stock market are tanking (the Standard & Poor's 500-stock index hit a new low for the year on Tuesday), they need look no further than a mirror.

The situation cries out for policies to support economic growth—specifically jobless benefits and fiscal aid to states. But instead of delivering, Congressional Republicans and many Democrats have been asserting that the nation must act instead to cut the deficit. The debate has little to do with economic reality and everything to do with political posturing. A lot of lawmakers have concluded that the best way to keep their jobs is to pander to the nation's new populist mood and play off the fears of the very Americans whose economic well-being Congress is threatening.

Deficits matter, but not more than economic recovery, and not more urgently than the economic survival of millions of Americans. A sane approach would couple near-term federal spending with a credible plan for deficit reduction—a mix of tax increases and spending cuts—as the economic recovery takes hold.

This New York City editorial summarizes what I consider the situation. In a short period of time, after the memorial to our fallen colleague Senator BYRD, who served this Nation and West Virginia so well, we will probably have one vote tomorrow evening and then head back to our homes. For many people it will be a time of relaxation with family. For many Senators it is a rest that is needed after a lot of days spent in session in the Senate. As we return, in my home State, 80,000 families won't be celebrating the Fourth of July. They will be wondering how they are going to pay their utility bills and feed their families. For the rest of us who live in comfort, full-time employment, it may be a world removed. But for them, it is the world of reality they face every single day. Their life has become more complicated, and their burden is heavier because this Senate has failed to extend unemployment benefits.

Mr. President, 1.2 million Americans in the month of June will lose their unemployment benefits because not one single Republican would vote to help Americans who have lost their jobs through no fault of their own. Where they would find permission to spend money on so many other things, when it comes to investing in American families who have fallen on hard times, they turn a deaf ear. That, to me, is sad and unfortunate. We need to address many issues in this Congress. It troubles me that we would consider going home for anything near a holiday or a relief from our Senate duties and ignore the burdens facing Americans who are in unemployed status or who have trouble in their families because of this weak economy.

I sincerely hope a handful—three or four Republicans—will consider voting for unemployment benefits for those across America who are out of work. We come to the aid of the American family when people are in need. When there is a natural disaster, we are there. This is an economic disaster. It requires an emergency response. We should not leave Washington without dealing with it.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Alaska is recognized.

Mr. BEGICH. Mr. President, I say to the Senator from Illinois, I was presiding for about a half hour. I was not planning on speaking. I know my staff right now is getting very nervous that I am speaking on the floor of the Senate without their knowledge, but I do want to say a couple things.

I say to the Senator, one, he is absolutely right on unemployment benefits and what we need to do in the next day or so. But I want to go back to his first comment. I was at the meeting yesterday with the President, and I sat next to Senator ALEXANDER and heard the question on the oilspill issue. The comment from the Republican leader was that the President just brushed it aside. I am not here to defend the President. He can do his own job defending himself. But the point was, we

were doing everything in a very bipartisan way on the oilspill.

Tomorrow we have another briefing with the Coast Guard. We had a briefing yesterday. There is a committee meeting I am supposed to be at right now on some liability issues around the Deepwater and what is going on with offshore. There are meetings all over this place.

I know the Republican leader was not at the meeting, so I am sure he got the information secondhand. But I was. It was not brushed off. I think all of us, I do not care what State we are from—I am from an oil and gas State—believe in the development of oil and gas, but we are all concerned about the problems down in the gulf and the tragedy and the 11 lives that were lost there. So we are 100 percent committed in this body in a bipartisan way.

What I found amazing—and the Senator's point was we can do more than one thing in this body. I believe I can. I know everyone around me and around my caucus believes that. So we are going to work on the oilspill. Absolutely we want to cap it. But that is going on now. They are 16,000 feet down on a second drill, a relief drill. They are about 1,000 feet away. We know that is being worked on.

But the reality is, we have to have a comprehensive energy plan in this country. The fact is, if we want to talk about jobs and job creation in the future, that is a huge potential for us.

This debate, when we get to it—I know some want to make it cap and tax, cap and trade, cap and cap, cap and something. But the reality is, this is about a comprehensive energy plan. This is about creating a plan that gets us more secure for our national security. I say to the Senator, he talked about the amount of money we spend overseas going to countries that do not like us. They spend that money against us. It is in our best interests to develop a comprehensive plan, not using the excuses that have gone around this place for the last 40 years. We need to get busy and do it for the consumer, do it for our national security, do it for our economic security, and do it for the future of job creation in this economy.

So if we want to talk about the oilspill, absolutely. We will work double-time on that. We are doing it from every end of the Capitol and all across this country. As a matter of fact, today another report came out. A multinational effort, a multicountry effort from around the world has come to our assistance in the gulf. But we also need to be dealing with a comprehensive energy plan.

In Alaska, we are doing it. By 2025 we intend to have 50 percent of our energy produced by renewable energy. Even though we are dependent on oil and gas for the economic viability of our State, we recognize the diversity that has to happen: In Kodiak, AK, 10 years ago, zero; today, almost 85 percent renewable energy. The largest Coast Guard station in this country is in Kodiak, AK, which will be run by renewable energy: biofuels, hydro, wind energy.

We have to be real about this issue. I understand the politics of November is coming. Everyone wants to be for something, against something so they can figure out what constituencies they win or lose in an election. The people who will lose if we do not get a comprehensive energy plan is the public. It does not matter if we are Democrat or Republican, Green Party, Independent. You name it. We are going to be affected because we will continue to import from foreign sources that do not like us. We will continue to put our country at risk from a national security perspective, and we will not recognize that we are now No. 2, No. 3 when it comes to energy technology and China is beating us.

That is unacceptable for this country to be No. 2 or No. 3 on this issue. We should be No. 1. For people to come down wanting to pigeon-hole this and claim we do not have the capacity in the Senate to do more than one thing is unbelievable. We will work double-time on the oilspill. But we must work double-time on developing an energy policy that moves us to better security for our country, our economic security, and to make sure we see the future. The future is a new energy economy that creates new jobs in this country.

So I was not planning to speak, I say to the Senator from Illinois, but he sparked me. I get agitated sometimes when this body—not the Senator, obviously, but the Republican leader—when they want to just do one thing. It is like when a person gets a meal on a plate, and one person just likes to eat the corn first, complete it all, and then they move to the next thing. We have the capacity to do many things in this Senate. We have spent 40 years—from the last major embargo in 1974—twiddling our thumbs and doing small, little, special interest legislation for energy. Now let's do the right legislation for the American people and do it right for our national security.

So I will stop on my rant. My staff is probably sweating bullets right now. They had no idea I was going to be down here doing this. I am off to a committee hearing.

I thank the Chair.

Mr. DURBIN. Mr. President, if the Senator would yield briefly for a question, 21 years ago, I went up to Prince William Sound to see the Exxon Valdez spill. I say to the Senator, I know he knows, as a native of Alaska, firsthand how terrible these spills can be, the impact they can have in the short and long term. But I commend the Senator for his statement because we can do more than one thing if we are working together. If we are divided and at war politically, we do not accomplish much.

What the President wants us to do is deal with the gulf oilspill but also not ignore the need for a national energy policy that is going to make us stronger, create more jobs, and make us less dependent on foreign oil.

I thank the Senator from Alaska for his comments.

Mr. BEGICH. I thank the Senator for sparking me for the day.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Thank you, Mr. President.

While I will be speaking on the subject of Senator BYRD, I, too, want to join my colleague from Illinois in commending our Senator from Alaska on this issue and so many others. The Senator's staff does not have to worry. He speaks fluidly, eloquently, and without flaw. But, second, I think his courage on this issue has helped inspire our caucus to move forward.

We come from different States. For some States it is easier; for some States it is harder to take on this issue. Probably for Alaska it is one of the two or three hardest States to do it, and the Senator has done it with courage, with intelligence, with drive, and I think ultimately with success.

So I thank the Senator.

REMEMBERING SENATOR ROBERT C. BYRD

Mr. SCHUMER. Mr. President, it is with deep sadness that I rise to honor my colleague and friend, Senator ROBERT C. BYRD. I look at the simple eloquence of the roses and the black felt on his desk, and, sort of, he rises above that and hovers above us in just about everything we do.

The admiration that all of us in this body have for Senator BYRD is genuine and palpable. We miss him dearly, and I know I speak for the entire Senate when I say our thoughts and prayers are with Senator BYRD's family as they mourn his passing.

Mr. President, no one loved the Senate more than ROBERT BYRD. He devoted his life to this august institution and, in doing so, became an institution himself. He is a legend—a man who embodied the best ideals of this body. It is fitting that on this day we remember Senator BYRD the Senate is undertaking one of its most important constitutionally mandated responsibilities: the confirmation hearings for a Supreme Court Associate Justice.

Senator BYRD would remind us that we are in a process where the first branch of government is giving its advice and consent to a selection from the second branch of government in choosing someone to sit on the highest part of the third branch of government.

He loved the Constitution, he loved the Senate, he loved America, and he came from the bosom of America.

I am struck by the history of this moment. We read about the great Senators who served in this body—the Websters and the Clays, the LaFollettes and the Wagners. Well, I cannot help but feel privileged to have served, in my brief time—certainly compared to the Senators here—with a legend, with a man whose name will go down in history beside those men as

one of the great men in this body and one of the great men in history.

On Thursday, Mr. President, Senator BYRD will make one final visit to this Senate Chamber that he so loved. There could be no more appropriate way for us to say good-bye to him and honor him than to yield the Senate floor to him for one last time.

People asked, why not the Rotunda? It was not that he did not deserve tribute in the Rotunda, and, for sure, tens of thousands would have lined up. But this is the body he loved, and this is the body where his final day here should be.

I would like to share a few brief thoughts and reflect on Senator BYRD's service to the people of West Virginia and the Nation.

The most important thing we should all remember about ROBERT BYRD is his life story, for it embodies America, the best of America. It embodies the American dream. Because of his intelligence, his indefatigable energy, and up-by-the-bootstraps determination, he rose from a childhood marred by abject poverty to being three heartbeats away from the Presidency.

He made mistakes in his earlier career, which he freely admitted later. Who has not? But he just grew and grew and grew. That is what great men do: they grow larger and stronger and better as they go through life. That could certainly be said of Senator BYRD.

Unlike many of the great men who preceded him, Senator BYRD did not grow up as a member of a privileged class. He was an orphan, raised in the Appalachian coal towns of West Virginia. He graduated from high school at 16 as the valedictorian, but like so many Americans of his day, he was too poor and could not afford college.

So as a young Member of Congress, he worked his way through law school, and, at age 46, he earned the diploma—with honors—that had eluded him in his youth.

I remember his love of West Virginia. When I was new in this body, just learning it—and part of the way I learned it was by going to Senator BYRD's class on the rules of the Senate; legendary to each freshman class of his time—but one day I was just seated at my desk, and Senator BYRD rose to speak. It was a Friday afternoon. I believe it was in the springtime. Business was finished and everyone was rushing home. As you know, Mr. President, I usually rush home. I love to be in New York. But as I was getting ready to leave, Senator BYRD rose, and his speech captivated me.

For 45 minutes he gave a speech on the beauty of West Virginia in the springtime. The theme of the speech was to urge visitors from other States to come experience it. It was an amazing speech. It was almost like poetry. I am sure Senator BYRD probably did not have to sit and spend days preparing it. It just flowed off his lips, his love of West Virginia, combined with his eloquence. It is one of the speeches I will always remember in the Senate, and I am just lucky and glad I was here for that moment.

Then, speaking of my State of New York, Senator BYRD did not just touch West Virginia, he touched every State. Because he was here for so long, of course, he had such power but cared about each of the Members and their States.

The most striking moment I had with Senator BYRD occurred in the wake of 9/11. It was the day after that Senator Clinton and I went up to New York, and we saw the devastation. We could smell death in the air, see the anguished looks of people holding signs: Have you seen my husband? Have you seen my wife? The towers were gone, but people did not know who had survived and who had not. Most did not, of course.

Then the next call we got, as we came back, was from Senator BYRD. Senator BYRD said: Please come to my office. We went to his office on the first floor of the Capitol. He came to Senator Clinton and I and said: CHUCK, Hillary, I want you to consider me the third Senator from the great State of New York.

We knew we needed help, and we needed it fast. Even before we went to visit President Bush and asked him for the help that New York needed, Senator BYRD, on his own, invited us over and pledged his help. Like always, he lived up to his word, not just in the next days or weeks or months but years. I would go to him 3, 4 years later and say there is still this part of the promise made to New York that hasn't been fulfilled. There he was, and he did it. Without a doubt, the dear city I love, New York City, would not have been able to recover as quickly or as well without that man from the coal fields of West Virginia, Senator ROBERT C. BYRD, helping us. He showed a level of selflessness that is rarely seen, and I think I can speak on behalf of Secretary Clinton and the people of New York in telling Senator BYRD how grateful we are to him.

We all have so many memories of Senator BYRD, so many things. We only served together a little less than 12 years, 11½ years, but he was like a jewel. He had so many different facets that every one of us was touched by him in many ways.

So I relate my last strong memory of Senator BYRD. The Presiding Officer remembers as well because it was at a hearing of the Rules Committee where we are now having a series of hearings under the suggestion of the Presiding Officer and leadership to decide whether we should reform the filibuster rule and what we should do about it. Senator BYRD, frail at that point, about a month ago, came to our hearing room. He sat next to me and then gave one of the best orations I have heard in a committee. He was 92. He turned the pages of his speech himself. That wasn't so easy for him. It was clearly—knowing the way he thought and his way of speaking—written completely by him. It was an amazing statement. It was impassioned, erudite, balanced, and, as the Presiding Officer remembers, it electrified the room. It was an amazing tour de force. The man cared so much about the Senate. Despite the fact he was ailing, there he was because he loved the Senate. His remarks, if my colleagues read them, were balanced. He understood the problems, but he understood the traditions, and he tried, as usual, to weave the two together.

There are few Senators who could do that, in the more than 200-year history of this body, the way he could. There are also few Senators in this body who fought as hard for their States as Senator BYRD did. I certainly admire the people who are here who become national leaders but never forget where they came from. There is a tendency among some who come to Washington to sort of forget where they came from. Not Senator BYRD. All across West Virginia, men and women are able to realize the American dream because he fought for them. He was unrelenting and unapologetic in his desire to improve the lives of West Virginians by making generous investments in infrastructure and research. He brought that State into the future and afforded generations of West Virginians good-paying jobs, allowing them to provide for their families and have the dignity all Americans deserve.

Some of the more elite parts of the media would make fun of what he did, but I thought our colleague, Senator ROCKEFELLER, said it best. I am paraphrasing; I read this in the newspaper. He said Senator BYRD realized that until you get a road and a water system to these isolated towns, you couldn't open the door of the future for them, and he knew that. Senator BYRD relentlessly, in town after town after town, did that. He fought to increase access to health care and ensure the people had the right to vote, and he made sure every child in West Virginia had the right to live up to his God-given potential through a quality education.

Every one of us could go on and on about Senator BYRD's accomplishments, but I think what is even more important than accomplishments is who he was as a person. He was someone who knew where he stood but showed a profound willingness to evolve, and that is a sign of extraordinary character. It is all too easy for an elected official to plug his ears and say: Sorry, that is my position; that is the way it has always been, and that is the way it will always be. Not Senator BYRD. He was unafraid to take new arguments into consideration and expand his world view accordingly.

What also struck me about him was his fundamental humility, the best example of which is probably his relationship with my dear friend and mentor, Ted Kennedy, another legend in

this body who is so sorely missed. Ted somewhat unexpectedly ran against Senator BYRD to be the Democratic whip in 1969. Senator Kennedy won. Two years later there was a rematch and Senator BYRD became the whip. One would think after this kind of animus that the two of them would never come together, but in their lives in the Senate they established a deep meaningful bond, a tribute to both of them.

Senator Kennedy would tell me stories about Senator BYRD and some of the things he had done, serious and humorous. To me it is so profound that within a year we have lost the two giants among whom I was proud and lucky to serve.

I will never forget when Senator BYRD, sick as he was, was outside the steps of the Capitol to salute Ted Kennedy after he passed earlier this year. It was Senator BYRD who provided the crucial vote to fulfill Ted Kennedy's lifelong passion: Comprehensive health care reform. As every Senator sat at their desk for the final passage vote, the clerk called the roll. When Senator BYRD's name was called, he raised his voice as loud as he could and declared: ''Madam President, this is for my friend Ted Kennedy. Aye!''

Those two friends, those two legends today are together again in heaven, and I would love to be able to hear the conversations and reminiscences between them.

ROBERT BYRD will be remembered forever. He will be remembered as a man who loved this institution and guarded its history. He will be remembered as a man who always stood up for his State. He is a man who will be remembered as someone who lived the American dream and fought to make that dream a reality for countless others. Perhaps most of all, he will be remembered as a loving father, grandfather, and husband.

Today the Senate mourns, the people of West Virginia mourn, the Nation mourns.

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. BROWNBACK. 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. BROWNBACK. Mr. President, I rise to speak about Senator BYRD, as many of my colleagues have, and make a few comments about an extraordinary individual. Just the sheer numbers are very impressive. He was married for 68 years, elected to 9 terms, had more than 20,000 days of service in the Senate, approaching 19,000 rollcall votes cast, and had a 97-percent attendance record.

Senator BYRD was the majority leader from 1977 to 1981, and again from 1987 to 1989. He was President pro tempore four different times when his party was in the majority. The Senator from West Virginia was known for his defense of the Constitution and the institutional prerogatives of the Senate. He was the author of five books, and he was an avid fiddler. The first place I ever saw Senator BYRD was playing the fiddle on television. Boy, he could play. It was impressive to see somebody of his stature playing an instrument so brilliantly.

In his biographical statement on his Web site, I found a statement that I want to expand and build off of. It says:

> In every corner of West Virginia, the people of the Mountain State know that there is one man on whom they can always depend: U.S. Senator Robert C. Byrd. He has always remained true to his faith and his family, while working to build a better future for his state and his country.

His remaining true to his faith and family was at the core of Senator BYRD and his longevity, and at the core of his service.

While he spoke often and wrote well about the institutional prerogatives of the Senate better than anybody in the history of this body, it is that his life centered around his core, remaining true to his faith and his family. He was married for 68 years to his spouse, Erma, who stayed by his side constantly, and of whom he would speak often.

Senator BYRD and I would speak about his faith on the floor frequently. He was a man of deep faith and a man of strong convictions, and that was his centerpiece. He would often speak on this floor about his faith.

I think what you saw in Senator BYRD in that statement about his faith and his family is a cultural requirement for the United States. This is a nation of strong faith, a nation that values family. At the core of this country is that cultural need and necessity, and the leaders of the country need to have at their core a strong bearing within them, and that is a part of their service. That was a big part of Senator BYRD's service. His comments reflected the way he lived. Often people say that the way you live speaks louder than any words you say. That is what I found with Senator BYRD. The way he lived was speaking louder than any words.

It was the Senator's commitment within his family and his willingness to live that and his faith that spoke louder than any of his words. When we would talk about these things, you could see that they were at the depth of his soul and being. Whether we agreed or disagreed on a number of things—and there were many disagreements I had with him on policy issues, no question about that—you could never challenge his core convictions. His faith and commitment to his family were things that were obvious by the way he lived. You could have this sort of gentlemanly debate about topics that would come up, but you could never question or challenge the character and heart and soul of that.

What I found most endearing was Senator BYRD's commitment to faith and family. He will be greatly missed in this body. His treatise on the Senate that he gave to all new Members—and to me as a new Member coming into the Senate—I started it and got through a portion, not all of it, but it was excellently written, well presented, and certainly a good education as to what we should do in preserving the constitutional integrity that the Founders intended for this body to be. He, of course, was the greatest defender of it.

Others have spoken more eloquently about Senator BYRD, but I don't think any eloquence could match the eloquence with which he lived his life—particularly toward his faith and his family. That is what we should recognize the most.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. 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. HARKIN. Mr. President, with the passing of our colleague, ROBERT BYRD, a mighty oak in the forest of Senate history has fallen. There are flowers on his desk, but there is a tremendous void in our midst.

As we all know, Senator BYRD was the longest serving Senator in the history of this body. But what was most remarkable about ROBERT C. BYRD was not his longevity but his unique stature and accomplishment in the Senate. No individual in our long history has been a more tenacious champion of the traditions, prerogatives, and rules of this body.

Senator BYRD was very fond of noting how many Presidents he had served under. He always answered, ''None.'' As he explained it, he had never served under any President but he had served with 11 Presidents as a proud member of a separate and coequal branch of government.

Likewise, no individual has had greater reverence for the Constitution and for our Founders' vision for an assertive, independent legislative branch. As the ''Almanac of American Politics'' says in its profile of Senator BYRD:

> He may come closer to the kind of Senator the Founding Fathers had in mind than any other.

For so many years, if anyone on the Senate floor needed to look up something in the Constitution, we knew where to turn. Senator BYRD always carried a copy in his left breast pocket, directly over his heart.

It was Senator BYRD's reverence for the Constitution that led to what I consider to be arguably his finest hour in the Senate—his outspoken opposition to the rush to war in Iraq in 2002

and his fierce warning to his fellow Senators that we would regret surrendering our power on this war to the President. Senator BYRD's speeches at that time opposing the invasion became a sensation around this country and on the Internet. A white-haired Senator, well into his eighties, became an icon and a folk hero to young people in universities all across America. Why? Because when President Bush was at the peak of his popularity and power, Senator BYRD dared to say that the emperor—any President—has no clothes when it comes to declaring war. Senator BYRD said the reason given for the invasion—Iraq's alleged weapons of mass destruction—was trumped up, and he predicted the war would be a colossal mistake.

I remember those impassioned speeches he gave at that time. If only we had taken the advice of the wise Senator from West Virginia, how many young American lives—over 3,000—would not have been lost, perhaps 10 times that many injured, carrying the wounds and scars of that war for the remainder of their lives, not to mention the nearly $1 trillion spent out of our Treasury for that war in Iraq.

Later, in his outstanding book, ''Losing America''—I recommend this book to every young person. I see our pages sitting here. Pick up that book by ROBERT C. BYRD. It is called ''Losing America.'' He just wrote it about 5 or 6 years ago. It became an instant bestseller. It is a great book. In that book, ''Losing America,'' Senator BYRD decried the Senate's willingness to cave in to the President. He did not care about whether the President was a Democrat or Republican. He said cave in to any President—it is readiness, as he put it, ''to salute the emperor.'' He referred back to his earlier book he had written on the Roman Senate, noting that it was ''the progressive decline of the already supine [Roman] Senate'' that led to the decline of the Roman Republic, and he warned that the same could happen in America.

I have always had a special affinity for Senator BYRD because we were both the sons of coal miners, both raised in humble circumstances. I will miss seeing ROBERT BYRD at his desk or in the well and going up to express my best wishes and converse with him. He would always grab my hand; he would look at me and say: We have coal miners' blood running in our veins. We were the only two sons of coal miners to serve in the Senate, at least at this time. He always said that to me. I am going to miss that.

In reading about the Senator's early years—lifting himself out of poverty before running for the West Virginia Legislature in 1946—I was reminded of Thomas Edison's remark that ''opportunity is missed by most people because it is dressed in overalls and looks like work.'' In his early days, ROBERT BYRD was dressed in overalls, and he worked. But he made his opportunities. He made his own opportunities with that relentless work, his self-education, and striving always.

I will always appreciate the way he tutored me in the ways of the Senate when I arrived in this body in 1985. I was assigned to the Appropriations Committee, one of the few freshman Senators to ever get that assignment. I will not go into how all that happened, but I can remember going to visit Senator BYRD—who then, of course, was the ranking minority member, when I first came to the Senate, on the Appropriations Committee—to ask for his guidance and his willingness to work with me and to instruct me on how to be a good member of the Appropriations Committee. For the next 25 years, he was either the chair of the committee or the ranking member. So I was privileged to learn at the elbow of a master appropriator and legislator.

During his more than 58 years in Congress, Senator BYRD witnessed astonishing changes, when you think about it. Our population during his service grew by more than 125 million. He served for 25 percent of the time we have been a republic. There has been an explosion of new technologies. America grew more prosperous, more diverse, more powerful. But across those nearly six decades of rapid change, there was one constant: Senator BYRD's tireless service to his country; his passion for bringing new opportunities to the people of West Virginia; his dedication to this branch of government, the U.S. Congress, and to this House of Congress, the U.S. Senate.

ROBERT BYRD was a person of many accomplishments with a rich legacy. In my brief time today, I wish to speak of one area of his advocacy which I have had ample opportunity to observe in my capacity both as the longtime chair or ranking member of the Appropriations subcommittee for education and as a longtime member and now chair of the Committee on Health, Education, Labor, and Pensions.

During all these years, Senator BYRD was passionately committed to improving public education in the United States and expanding access to higher education, especially for those of modest means.

As we all know, as I said, he was raised in the hardscrabble coalfields of southern West Virginia. His family was poor, but they were rich in faith and values. His adoptive parents nurtured in ROBERT BYRD a lifelong passion for education and learning. He was valedictorian of his high school class but too poor, too underprivileged to go to college right away. Again, keep in mind, those were the days before Pell grants and guaranteed loans or even Byrd scholarships. He worked as a shipyard welder, later as a butcher in a coal company town. It took him 12 years to save up enough money to start college. As we all know, he was a U.S. Senator when he earned his law degree. No other Member before or since has ever started and finished law school while a Member of Congress.

But degrees do not begin to tell the story of the education of ROBERT C. BYRD. He was the ultimate lifetime learner. As I told him once, it was as though he had been enrolled during the last seven decades in the ROBERT C. BYRD school of continuing education. That always brought a smile on that one. I guarantee no one could ever get a better, more thorough education at any one of our universities.

Senator BYRD's erudition bore fruit in no less than nine books that he wrote and published over the last two decades. We know he wrote the book on the Senate, a masterful, four-volume history of this institution that has become a classic. What my colleagues may not know is he also authored a highly respected history of the Roman Senate.

There are some who joked—and I am sure he would not mind me saying this because we said it to him many times in the past—there are some who think ROBERT C. BYRD served in the Roman Senate. I can tell you, that part of the Byrd legacy and legend just is not so. We always said that. It always brought a smile, and he always chuckled when we talked about that. He was an expert on the Roman Senate. He knew it, and he knew who served in the Roman Senate and how it worked to bring down the Roman Empire.

I have talked at length about Senator BYRD's education because this explains why he was so passionate about ensuring every American has access to a quality public education, both K–12 and higher education. Coming from a poor background, Senator BYRD believed that a cardinal responsibility of government is to provide a ladder of opportunity so that everyone, no matter how humble a background, has a shot at the American dream. Obviously, the most important rungs on that ladder of opportunity involve education, beginning with quality public schools, including access to college and other forms of higher education.

During my quarter century now in this body, no one has fought harder for public education than Senator ROBERT BYRD. As long-time chairman, ranking member and, most recently, the senior member of the Appropriations Committee, he was the champion of education at every turn—fighting to reduce class sizes, improve teacher training, bringing new technologies into the classroom, boosting access to higher education.

In 1985, my first year here in the Senate, he created the only national merit-based college scholarship program funded through the U.S. Department of Education. Congress later named it in his honor. The Robert C. Byrd Honors Scholars Program is a federally funded, State-administered scholarship program that rewards high school seniors who have exhibited exceptional academic excellence. Currently, there are more than 25,000 Byrd Scholars across the United States eligible for a $6,000 grant during 4 years in college.

I can remember speaking with him about this and the funding of it, and he reminisced more than once with me about how he was valedictorian of his class, and that he so wanted to go on to higher education but, because of his economic circumstances and where he lived, it wasn't available. So he wanted to make sure that young men and women today who exhibit that great excellence in academic performance were not denied the opportunity to go to college simply because of the circumstances of their birth.

Senator BYRD has something in common with Winston Churchill. Both were prolific writers, and both were major players in the events they chronicled in their writings.

Senator BYRD was also a great student of literature, and he loved to recite long poems from memory. I could never understand how he could remember all of the poetry he would recite here on the floor, in a committee meeting, or sometimes in a meeting when a subject would come up and he would remember a poem that perfectly fit the temper of what people were talking about.

I am sure Senator BYRD knew ''The Canterbury Tales,'' a lot of it probably by heart. In ''The Canterbury Tales,'' describing the Clerk of Oxford, Chaucer might just as well have been describing ROBERT C. BYRD. Chaucer wrote:

Filled with moral virtue was his speech;
And gladly would he learn and gladly teach.

''Filled with moral virtue was his speech; And gladly would he learn and gladly teach.'' Senator BYRD's speeches were a wonder to behold, full of eloquence and erudition and moral virtue. Senator BYRD never stopped learning and he never stopped teaching. Americans for generations to come will continue to learn from his writings and his example.

Senator ROBERT C. BYRD was a great Senator, a great American, a loving and wonderful family man. He has both written our Nation's history and has left his mark on it. The United States of America has lost a patriotic son. We have lost a wonderful friend and a mentor. Tomorrow, here in the hallowed Chamber of the U.S. Senate, which he so loved and served for so many years, ROBERT C. BYRD will lie in state. We would do well to honor his memory by making a renewed commitment to making the U.S. Senate work and to work for all of the people of this country. May he rest in peace with his beloved Erma, and may the Senate always remember and honor his lifetime of service.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that after I speak, Senator FEINSTEIN be permitted to speak.

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

SCIENCE EDUCATION IN DELAWARE

Mr. KAUFMAN. Mr. President, I spoke about Senator BYRD yesterday. One of the ways you measure anyone is by their friends. The manner in which Senator HARKIN just spoke about Senator BYRD shows what a great man Senator BYRD was, to have a friend as thoughtful and as caring as Senator HARKIN. They are both a credit to the Senate.

As we continue another school year, I wanted to take an opportunity to commend the excellent science instruction taking place in my State of Delaware. The science educators and leaders in the State have been working for 15 years to create a world-class science program encompassing standards and curriculum, professional development, and science material kits. I am honored to say that I believe world class is exactly the way to describe the science instruction Delaware students receive.

This is not something that happened overnight. It is a process that began in 1995, when a statewide survey was sent out to gather data on the status of science teaching and learning in Delaware. The results, unfortunately, showed that not much science was taught or being learned in Delaware schools. Consequently, several school districts banded together to form the Delaware Science Coalition. The coalition received extraordinary support from the DuPont Company in the form of time, money, and volunteer services. The group wrote and received a National Science Foundation grant, which allowed the districts to have an out-of-classroom science specialist provide science professional development for all teachers, assemble science materials, develop assessments, and meet as a group. Within 3 years, all school districts except one had joined the Delaware Science Coalition.

Today, the science coalition has come a long way. They have a statewide kindergarten through grade 11 science curriculum in place and have plans for a grade 12 curriculum. They have professional development for all science teachers in grades K through 11. They have cost-effective, kit-based science materials. They have assessments that are modeled after international science tests. They also have a systematic and comprehensive approach to reform that includes leadership from the State, district, and classroom, as well as corporate, community, and university-based partners.

Beyond all these coordinated measures, perhaps the most impressive example of how far the coalition has come is seen in the warehouse at the John W. Collette Education Resource Center in Dover. It is truly impressive. To get an idea of what it looks like, you have to think about what it is like to be inside a Home Depot or a Lowes—a warehouse with rows and rows of supplies and forklifts running about. This is what the science materials center looks like at the Collette Center, except the industrial shelving and forklifts are transporting boxes filled with science materials to use in classrooms across the State. Science curricula and materials kits for grades K through 8 include resources developed by the National Science Resource Center, University of California-Berkeley, and homegrown and hybrid units developed with the aid of Delaware's very own teachers. These units are coordinated to introduce life, physical, and Earth science concepts each year and gradually increase in complexity from one level to the next.

All districts share materials, and kits rotate through two or three teachers per year. In order to obtain the materials, a teacher must attend professional development coordinated by the Collette Center. Then the warehouse sends out the kit, teachers and students use it, it is picked up weeks later, it is refurbished, and then sent out to another teacher. By sharing materials, costs are kept to an absolute minimum.

The Collette Center is a remarkable resource for the teachers and students in Delaware. It is unique in that it is the only science program in the country that provides a curriculum aligned to standards, an intensive professional development effort, and a materials support service for public school districts and charter schools throughout the entire State. To create this all-encompassing system, the Science Coalition has at times worked closely with the National Science Resource Center or NSRC. The NSRC is a joint operation of the Smithsonian Institution and the National Academies. I think Sally Goetz Shuler, the executive director of the NSRC, summed up Delaware's accomplishments best when she said:

During the past decade, the NSRC has showcased Delaware as a model to dozens of other U.S. States, countries, and national organizations, including the National Governors Association, the Council of Chief State School Officers, and the James B. Hunt Institute for Educational Leadership and Policy. Hundreds of leaders have visited the John W. Collette Education Resource Center in Dover, as well as many of [Delaware's] classrooms. While small, your State has been and will continue to be instrumental in catalyzing other states and countries to transform their science programs.

That is from Sally Goetz Shuler, the executive director of the NSRC. That is a powerful statement, and one with which I wholeheartedly agree.

By the way, my colleague, Senator CARPER, who has just come on the floor, has also visited the Collette Resource Center in Dover.

Delaware's science program is very impressive and the work is paying off for Delaware's students. When the new science standards and assessments were first implemented in 2001, only 42 percent of eighth grade students met or exceeded the standards. By 2009, 60 percent of the eighth graders met or exceeded the standards. Similar achievement gains have been illustrated at the

fourth, sixth, and eleventh grades as well. This is an incredible achievement and I am confident Delaware's science teachers and leaders will continue to build on this accomplishment.

Congratulations to Delaware for continuing to lead the way in science education.

Mr. President, I yield the floor to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

REMEMBERING SENATOR ROBERT C. BYRD

Mrs. FEINSTEIN. Mr. President, I rise today to join my colleagues in mourning the loss of one of the Senate's legendary Members—ROBERT C. BYRD, the honorable senior Senator from the great State of West Virginia.

It wasn't too long ago that I looked right over there and I saw a desk draped in black with roses and it was one titan of the Senate—Senator Ted Kennedy. Today, I look down here and I see a desk draped in black with white roses and it is a second titan of the Senate.

I had the privilege of serving with Senator BYRD on the Appropriations Committee for some 16 years. I have had occasion to watch him. He could be very tough, he could be very caring, and he could have that twinkle in his eye. He could depart from the present text into Greek tragedy; into old Roman speaking. He had an incredibly curious mind. I think he is going to be greatly missed from this body.

I think of him representing the State of West Virginia for 51 years and serving 6 years in the House of Representatives. During all those 57 years, he served with the kind of devotion and passion that he showed in his last year here in the Senate, when he was very troubled by declining health. He has truly left an indelible imprint on the State of West Virginia and on this body. No one has ever shown more determination or greater love for the United States Senate than ROBERT C. BYRD. His tenure has been legendary.

He held a number of key leadership positions, including secretary of the Senate Democratic Caucus, Senate majority whip, twice as Senate majority leader, the Senate's minority leader, and three times as chairman of the Senate Appropriations Committee.

During the period of 1989 to 2010, Senator BYRD was President pro tempore of the Senate—the most senior Democrat and third in the line of Presidential succession; also as President pro tempore emeritus when the Democrats were in the minority.

Senator BYRD cast more rollcall votes than any other Member of this institution—18,689 in total. That is truly remarkable. Just think about how many of this Nation's laws he helped shape.

He was a veritable expert on the inner workings of the Senate. There was no one who was more well versed in this institution's intricate rules, protocols, and customs than ROBERT BYRD. He literally wrote one of the most comprehensive books on the Senate. He knew Riddick's ''Rules of Procedure,'' virtually all 1,600 pages.

Many of us in the Senate have also spoken of his ardent devotion and consummate knowledge of the Constitution of the United States. His well-worn, treasured copy of this document was kept in his vest pocket, and year after year I would see him pull it out. The only thing that would change is that his hand, as the years went on, shook a little bit more. But his devotion to that document did not.

He was a staunch defender of the prerogatives of the three equal branches of government, and he was very quick to note that he served alongside, not under, 11 Presidents.

When he first joined the House of Representatives in 1952, Dwight Eisenhower was President. His tenure in Congress then followed alongside the Presidencies of John F. Kennedy, Lyndon B. Johnson, Richard M. Nixon, Gerald A. Ford, James Carter, Ronald Reagan, George H.W. Bush, William J. Clinton, George W. Bush, and finally Barack Obama. That is an amazing list of people to have served with.

BOB BYRD was not only one of the Senate's famous power brokers, but I think his fondness for classical history, music, and poetry has impacted every one of us. As I said, he frequently interspersed his Senate remarks with passages from ancient Roman history, philosophy, and often poetic verse. It used to amaze me how, late at night, he could move from his set text and repeat some poem, word for word, verse after verse.

The nine decades of ROBERT BYRD's lifetime witnessed great change both at the personal level and at the national level. He lived to see and strongly support the inauguration of our country's first African-American President—something I know meant a great deal to him. He was not always on the right side of the civil rights issue at every stage of his life, but he became a champion for equality, a lion for progress. His transformation was truly inspirational.

Senator BYRD was born into very humble beginnings in 1917. He grew up during the Great Depression. He was the adopted son of a coal mining family in a small town in southern West Virginia. He was the valedictorian of his high school class but was not able to afford college at the time. This impoverished childhood might have hindered others, might have stopped a weaker person, but not the indomitable ROBERT BYRD. His inner thirst for knowledge propelled him throughout his epic career. In fact, he managed to find time during his tenure in the Senate to finally fulfill his bachelor's degree from Marshall University in 1994, at the tender age of 77. That shows something, I think. He previously received a law degree from American University's Washington College of Law in 1963.

The loss of his beloved wife Erma Byrd in 2006, I think, was a dramatic blow to him. I had occasion to talk with him during that time, and there was no question that this was a great love, that it was an enduring love, and that it was a lifetime commitment. I discussed with him how he provided, day after day, week after week, and month after month, the personal care to his wife as she became more infirm and came toward the end of her life. This truly was a major gift of love.

One thing I have learned in my lifetime, there are so many people who, in the end-of-life crises, are not able to give with love to their spouse. This was a man who could do that. I think that develops his importance as you look at life and people in general.

Once again, I offer my sincerest condolences to his two daughters Mona Faterni and Marjorie Moore, his grandchildren and great-grandchildren, and to the people of West Virginia.

This Nation—not only West Virginia, but all of us—owe Senator ROBERT BYRD a great debt of gratitude for his service.

I know I will very much miss that indomitable spirit, that insightful guidance, and the intense commitment to the Senate.

This man will be missed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, I am pleased to follow my colleague, Senator FEINSTEIN, in tribute to ROBERT BYRD, whom I always called Leader and who always called me Governor. He was our leader. He was a leader for a long time and will always be that in a very real sense to many of us.

I was born in Beckley, WV, just about a dozen miles or so from a community called Sophia, which is where ROBERT and Erma BYRD once ran a little mom-and-pop supermarket back in the late 1930s, early 1940s. I think he was the butcher. He ran that supermarket and later on, I think, in World War II, he was a welder during the war. As we know, in the late 1940s he had the opportunity to run for the West Virginia Legislature and ran. He was a great fiddler and went around his community, his district, playing the fiddle. He always called himself a hillbilly.

Ironically, I was down in the central part of our State just about a month ago and had a chance to attend a picnic for senior citizens, a cookout. A lot of people were there. I was sitting at different tables and walking around. I was sitting at this one table, and I learned this lady sitting to my left was from West Virginia.

I said: Where are you from?

She said: Sophia.

I said: That's right outside of Beckley, where I was born.

She said: Yes, I knew ROBERT and Erma BYRD when they ran that mom-and-pop supermarket.

I said: You're kidding.

She said: No, I did.

I asked her to share some thoughts with me about it, and she did.

Two weeks later I was back in the Senate and Senator BYRD was coming in in a wheelchair. In the last part of his life he lost the ability to walk. He never lost his voice, never lost his mind either. But he came in, and I stopped to say hello to him, see how he was doing, and I said: Leader, I just met a woman over in Delaware the other day who knew you from your little supermarket in Sophia, WV.

I told him about it, and he smiled. He said: Do you remember her name? Do you remember her name?

Ironically, I could not remember it. But if I had, he would have. He was amazing.

Some people think the reason he got elected to office so many times, in the legislature and the U.S. House of Representatives and in the Senate, was because he was so good at, frankly, looking out for West Virginia economically, making sure they were not left behind. He was also a pretty good politician. He was good at names.

I remember once, when we had a funeral for my mom who died about 4 years ago, and we had a celebration of her life just outside of Beckley. We had it in the home, a very large home of a family who had 19 kids. One of them married my cousin, Dan Patton. Some people have a dining room; they had like a banquet hall for their meals. We were all gathered in this banquet hall, paying tribute to my mom, reflecting on her memory, and I was walking around the house afterwards, and I came across a CONGRESSIONAL RECORD tribute on the wall of this house. It was a tribute from ROBERT BYRD honoring this family. I was just blown away. I couldn't wait to get back to the Senate the next week and say to Senator BYRD: You will never guess whose house I was in.

I told him the name of the house, the family, and he said: I remember that guy. He is a barber. They have 19 kids.

This guy was just amazing. I used to call him on his birthday. I used to call him not just on his birthday but when he and Erma had an anniversary. I would call him on Christmas and other special occasions just to see how he was doing and let him know I was thinking about him.

I think it was his 90th birthday, and I called him and I said: Leader, I think it is your birthday today.

He said: Yes, it is.

I said: How old are you, anyway?

I knew.

He said: Well, I'm 90.

I said: I just hope when I am 90 I can just sit up and take nourishment.

Mr. President, he said: I hope you can, too.

He was amazing.

He and JOE BIDEN share the same birthday. Sometimes I would call Senator BYRD on his birthday and say: Leader? He said: Governor, is that you?

I said: That's me. I always get this confused, who is older, you or BIDEN?

He said: I still got him by a couple of years, but he is catching up on me.

I guess now he will really have a chance to catch up.

I came here as a freshman Senator. I had been in the House, and a Governor before. I came in as a freshman in 2001. I was about the age of the pages down here. I remember Senator BYRD really took a bunch of us under his wing. He became sort of my mentor. I think the fact we had this West Virginia connection made it even more special for me, and I think maybe for him.

He taught us how to preside. He explained to us the rules of the Senate. He knew the rules better than anybody else and he was able to work the rules, use the rules to get things done—or not, to keep things from getting done. Boy, he was good. He taught us how to behave in the Senate, and he did that—not just for us but for people who had been here for 20, 30, 40 years. If they were acting up, making too much noise on the Senate floor, he would stop them dead in their tracks.

He once said to me the most important role for the Presiding Officer, Mr. President—he said the most important role of the Presiding Officer is to keep order. That is what he said. He said: If you can keep order, the rest is pretty easy. I always remembered that.

He presented to me my Golden Gavel. The Presiding Officer has a Golden Gavel. You get it after presiding so many hours in the Senate. But I was very honored to receive mine from Senator BYRD.

When I got here in 2001 I think he was 83, an age when most people are ready to sit back and take it easy. He was just picking up speed. As Senator FEINSTEIN said, he could take to the Senate floor without a note, give a speech on just about any subject, throw in all kinds of anecdotes with respect to ancient Rome and Greek mythology, recite poems and stuff.

I once said to him: How do you remember all those poems?

He would say: I just make them up.

He was just kidding. He actually was able to remember them. I sometimes have a hard time remembering where I am supposed be for my next meeting.

He was from West Virginia, the southern part of West Virginia. As others have said, his views on race as a younger man and as a new person in the Senate were not the same views that he left with. He matured, grew up.

He once said to me: The worst vote I ever cast, I actually voted against and spoke against the Civil Rights Act of 1964.

I think he sort of went to his grave regretting that. But I think he went to his grave having atoned, if you will, for that sin. He changed his views with respect to race. In part it was a matter of conscience—he was a person of deep faith—but I think also probably he changed, in part, because of the prodding and cajoling of, among others, one of his best friends, Senator Ted Kennedy.

As I said earlier, I loved to call him on special days. I would almost always call him when I was back in West Virginia, call him on my cell phone, call him at his home in McLean. It wasn't his birthday or anything and I would call him.

I would say: Leader?

He would say: Is that you, Governor?

I would say: Yes, I am driving down to West Virginia on the Virginia Turnpike heading toward Beckley.

He would say: No kidding.

I said: I am trying to remember which exit to get off of. The first one is Harper Road, then there is another one. The third one, I can't remember that. What is that?

He would say: That's my road, the Robert C. Byrd Drive exit.

I would always have a good time with him for that. Others have spoken about all the leadership roles he played here, all the votes he cast, all that he did. He did so much for West Virginia. I love to go back to West Virginia. I think the friendliest people I have ever met in my life are from West Virginia. It is kind of a hardscrabble place. They have come a long ways, in no small part because of his enormous help. He has been accused of trying to hijack Washington and move it to West Virginia and bring in all kinds of Federal agencies and jobs.

He was really trying to make sure West Virginia did not get left out, and I think thanks to his intervention, they did not.

He made life a lot better for the folks who live in West Virginia today, and who lived there for the last 58 years. He also made life better for a generation of Americans, maybe a couple of generations of Americans, in looking back, and maybe even looking forward as well. He is going to make their life better, looking forward, for the people in this country who need health care, the people in this country who need a decent place to live, a chance to buy a home, a chance to get an education, the opportunity to improve their station in life.

More than anybody I know, for a guy who was born, orphaned in North Carolina as an infant, who was traded off by his mom in her last will and testament—she wanted him to be raised by her sister who lived in West Virginia, and her sister took this young man in. His name was not ROBERT BYRD. But she took in her nephew. She and her husband raised ROBERT BYRD in tough situations, hardscrabble situations, and he sort of raised himself by the bootstraps and worked hard all of his life to make something of his life and to serve as a model for us in the end, and a model for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

GENERAL DAVID PETRAEUS

Mrs. HUTCHISON. Mr. President, I rise today to voice my strong support

for GEN David Petraeus to be confirmed as our Nation's top military commander in Afghanistan. I want to say I have had a great experience with General Petraeus and also watching him from afar. When he introduced the concept of the counterinsurgency in Iraq, and embedding our troops with Iraqi troops to try to train the Iraqi troops to do the security for Iraq as we were leaving, I had grave concerns about embedding our troops and the counterinsurgency, because I feared for the safety of our troops and troop protection. I did not want to publicly ask questions of his judgment or disagree with him, but I did ask him to come see me and explain this to me so I would feel more comfortable, which he did. He came to my office. He walked me through it. He gave me confidence that it could work.

Then later, when he was in Iraq, and I was taking one of the trips I have made to Iraq, the first place that General Petraeus sent me to see was the Iraqi police station with our embedded troops. He never said a word to me about my questioning of how it would work, but he sent me in.

Later that night I was able to have dinner with him and Ambassador Crocker. I said: I know why you sent me to the police station, because I had questioned how you were going to protect our troops. I became a complete believer in General Petraeus and certainly how they do protect our troops as we are also teaching the foreign forces to take on their own security.

So I do have complete confidence in this man. What I do not have confidence in is the mission he is being given, because I sense a mixed message. I sense a mixed message from the President, and a division in what our Members of the Senate are saying, even as they questioned General Petraeus yesterday.

Here is my concern. We know you cannot set a hard and fast deadline and say, our troops are leaving no matter what the conditions are, and gain the confidence of the people on the ground that you are going to see the mission through.

It seems our mission should be clear, that we are going to prepare the Afghans for the security of their country, and also assure that the Taliban and al-Qaida cannot get a stronghold that would allow the export of terrorism to America and other freedom-loving countries in the world. That should be the clear mission.

I believe that is the mission General Petraeus understands, and I think that is what President Obama is saying. But my concern is this questioning of General Petraeus by members of the Armed Services Committee about the withdrawal date.

The President has said firmly the withdrawal is going to be July of next year. General Petraeus is very careful in every answer that he makes to say, conditions on the ground will dictate when we withdraw. July is the date. We acknowledge that, he says. But it will also depend on conditions on the ground.

I hope we will have a united view in the Senate, a united view in the House of Representatives, and the President acknowledging that we must have the confidence of the people on the ground in Afghanistan and also the confidence of the enemy, the Taliban, and al-Qaida, that we are not going to leave in July if there are not conditions on the ground for the Afghans to repel the evil forces of the Taliban and al-Qaida.

As we vote today on the confirmation of General Petraeus, I am voting for this general because I believe in him. I believe in his creativity. I believe in his judgment. I want to make sure he has everything he needs to do the job we are asking him to do. He has proven he can do the tough jobs.

He changed the atmosphere in Iraq and he did it the right way. He protected our forces as he was doing it. So we must assure that we give him the same level of confidence and support in Afghanistan to do the job there, because it is clear that the place where al-Qaida and the Taliban are operating from is that area of Pakistan and Afghanistan, and we cannot allow them to strengthen their efforts to be able to export terrorism to our country again.

At the same time, we have got to make sure there is not a bull's-eye on the back of our troops in Afghanistan because the enemy thinks we are leaving no matter what. Conditions on the ground are the prerequisite. I hope the President has given General Petraeus the level of confidence that I feel in him, and that I think our Senate will show to him today to do the job as he sees fit, because he is going to have the boots on the ground in Afghanistan.

I have been to Afghanistan, as have most of my colleagues. I know how tough it is, the terrain, the type of government they have had throughout their centuries, and it is not adaptable easily to our concept of governance. So we have to work within a framework that is very difficult both geographically as well as in the governance structure.

I am voting for General Petraeus today because I know this man can do the job. I hope the President will give him the free rein to do the job we are asking him to do, and, in the process, protect our troops and protect him as they are doing this very tough job with everything he asks us to provide to him to finish this job and make the Afghan people say—give them the ability to create their governance in a way that works for them and to protect the people of the United States from any further terrorist attack.

That is when we will be able to say ''mission accomplished.'' And General Petraeus can do this job. We must give him the backup so he can be successful.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF DAVID H. PETRAEUS TO BE GENERAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of David H. Petraeus, Department of the Army, to be General.

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes for debate with respect to the nomination, with the time equally divided and controlled between the Senator from Michigan, Mr. LEVIN, and the Senator from Arizona, Mr. MCCAIN, or their designees.

The Senator from Michigan.

Mr. LEVIN. Mr. President, I yield myself 8 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. LEVIN. The Senate will soon vote on the nomination of GEN David Petraeus, who is once again stepping forward to render invaluable service to our Nation, as he has so often in the past. Certainly the events that bring General Petraeus to this moment were unforeseen. But we can be certain that when confirmed, he will bring highly experienced leadership and a profound understanding of the President's strategy in Afghanistan which he helped shape as Commander of the U.S. Central Command.

General Petraeus confirmed yesterday before the Armed Services Committee that he fully supports the President's strategy. That strategy includes a surge of U.S. combat troops who will be in place later this year.

That strategy includes a counterinsurgency campaign focused on securing the safety of Afghanistan's population and pursuing the insurgents who threaten that safety. The President's strategy, which General Petraeus supports, includes the setting of a July 2011 date to begin reductions of U.S. combat troops as a way of focusing the attention of the Afghan Government and military on preparing Afghan forces to take greater responsibility for the security of their own people. I have long believed that focusing on building the capacity of the Afghan security forces to secure their nation's future is

critical to the success of our mission in Afghanistan. General Petraeus agrees. He told our committee yesterday:

We want Afghan ownership of Afghan problems, whether it's security problems, political problems, economic problems, you name it.

That is what the Afghans want as well. That is what we were told. A number of us were there a year ago in Afghanistan when 100 or so elders gathered at a shura in southern Afghanistan. When we asked them what they wanted the United States to do, they told us we should train and equip the Afghan Army to provide for their country's security and then depart. And the 1,600 delegates to Afghanistan's Consultative Peace Jirga, which occurred at the beginning of June, adopted a resolution calling on the international community to ''expedite'' the training and equipping of the Afghan security forces so they can gain the capacity ''to provide security for their own country and people.''

The Afghan Army fields about 120,000 troops, including 70,000 combat troops. They should, wherever possible, be leading the fight against the insurgents. The Afghan Army enjoys the support of the Afghan people. That means that Afghan troops leading the fight would be the Taliban's worst nightmare. It would demonstrate that insurgent propaganda, which portrays us as out for domination and for our own ends, is a lie. If the Afghan people are to see this as their fight, it should be a fight led by their own soldiers with our support and not the other way around.

I wish to read an exchange from yesterday's hearing on this issue. I asked General Petraeus the following question:

The urgent increase in the size and capability of the Afghan army and having Afghan forces leading operations more and more is bad news for the Taliban. Now, I've described that as the Taliban's worst nightmare, because their propaganda that they are fighting against foreign forces who want to control Afghanistan will ring more and more hollow with the Afghan population [if] the Afghan army, which has the support of the Afghan people, [is] leading the effort to defeat the insurgents.

Then I asked General Petraeus: Is that something you would generally agree with? His answer was that he agreed with that statement.

I am also encouraged that General Petraeus committed at our hearing to a review of deployments by the Afghan Army to see how more Afghan troops might be deployed to the south where operations are the most intense and to ensure that Afghan leaders are leading operations in the south wherever possible.

General Petraeus also reiterated to the committee his support for the July 2011 date to begin reductions of U.S. combat troops. As he put it:

I saw [setting that date] most importantly as the message of urgency to complement the message of enormous additional commitment.

As the Presiding Officer well knows because he is an esteemed member of our committee, General Petraeus literally wrote the book on counterinsurgency. He led the effort to write our military's manual on counterinsurgency. As commander of U.S. forces in Iraq and the U.S. Central Command, he has served his country with great distinction at a time of great need. We are fortunate that once again he has answered his Nation's call, and we are grateful for the sacrifices he, his wife Holly, and his family are willing to once again accept.

I strongly support his nomination. His nomination was unanimously supported by the Armed Services Committee yesterday. I hope our colleagues will give General Petraeus an overwhelming vote of support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Arizona has 10 minutes.

Mr. MCCAIN. I thank the Chair.

Mr. President, I rise to speak on behalf of the nomination of GEN David Petraeus to be Commander of the International Security Assistance Force in Afghanistan, and Commander of U.S. Forces-Afghanistan. General Petraeus is quite simply one of the finest military leaders our country has ever produced. And we are all grateful for his willingness to answer the call of service in yet another critical mission—a mission that will once again take him far away from his family, especially his beloved wife Holly, whose support and sacrifice over many decades, both for General Petraeus and for our men and women in uniform, can never be overstated. General Petraeus is an American hero, and I urge my colleagues to confirm his nomination.

Before I go further, let me say a word of praise for another American hero: GEN Stanley McChrystal. He is a man of unrivaled integrity, and what is most impressive about his long record of military excellence is how much of it remains cloaked in silence. Few understand fully how General McChrystal systematically dismantled al-Qaida in Iraq, or how he began to turn around our failing war in Afghanistan. These achievements, and others like them, are the true measure of Stanley McChrystal, and they will earn him an honored place in our history.

We are calling on General Petraeus at a critical moment for the war in Afghanistan. I agree with the President that success in Afghanistan is ''a vital national interest,'' and I support his decision to adopt a counterinsurgency strategy, backed by more troops and civilian resources. This is the only viable path to true success—which I would define as an Afghanistan that is increasingly capable of governing itself, securing its people, sustaining its own development, and never again serving as a base for attacks against America and our allies. In short, the same results we are slowly seeing emerge today in Iraq, thanks in large part to the work of General Petraeus and the forces he commanded.

Before heading out to Iraq 3 years ago, General Petraeus told the Armed Services Committee that the mission was ''hard but not hopeless.'' I would characterize our mission in Afghanistan the same way. Afghanistan is not a lost cause. Afghans do not want the Taliban back. They are good fighters, and they want a government that works for them, and works well. And for those who think the Karzai government is not an adequate partner, I would remind them that, in 2007, the Maliki government in Iraq was not only corrupt; it was collapsed and complicit in sectarian violence. A weak and compromised local partner is to be expected in counterinsurgency. That is why there is an insurgency. The challenge is to support and push our partners to perform better. That is what we are doing in Iraq, and that is what we can do in Afghanistan. But we need to make it clear that, as long as success in Afghanistan is possible, we will stay there to achieve it.

I appreciate the President's statement last week that July 2011 is simply a date to ''begin a transition phase'' to greater Afghan responsibility. And for those who doubt the President's desire and commitment to succeed in Afghanistan, his nomination of General Petraeus to run this war should cause them to think twice. I know that General Petraeus will do everything in his power to help us succeed in Afghanistan. I know that if he believes he needs something he does not have, or if he thinks that changes should be made to our war effort, he will not hesitate to offer his best professional military advice to the President and to Congress. I am encouraged that this is the man the President has given his confidence. And I believe this should be an opportunity for the Senate to join together, on a broad bipartisan basis, not just to support the nomination of General Petraeus, but to demonstrate to the Americans we represent, as well as to our friends and allies abroad, that we are fully committed to the success of our mission in Afghanistan.

We must give General Petraeus every opportunity to succeed in his new command. And I believe that means stating clearly that the withdrawal of U.S. forces from Afghanistan must be determined solely by conditions on the ground. What we are trying to do in Afghanistan, as in any counterinsurgency, is win the loyalty of the population—to convince people who may dislike the insurgency, but who may also distrust their government, that they should line up with us against the Taliban and al-Qaida. We are asking them to take a huge risk, and they will be far less willing to take that risk if they think we will begin leaving in a year. In a news report yesterday, one U.S. marine described the effect of the

July 2011 date on the Afghans she encounters: ''That's why they won't work with us,'' she said. ''They say you'll leave in 2011, and the Taliban will chop their heads off.''

In addition to being harmful, the July 2011 withdrawal date increasingly looks unrealistic. That date was based on assumptions made back in December about how much progress we could achieve in Afghanistan, and how quickly we could achieve it. But war never works out the way we assume. Secretary Gates said last week, ''I believe we are making some progress. [But] it is slower and harder than we anticipated.'' I agree. Marjah is largely cleared of the Taliban, but the holding and building is not going as well as planned. Our operation in Kandahar is getting off to a slower and more difficult start than expected. The performance of the Afghan government over the past 7 months is not as even or as rapid as we had hoped. Some of our key allies plan to withdraw their forces soon, and it looks increasingly unlikely that NATO will meet its pledge of 10,000 troops.

None of this is to say that we are failing, or that we will fail, in Afghanistan. It just means that we need to give our strategy the necessary time to succeed. This is all the more essential now with General Petraeus assuming command, pending his confirmation. He has proved that he can lead our forces to success. He has proved that he can work effectively with local partners in counterinsurgency. He has proved that he is an ideal partner for our many allies and friends, who are so critical to success in Afghanistan. In short, David Petraeus has proved that he is a winner, and we need to give him every opportunity and remove every obstacle so that he can help the United States and our allies to win in Afghanistan.

General Petraeus has my full support, and I urge my colleagues to vote to confirm his nomination so he can take up his new mission as soon as possible.

I yield back the remainder of my time.

Mr. FEINGOLD Mr. President, it is my general policy to defer to Presidents on executive branch nominations. General Petraeus is clearly qualified for this position and, accordingly, I will vote in favor of his confirmation. But regardless of who is in command, the President's current strategy in Afghanistan is counterproductive. We should set a flexible timetable for responsibly drawing down U.S. troops, not just a start date, so that we can pursue a sustainable, global campaign against al-Qaida and its affiliates.

Mr. REID. Mr. President, with 100,000 troops fighting on the front lines of our battle against terrorists in Afghanistan, the stakes could not be higher. That's why I was pleased that President Obama chose a proven leader for our forces in Afghanistan in GEN David Petraeus.

General Petraeus is the right choice to lead this mission in Afghanistan. He has demonstrated that he can effectively carry out a counterinsurgency strategy and prepare local forces to take over the U.S. combat mission.

The resounding bipartisan support that General Petraeus received in the Armed Services Committee and on the Senate floor sends the right message to our forces on the ground in Afghanistan, our allies who share our mission of defeating terrorism and the enemies who seek to harm us.

It says that we are committed to success in Afghanistan and we will continue to take the fight to the Taliban. And it also says that we will continue to work to transfer responsibility to Afghan forces—with the recognition that our commitment in Afghanistan is not open-ended.

As our Commander in Chief, President Obama must have a military and civilian team that has his full confidence, and with General Petraeus' confirmation, he now has that team in place.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, is there any time remaining?

The PRESIDING OFFICER. There is 3 minutes.

Mr. LEVIN. Mr. President, first of all, let me say I very much join Senator MCCAIN's comment about General McChrystal. I spoke about his heroics yesterday, his integrity yesterday at the Armed Services Committee in my statement, and I reiterate them today. General McChrystal is someone who has the deep respect of all who know him. And while fate took a strange bounce in his life, he has the strength and integrity of character that he is going to be able to deal with it very well.

We all want success in Afghanistan, and setting a date, as the President has done and General Petraeus supports, to begin reductions of our forces is critical to that success, because it is the Afghans who must succeed, with our support. It is the Afghan Army that must grow and get stronger because it is that way where the people will be supportive of this effort, where they will take the risks if they know the Afghan Army is large. They know already it is on their side. They will take the risks to tell that army where the bad guys are, where the insurgents are, and not be afraid.

General Petraeus was asked yesterday whether he backs the President's approach with respect to a deadline, and his answer was clear: ''Not only did I say that I supported it, I said that I agree with it.''

President Obama has made a decision. General Petraeus is very much a part of that decision. He agrees with that decision that we need to begin reductions in July of 2011 of our troops as a way of sending a powerful message to the Afghan leadership about their responsibility to provide security for their own country. And when they do take the lead—whether it is in operations in Kandahar or elsewhere—that is the way the people will rally behind the government, will rally against the hated Taliban.

The Taliban has no love among the people of Afghanistan. The Afghan Army does, and it is that army which must take the lead for the sake of success in Afghanistan. That is what setting this date is all about. That is why General Petraeus supports setting that date, not for withdrawal of all of our troops but for the beginning of reductions of our troops, as that powerful signal about what is at stake here and what the Government of Afghanistan must do to achieve success for them and for us.

A few final words about the July 2011 date set by the President for the beginning of reductions in our combat presence in Afghanistan. That decision also made clear that the pace of those reductions would be dependent on circumstances at the time, and that the United States would continue a strong strategic commitment to Afghanistan.

That July 2011 date imparts a necessary sense of urgency to Afghan leaders about the need to take on principal responsibility for their country's security. We saw in Iraq the importance of setting dates as a way of spurring action. President Bush in November 2008 decided to move all U.S. forces out of Iraqi cities and towns by June 2009 and to withdraw all U.S. forces from Iraq by the end of December 2011. That decision helped focus the Iraqi Government and military on the need to take principal responsibility for the security of their country. The Afghans' success, and ours, depends on that happening in Afghanistan as well.

We have already seen a positive effect of setting the July 2011 date to begin reductions of our troops. Lieutenant General Caldwell, who commands our training efforts in Afghanistan, told us that when President Obama announced the date, the Afghan leadership made a greater effort to reach out to the local leaders and elders, resulting in a surge in recruits for the Afghan army.

General Petraeus has said he agrees with the President's policy setting that July 2011 date, and told me that if he ceases to agree he will so advise his Commander in Chief, which he, of course, has a responsibility to do as a military commander.

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

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, this is not the time for debate over strategy. I would point out that no one follows an uncertain trumpet, and for us to assume the Afghan people will now rally to the side of democracy and freedom, when they think we are leaving and unable to sustain a counterinsurgency on their own, is the same kind of thinking that opposed the surge in Iraq, the

same kind of thinking that would have doomed us to failure, the same kind of rhetoric that was voiced during our debate on Iraq 3 years ago. They were wrong then; they are wrong now.

I would hope they would have learned the lesson of our success in Iraq: that we must show our friends and allies alike that we will be there to complete the mission; not as a young soldier said the other day: that they fear the Americans are leaving and the Taliban will cut their heads off.

It is a fundamental of warfare that you have to see the mission through to completion or failure. To announce a date of withdrawal is to announce a date for defeat.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I would also now reclaim the remainder of my time.

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

Mr. LEVIN. Mr. President, I ask unanimous consent for 30 seconds to respond.

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

The question is, Will the Senate advise and consent to the nomination of GEN David H. Petraeus to be General?

Mr. MCCAIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 203 Ex.]

YEAS—99

Akaka	Ensign	McConnell
Alexander	Enzi	Menendez
Barrasso	Feingold	Merkley
Baucus	Feinstein	Mikulski
Bayh	Franken	Murkowski
Begich	Gillibrand	Murray
Bennet	Graham	Nelson (NE)
Bennett	Grassley	Nelson (FL)
Bingaman	Gregg	Pryor
Bond	Hagan	Reed
Boxer	Harkin	Reid
Brown (MA)	Hatch	Risch
Brown (OH)	Hutchison	Roberts
Brownback	Inhofe	Rockefeller
Bunning	Inouye	Sanders
Burr	Isakson	Schumer
Burris	Johanns	Sessions
Cantwell	Johnson	Shaheen
Cardin	Kaufman	Shelby
Carper	Kerry	Snowe
Casey	Klobuchar	Specter
Chambliss	Kohl	Stabenow
Coburn	Kyl	Tester
Cochran	Landrieu	Thune
Collins	Lautenberg	Udall (CO)
Conrad	Leahy	Udall (NM)
Corker	LeMieux	Vitter
Cornyn	Levin	Voinovich
Crapo	Lieberman	Warner
DeMint	Lincoln	Webb
Dodd	Lugar	Whitehouse
Dorgan	McCain	Wicker
Durbin	McCaskill	Wyden

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

AMERICAN JOBS AND CLOSING TAX LOOPHOLES ACT OF 2010

Mr. DEMINT. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

Motion to concur in the House amendment to the Senate amendment with an amendment to H.R. 4213, an act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 4425 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute.

Reid amendment No. 4426 (to amendment No. 4425), to change the enactment date.

Reid motion to refer in the amendment of the House to the amendment of the Senate to the bill to the Committee on Finance, with instructions, Reid amendment No.4427, to provide for a study.

Reid amendment No. 4428 (to the instructions (amendment No. 4427) of the motion to refer), of a perfecting nature.

Reid amendment No. 4429 (to amendment No. 4428), of a perfecting nature.

The PRESIDING OFFICER. The Senator from South Carolina.

CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA

Mr. DEMINT. Mr. President, I rise today to congratulate the University of South Carolina men's baseball team for making history by winning the NCAA College World Series last night.

Whit Merrifield's clutch hit in the 11th inning brought home the winning run and gave USC its first ever national championship for any men's team at the university.

In spite of losing their first game in Omaha, the team persevered through multiple elimination games. They were motivated by the courageous spirit of one young fan, Bayler Teal, who at age 7 may have been the biggest Gamecock fan in America. He suffered from a rare form of cancer and died last Thursday during the Gamecock's come-from-behind victory over Oklahoma. He wore his Gamecock ball cap the day he died.

Fortunately, Bayler's parents and 5-year-old brother were able to be in Omaha last night to see the Gamecocks win the final game of the College World Series.

So today I join all South Carolinians and Gamcocks fans everywhere to congratulate the players, Coach Ray Tanner, and his staff for an outstanding victory.

Now all America knows that USC means the University of South Carolina. Go Gamecocks.

FIRST-TIME HOME BUYER TAX CREDIT

Mr. President, I want to speak in objection to the majority's latest attempt to secretly push through another extension of the first-time home buyer tax credit—the third time the Senate has modified or extended this credit since July of 2008, when it was originally included in the majority's Housing and Economic Recovery Act.

Home buyer tax credits have several flaws, and I opposed them in the past because I believe they are a temporary infusion of capital into the marketplace and simply increase the government's grip on our Nation's economic growth.

As often happens when the government becomes involved in attempting to grow a portion of the Nation's economy, we only create a bubble that will eventually burst. As the National Association of Realtors said in late April, shortly before the expiring of the tax credit on April 30:

It is time for the housing market to stand on its own feet.

It is time for the government to stop picking winners and losers in the housing market based on arbitrary dates and arbitrary qualifications. For the people who haven't closed on their homes by today, it is not that they won't get their house; it is only that they won't get a taxpayer subsidy for having bought a house now rather than later. This taxpayer subsidy has been funded by their neighbor, who may not have had the opportunity to buy on the government time line.

We have watched this majority push through big spending bills and targeted government credits. What we have learned is that government spending does not grow economic prosperity; rather, government spending grows deficits. It creates economic bubbles. Without a doubt, it increases taxes.

For 18 months, this majority has created a false sense of hope for consumers and markets while increasing taxes on small businesses and the most productive and hard-working Americans. Rather than creating tax equality and predictability for all Americans, this Congress has tried to force taxpayers to subsidize the purchasing of cars, homes, and even appliances.

We know what works. When American businesses have the predictability of low tax rates, they in turn invest in job creation and create real economic growth.

The enormous amount of spending this Congress has taken on is unsustainable and will eventually lead to the highest tax increases in our Nation's history.

This bill is no different. I ask my colleagues, how many times do we need to extend this home buyer tax credit? What do we tell the people who bought their homes just before it started, and the ones who bought their homes right after it expired? Do we say their mortgage rates will be higher for the whole time they own their home, and their

taxes will be paying for their neighbor's home, who happened to buy in the government's window of opportunity?

The nonpartisan Tax Policy Center has called the home buyer credit ''Washington's worst tax policy idea.'' They have estimated that the $12.6 billion already spent on this program through February created ''close to zero'' jobs and that at least 85 percent of these buyers would have likely purchased a home anyway.

Also, the Treasury Department's inspector general found the home buyer credit has been riddled with fraud and chronicled over 14,000 instances of false claims. This is typical of government programs. The report ''found as many as 67 taxpayers using the same home to claim the credit''—the same home. It also found that over 1,000 prisoners received credit for homes they claimed to buy while in jail.

How is it fair to subsidize Americans who purchased their first home only because they purchased it on the government's timetable?

With this latest extension of the credit, the majority is not only cutting defense spending to fund the credits, but now it is admitting that taxing Americans at the highest rates in history isn't enough. Now they are going to tax foreign visitors to pay for buying our homes in America.

My hope is that my colleagues will use the recess next week to finally listen to the millions of Americans who are tired of this Congress choosing winners and losers. They are tired of the excessive spending, and they are fearful of tax increases yet to come. They are telling us very clearly: Stop spending, stop borrowing, stop adding to the debt, and stop the government takeovers.

Most of all, they agree on one thing: This Congress needs to get out of the way and let America get back to work.

UNANIMOUS-CONSENT REQUEST—H.R. 3371

Mr. President, I will now speak on the status of the Federal Aviation Administration legislation and, hopefully, move the process along a great deal. At the end of this, I will offer a unanimous consent request.

As many Senators will remember, early last year a small commuter plane crashed just outside Buffalo, NY. The accident killed all 49 people onboard and one person on the ground.

In the months following the crash, the Senate Commerce Committee and its aviation subcommittee held a number of hearings to get a better understanding of what exactly went wrong during Flight 3407 and what Congress could do to help fix it.

I thank Senator DORGAN in particular for his leadership on this issue. From those lessons we have learned and during the drafting of the FAA reauthorization, our colleagues in the House worked with us, and we were able to craft a number of important reforms that formed the safety section of both the House and the Senate reauthorization bills.

Let me take a moment to outline some of them: an FAA pilots records database. Had we had a database like the one we have in this bill, it would be very likely that the pilot of Flight 3407 would not have been allowed to fly that day.

Increased hourly requirements for copilots: If we had these requirements, the copilot on Flight 3407 would have had more experience, and we may have averted a disaster.

There are a number of improvements in the House bill, including enhanced mentoring for pilots, increased utilization of safety management programs, better crew management initiatives, as well as clearer responses to NTSB safety recommendations. All of these reforms will go a long way to improving aviation safety.

Sadly, we have yet to get this legislation across the finish line that would implement these reforms. Parochial politics, political payoffs, and backroom deals are keeping these important safety measures from passing.

Some Members are trying to cut special deals for special flights to their States. Numerous Members are looking to impose new taxes on travelers already burdened by too much taxation. Some Congressmen are trying to cut a special deal for their buddies in the labor unions. All of these things are beside the point and are exactly what aviation policy should not be about.

Since last October, the Senate has had a bill sitting before us that will immediately implement the reforms that the families of Flight 3407 have been calling for. They have waited too long. The fights over FedEx, taxes, and special flights aren't going to go away anytime soon. If we let them, these controversial issues will continue to hold up the safety provisions on which we all agree.

Let's say that enough is enough; it is time to pass the safety improvements and let the rest of the FAA stand on its own.

Madam President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of H.R. 3371 and the Senate proceed to its immediate consideration; that the bill be read the third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER (Mrs. HAGAN). Is there objection?

Mr. DORGAN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard. The Senator from North Dakota is recognized.

Mr. DORGAN. Madam President, might I inquire of the Senator, we have been trying to move a 30-day extension of existing authorities for the FAA, which is essential and very necessary. Is the Senator holding that up? We have had objection from his side, and my information is that the objection was the Senator's. Is that accurate?

Mr. DEMINT. Madam President, I very much support the extension, but I have asked that this safety provision be moved along with it so that we can get this done instead of continuing to allow it to be held hostage to political interests on the bill.

I would be supportive of a unanimous consent request that would extend the FAA authorization 30 days if it included my request for the safety provisions of the bill.

Mr. DORGAN. Madam President, I think this will be extended 30 days. Failure to extend the current authority for the FAA for the next 30 days while we finish the conference report will mean that 4,000 people at FAA will be furloughed, laid off. Don't tell me that promotes aviation safety. That is the worst possible thing we can do—to decide that we are not going to extend current authorities, and after July 4, 4,000 people will be furloughed at FAA.

With respect to what my colleague has just done, without consultation with anybody else, he decided to come to the floor of the Senate and talk about ''special deals'' and ''new taxes'' and so on.

Let me describe where we are. We have tried to keep the Senator's staff and him involved so that he understands where we are. In the event there is missing information, let me explain where we are.

No. 1, we passed an FAA reauthorization bill that includes modernization of the air traffic control system, very substantial safety provisions, far more than what the Senator suggests we adopt today.

As the Senator knows because he is ranking member on the subcommittee, we held a good number of hearings on the subject of the Colgan crash and the safety provisions that need to be done as a result of it. The things the Senator raises on the floor today include most of what I have suggested, among other things. I appreciate the cooperation the Senator offered when he was at the hearings we held on these safety issues.

But following the passage of this bill by the Commerce Committee, we have not been able to appoint conferees in this Chamber. That is symbolic of how dysfunctional the Chamber is these days because we have objections even to appointing conferees. Notwithstanding the objections, Senator ROCKEFELLER and I have been working with the House, and we have kept the Senator involved, trying to narrow down most of the provisions that differ between the House and Senate. There are 6 or 8 or perhaps 10 significant differences we are working on now, and the Senator mentioned a couple: the issue of the perimeter rule, slots at Washington National Airport, a FedEx issue, passenger facilities charge, and other issues.

I believe there is almost no dispute at all about the majority of the safety provisions that both the House and the Senate will include in the bill when it is complete. We had hoped it would be complete this week. That is not going to be the case.

Shortly after we return, I fully expect to have a conference report on the floor of the Senate that will include all of these safety provisions and more, I should say—many more—because, as the Senator knows, I chaired the hearings that helped develop these very procedures.

It would have been nice to have gotten some notice about what the Senator chose to do today. I do not think it is appropriate to try to leverage an extension for 30 days for the current authorization of FAA, which, if not extended, will result in 4,000 people being furloughed at the FAA. To try to leverage passing a portion of the FAA reauthorization bill that we are now negotiating with the House and we are very close to concluding does not make any sense to me.

No one cares more about these safety issues than I do. I can speak at length—and perhaps I will—about the Colgan crash. I understand what happened in that cockpit. I read all the transcription. I read all the information available about it. I sat for hour after hour in hearings. What happened there is an enormous tragedy. Some of the things that caused it, in my judgment, will be remedied and can be remedied and some of it is already remedied as a result of the action by the new FAA Administrator.

I simply want to say to the Senator from South Carolina that I think it is very important that we extend for 30 days the current authority of the FAA and avoid the furloughs his objections would entail. If there is any way to quickly and immediately and dramatically injure safety in the skies in this country, it would be to decide to have that kind of furlough.

I did ask unanimous consent for a 30-day extension. I will do so again this afternoon and hope that my colleague will not object to it. I have worked with my colleague all along the way on these safety issues. I wish perhaps he would have consulted us in terms of coming to the floor today at 12:45 p.m. as a ranking member of a subcommittee and saying: I am going to take this on myself and do this, for whatever reasons he described.

Mr. DEMINT. Will the Senator yield?

Mr. DORGAN. I will be happy to yield without losing the floor, if the Senator has a question.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Madam President, we have been promised for months that this bill, the FAA reauthorization, which the Senator from North Dakota and I approve, would go through. The families of flight 3407 have been here constantly. As the Senator knows, one of those families is from my hometown. They have waited long enough. There is no reason that we need to hold these safety provisions hostage to passing a whole bill that is bogged down in political fights.

I ask unanimous consent to amend my unanimous consent request to include the 30-day reauthorization of FAA. There are none of these provisions the Senator objects to. If there are additional safety provisions that can be in the final bill, we can do that. But nothing in my request compromises what the Senator from North Dakota wants to accomplish. I ask unanimous consent to amend my UC to call up and pass H.R. 5611.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Dakota.

Mr. DORGAN. Why don't we stop this sort of thing? It is unbelievable to me how dysfunctional this place is. I say to my colleague, we have worked on this issue for months and months. I wish it had been done in January, but it was not. But we are very close to getting this done the right way. We have a couple things we have to do together, and I hope we would not be debating this. We need to extend the authorities for the FAA—and do it now—for 30 days. I expect—and the Senator knows me because I have had conversations with Senator KYL, the No. 2 person on his side. We all had conversations with the Senator from South Carolina and his staff. He knows we have been involved in finalizing at long last just the few remaining issues in order to get a conference report to the floor of the Senate.

I have talked with and met with the families of the victims on the Colgan flight many times. I do not know that anybody here has done much more than I have done to reach out to them, to hold hearings, to listen to them, to compliment them, to say to them: Because of what you are doing as families of victims, other people are going to have their lives saved because of aviation safety. I do not take a backseat to anybody in my interest and concern about that and what I have done about that.

I have not had the families of the victims come to me to say: Let's decide to object to extending for 30 days the FAA reauthorization or, by the way, let's decide to take this legislation apart and pull part of it out and leave some of the safety provisions outside the Senator's amendment.

What the Senator is suggesting is that we should pass legislation that came to us from the Senate with an amendment of his that takes a portion of the bill out that he decided he wants out.

This bill, by the way, passed the Senate 93 to 0. The Senator was not there that day, so he did not vote. But 93 Senators voted, and no Senators voted against it. We can get this done, but we are not going to get this done by coming to the floor without consulting anybody; let's take a portion of it and add it to a House provision and threaten to have the FAA not have their authority extended and they can furlough 4,000 people in the coming weeks—that is not, in my judgment, a thoughtful way to proceed.

My hope is that perhaps we, in a rational moment, can just decide: Let's do the right thing. We are in conference with the House—not a formal conference but a substantial number of meetings have gone on. We have another one at 5 o'clock this afternoon. My hope would be that the Senator from South Carolina would agree that there is the right way and the wrong way to do this business. We will get all those safety provisions done and more—much, much more—and we will not leave any safety provisions behind that were in the legislation that passed the Senate 93 to 0. It is going to take another week or so beyond July 4, and we will have this done.

Madam President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of H.R. 3371 and the Senate proceed to its immediate consideration; that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

Let me say that this is the 30-day extension of the FAA reauthorization bill.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Let me withdraw that request.

Mr. DEMINT. I object.

The PRESIDING OFFICER. The Senator may withdraw his request.

Mr. DORGAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

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

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

Mr. DORGAN. Madam President, I just told my colleague that the unanimous consent request I intend to read is a unanimous consent request that will extend for 30 days the existing authorities of the FAA. The House has passed it, has sent it to us, and is now awaiting action by the Senate. I personally do not intend to support amending it and sending it back to the House. I believe we ought to do what we should always do; that is, try to make things work, and the way to make things work is to give the FAA the extended authority they need while we finish the negotiations with the House.

I indicated that we have a meeting this afternoon. Senator ROCKEFELLER and I have a meeting with the House counterparts this afternoon on these issues. We have had staff working for a long period of time. We are down to very narrow, in my judgment, or at least a few narrow differences that I believe we can resolve. It would be a shame, in my judgment, if we do not, just as a matter of courtesy, decide, yes, this is the right thing to do while we try to negotiate these final areas in that legislation.

This issue of safety, I indicated to my colleague—I guess the Senator was absent when the Senate voted on the bill itself. It passed 93 to 0. The Senator from South Carolina has been at the hearings. My colleagues have been at the hearings I have called on safety. The crafting of the provisions on safety are provisions I largely crafted in consultation with my colleague.

It seems to me to be Byzantine to be standing here and having my colleague come to the floor offering this without consultation with anybody. It does not make sense to do it this way. Let's finish this the way Congress should finish its work: negotiate with the House. We can do that in the next week or two, get a conference report, bring it here, and have a vote on it, and it will include all the safety provisions my colleague wants, which I helped create, and many more. That is the right way to legislate.

The wrong way to legislate would be for us to decide we are going to threaten to not extend the reauthorization of the FAA and have about 4,000 people laid off sometime over the Fourth of July weekend. These are people who work at the airports division, engineering facilities, and equipment division. It makes no sense to do this.

Madam President, I ask unanimous consent—this is H.R. 5611, the FAA extension bill for 30 days—I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5611, which was received from the House.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Reserving the right to object, Madam President, I assure the Senator I am in complete support not only of the 30-day extension but the bill he and I passed out of the Senate. Believe me, I was here for that and very much support it. If the Senator's colleagues will accept it the way we passed it through the Senate, it would be done today. But because of this holdup, what I consider safety provisions being held up unnecessarily for political reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Dakota.

Mr. DORGAN. Madam President, let me make a point very clearly. A number of the provisions dealing with safety that relate to the Colgan air crash are being implemented already by the FAA. Let me make that point, No. 1.

No. 2, in order to successfully do what we really need to do to promote aviation safety, we need to get the bill passed that promotes modernization of the air traffic control system. That is critically important. We are losing ground on those issues. We need to be able to move airplanes around this country and the world with GPS capability. It allows them to fly more direct routes, with a much greater margin of safety for passengers. The modernization of the system is critically important. We worked long and hard on that issue.

This comprehensive bill includes air traffic control modernization, safety provisions, and so many other provisions that are important.

My colleague, who is the ranking member on the subcommittee that helped produce this bill, knows and I know that we have to have a 30-day extension. That has to be done and will be done this week. I cannot believe my colleague would go home and decide: I don't care who is laid off. I will tell my colleagues how to quickly diminish safety in the skies, and that is to do that, to behave like that. That is a nonstarter, in my judgment.

It is also the case that we are not going to have somebody come to the floor without consultation and pull this provision, that provision, or the next provision out of the bill and say: By the way, I want unanimous consent to get this done. That is not serious legislating. It just is not. Everybody knows that.

It is time for us to start working together. This place is pretty dysfunctional these days. This is exhibit A as to why it is dysfunctional. My hope is that in the next couple of days, we can reach an understanding to fix some of the issues that affect the Senator.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS-CONSENT REQUEST—S. 3462

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 3462, a bill to provide subpoena power to the national commission on the British Petroleum oilspill in the Gulf of Mexico, and that the Senate then proceed to its consideration; that the bill be read three times, passed, and the motion to reconsider be laid upon the table; that any statements relating to the measure be printed in the RECORD, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Madam President, on behalf of other Members of the Republican conference, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

UNANIMOUS-CONSENT REQUEST—H.R. 5481

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 442, H.R. 5481, a bill to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling; that the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

This is legislation that passed the House 420 to 1.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Madam President, on behalf of other members of the Republican Conference, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I think we are witnessing exhibit B to Senator DORGAN's exhibit A about what the problems are in this Chamber.

I don't understand what is so objectionable. In the House, 169 Republicans voted in favor of giving the Presidential commission subpoena power. They understand how important that is because this commission begins their investigation in the next few weeks. This should not be a partisan issue. I don't understand why my colleagues on the other side of the aisle are turning this into a partisan issue.

I find it unbelievable that after everything the people of the gulf region have endured, and that this entire country has witnessed for over 2 months now, that anyone is still standing with the oil company that caused this disaster instead of the victims who are suffering from it.

We recently learned that while BP was publicly telling us that the Deepwater Horizon rig was leaking an estimated 5,000 barrels of oil a day, internal BP documents showed, in a worst-case scenario, up to 100,000 barrels of oil could actually leak into the Gulf of Mexico. What that says to me is that we need to make sure when we are investigating this oilspill, whether it be with employees of BP or anyone else, that they are being straight with the American people. That is what subpoena power would do. If we want to get to the bottom of what happened so we can stop it from happening again, the Presidential commission needs the authority to compel people to provide documents and to testify under oath.

The full devastation of this catastrophic spill is far from being known, but surely we know now that it will be one of the worst, if not the worst, economic and environmental disasters in American history. We need to make sure this never happens again. The Presidential commission needs subpoena power to get the job done for the American people. The House moved quickly to pass this legislation and the Senate should now pass this important legislation also. I can't understand why anyone is objecting to this.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I want to rise in support of what my distinguished colleague from New Hampshire is trying to accomplish here,

which is simply to give the oilspill commission the subpoena power it needs to be able to do its job—to bring those individuals before it who might be reticent to come forth.

What we have seen here on the floor—and what we have seen in the last few minutes—is a whole process that I hope the American people understand is a clear contrast between who stands on their side and who stands on the side of special interests. How is it possible that Members of this Chamber find it difficult to even proceed, when the House of Representatives, in a near unanimous vote, could say that the subpoena power is necessary for the commission to be able to get to the bottom of what happened? The House voted unanimously, save for one vote. Yet we cannot even proceed.

This isn't rocket science. It is common sense to most Americans. We need to fully learn the lessons of this disaster with a thorough investigation, not to protect oil companies from having their negligence exposed. We need to get answers from BP and Transocean and Halliburton and everyone else, including the Federal agencies, not to give apologies to them, as I have seen Republicans suggest that we should apologize to BP for making sure the residents of the gulf region are held whole. We need to know the truth, and the commission needs subpoena power to get the truth. So who are you protecting? What are we hiding here?

In addition to holding information and blocking data collection, BP has seemingly misrepresented the magnitude of the spill. We need the truth. Let's go through a little bit of remembering a very short period of time how this Congress and the American people were deceived. That is why there is a need for subpoena power, to get to the truth and to bring people to testify under oath.

We were told after the Deepwater Horizon burst into flames and then sank onto the ocean floor that there was no spill. Anybody remember that? Can you believe it? The next day, they estimated that an absurdly low flow rate of 1,000 barrels per day was taking place. Then, on May 20, BP said they were siphoning off 5,000 barrels of oil a day from what they claimed was a 5,000-barrel-a-day spill—meaning that they were capturing all of it. Can you believe it?

Then, video feed released under pressure from Congress on May 21 showed a very different story, with a heavy flow of oil still spilling from the well. In response, only after that pressure and that video feed could be measured, the company adjusted their siphon estimate down from 5,000 to 2,200 barrels a day to explain why oil was still flowing. We now know that what the video actually showed was a much heavier flow rate. Only recently have experts begun to have access to some of the data they need to make more credible estimates.

On June 15, the Federal Government officially estimated that the flow may be as high as 60,000 barrels a day, which means that an estimated 3 million barrels have been spilled so far. Three million barrels. That would amount to more than 13 Exxon Valdez spills, which took place in Alaska.

The point of all of this is that we need the truth. That is what Senator SHAHEEN is trying to accomplish—subpoena power for the commission so they can bring in all the parties they need to make sure we get to the truth. We need someone to swear under oath that they are telling us, in fact, the truth about what happened and how much oil is spilling every day into the gulf.

Common sense and good judgment demand that we pass the legislation and move quickly to get to that truth. I can't understand, when I hear so many of my colleagues talk about truth and honesty and transparency, that they can oppose the very effort to give the subpoena powers that get us there. It is a sad day.

While I have the floor, let me briefly say that something good did happen today as it relates to this process, and I want to thank Senator BOXER, the chair of the Environment and Public Works Committee, Senator LAUTENBERG, and the very supportive members of that committee, for passing my Big Oil Bailout Prevention bill out of committee today so that we can get an up-or-down vote on the floor to hold big oil fully liable for the economic and environmental damage they have caused. Frankly, it is time we have a vote, after so many Republican objections, to this commonsense legislation. The bill that the committee passed is simple and common sense. It asserts that we want to protect those families, those taxpayers—and all of us as taxpayers—not oil company profits. It asserts that oil companies should bear the burden of the economic damages that their spill causes, not taxpayers.

As we see the images and read the stories from the gulf coast night after night, it could not be clearer that coastal families and taxpayers are the ones who need protection, not oil companies. With action such as this one in the committee today, we have a lot of momentum going right now. I think the American people have shown clearly they want oil companies held fully accountable, and we are working to do just that. I think we are developing a head of steam.

It seems that the only people who consistently work to protect oil companies instead of coastal families right now are the oil companies themselves and some colleagues who seem to, no matter what, oppose, oppose, oppose either having subpoena power to get to the truth or lifting the liability cap so that the oil industry will be held responsible.

Four times my Republican colleagues have blocked the Big Oil Bailout Prevention Act from passing quickly by unanimous consent here on the Senate Floor, even though there is a fierce urgency of doing so now. All but one in the committee today voted in favor of the poison pill amendment that would have gutted the bill. And they have blocked, as I have said, the attempts of my colleague from New Hampshire to give the commission all the tools necessary to do a full investigation.

So I say to them, if they continue to stand in the way of our efforts to hold oil companies fully accountable, they are going to get run over by public opinion. I hope that now the committee has acted, we can use this as an opportunity to finally hold big oil accountable, and in doing so, to send a message to the industry that they are going to have to be extremely careful; that they cannot cut corners; that they cannot go cheap as they drill—to the extent that we are going to allow drilling to take place. We cannot risk the kind of environmental disaster we now have in the gulf. By the way, 11 lives were lost on that day on that rig. We must guard against a future generation facing this kind of environmental degradation. That is what is at stake here. That is what is at stake here.

It is incomprehensible to me that we cannot get our colleagues on the other side of the aisle to join us in this effort.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROWN of Massachusetts. I thank the Chair.

(The remarks of Mr. BROWN of Massachusetts pertaining to the introduction of S. 3551 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DODD. If I may, before my colleague speaks—I will yield to him right away.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Before my neighbor from Massachusetts leaves the floor, let me commend him for his comments here without getting into details of the bill he has offered but, more importantly, the general thrust of what he has expressed. As he is a newly arriving Member of this body and may be here for many years, I am wrapping up three decades of service. But I hope people will listen to what he has to say.

People come to the Chamber and to this institution with the idea of getting things done for our country. That is so critically important. What he has suggested, what I have heard others talk about today, is making this institution functional so we can actually come to terms. It is not easy. We represent different constituencies and different interests. But if the spirit expressed by Senator SCOTT BROWN of Massachusetts in these brief remarks he has made this morning can carry forward in all the debates and discussions we have, we will find a lot more solutions. I want to say thank you.

Mr. BURRIS. I thank the distinguished Senator from Connecticut, who

has certainly been an inspiration to me in this body, and an inspiration to all of us. I will be leaving with him, although I certainly did not come with him. But he has been an inspiration to all of us. He knows what my—I will not say publicly, but I thought the Senator would have made a heck of a Supreme Court Justice.

Madam President, as a public servant, I have long been a strong advocate for American small businesses—especially disadvantaged and minority-owned businesses.

And even before I sought elected office, when I was a banker, I worked hard every day to spur investment on Main Street.

I fought to make capital available to small businesses, so entrepreneurs and innovators could create jobs and bring prosperity to local communities.

But in today's harsh economic climate, many of these businesses are finding it harder than ever to stay afloat.

Credit has largely dried up, and capital investment is difficult to come by.

And even as our economy begins to inch along the road to recovery, small and disadvantaged businesses continue to lag behind.

I believe we need to do better.

I believe we need to place small businesses at the very center of our response to this economic crisis. They are uniquely positioned to create well-paying jobs and generate growth at a local level—so it is time to make them a priority again. Because, if this Congress fails to take action, if we neglect to pass the Small Business Lending Act, and fall short of our commitment to America's innovators and entrepreneurs, then I fear that our Nation will slip into a jobless recovery, and disadvantaged businesses will continue to suffer the full effects of this great recession.

I recognize that government cannot directly create jobs in the same way that the private sector can. But few can deny that government has an important role to play in setting America back on the road to recovery.

Our job is to support and encourage responsible practices, impose common sense regulations, and help to direct investment to the areas that need it most. That is why I believe we need to pay special attention to the disadvantaged and minority-owned small businesses that have borne the brunt of this crisis.

Under current law, the Small Business Administration provides key support to these entities through its 8–A program. This initiative offers technical assistance, training, and contracting opportunities to small businesses that meet specific criteria. I am a strong supporter of this program, which has helped to keep disadvantaged businesses viable, and made sure everyone has the chance to share in economic prosperity. Since its inception, 8–A has made a difference in countless communities, and eased some of the worst effects of this crisis for those who stood to suffer the most. Yet, despite its success, this program's impact has been artificially limited, because only a small number of businesses are eligible for this kind of support.

As we cast about for a solution to our economic troubles, I believe we should leave no stone unturned.

At various times since the onset of the recession, both Democrats and Republicans have come to the table with constructive ideas. Many of these have been passed into law—and I think they have made a real difference. But we must not find false security in early reports of success.

We have made progress—but the situation remains fragile. There is still much more to be done. That is why I have introduced an amendment that would improve and expand the 8–A program.

This measure would increase the continued eligibility amount, from $750,000 to $2.5 million, so more small businesses could benefit from this assistance.

It is no secret that minority-owned businesses, particularly those in poor or urban areas, have been hit hardest by the current economic downturn, so as we look to our recovery, these are the areas we should target for our strongest support.

By expanding the existing 8–A program, we can increase its economic impact, without having to reinvent the wheel. We can rely on a proven initiative to inject new life into disadvantaged areas.

I ask my colleagues to support my amendment, as well as the underlying bill as a whole.

On behalf of small and minority-owned businesses, I ask for their assistance in these troubled times.

Our economic future may be uncertain, but with my proposal and the Small Business Lending Act, we have the rare opportunity to influence that future.

Let's pass these measures, to guarantee some degree of relief for the people who continue to suffer the most. Let's renew our investments in America's small businesses, and rely on them to drive our economic recovery.

Let's do so today. Let's do it now, for tomorrow may be too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, I should have noted, I will be leaving with my friend and colleague from Illinois as well. He has been a wonderful addition to this institution. He has done a very fine job representing the people of Illinois. I regret we didn't get to serve more years together, that he didn't get a chance to come here earlier. He made a good contribution in the short time we have been here. Had the Senator been here longer, I think he would have made a significant contribution over the years. I thank the Senator for the time he has served and the manner in which he served as well.

WALL STREET REFORM

I rise this afternoon to spend a few minutes to talk about a most important piece of legislation facing this body and, more importantly, our country, and that is the Wall Street reform bill. In fact, the Presiding Officer has had a deep interest in the subject matter and in her previous life actually worked in the area of financial services. She not only brings an interest from the State of North Carolina, one of the fine States that has a significant involvement in the financial services of our country, but has also a knowledge about these institutions, how they work, and how the financial system works. I am very grateful to her for her thoughts and suggestions as we have been through this rather long journey over the last couple of years in the wake of the financial crisis that befell our Nation most dramatically in the fall of 2008.

I think all of our colleagues here know what is at stake. We do not need to spend a lot of time talking about the circumstances over the last couple of years. We know it, and more importantly, and more poignantly, our constituents know it, because they are living it.

All of us have jobs here. We are fairly well compensated, to put it mildly, by any standard. We have good health care. We own our homes or are not worried about whether we can afford the rent in the places we live—whatever the circumstances. We are in some ways insulated from the day-to-day agonies our fellow citizens go through and have gone through over these last couple of years.

But I also have a deep appreciation of the fact that my colleagues, despite not personally going through these terrible times as their constituents are, understand the importance of this issue. I am deeply grateful to each and every Member of this Chamber over the last 2 years and almost everyone in this Chamber has been involved in this debate or discussion to one degree or another. The fact is we have come as far as we have in this bill because there is that interest and because there is that concern that we need to address the architecture, the financial structures of our Nation so as to avoid the kind of problems we have seen our Nation go through over these last several years.

Again, the numbers have been repeated so often I am almost hesitant to repeat them this afternoon. Certainly we will know better tomorrow. I guess the unemployment numbers will come out again.

But well over 8½ million jobs have been lost. Frankly, I think that number is an underestimation of what has happened. Some people have found part-time work, falling back in and out of it. But the number, 8.4 million, is used. It is certainly no less than that and, I suspect, as I said, far more than that.

Seven million of our fellow citizens have had their homes fall into foreclosure. Every time I say that sentence it seems it is so brief to cite the number. But imagine, as we must, that moment when, despite all of your efforts, that dream house you have acquired for your family, because of a lost job, the lost retirement, the closed business, all of a sudden that which you had hoped and dreamed for that has brought stability to your family, a great sense of joy and hope, dreams fulfilled, is all of a sudden closed, foreclosed, lost.

Imagine coming home that night when all of the efforts to hold on to that home are gone and facing your family and telling them the house you have lived in—where you have played, you have eaten, you have dreamt, you have laughed, you have cried, you have done all of the things that building enshrines in the American family—is no longer yours. For 7 million of our fellow citizens that night has happened. Many more face the prospect of that occurring in the months ahead, despite the efforts to get our economy moving again. Retirement incomes, of course, have vanished in a flash, watching the markets decline. Literally years of building security for those retirement years, to contribute to a child's higher education costs, to blunt the costs of a health tragedy to hit your family, all of those rainy days that retirement or savings account can provide to weather those storms have been eliminated.

So there has been a shocking loss of wealth in our Nation as well. Trillions of dollars are gone, incomes that will never be made up. As I mentioned, lost home values, even if you have been able to hold on to your home, home values, on average, have declined about 30 percent. So that equity you might have built up in that dream house, where you have raised your family over the last 10, 15, 20 years, you paid one price for it maybe 20 years ago and had the full expectation that property value, while it may not skyrocket, would increase in value over the years.

So as you became that empty nester as your kids went on to college or marriage or jobs on their own, the hope that you would be able to sell that home to another hopeful buyer and come out of it with some equity that would then provide for that security that you needed to contribute to your family's well being has been totally gone in many cases, even if you have held on to your home.

Well, the bill I briefly want to talk about does not do anything about what has happened. I would love to tell you if we passed this bill that you could get your job back; that passing this financial reform bill would give you your job back. I would love to be able to tell you that when we pass this bill you would get your home back or that somehow you would be able to magically replenish that retirement account or savings account.

This bill does not do any of those things. All this bill does is to say that when the next crisis comes—and surely it will as night follows dawn, as tomorrow follows today we will have another economic crisis. I never suggested this bill was going to stop that. What I hope we are able to do with this bill is minimize the effects of that crisis when it occurs so that it does not metastasize. That may be the best word to use in this case, much as a cancer does.

When an economic crisis hits, if you are able to handle it when it happens, much as you are able to handle a cancer when you discover it before it contaminates your entire body—the crisis that will happen if we can control it, identify it early enough, begin to address the problems that it poses, then we might avoid the kind of catastrophic effect this present economic catastrophe has caused, the most significant in almost 100 years, since the Great Depression more than 80 years ago.

So I want to briefly talk about not only the process we have gone through over the past year and a half, but also what this bill is trying to do. Let me be the first to acknowledge and admit that it does not do everything I would like it to do. I am not overly enthusiastic about every provision in this bill. There are measures that I objected to that are in the bill.

But we serve in a body of our fellow colleagues, the 100 of us who serve here, who work with those who work down the hall from this Chamber where 435 of our colleagues serve, with an administration and regulators, not to mention financial institutions and their employees and all that are involved in the financial network of our Nation, all are impacted and affected by this bill. So it is difficult to try to fashion a piece of legislation that accommodates the various interests and allows us to move forward. But that is what we have tried to do.

Process is important. I will not dwell on this point, but as someone who has spent three decades of my life at this very desk—and it is the only desk I have ever sat at since the day I arrived. This desk was planted over in that far corner as the 100th Senator in the body up until I—some 20 years ago when, through seniority, you get to move your desk around. I ended up in this seat, this spot about 20 years ago, next to this remarkable man whose life we are going to celebrate and are celebrating those days, ROBERT C. BYRD. He has been my seatmate for the last two decades.

As I said the other day, I was an 8-year-old child sitting in the galleries of the other body watching my father, on January 3, 1953, and a 35-year-old new Congressman from West Virginia be sworn in as newly minted Members of Congress. Some 6 years later, I sat in that gallery up here, in the family gallery, watching my father be sworn in as a Senator from Connecticut, along with a new Senator from West Virginia named ROBERT C. BYRD, never imagining, as a 7- or 8-year-old or as a 14-year-old, that I would spend 20 years of my life at a desk next to the man who has served longer than any other human being in the history of our Nation.

Process meant a lot to ROBERT C. BYRD. The Constitution meant a great deal. I carry with me, and every day I have for 20 years, the Constitution that ROBERT C. BYRD gave me and autographed to me. It is rather threadbare and worn today, but he revered this document. He could absolutely quote it verbatim. He gave me a copy, as he did to all new Members when they arrive, and the importance of understanding the role of this body in our constitutional framework.

He was such a great advocate of the civility and the respect for each other as we try to fashion answers to our Nation's problems. We have been through two major bills in the last Congress. There have been a lot of other bills to consider, but the health care debate and the financial reform debate, I would argue, are the two largest in this Congress, and they are two models of how an institution can operate.

Even though I am glad we prevailed with the health care debate and are going to finally end up dealing with cost and access to our health care system and making it more available to people as a result of our actions taken, it was not a pretty process. Anyone who watched it, let alone those of us who were involved in it, certainly would have preferred that we arrive at the conclusion in a manner differently than what we went through. Maybe not everyone would agree with that. I feel that way.

The second model, if you will, is the one we just went through on financial reform, which was about as open a process as you could ever have. We went through literally months of listening in our committee, the Banking Committee which I chair, to hundreds—and I am not exaggerating—hundreds of experts who came and briefed us either formally or informally, literally dozens and dozens of formal hearings to dissect what had happened, how we got into this mess, who caused it, how was it caused, and what steps we should be taking to see to it this problem, another economic crisis, would not explode as broadly as this one has.

I invited my colleagues, Democrats and Republicans, to be involved in all of those meetings, to see to it that they would be present, even at White House meetings, to talk about what we needed to do. We laid out our first ideas together a year and a half ago, even before marking up anything close to a bill.

I presented our first discussion draft of this legislation in November of last year, and it was a discussion draft. After that draft was put forward, I assigned bipartisan working groups to attack the major issues in the bill. In March of this year, I unveiled a new bill that incorporated many of the bipartisan ideas that the working groups

had produced. In fact, what I asked to be done in our committee, in the Banking Committee, was divide up the labor between Democrats and Republicans on certain large, complicated subject matters. And to their credit, they worked very hard. It did not always come up with a final answer in various areas, but they contributed significantly to the product we now have before us in the form of a conference committee report coming to this body, coming to the Senate.

So I am grateful to RICHARD SHELBY, who is not supportive of the bill, but was my ranking member and was the chairman of the Banking Committee for 4 years before I took over the chairmanship in January of 2007.

I will not go down the list and mention all of the members, but the committee members worked very hard. Even though we ended up disagreeing with what we finally produced, I am grateful to them for the efforts they put into the legislation. Beyond that, I have worked every day to keep my colleagues informed every step of the process, at least I have tried to, and if not them directly, their staffs, so there was that sense of inclusion, the model that everyone ought to be able to have a role and participate in the debate of a significant bill.

So the point I am making is, this bill was the product of collaboration of many of my colleagues before the debate even began on the floor of the Senate. On this floor, the debate lasted almost a month, one of the longest debates in many years in the Congress of the United States. Nearly 50 votes were cast by Democrats and Republicans over a 4-week period.

One of the many that passed was the very second one, I think. Senator BOXER of California offered the first amendment that said taxpayers should never again be asked to pay for a bailout of a financial institution. I think that passed unanimously. Then Senator SHELBY and I offered an amendment where we reached a bipartisan agreement on measures to end all bailouts of financial institutions once and for all, one of the most contentious areas of the bill.

From that point forward, over the next 4 weeks, with almost 60 amendments back and forth, we ended up passing the legislation by the thinnest of margins, overcoming the procedural votes we needed to in order to reach financial passage of the bill.

The last time the Banking Committee held a conference on any legislation was 7 years ago. So I took my committee product, the Senate product, and we went to what is called a conference. The House had passed its bill in December. We had passed our bill in May. So what normally has happened in the past is they never meet, or if they do meet they met in closed-door sessions to work out the differences. Then they would come back with a product.

The last time the Banking Committee had been to a conference with the House of Representatives on any bill was more than 7 years ago. Those meetings were held mostly in private; the public was never even invited into the room, let alone the press, to observe and to cover the event. We changed all of that. Our conference committee, the 42 members of both Chambers who met, again, for a 2-week period, almost 70 hours that we met, we considered 180 amendments in 70 hours. And 54 amendments were offered by Senators, 34 of which were offered by my Republican colleagues in the conference, 20 by the Democrats.

So combined, between the number of amendments we debated on the floor of the Senate and the number of amendments we debated in conference as Senators—forget the House Members and their amendments—there were over 100 amendments by Democrats and Republicans to the financial reform bill. C–SPAN and the press sat there and watched every minute of the conference and covered every second, gavel to gavel, of the proceedings that went on for almost 70 hours over a 2-week period. My point is, this model of conducting our business, listening to each other, debating and deciding what ought to be in this bill, stands in stark contrast to how we went through the health care debate.

What is the point I am trying to make? If at the end of this process it appears as though we still face a procedural objection to going forward, what difference did it make, then, which course we followed if at the end of the process it did not make any difference?

The motion to invoke cloture is a strange phrase that I suspect most Americans do not have the vaguest idea of its meaning, or very few do. It sounds like something a doctor may do if you are ill, to get a cloture or something. That is what I thought it was when I first arrived here.

Briefly, cloture is a method by which you end a filibuster. In this Chamber, under our rules, we respect the rights of the minority, including a minority of one.

Members can talk as long as they can stand up, under most circumstances, and continue. ROBERT C. BYRD, in fact, held one of the records. It wasn't the record—Strom Thurmond holds the record, a former Senator I served with from South Carolina—but ROBERT C. BYRD conducted a filibuster for more than 14 hours. We can do that in this Chamber. But if we want to end the filibuster, we have to invoke cloture. That takes 60 votes—more than a simple majority—to say: We have had enough debate. The process has been fair. It is now time to vote. So we invoke cloture. If we don't think the process has been fair, that we haven't been given a chance to express ourselves, that we have been denied the opportunity to offer amendments or contribute to the debate, then we vote against invoking cloture.

There have certainly been many circumstances when that has been warranted, but I don't know how anyone could make a case that a filibuster on procedural grounds is warranted on this financial reform bill such as we have been through. I don't know what else I could have done to make every Member of this Chamber feel more included in the debate on the reform of Wall Street. If there is something else I could have done to say to a Member: You would have had additional rights or opportunities, I would like to hear it. I don't think I could have. You can't spend 4 weeks in this Chamber through almost 60 amendments, 54 more in a conference, virtually allowing unlimited debate on almost anything that came up, and tell me you think you have been denied the opportunity to fully vent your feelings, to be heard, to offer your ideas and thoughts.

As a departing suggestion of one about to leave in 5 or 6 months, there ought to be some value to the process we have gone through. I have heard this morning already concerns expressed because the institution, in the minds of some, is dysfunctional. I don't want to believe that. I want to believe it is still a functional institution. But if, at the end, this process of what I have tried to lead on the banking bill causes people to believe that it doesn't make any difference, we are still going to vote for procedural roadblocks to this bill because we don't like some of the provisions in it or don't like the bill, then I do despair in some ways for whether this institution can ever function. If, at the end of all of that, we end up with the same kinds of procedural roadblocks as we had on the health care debate, where I would argue there was more legitimacy to invoking those procedural roadblocks, then I think the institution is in a lot more trouble than I would like to believe. I mention the process because it ought to be important to people, seeing to it that we have a chance to go forward.

At the end of that conference, we came up not only with the compromises necessary for a bill but also how to offset the cost of this bill. The House rules require that we demonstrate that the cost of the bill to the overall Treasury of the United States is not going to leave it in deeper debt than would otherwise be the case. We had to come up with offsetting costs for the bill.

The first proposal was not met warmly. It was assessments on large institutions primarily. But there were strong objections expressed, and two or three of our colleagues, who have been very helpful on this bill in offering ideas that would strengthen the bill and made significant contributions, expressed their concerns to me that this was an unacceptable offset, in their minds. So I took the extraordinary step of reconvening the conference. We met yesterday to change the offsets. We did so by two things. One we kept the same, and that was by making permanent the insurance fund in the Federal Deposit Insurance Corporation,

making it permanent at $250,000. That requires an assessment increase in order to meet those obligations. That was already in the bill. The Congressional Budget Office scores that as providing about $8.5 billion in revenues over the next 10 years. That was there.

The second piece we did is end TARP. That is something all of us have wanted to see since the inception of the program. Can we bring this thing to a close? Under our alternative offset, we end TARP immediately, except for its current obligations. The Congressional Budget Office—and I will provide letters from the CBO confirming these numbers—scored that at about $11 billion over 10 years in savings. That money goes into deficit reduction. This is an offset; it is not a pay-for. What do I mean by that? If the budget of our Nation was $100 and the cost of a program was $10, you would have to make up that $10. It doesn't go directly to pay for those programs, but it provides the offset for the cost of those programs.

The third piece of this to make up the difference was by increasing the reserve ratio at the FDIC, which was supported by the chairperson of the FDIC, to go from 1.15 percent to 1.35 percent but to hold harmless all financial institutions or banks that have assets under $10 billion and to do that not over 4 or 5 years but over the next 10 years until 2020. That provides an additional $5.7 billion.

The CBO has thus scored the entire bill as providing an additional $3.2 billion in deficit reduction because the amounts we will be bringing in exceed the cost of the bill.

So, for my colleagues, ending TARP and complying with what the Chairman of the FDIC has said is a far better suggestion.

I would be remiss at this juncture if I did not specifically thank my colleagues from Maine, SUSAN M. COLLINS and OLYMPIA J. SNOWE. It was Ms. COLLINS who said this is a better idea to look at as an offset. I am grateful to her, as I am to her colleague from Maine and my colleague from Massachusetts, Senator BROWN, who expressed his concerns about the assessment approach. Again, I will let them speak for themselves on these matters.

But it is important that colleagues know that, going back to a few moments ago talking about process, it was at the suggestion of Democrats and Republicans that changes were made to the bill, including the extraordinary step yesterday of opening the conference. There are those who wanted me to go forward anyway with it. Why would I do that if, in fact, Members have said: I can't be supportive under the present circumstances. The opportunity to make a correction in the bill and therefore come up with a better idea that was more acceptable to more of our colleagues seemed the appropriate step to take. That is exactly what we did. That is how we have offset the cost of this bill.

I will provide additional data. If I have misspoken on the numbers, I will correct my own statement for the record. But I believe I am approximately correct.

Again, none of this is easy. I know there is a temptation at times like this for emotions to rise, passions to find expression. I have great respect for all of my colleagues in the efforts they made. There are moments of frustration when you are trying to pass a major bill, seeking cooperation from your colleagues to get the job done. But this is a complicated piece of legislation. More than 2,000 pages are included in the bill. There are provisions that are not ones I would write myself, but this is the legislative process.

I introduced a bill last November, the one I would have preferred, but in the months since, many Members have had their opportunities to make changes. Some changes I liked; some I didn't. But it should not be that because you don't like one or two or several provisions of a bill, that ought to become more important than the total impact of what you are trying to achieve. There are those who don't like the bill, any part of it at all or very few parts of it. Again, I understand that. Those people are going to vote no. But when someone tells me there is one provision or two they don't like and as a result they are going to vote against everything, that I don't understand, candidly.

We have had our debate. We voted on hundreds of individual provisions between the House and this body. There will be procedural votes. I have made my case that at some point, a process that is as open as this one has been, as inclusive as this one has been, as hospitable as I could possibly make it, as civil as I could possibly make it—if the procedural roadblocks are no different than the legislation that was conducted without any civility, without any of the cooperation and inclusiveness of this, then what is the lesson? What is the lesson for the next major bill if, in fact, going through all of that gets you no further in the process than what we have been through?

This bill doesn't bring back your home, your job, your retirement income. What it does do is to try to see to it that the next crisis will not cause the deep problems this one has.

Let me briefly identify the two or three or four things that are major in the bill. In the absence of these, if we defeat the bill, all of this is gone and we are right back to September of 2008, right back where we were when this body voted, with less than 40 days to go before a national election, to ask the American taxpayer to write a $700 billion check to bail out and stabilize financial institutions. If you reject this effort we have been involved in for almost 2 years in the week when we come back, then we are exactly where we were in the fall of 2008, with all of the vulnerabilities we saw our country experience as a result of not reforming the structures to our financial system.

This bill will end taxpayer bailouts by making it tough for companies to engage in the kind of irresponsible behavior that threatened the economy. It sets up a way to shut down the giant, dangerous companies that failed, through bankruptcy or through a resolution mechanism that lays all of the cost and pain on them, not on the American taxpayer. That is a major achievement.

We also include for the first time institutions that are financial institutions that have operated in the shadow economy of the Nation—no regulation, no one moderating their behavior. This bill brings them all in. They will now be regulated and controlled, so they can't engage in the kind of wildcat behavior that brought our Nation to the point we have been.

The bill creates a consumer financial services protection bureau. I get people acting as if this was the most radical idea in America. If you buy a faulty product—a toaster, a car, a television set—and it is a crummy product, you have a place to go to get some sort of redress. In fact, they are required to recall the products under the Consumer Product Safety Commission and others. If you get a crummy mortgage, a crummy insurance policy, you get a crummy piece of stock because someone lied about it, where do you go? Whom do you call? You get a lawyer—I guess that is the answer—if you have the resources. This bill sets up, for the first time in our history, a place where the average consumer of financial services might be able to get a redress of their grievances.

I know people are acting as if this is some wild socialistic idea, some crazy leftwing notion, after what the country has been through, that we could end up having a place where the average American citizen, who wants to have faith and trust in our economic system, can go to get some relief. God forbid they are treated as they have been in too many instances in the past. That is part of this bill.

This bill will create an advanced warning system. Instead of one set of eyes that, frankly, were closed most of the time, we now have what we call sort of a risk assessment council made up of the various Federal agencies that have prudential responsibility over financial institutions to be meeting and looking at what is going on in the economy, not only here in our Nation but abroad as well. Are there things occurring within companies, within interconnected companies, within countries that could pose a financial risk to our Nation? Spotting them early enough to put a stop to them, to break them up, as a last resort, or to insist that certain things be done to avoid these metastasizing events that have contaminated every aspect of our life because no one stood up early enough to stop them when they first spotted them.

The bill further brings transparency and accountability to the derivatives

market, a $600 trillion—that is not misspeaking; that is not a million, not a billion—a $600 trillion market. It is a phenomenal market. Basically, it has been unregulated and out of control.

We have central clearing exchange trading with new margin and capital requirements for large bank dealers and major swap participants. These safeguards will ensure taxpayers are not left on the hook for Wall Street's bets, particularly with depositors' money, as we saw happen, or an AIG circumstance.

The bill has the so-called Volcker rule to prohibit banking organizations from engaging in proprietary trading and strictly limiting their sponsorship and investment in hedge funds and private equity funds. Again, if they want to risk their own money, that is one thing. Risking your money ought to be something else. We have expanded the Volcker rule, with balance to it. We don't totally eliminate the ability of a bank to hedge on things that are critically important for them. We believe it is an important rule. Without it, we are right back where we were before.

The bill brings transparency to the Federal Reserve. I thank BERNIE SANDERS of Vermont and others who have insisted on greater auditing and accountability out of the Federal Reserve System which under our bill will bring transparency to it with audits of the so-called 13(3) emergency lending that took place during the financial crisis, and a requirement that the Fed disclose who these so-called counterparties are and information about the amounts they are putting at risk and, in turn, for the American taxpayer, setting conditions on how that money can be used, putting real limitations on it, and giving this body, the Congress of the United States, a chance to respond if, in fact, they exceed their authority.

Further, the bill limits the emergency Fed lending through 13(3) so it can no longer be used to prop up an individual company, as they did with AIG.

The bill requires people to have skin in the game, requiring companies that sell products like asset-backed securities to retain at least 5 percent of the credit risk, so there is no longer an incentive to sell garbage and junk loans to people who could never pay them back thus exposing our economy and our country to further abuse.

These are all things in the bill. If we scrap it, we are right back without any of these protections. I will tell you, it will be a generation before the Congress comes back to deal with these issues again because in the absence of the crisis we have been in, we would not have gotten to this. The crisis gave us an opportunity to respond. These were not new issues. These issues had been lingering around. But the financial resources behind many of these operations are totally resistant to the changes we are talking about because there is too much money to be made for them and too much risk for the American consumer to absorb, and it was not going to have the same kind of concerns and interests brought to the bargaining table when these issues and this legislation was drafted.

The bill gives shareholders, the owners of public companies, a say on executive pay and so-called golden parachutes. We require public companies to take back compensation awarded based on phony financial statements. Shouldn't the owners of public companies have some say in these matters?

Further, the bill encourages whistleblowers with a new program at the Securities and Exchange Commission to encourage people to report securities violations. Ask the victims of Bernie Madoff whether that kind of provision might have made a difference, when we had the whistleblowers writing and begging the Securities and Exchange Commission to take note of what was happening with the Madoff scam. No one was willing to do a darn thing about it. Literally thousands of people were wiped out because no one bothered to listen to a whistleblower who identified the problem.

This bill changes that. It is not to say there will not be additional scam artists. I promise you, there will. But instead of denying the existence of a whistleblower standing up and telling a regulatory body their responsibilities, this bill requires them to take note and to act.

Additionally, because of the size and the complexity of this bill, it is almost certain there will have to be a bill with technical corrections in the future.

So when we take the sum total—obviously, I am describing five or six provisions in a 2,000-page bill—we have a product that I think restores financial security and trust. Let me mention just this point on trust because there is no financial number I could put on trust. But it may be the most important element of all. Put aside all of those individual provisions and titles of the bill, the one thing that has been so severely damaged that is the most important to restore is the trust of the American people in our financial system. Today that trust has been shattered by what has happened.

In the absence of people trusting that the financial system is fair and equitable, then I think we are in deeper trouble than any fix I can write into a bill. People understand when they deposit a paycheck in a bank, there is an assumption of risk that ought to be very little. When they buy an insurance policy, it is a different assumption of risk. When they buy a stock, there is an even further assumption of risk. There are no guarantees it is going to give a great return. In fact, it may fail.

But we ought to be able to trust the system; that it is not going to deceive us and defraud us; that it is not going to send people out to lure us into situations they know we cannot afford and they know they can sell off quickly and make a fast buck on. That trust in our financial structure, which was so important for so long, has been severely damaged over what has occurred in these last several years.

More than any other provision of this bill, more than anything else any of us can write into a piece of legislation, is whether we are going to regain the confidence and the optimism and the trust of that hard-working American family to believe that when they deposit that paycheck, there is not going to be someone investing in a hedge fund or some risky venture with their money—that is prohibited in this bill—or when they buy a stock there is not going to be someone out there who is actually scamming them in a kiting system which ruins them forever and their families, or when they get a mortgage on a home there is someone not sitting across the table promising to be their financial adviser when they are anything but in the process.

That trust has been so severely hurt that our hope is, more than anything else I have written into this bill, we will be able to bring us back to where Americans feel confidence and trust in our country's financial systems again. So nothing less than that is at stake.

This is a fundamental overhaul of the way our financial system is regulated. It is the greatest change to occur since the reforms which were invoked after the Great Depression of the 1930s.

Beyond that, of course, it is important that what we have done could be harmonized with other nations. The American President, Barack Obama, went to Toronto a few days ago to a meeting of the G20. The conservative Prime Minister of Canada pointed to this legislation and said: This is an opportunity for America to lead in helping the rest of the world to harmonize its rules on financial services. Defeat this bill and someone else will set the ground rules, and we will have to harmonize with them.

If my colleagues think that is a better result, to let the European Union or someone else write what the standards are going to be, then have it and defeat the bill. But if my colleagues believe it is better for the United States to lead and provide the guidelines and the structures that the rest of the world can rally around, then get behind us and support this effort because nothing less than that is at risk, as well, in this legislation.

So no one is going to get everything they want in this bill. I certainly did not. No one ever does. I have never seen a bill in 30 years that ended up becoming the prerogative of one small group. This has been a collective effort—a truly inclusive, collective effort. Over 100 amendments have been offered and considered by my fellow colleagues to this bill in this Chamber in the most open process in decades. It is the only time I have ever seen a conference conducted with the public viewing every single second of it, with 42 Members from the House and Senate

participating almost 70 hours in a 2-week period, not to mention the month we spent on the floor of this Chamber.

So I have done everything I know how to do in trying to accommodate my colleagues to make this as fair and as balanced and as thoughtful as we possibly could. But now is the time to act.

I wanted to take a few minutes today before we, tomorrow, participate in the solemn ceremony of celebrating the life of ROBERT C. BYRD in this Chamber. It will be a historic moment. I know it was a desire of his when he was alive that at the time of his passing he be recognized in this Chamber. Then, on Friday, many of us will travel to his home State of West Virginia, which he served so remarkably well over the 58 years of his service, to participate at his funeral services. Then we will be gone for a week over the Fourth of July break. Shortly after we come back, based on the schedule set by the majority leader and the minority leader, we will vote on the financial reform package and bill.

So today I wanted to take a few closing minutes to say to my colleagues, I do not know what else I could have done to make this more inclusive, to provide more balance and sense to all of this, to respond to the concerns my colleagues have raised in what we have done.

I urge you, I plead with you to give us the vote on this bill and to understand the process we have gone through and to set a template to say that a process followed by which everyone gets a chance to participate ought to be the model of how the Senate conducts its business. I hope my colleagues will not underestimate the value and importance of that approach we have taken with this bill.

I have taken a long time, and I apologize to my colleagues. But I wanted to explain the process of what we have done in conference. Again, I thank the majority leader. The majority leader does not get thanked enough. He is the captain of our Senate, as the majority leader was under Howard Baker and Bob Dole and Bill Frist and Tom Daschle and George Mitchell and ROBERT C. BYRD. Without his willingness to make sure we are here to conduct that debate, it would not happen.

So I would be terribly remiss, at the conclusion of these remarks, if I did not express a special thank-you to HARRY REID of Nevada, the majority leader, for making it possible and being supportive of this open process we have been through. Without his willingness to allow that to happen, it would not have happened. I am deeply grateful to him and his staff and others for making it possible for us to come to the moment we are in; that is, to vote for this important piece of legislation.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Wyoming is recognized.

HEALTH CARE

Mr. BARRASSO. Mr. President, I come to the floor today, as I have each week since the health care bill became signed into law, to visit with Members of this Chamber about experiences I have had, having practiced medicine in Casper, WY, since 1983. For a long time, I was an orthopedic surgeon taking care of families across the Cowboy State. I come today, as I have week after week, to offer a doctor's second opinion about the health care law because it seems every week since this bill has become law there is some new, unintended consequence, some new development, some new sharing of information that the American people seem to say: That is not what I want for my health care. It is not what I want for my family.

During the debate of the health care bill, it was the Speaker of the House, NANCY PELOSI, who said: First you must pass the bill to find out what is in it. Well, as the American people continue to learn about what is in this new health care law, they continue to be disappointed with so many broken promises that were made by Members on the Democratic side of this body and by the President of the United States.

The initial goal of the health care bill, which is now law, was to lower the cost of care, to increase the quality of care, and increase the access to care. Yet in the weeks that have gone by—and the President of the United States had a press conference last week, 90 days into the process—it seems to me this law is going to be bad for patients, those who need medical care in this country; it is going to be bad for payers, the patients who pay for their care, the businesses that pay for the insurance, the taxpayers who are going to be burdened additionally; and it is bad for providers, the nurses and the doctors who try to take care of these patients.

So as I look at this, it seems to me this health care law is going to result in higher costs for patients and less access and less quality. That is why across the board still a majority of Americans want this bill repealed, want the law repealed and replaced because, basically and fundamentally, they do not believe this was a law that was passed for them. They believe it was a law that was passed for somebody else. They think, as a result, they are going to end up paying more and getting less.

That is why today I come to the Senate floor to talk about an additional broken promise and why the American people continue to be so very skeptical about this new health care law.

We have heard the promises in the past by the President. He said: If you like your health care plan, you will be able to keep your health care plan. Period. He said: No one will take it away. Period.

Last week I came to the floor to talk about the fact that over half of the people in this country who receive health care through where they work—half of them—will lose the coverage they have, and it may be within the next 4 years. Those are not my statistics. That is the report that came right out of the White House just a little over a week ago.

So the public is skeptical. I come to you as someone who has worked with preventive medicine, who has worked as the medical director of Wyoming Health Fairs that have provided low-cost health screenings for people all across the Cowboy State, where thousands of people show up at health fairs on weekends to learn what their blood sugar is and how to help get that down; to help people with diabetes, where they get to learn what their cholesterol levels are and how to get that better controlled, to learn if they have thyroid problems and do screenings for cancer as well.

So people all across this country are concerned with their care and the quality of their care and the cost of their care.

The President has made a number of promises, and there is another one he made that I wish to talk about today, and that is a promise the President made to small businesses. On May 7, President Obama, on his monthly job numbers, said:

> Four million small businesses recently received a postcard in their mailbox telling them that they are eligible for a health care tax cut this year.

That is what the President said. He said:

> Four million small businesses recently received a postcard in their mailbox telling them that they are eligible for a health care tax cut this year.

He went on to say:

> It's worth perhaps tens of thousands of dollars to each of these companies.

Well, on face value, that sounds pretty good. Small business owners all across the country would welcome that sort of help. Yet I wish to bring to the floor today an article written by one small business owner, Charles Arp. The title of his column is ''ObamaCare's Broken Promise: One Company's Experience.''

I talked with Mr. Arp yesterday by phone. He is in Illinois. He said this is absolutely what has happened to his business, and he knows I am going to be sharing it on the floor of the Senate today, because he has concerns. He got that postcard. He was at first encouraged by the President's words, the President's promise, but, again, it is another broken promise to the American people. This is a letter dated June 18 of this year. He says:

> A few months after the passage of President Obama's health care overhaul, a postcard arrived which led me to believe there may be a benefit coming to my small firm. The mailing from the Treasury Department touted a generous 35 percent tax credit to firms with less than 25 full-time employees averaging less than $50,000 per year in wages, a category which includes my company. In fact, I thought we were right in the sweet

spot, with 17 full-time employees averaging slightly more than $42,000 per year.

Well, small business needs relief. He goes on to explain about his company:

I manage Pinney Printing Company in Sterling, Illinois. I am the president of the firm which our family has owned for 100 years. Health care expenses are a major obstacle to Pinney's long-term prosperity. Each year in May, our policy renews and we are faced with double-digit premium increases—20 to 40 percent in recent years.

Some of the increase is absorbed by the company, and some gets passed on to the employees through higher premiums, deductibles, and copays. We have experimented with self-funding and high-deductible health plans. Last year we were forced to downgrade to an HMO plan.

We are nearing the end of our rope, so I was hopeful to learn there could be some benefit for us in the new law.

And what small business owner wouldn't?

He goes on to say:

Postcard in hand, I did a quick calculation and figured our tax credit should be about $28,000. That is 35 percent of the $80,000 we expect to spend this year on employee health care premiums. I phoned our health insurance broker and inquired whether anything special had to be done, not wanting to be excluded by some technicality. He reported there was no special requirement—more good news.

Aha, the next section: ''Barrier to Tax Credit.'' He said:

But there was a problem. A few weeks later I received an e-mail with a link to the National Federation of Independent Business's online calculator. This is a calculator designed to help firms determine their qualifications for the tax credit. I plugged in our numbers, and pressed ''update'' to yield a calculation of . . . zero-zip, nada!

Double-checking, I tried again and again, finally concluded that the 35 percent tax credit will be available only to firms with ten or fewer employees averaging $25,000 or less per year. Increasing either factor—either the number of employees or the average salary—greatly diminishes the magnitude of the tax credit. Increasing both factors yields a parabolic reduction in the result.

Being in the graphic arts industry, I decided to create a chart diagramming the limits of this ''generous'' tax break.

I have the chart here.

He goes on:

Not one to give up easily, I continued my pursuit—

because he had the postcard, of course.

He said:

Surely, there was some benefit in this for me, after years and years of paying the toll for big-government programs and receiving nothing.

The vague language on the postcard instructed readers to learn more at www.irs.gov. There it said to exclude owners, those having a stake of 5 percent or more, from all the input values. I eagerly entered new numbers—subtracting myself, my annual premium, and my salary. This brought our head count down to 16 employees and dropped the average salary to $40,000.

I entered the numbers, and the NFIB calculator displayed the same result—another big goose egg.

He goes on:

Talk about unintended consequences! My firm would have to reduce its workforce and cut employee wages to benefit from this newly enacted Patient Protection and Affordable Care Act. Is this what the objective should be?

I would never consider taking such an action. Most of the employees have worked at Pinney for twenty years or more. It did get me thinking, though: Maybe we could divide Pinney Printing Company into two smaller firms. While I'm no expert at gaming the government, like some people, it's certainly a possibility many will consider.

I feel foolish now, after getting my hopes up for a government solution to our problem. Our firm is running out of affordable options.

It is my belief that health insurance should be decoupled from employment and bought by individuals and families in the same way automobile insurance is purchased. It is my fear that ObamaCare is a step in the wrong direction and matters will get worse, not better, for Pinney Printing Company and others like us.

So there you have it. It is a heartfelt letter written by someone who got the postcard from the IRS, from the President, listened to the President's statement that said you will be eligible, but what he found out, as did many small business owners all around the country who received this postcard, is that it doesn't apply to them, and if they want to make it apply to them, what they are going to need to do is actually fire employees and lower the wages of the other employees. It makes no sense at all, and that is why I talked to Mr. Arp yesterday, the owner of the company, who said he found this deceiving.

So that is why I come week after week to the Senate floor to say it is time to repeal this legislation and replace it with legislation that delivers more personal responsibility, puts patients in charge; a patient-centered health care plan that allows Americans to buy insurance across State lines; one that gives individuals the same tax relief as the big companies when they buy their own personal health insurance; one that provides individual incentives like the people who attend the Wyoming health fairs—people who take responsibility for their health and who try to find and detect problems early to get down the cost of care. We need to replace it with something that deals with lawsuit abuse and the expense of unnecessary tests due to doctors practicing defensive medicine. We need one that allows small businesses to join together to find less expensive insurance to their employees.

These are the things I will continue to work on. These are the things I will continue to come to the Senate floor and share with the Members of this body and the American public. Today, that is why I offer this second opinion, and another reason to repeal and replace this health care law.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. ENSIGN. Mr. President, I wish to talk about the extension of unemployment benefits in the larger context of our national debt.

Allow me the opportunity to throw out a few numbers which I then will explain in a few minutes: $30 billion, $200 billion, $13 trillion, $114,000, and 60 percent of GDP. To many Americans, these numbers are just that—numbers with no real meaning to them. Unfortunately, the same can be said for many here in the Senate as well. These are just simple numbers without consequence.

Nothing can be further from the truth. These five numbers are markers along the road to fiscal catastrophe that we are heading down at full speed. These five numbers together are symbols of the great threat to the stability of our country, both today and in the future.

So the $30 billion number. Fourteen percent of Nevadans are unemployed at this point. People are hurting across my State. We lead the country in unemployment. Well, a lot has been said on the issue of extending unemployment benefits, and while this issue has become one of political fodder and partisanship, the facts on this issue have been left out in favor of high-strung rhetoric and political opportunity.

Let me take a moment to explain to my constituents the real debate on this issue. I, along with my Republican colleagues, believe that extending these benefits for the unemployed should be a top priority here in the Senate. I think both sides of the aisle agree on that. I know we could pay to extend these benefits now by cutting spending in other areas and redirecting some stimulus funds which have had little impact on the economy in my State and across the country.

Despite what some of my other colleagues may say here on the floor, there is no debate on extending the benefits for those who have fallen victim to OUR downturned economy. The debate on this issue actually lies with the fact that those on the other side of the aisle want to take the easy way out, and they want to avoid paying for this important legislation because it is tough to make cuts. Instead, we are going to add another $30 billion on to our record-breaking national debt. I know that $30 billion is just another number to those on the other side of the aisle, but it is one that could easily be paid for now by adhering to their own policy of pay-go. Each time the Senate has proceeded to vote on extending unemployment benefits, Members in this body have had two options: One, the Democratic option of extending these benefits and putting the debt—adding the debt on to our children and our grandchildren. On the other side, they have had the Republican option of not only extending these vital unemployment benefits but also paying for them at the same time by reducing spending in other areas. The other side of the aisle has voted against these commonsense proposals each time—six times, to be exact.

Let me make that more clear. Democrats have voted against paying for the unemployment extension six times. Unfortunately, this isn't the first time

those on the other side of the aisle have gone against their own pay-go policy, but it is the first time they have hurt thousands of Americans in doing so.

I mentioned the number of $200 billion earlier. This is the number that represents the amount of spending that has violated the Democrats' own pay-as-you-go policy. Four months ago, there was a signing ceremony down at the Rose Garden with the President. The Democrats decided to heed the warnings of many here, including myself, who said that we were literally bankrupting the future of our country with the amount of national debt we were passing down to our children and our grandchildren. So they came up with a policy that would mandate paying for spending proposals now rather than later. However, there were a few caveats to this new fiscal responsibility proposal, one of which allowed for emergency funding to be exempt. What we have witnessed in the last 4 months has truly been a genius way of skirting this pay-as-you-go policy. They have deemed a grotesque amount of domestic spending as ''emergency spending'' when, in fact, it is not an emergency.

They have done this most recently with unemployment benefits. It is hard to argue that funding that we knew would expire to be an emergency, but they have tried to do so anyway. The real sticking point here is that if we are to deem every spending measure that comes to the floor of this body as an emergency, then we are only speeding up our path to fiscal ruin, ensuring that our record-breaking national debt continues to be just that—record breaking.

Another number: $13 trillion. That is our national debt today that we have reached. It is a new milestone. But it is not one that I think many are celebrating. Our national debt broke into a new stratosphere when it crossed the $13 trillion threshold—truly an astounding number. But this gets much worse over the next 10 years under the President's own budget. The debt that will be added by 2019 will be three times the amount that was rung up over the first 232 years of this country's history. So take all of the Presidents before President Obama, all the way through George W. Bush, and add the total debt they added to this country, and we are going to triple that in the 10 years from 2009 to 2019.

Just like an average family, when they delay payment on a purchase and charge it to their credit card, they are borrowing money from the bank, with interest added to the amount they need to pay back. The United States, when borrowing money, is charging it on our national credit card, so it is the same situation. However, our country isn't borrowing the money from a bank; we are borrowing it from China, Russia, and Saudi Arabia.

Each time the majority deems a spending bill as an emergency funding bill, we delay paying the cost for this legislation. We are adding on to this national credit card bill with interest we pay to China, Russia, Saudi Arabia, and many others. At any point, these countries could decide to up our interest rate to such a level that, when we attempt to start paying down our debt, we are only able to pay off the interest we owe on our credit card, not the actual debt. Further, should our economic situation continue to decline, these countries could revoke our borrowing privileges altogether. If that happens, this would be catastrophic for the economy of the United States.

I mentioned $114,000 earlier. When President Obama first took office, a child born in the United States was born with $85,000 of debt on his or her back. In a very short period of time, that child born in the United States today now has $114,000 of debt on his or her back. That amount is going to continue to rise because of how fast we are adding to the national debt. Going even farther into the future, should President Obama receive a second term and our spending levels stay at a high level, as they are now, a child born in the United States will owe $196,000. As they are born, that is how much debt they will have—$196,000 for every child born in the United States.

I have spoken a lot over the past year about the future of our country and what this debt burden will actually mean. A new child owing that much money means they won't be able to pay for college, buy a house, start a small business, raise a family, and maybe retire someday.

So this isn't just an abstract number; we actually owe these countries the money we have borrowed from them, with interest. We have to pay that money back. Whether these countries demand payment 5 years from now or later, we still have to pay it back.

I mentioned 60 percent—60 percent of GDP. Let me remind you of this final number, what it means. It is a critical milestone on the path to fiscal ruin. Most of us remember the images we saw on the nightly news of the riots breaking out across Greece when it was revealed that the government was beyond bankrupt and was no longer able to guarantee services throughout their country.

Historically, our Federal debt has been around 35 percent of GDP. Since the Democrats have taken control of Congress, this debt has skyrocketed.

The tipping point is what Greece found when they had so much debt on their books that people realized they were going to be unable to pay it back. The tipping point where the world community realized that they should be charging a lot more to lend Greece money was when Greece exceeded 60 percent of GDP. The United States passed that magic number this year. Sixty percent was the tipping point for Greece. How far behind them do you think we really are? The United States passed that 60 percent part of GDP this year with the help of the health care bill—the $200 billion that should have been offset with pay-go, the stimulus bill, and last year's appropriations bills, which had large increases in each one of them.

The country of Greece is foreshadowing the possible fate of the United States if we don't take responsibility for the fiscal mess we have created. We have lived this year through instant-gratification policies, and not only is the future of our country in jeopardy, so are the next 10 years, the next 5 years, and this year.

Mr. President, $30 billion represents the amount of money the Democrats want to add to our national debt to extend unemployment benefits; $200 billion represents the amount of money that has been deemed as emergency to get around the pay-go rules; and $13 trillion represents the recordbreaking national debt we have reached just this year. The $114,000 I mentioned is the amount each child born today in the United States has as debt on their back. Sixty percent of GDP is the tipping point of economic collapse that puts the United States one step closer to Greece. To many in this body, these are just numbers. I think we all have to face the reality that these numbers represent markers on a path to fiscal ruin if we don't turn it around. We are heading dangerously close to fiscal catastrophe, and our country literally stands at a crossroads. We have to draw a line in the sand and stop borrowing money for legislation when the option to pay for it stands only one vote away.

Extending unemployment benefits isn't a partisan issue, and neither is our country's impending fiscal crisis. The Senate needs to extend these benefits by paying for them now, and we can take the first step and move the country in the right direction toward fiscal responsibility and economic recovery.

Why are we not reducing unnecessary and wasteful government spending to pay for these unemployment extension benefits? Senator COBURN's office has identified almost $4.4 billion in savings over 10 years from reducing unnecessary printing and publishing costs of government documents. Add up the savings from these cuts and this kind of wasteful spending, and it could pay for unemployment extension for a short time.

How about redirecting some of the unused stimulus funds? The stimulus bill was supposed to be an immediate stimulus. Some of the money has still not been paid out or obligated. How about, instead of just adding to the debt, we take that money and pay for and offset spending for the unemployment benefits?

I don't understand the absolute refusal by the other side to extend unemployment benefits in a fiscally responsible way. For example, the small business lending bill, which the Senate is set to consider, contains a number of offsets for improving tax collections

and changing the tax rules on retirement accounts. The so-called Medicare doc fix was recently signed into law by the President. This was completely offset by changes in Medicare billing and antifraud provisions and changes in pension rules.

I don't necessarily agree with some of the offsets the other side of the aisle has used, but the point is that the debate on the floor regarding paying for any piece of legislation should not rest with whether we pay for new legislation but how we should pay for it. This is a debate we owe to the American people, our future generations, for the continued prosperity of our great Nation.

We will soon be voting on a bill that will extend unemployment insurance benefits. The other side of the aisle will have one that extends those unemployment benefits, but it will just be adding to the national debt. The Republican side will be offering an alternative that will be completely offset. I hope this Chamber finally gets its fiscal house in order and extends those very important unemployment benefits that need to be given to folks who are struggling in America, but let's do it in a fiscally responsible way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

(The remarks of Mr. WEBB are printed in today's RECORD under ''Morning Business.'')

POST 9/11 GI BILL

Mr. WEBB. Mr. President, today marks the 1-year anniversary of the implementation of the post-9/11 GI bill, landmark legislation I was privileged to introduce on my first day in office. The idea was to provide those who have served since 9/11 with the most comprehensive educational benefits since World War II. We did that. We began with a simple concept even before I decided to run for the Senate, and that was, if we keep calling these people the ''next greatest generation,'' we should, as a Nation, express our appreciation in a proper way—by giving them the same types of educational benefits those who came back from World War II received: pay their tuition, buy their books, and give them a monthly stipend. It was a formula that worked magnificently for those who served during World War II, where 7.8 million of those veterans, because of the GI bill, were able to have a first-class future and make an imprint on the future of our country.

We worked very hard in my office, with a lot of staff, pushing this legislation. We eventually achieved the key cosponsorship of three other Senators, including Senators John Warner, my former senior Senator, a Republican from Virginia; Chuck Hagel, of Nebraska, now departed, another Republican; and FRANK LAUTENBERG, of New Jersey, a fellow Democrat. So we approached this in a way that we were trying to show a balance. We had two World War II veterans, two Vietnam veterans, two Republicans and two Democrats. We wanted to strip the politics out of the issue.

Along with our colleagues on this side and also in the House and the cooperation of the leading veterans service groups and the higher education community and, quite frankly, despite the continued opposition of the previous administration, which for some reason opposed this legislation all the way to the day before they signed it, we were able to get this bill through.

I am so proud of the fact of having accomplished that goal 2 years ago. The bill was signed into law 1 year ago today. This bill went into effect for those who have served this Nation so honorably and so well since 9/11. I can report to this body that as of today, in this first year of implementation alone, more than 550,000 veterans have applied to receive this benefit, and more than 267,000 veterans are now attending classes using the post-9/11 GI bill. That is more than a quarter of a million young men and women who otherwise might not have had the opportunity for a truly first-class future.

As my fellow Senators know, I am someone who grew up in the military. I was privileged to serve as an officer in the U.S. Marine Corps. I am very proud of my son who served as a marine in Iraq and my son-in-law who also served as a marine in Iraq and Afghanistan and continues to serve, and so many of my friends and compatriots over the years. I understand what it means to be a proper steward in this body toward those who have given this type of service. That is our duty, and this GI bill shows a sense of responsibility and the desire of the leadership of this country to see those who serve be able to move forward in their lives after their service and continue to provide great contributions to our country.

When I ran for office—also I should point out—I spoke about the need to reclaim economic fairness in this country, particularly in times as we see right now where our economic health is in danger. The health of our society overall is measured by how working people are able to make it through different barriers and achieve alongside people who have had greater advantages. This bill today does that, just as it did after World War II.

We should remember, as we look at the implementation of this GI bill, what it did for those who served in World War II, very few of whom ever thought they would be able to have a college education once they went into the military during those dark and troubled times.

For every dollar through taxes that was put into that World War II GI bill, our country received $7 in tax remunerations because those people were able to go forward and have a truly first-class future. This is what we are doing now.

We have never erred as a country when we have made sustained investments in higher education for our people, particularly when it comes to veterans. This is not simply an advantage for this country, it is an obligation we have.

I want to, on this day, remember the contributions of other people in this body and in the House of Representatives in coming together to pass this legislation. I thank the American Legion, the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, the Military Officers Association of America, the American Council on Education, the National Association of Independent Colleges and Universities, and many others, including nearly 60 Senators and more than 300 Members of the House who signed on as cosponsors to this landmark effort.

We can all take pride today in saying we have been able to provide a proper investment in the future of those since 9/11 who have given so much to this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

(The remarks of Mr. REED are printed in today's RECORD under ''Morning Business.'')

Mr. REED. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

(The remarks of Ms. LANDRIEU are printed in today's RECORD under ''Morning Business.'')

Ms. LANDRIEU. Mr. President, I would like to talk about the underlying bill that we are actually on today, which is the extenders package.

The Democrats negotiated in very good faith with the Republican Party to try to figure out a way to get tax credits, tax cuts to businesses that we all need to make sure continue in terms of research and development. These are credits they have relied on to keep not only their businesses open but keep them hiring. There is a long list. They have been well explained on the floor. They are all very popular with both sides of the aisle. They have been negotiated over and over.

The Democrats have, in good faith, argued or debated with the Republicans that we need to get these extended for the purpose of stimulating our economic growth. But we have said there is one that we are not going to pay for because, A, we don't have to pay for it; and, B, because it is an emergency. So everything in the extenders package is paid for. Every single item is paid for. Although some people don't like the pay-fors, every single item to extend a tax credit—not new spending on the part of the Federal Government through bureaucracy but tax credits—is paid for except for the unemployment benefits because it is an emergency.

With 15 million people out of work, it is an emergency. For anyone on that side to come to the floor and say Democrats are big spenders and we can't pay for anything and we don't know how to run the government, we

have put a great package together. But there is one thing that is not paid for, and that is unemployment because it is an emergency. That is what this debate is about, whether they are going to vote for it. If they don't want to vote for it, it is completely at their feet that people in America today, who have no benefits, will not get them for the Fourth of July. They will not get them as we celebrate the birthday of our country. If they are not going to get them, it will be because the Republican Party decided that we, as a Congress, are going to have to find a way to pay for unemployment benefits, when they never paid for even 1 year of any war they helped lead us into when their party was in charge.

So I hope the leadership over here holds the line. We are going to pass the extenders package the way it was presented. They can continue to vote no on it. That is their choice. But everything in this bill—many things very important to the State of Louisiana, such as flood insurance—is paid for and is now being held up; for example, the placed-in-service date which keeps four or five of our major housing projects from being built. When I say housing, I mean neighborhoods, really, being rebuilt. That is being held up because this side is trying to make an issue of finding a way to pay for unemployment benefits when it is clearly an emergency, clearly qualifies as an emergency, and in the past was always clarified that way. That is what part of this argument is about.

As one of the managers of the small business bill, which we are moving to, I am very hopeful and will make sure that the extenders debate stays separate from the small business debate. Now that the extenders bill has been set aside, we have another bill we believe we can move forward with more bipartisan support for, and I want to thank the Republican Senators who helped to move this bill to the floor: Senators GRASSLEY, VOINOVICH, SNOWE, COLLINS, LEMIEUX, LUGAR, BOND, and BROWN of Massachusetts. These eight Senators have negotiated in extremely good faith with both the Finance Committee and the Small Business Committee to bring a package to the floor that will actually help create, we hope, millions of jobs in our country.

I want to make one editorial comment before I speak about the small businesses, and as a Senator from Louisiana, I feel compelled to do so.

I have helped to manage and craft, along with my committee members—and I am very proud of the small business piece of this bill. There are three pieces. There is the finance piece, there is a small business package, and then there is a treasury piece. I will discuss all of them briefly in just a moment.

We have worked hard over this year trying to come up with some things that the government could do that wouldn't cost that much money but could spur growth in small business. As the Presiding Officer knows, it is not the big businesses that are creating jobs. They are still laying off people or are putting in efficiencies, which means holding the line. Even as they get more contracts, they are not hiring because it is not what big business does. They have enough cushion to hold what they have, but small businesses are affected immediately by contractions and expansions. They can't afford to hold three or four people on their payroll without a contract, so they let them go. But the minute they get a new contract, they will hire them back. They are immediately tied to the daily, weekly, and monthly jolts in this economy.

That is why we see that 65 percent of all new jobs created since 1993 have been by small business. When we want to look out from 2009 to the year we are in, 2010, and to 2011 and 2012, which the country is depending on us to do, we should focus our attention where the jobs can be created. Mr. President, that is in small business. So that is what we are here this week and next week to do, and these eight Senators have said yes, basically, to small business in America. The package isn't going to be what all ten of these Senators would write if they could write it themselves, but they understand this is a good package. It is a worthy package to pass—the small business, the finance, and the treasury package—to get small business moving again.

I feel compelled to comment, before explaining some of the pieces of this bill, that it is concerning to me that while we are on the Senate floor talking about a small business package, back home in Louisiana and in Mississippi, Alabama, and Texas, because of events almost beyond the control of any of us here, we are facing a real economic challenge with the oilspill in the gulf and the subsequent moratorium that was laid down by the administration on deepwater drilling. I have to say right now there are, in fact, about 50,000 to 60,000 jobs immediately at risk while that issue is being worked out. So while I am here on the Senate floor to help create millions of new jobs—and I believe this bill will do that—we also want to be mindful of not losing the jobs we have in trying to come up with some very quick, appropriate responses to the BP spill—the Deepwater Horizon spill—and the call for safety in the gulf. We need to be getting our people back to work.

I spent all morning in the Energy Committee on that subject, and I am proud to be leading and helping with some suggestions in that regard. But I have to say I want all the Members of Congress, both Democrats and Republicans, to understand there is an economic calamity brewing in the gulf that needs our immediate attention. We can do more than one thing at a time here, so we are going to continue to move forward on the small business bill because small business in Louisiana will be helped, as well as those in Mississippi, Alabama, Florida, Texas, and small businesses all over this country.

There are a couple of important components in this overall bill. Again, I thank the members of my committee who voted these items out 17 to 1 and 18 to 0. Senator SNOWE, the ranking member, did a magnificent job of working with the Republicans on our committee. We had many hearings and several markups. In the underlying bill, one of the most important provisions is the Small Business Jobs Creation Access to Capital Act. It increases 7(a) loans from $2 million to $5 million, 504 loans from $1.5 million to $5 million, and microloans from $35,000 to $50,000. If I had my way, I would like to see that go up to $100,000. Why? Because small businesses need access to capital. They must have access to grow.

If we want small businesses to be able to grow, they have to be able to expand by borrowing more money at relatively low interest rates on favorable terms, and then they can start hiring people to get the jobs necessary to, A, end the recession; and, B, as Senator STABENOW has said so beautifully all week, to start paying the deficit down.

What the Republican Party doesn't understand is that one way to pay the deficit down—not the only way but one way to chip away at it—is to get more people working so they can pay the taxes to the local, State, and Federal Government and we can then take that tax money and apply it to deficit reduction. Yes, we have to cut spending. Yes, we have to stop giving out tax cuts we cannot afford. They never want to do the tax cut piece, and they do not do the cutting piece well either most of the time. But what they need to understand is that creating jobs, both private sector and public sector jobs, where it is appropriate, generates taxes to the local, State, and Federal governments. Then we can begin chipping away at the deficit—a deficit they left, by the way.

When the last administration came in—when President Bush came into office—he was handed a surplus. We handed him a surplus of $5.1 trillion and said: Mr. President, here is a world at peace and here is $5.1 trillion in surplus; the economy is creating jobs.

When he left office 8 years later, he handed the next President a deficit twice that big, with Wall Street in collapse, two wars that hadn't been paid for, and a mess here at home—and they want to ask why we haven't fixed all that in a year and a half? It is quite humorous to me. I know President Obama is smart and good—though I don't agree with him on everything—but I don't think any human being could fix the mess they left in just a year and a half.

We have been plodding along trying to fix different pieces of it, but it hasn't been pretty. All of it isn't working, but we are trying. Most of it is working. That is what the American people expect of us. They do not expect

us to get it 100 percent right every day, but they do expect us to move forward; to say, yes, we will try not to say no and not to lecture Democrats about deficits they created.

Having gotten that off my chest, I want to say here we are in our small business package. I am very proud that eight of these Republican Senators joined us to get on the discussion on the small business bill. This is going to do a lot of good for a lot of people in many places, let me say, not just New York and not just Wall Street. This is a Main Street bill. This is about creating jobs in little towns in Oregon as well as little towns in Louisiana, small towns in Washington State and Maine. That is what this is about.

The second piece is the export piece. This is a very exciting chart to me. I am maybe not as good as KENT CONRAD is with charts, Senator CONRAD, but I like this one very much. This chart shows the potential of small business in America. Just think about this. We have so many, millions and millions of small businesses, but less than 1 percent of them today are exporting. This is tragic, if you think about it. If we can get a few percentage points, up to 3 percent, 4 percent, 5 percent of small businesses in America exporting their products, using the Internet, using favorable tax provisions that will help—that are in this underlying bill—using new support and technological support from the Small Business Administration, from volunteer organizations such as SCORE, university-based technical support programs that can go to our small businesses and say: You sold 50,000 pairs of shoes last year but you sold them all down the road. We can help you sell them to China or sell them to India. Think about the possibility of that. And it is real.

That is what this bill does. Senator SNOWE has done a tremendous amount of work. I am extremely proud of her work on the export portion of this bill. Again, large businesses, percent of firms that do not export, 58 percent. This number could be increased. But the exciting opportunity is small business. But sometimes they are intimidated, as you can imagine. They don't know how to negotiate with foreign governments. Some of the things we are going to do in this bill will help them move that number up and they are going to be able to grow.

Third, the contracting piece. I know some people on both sides of the aisle believe government is too big. Sometimes I agree with that and think it is too. We have to shape it, make sure it is efficient and effective and muscular, not flabby and big but bold and muscular, so it can do things it needs to do that the private sector can't do. But one of the things all governments do is spend a lot of money, and it is not just money to hire their own employees, it is spending money for the private sector. We contract out a lot of our work. When the Government has a job to do, we do not always do it with government employees; we contract it out. I do not have the exact numbers in front of me but it is billions and billions of dollars. We are the largest—if you put us in terms of a corporation—the largest corporation, potentially, maybe in the world. So the contracting provision we have in this bill says: OK, Federal Government, if you were a business, if you could contract with more small businesses, meet your small business contracting goals, then we could create a lot of jobs in America because it is, again, the small businesses that are creating these jobs.

If you give a big company a government contract, they might absorb it into their infrastructure. They are so big, they have millions of employees, or hundreds of thousands. But you give a contract to a small business, you know what happens? They might have five employees. If they get a very nice size contract from the government, they will hire 10 people to implement that contract and they will do it right away. So we have some contracting provisions in this bill that I am, again, very proud of. They have broad bipartisan support.

In addition, in this bill, which is paid for, is an additional $50 million for the Small Business Community Partnership Relief Act which gives $50 million in addition to women business centers, microloan intermediaries. It weighs or reduces the non-Federal share of funding so that for 1 year States all over this country can start enhancing and improving their Women Business Owners' Center, their Minority Business Centers, the centers that are in universities all over the country. I am sorry I do not have a map to show what the Secretary or Administrator of the SBA fondly calls our bone structure, because it is a great structure in the country. It is not just isolated little offices of the SBA.

If you can imagine, so many of our universities have small business development centers and SCORE chapters, which is retired business executives, senior executives who volunteer to help younger businesses. There are hundreds of these chapters around the country.

If you could imagine a map of the United States, you could see, if I could show where these centers are, there are centers at universities and SCORE chapters and community banks, almost within a few miles of any citizen. Any citizen could find a SCORE chapter or a university or a local bank. This bill is sending funding and help to all of those places. Again, not just on K Street here. There are lots of jobs on K Street. In fact, there are so many buildings going up on K Street, I am amazed how many. It never stops. There are lots of buildings going up, maybe, on Wall Street—lots of office space. But where I represent, there are empty spaces. There are lots of vacancy signs.

This bill is trying to push out money, not to the Federal Government but to our universities, to our private sector partners to help them tweak—help support small businesses to help small businesses grow. I am very proud of that piece. The job impact analysis was something Senator SNOWE wanted. We worked with her. On everything we do, this is going to be a way to say, in this bill, how many jobs will actually be created, to record them so we can be accountable to the American people for that. I am happy she put that in the bill.

Going back to the 7(a) loan program, this is the major loan program of the SBA. As you can see, it has been sort of a happy and sad situation here over the last couple of years since 2008.

When Congress acts and puts money in this program, loans to small business go way up. When we dilly-dally and cannot agree and the program expires, loans go way down. When we get our act together again, it goes up. I wish this chart did not look like this. I wish it looked straight up, like this. Right now it is down beneath where it was before the stimulus act was passed. It has fallen below the ARRA average of $172 million. It is down to $154 million.

We need to get it back up. When we initially announced that the Small Business Administration was expanding the amount you could borrow, reducing the fees so you did not have to pay as much, and giving you a 95-percent guarantee rate, those loans are good loans. Small businesses need them, particularly because credit card companies are not lending the way they used to or charging you too much for the money they do give you. Credit lines are drying up. This is the core of the small business bill. I hope we will see this number go straight up.

Banks all over our country want this program. Many of them—not every bank participates, but I would say about 1,000 or 1,200 out of the 5,000 banks participate in this program, and they are very excited about getting this funding back in place so they can begin to loan money again to small business.

There are many other things we can do and should do. One of the amendments I have filed—I wish I could have gotten this in the base bill, but even as the chairman of the committee you can't get everything you want in the base bill. So I have agreed to offer one of these as an amendment.

I am very proud to have Senator COCHRAN's support, Senator WICKER's support, Senator VITTER's support. It is a bipartisan amendment. What it would do is provide in the small business bill interest loan relief for the gulf coast outstanding disaster loans from Katrina and Wilma, Gustav and Ike, from Alabama, Florida, Louisiana, Mississippi, and Texas.

There are 13,207 loans. I will take a moment to try to explain it. I will try to wrap up in about 5 minutes.

There are currently today 13,207 small business loans that were taken out by businesses all along the gulf

coast. Some of these loans are to fishermen whose boats were destroyed and they had just bought the new boat or fixed their net from some of these hurricanes. They were just getting back into the water. The water was coming back, the marsh was coming back after Katrina and Rita, and then all of a sudden the Horizon BP disaster happened.

The same people who were affected by these hurricanes and who may be affected by hurricanes in this season—which unfortunately promises to be a very difficult one—these are the businesses that are struggling to pay these loans on top of the economic disaster they are experiencing. So I am asking the Senate to please give some forgiveness—in the loan forgiveness, but give some special help to this group of loans. What we are asking in the amendment is 3 years of an interest rate reduction; not loan forgiveness, so the taxpayers will be paid back the full principal amount of all the loans these individuals and businesses have made. But if we could give them a little interest relief—let me give a specific example.

I actually took Karen Mills, our Administrator of the SBA, to Louisiana on several occasions to impress upon her the seriousness of this situation. I took her to see the Bergerons, who run a gas station in Lakeview. This entire neighborhood was destroyed, 8,000 families. Three of my brothers and sisters lived in this neighborhood, with four children each. They lost everything, their homes, their clothes, everything was completely destroyed. That was true of their 8,000 other neighbors. This gas station—the Bergerons came back. They operated one of the most successful gas stations in this neighborhood. In order for people to be able to rebuild their house, because they had fled to higher ground hundreds of miles away, families would drive long distances after work to come and gut their homes in Lakeview and try to rebuild their homes. But when they went to go back, there was no gas station for them to fill up their car so they could get back to where they were living until they could get home.

So the Bergerons, like a lot of what I call the pioneer businesses—the hardware stores, the gas stations—said you know, I have been here 40 years. Mr. Bergeron is in his 70s, still very active, but he said I am going to go back and open my gas station. So he went to the SBA and got a loan. The problem was, he did a great thing, but his business came back so slowly. But without his business no one in the neighborhood could come back because there was no place to get gasoline. He is paying on his loan $1,000 a month. If this passes, his note will go down to about $400 a month. It will give him a little bit of relief because right now in his same neighborhood he has a lot of people who work in the fishery industry or the seafood industry or the oil and gas industry, so some of his customers cannot come and get as much gas as they want to because they are being affected now by this Deepwater Horizon.

I am begging the Members of the Senate to please help this particular group. I wish we could afford to do for everyone in America but not everybody in America right now is on the gulf coast. But these 13,207 people are and we need to give them a little breathing room. That is one of my amendments.

I am going to yield the floor after I make a comment on a nominee. But that is one of the amendments I am going to ask the Senate, when we get an opportunity to offer amendments, to please give us a chance to help these small businesses. It is a temporary relief for them, but I think it is something they deserve and will help this region that has now been hit again.

NOMINATION OF WINSLOW SARGEANT

Mr. President, at this time I want to talk for a minute about Winslow Sargeant.

He is a gentleman who has been recommended by the President to serve at the SBA, in the advocacy position at the SBA. He comes highly regarded and highly recommended. He has a Ph.D. from the University of Wisconsin in Madison in electrical engineering and a background as a very successful small business owner. He is managing director of Venture Investors, a Midwest venture capital country with a concentration in starting up health care technology companies.

Dr. Sargeant has a great deal of support from a wide variety of individuals and businesses that I will submit for the RECORD.

With more than 80 percent of job losses coming from small firms, I believe this is someone who should be in the Office of Advocacy. For some reason, he is being held up by the other side.

I understand there are nominations being held up on both sides of the aisle, but I wanted to ask unanimous consent that the Senate proceed to executive session to consider—I am going to wait and ask for unanimous consent. I am not going to wait long, but I will continue talking for a few minutes. I will wait for a few minutes, but at some point I am going to ask for unanimous consent that he be moved ahead because here we are on a small business bill, and here is the man whom the President has nominated, who obviously is well credentialed, has tremendous support, who is being held up. We do not really understand why he is being held up, so I would like to know, and in just a few minutes, I am going to ask for him to go by unanimous consent.

In the meantime, I will speak about one other potential amendment to the underlying bill. This amendment is coming from Senator BOXER, and I am so excited that she came up with this idea and this amendment. I think it has a lot of potential, and I think many Members might support it.

Senator BOXER called to my attention that there are many small businesses that operate out of their homes, and if you think about it, there are many people who operate their business out of their homes but particularly women who are trying to raise children, they are still the primary caregiver—not the only caregiver, but in most homes the women are trying to balance being a good wife and a good mother and also contributing to the bottom line of their family income. So a lot of them might be running small businesses out of their homes.

Well, it has come to our attention that in order to take the tax deduction that is rightfully there for anyone, man or woman, who works out of their home—it has come to my attention through Senator BOXER that it is not really very easy to take that deduction. In fact, it is so complicated, to my knowledge, that many people don't take it. Think about that.

If we are really supportive of family values, of people being flexible; if we don't like spending a lot of gasoline traveling back and forth to work and we are kind of trying to encourage people to stay at home and work if they can—many women who are very well credentialed because the government spent a lot of money on our universities getting them the degrees they need, are home raising three, four, five kids, and they can't travel a long time to work, so they set up a business in their home. Senator BOXER's amendment would help them by simplifying this deduction.

I am hoping Senator BOXER will come at some time to the floor over the next couple of days—I am sure she will—and explain the details of this, but I think it would be an excellent provision to add to the small business bill because again, remember, this underlying bill is cutting taxes for small businesses, specifically cutting taxes for small businesses; it is supporting the small business programs to create more of them, both in our country and their export potential; and then it is giving—the third leg of the stool—$30 billion to banks in America, voluntarily. It is not TARP-like, nothing about TARP; it is $30 billion to small banks in Oregon, Louisiana, and other places to be able to then take that money and lend it to small businesses. That is the essence of this bill.

I am very hopeful we can add a couple of amendments to an already very good small business package. So I am hoping Senator BOXER will come at some point and explain this amendment.

My colleagues are here to speak, I guess, on either the extenders package or the small business package. I see the Senator from Ohio, who has been very supportive of small business. Of course, Ohio is one of the States that has been hardest hit, and Michigan has been very hard hit in the underlying economy. So I am very happy to have, hopefully, their support on the underlying bill.

But one more comment about the moratorium. And I started off by saying I am proud to be the chair of the Small Business Committee advocating for small businesses in the country. I think the small business package, the finance and treasury package that we have on the floor will deliver to the American people how to, in a very fiscally responsible way, help us create the jobs we need. But one of the points—and I am going to be very brief because I see the minority leader here, but at the same time I want to say again that the moratorium on the gulf coast—and the Senator from Kentucky will, I believe, agree with me on this point—the moratorium on the gulf coast is really hurting many small businesses now.

I know we have to get this drilling safer and it has to be very safe. The people of my State want that. The people of the gulf coast want that. But we hope sometime in the next few weeks to clarify or fix or modify this. The Federal judge, as you know, has ruled that the moratorium is lifted, because the Federal judge did not agree with the actions taken by this administration, nor do I. So while we are debating a small business bill, I am very hopeful that as soon as this small business package can pass, we can get on to getting more people back to work along the gulf coast who have been affected by both the moratorium and this bill.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

I ask unanimous consent for Winslow Sargeant to be Chief Counsel for Advocacy, Small Business Administration; that the nomination be confirmed, the motion to reconsider be laid upon the table, and any statements relating to the nominee be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume its regular legislative session.

The PRESIDING OFFICER (Mr. MERKLEY.) Is there objection?

Mr. MCCONNELL. Mr. President, on behalf of Senator SNOWE, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, it is unfortunate to watch what just happened again in this institution. The chair of the Small Business Committee, who is serving her State, is an incredible advocate for her State, is serving this country well, wants this government to be able to govern. And you see one after another after another where the President of the United States has dozens and dozens and dozens of appointees, noncontroversial. My guess is, when this nominee finally comes to a vote—I don't know this for sure, but my guess is there will be very few ''no'' votes. We have seen this with Federal judges, we have seen it with U.S. attorneys, we have seen it with U.S. marshals, and we have seen it with Under Secretaries and Assistant Secretaries and all kinds of commission nominees.

We have never seen anything like this in this country where one party has consistently and persistently blocked nominee after nominee after nominee. I mean, if your goal in government—if you come to the Senate and your goal is to block anything from happening, the Senate rules serve you pretty well. But if you want to move this country forward and put party aside, we would not see this kind of thing happen over and over.

So I commend Senator LANDRIEU for her work on the floor today, her passionate advocacy for small business, and her work generally in fighting for her State. But I was disturbed to watch what just happened. If it were the only time, I guess I wouldn't be judging of it much, but it is not.

I come to the floor to talk about the unemployment insurance bill. I know Senator LANDRIEU, in her State, and the Presiding Officer, Senator MERKLEY, in his State of Oregon, have people all over who have seen their unemployment run out. I just don't get it.

I know some of the opponents, some of the people who have voted no on unemployment compensation extension think it is welfare. I have heard some of them say: Well, these people don't really want to work. Why should we give them something for nothing?

Well, these are people who deserve unemployment. They have earned the unemployment. They deserve the unemployment insurance. They have earned it. Again, it is not called unemployment welfare; it is called unemployment insurance. You pay in when you are working; you get out when you are not. So it is a lot like car insurance and health insurance. I don't want to collect on my car insurance premium. I don't want to collect on it. I don't want to ever have an accident that hurts somebody or damages a car. I have been in an accident like that. I don't want that to happen again. I don't want to have to cash in any of my health insurance. I don't want to be sick. I don't want my children to be sick. I don't want to be unemployed so I have to draw unemployment compensation. Most Americans don't want to be.

I just wonder about some of my friends on the other side of the aisle who think about this—they really think it is welfare. I just ask my colleagues on the other side of the aisle to put themselves in another place. I know virtually all of us get out enough that we meet people who are unemployed occasionally, and I know we are pretty isolated here too often. But, you know, a lot of us meet people who are unemployed, people who have lost their insurance. These people sometimes have lost their homes. But I think it is important that we think about what that means and try to personalize it, try to think about a husband and wife—one is working part time, not making much money, the other one lost their job, and then they lost their insurance because they can't afford the payment for COBRA.

COBRA is a bit of a cruel hoax. COBRA is the program where you can keep your insurance after you lose your job, but you have to pay your part as the employee and then you have to pay the employer premium. And if you lost your job, how could you? Well, we have subsidized that. We have actually under the Recovery Act, as the Presiding Officer knows in his work on this bill in the Health, Education, Labor, and Pensions Committee, helped people to pay that COBRA so they can keep their insurance.

But put yourself in the place—since we can't seem to get the Republicans to go along with that, either, now—put yourself in the place of that family. The husband has lost his job. The wife, who was making only a little bit of money, is struggling. They lost their insurance. Someone gets a little sick. They have these bills run up. They are getting 2 or 3 months behind on their mortgage. They have to sit down with their family. They have to sit down with their teenage kids and say: You know dad lost his job. You know mom cannot find more than part-time work. You know we do not have insurance anymore. You know Jimmy got sick. Well, we are behind on our house payments. We are going to have to move. We are going to have to sell our house. We are going to get foreclosed on.

You have to explain to your kids that they are not going to have a room to sleep in—separate rooms—anymore. They are going to have to give away some of the stuff they have around the house or try to sell it. They are going to have to go to a new school.

What new school, dad?

Well, I don't know what school district we are going to move to.

I just wish my colleagues, when they cast these ''no'' votes on unemployment insurance and cast these ''no'' votes on the extension of COBRA to help people keep health care, that they would think about what it means to an individual family.

I mean, these are all numbers. I can give you some great numbers here. I can give you these numbers: The number of Americans who will lose their unemployment benefits: 1.3 million by the end of this week; 1.7 million by the end of next week; 2.1 million by the end of our congressional recess next week; 3.2 million by the end of July. These are pretty troubling numbers, but forget the numbers. I am going to read from some letters of people in Ohio that will explain better than I can what this means to individual Ohioans or individual Oregonians or individual Floridians or Louisianians or Kentuckians.

And if you want to make it an economic argument, make it an economic argument. Forget about the human faces for a minute. Make it an economic argument. If people are not getting their unemployment insurance, it means they are not spending money in

the community. You know what has happened when people receive unemployment benefits. The first 6 months following the passage of the Recovery Act, unemployment insurance pumped $19 billion into the local economy. If we hadn't done that in this recession President Obama inherited a year and a half ago when we were losing 700,000 jobs a month, we would have been losing 800,000 or 900,000 because this $19 billion wouldn't have been pumped into the economy—grocery stores, going in and buying clothes for the kids, getting medicine, stopping at the drugstore—all of the things that keep economic activity generating in a community and provide jobs.

The first half of this year, $6 billion went in benefits to the States. It would have meant layoffs of librarians and mental health counselors and teachers and police officers and firefighters and people who are cleaning the streets and picking up garbage. There would have been more layoffs, more unemployment, less economic activity.

So it is pretty clear, if you want to look at the economics of this and listen to one of Senator MCCAIN's chief economic advisers who said that nothing more than a dollar in unemployment has a greater multiplying effect than that. That means for every dollar in unemployment compensation, it generates a lot of economic activity. That dollar isn't pocketed. That dollar is spent by the unemployed worker to take care of his or her family's needs. It is the best thing for the economy to pump unemployment compensation into the economy.

Yet time after time over the last several weeks Republicans have opposed extending unemployment benefits. Of all things to draw the line on. I hear the arguments over and over. They say we can't keep adding to the national debt. I was in the House of Representatives when they ran up the budget deficit, when George Bush and the Republicans ran up the debt. In 2000, when President Clinton left the White House, we had a budget surplus projected to be trillions of dollars in the years ahead.

What happened? War with Iraq, hundreds of billions of dollars to pay for the war charged to our grandchildren; tax cuts for the rich, hundreds of billions of dollars, charged to the grandchildren; a giveaway to the drug and insurance industries in the name of Medicare privatization, charged to the grandchildren. They don't mind spending us into deficit for two wars, for tax cuts for the rich, and for a giveaway to the drug and insurance companies. But now that it is time to give about $300 a week to workers who have lost jobs and to help them keep their insurance, they say we can't afford it. They don't want to run up the budget deficit. What does that say about values and about us as a country?

I don't get it. No matter how irrational or how much they want to play to the crowd and say: I am standing up against big government, they didn't stand up for taxpayers to pay for the wars, tax cuts for the rich, and bailouts for drug companies and insurance companies. All of a sudden they are standing up for taxpayers when it comes to funding unemployment benefits and health care benefits for those workers who lost their jobs and lost health insurance.

I will close with reading four letters from people around my State. I get hundreds of these. I know the Senator from Oregon gets them from Portland and all over his State. I get them from all over my State. I will start with Mark from Wood County, just south of Toledo, home of one of the great universities in our country, Bowling Green.

Mark writes:

I send out on average 5 resumes a week, yet I almost never hear back from employers. I have had only one interview, though I didn't get the job.

I am not lazy. I want to work and I am trying to find work.

I didn't quit my job, my employer quit on me and everyone else they laid off.

We need unemployment benefits extended, please don't turn your back on us.

These are millions of people around the country. What Mark says is what most of them would say: Please don't turn your back on us.

Jennifer from Geauga County, southeast of Cleveland, writes:

I am a single mother of three beautiful girls. I am also an experienced architect. But late last year, I was laid off from a large engineering firm in Northeast Ohio.

I have been desperately seeking a job for the last six months, but my industry has still not recovered.

What do I do now? I have been working 20 years in my field. I am already four months behind on my mortgage.

Where do I even get the money to pay for it and the other expenses to care for my family?

What do I do?

These are not people who don't want to work. I am sickened by some of my colleagues who think this is welfare, who think these people really don't want to work. Jennifer is a woman with three children, a professional, an architect. She has been working 20 years in her field.

All of these people are required to send out resumes week after week. They are required to make calls and try to find jobs. They can't find them because of the economy President Obama inherited a year and a half ago—again, 700,000 jobs we were losing a month when the President took office. My State was lucky enough in April to have a bigger job gain than any State in the country, 37,000 jobs. But that is not nearly enough to make up for the hundreds of thousands of jobs lost because of this economy, because of bad trade policy, because of outsourcing of jobs, because of all that has happened with the financial crisis.

Jill from Franklin County writes:

I am very disappointed the Senate has not passed an extension for those of us still facing unemployment.

I have been out of work for six months, even though I have a Master's Degree.

I have never lived beyond my means, but without the small check I get from unemployment, I will be losing my home at the end of July.

Please find a way to pass this bill. Please help us.

I was not making it up when I said if somebody loses their job, they lose their insurance. Then they too often lose their home because a bunch of Republicans want to vote no on the extension of unemployment benefits, crying: We have to cut spending.

I am sorry to say it over and over, but when I hear them say we can't afford it, when they didn't say that when it was tax cuts for the rich, paying for the war, or bailing out the drug companies and the insurance companies in the name of Medicare privatization—they only want to do it when it is unemployed workers. That is wrong.

The last letter I will read is from Amy from Perry County, a small rural county southeast of Columbus:

My husband is trying very hard to find a job. For the government not to pass extensions is beyond me.

I am a nurse and work two jobs to help make up the difference of my husband's lost wages.

Our hard working American citizens who helped build this country are now in need of this country's help.

Please urge other Senators to vote this bill through.

I couldn't say it better than Jennifer and Mark and Amy and Jill. They are all typical, hard-working Americans who have done the right thing. Some are very well educated, all are hard-working. Many have gone back to school to improve themselves. This is the economy they have inherited because of a whole bunch of bad policy decisions in the last 10 years. They are the ones paying for it. That is just not right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

GULF OILSPILL

Mr. LEMIEUX. Mr. President, I have come to the floor today to talk about the tragedy affecting my State as well as other States that border the gulf. We are into this crisis now 72 days. On the worst days, there is as much as 60,000 barrels of oil spewing into the gulf. That is more than 4 million barrels of oil. That comes out to about 180 million gallons of oil that has gone into the Gulf of Mexico. We know British Petroleum is at fault. We know they are responsible for paying for the cleanup. But that is just half of the story. The other half is that the Federal Government has a responsibility in times of crises to step up, to manage the crisis, to do everything possible to bring all available resources to address the crisis, to keep the oil from washing up on our beaches in Florida, from getting into our coastal waterways and estuaries.

This is not a Republican issue. This is not a Democratic issue. This is an issue of doing the job those who wanted to be elected to these positions in the

executive branch now own. When you are the President, you don't get to pick which crisis comes. You don't get to say: I don't choose to address this problem or not address that one. When you are the President, your administration is responsible for trying to solve the problems that happen on your watch. This oilspill has happened on this administration's watch.

I want the President to succeed. All Americans do. But the truth is, this administration is failing in keeping this oil off our shores. Why do I say that? I don't say that without some reservation because it is a serious charge. The facts speak for themselves. We have 2,000 skimmers in the United States. These are ships equipped to suck up oil off of the top of the water, bring it into the ship so it can be removed from the area that has been polluted. We got this document last week from the Coast Guard. Admiral Allen, with whom I met with the President weeks ago, said there were 2,000 skimmers.

I said to the President: Mr. President, if there are 2,000 skimmers, why aren't those skimmers in the gulf? At that time there were 24 skimmers off the coast of Florida. Today we believe there are about 84. Florida says 84. The Feds say 130. Since this started, we couldn't get a straight answer or one that reconciled between the State and the Feds. The good news is, it has gone up to 84 from 24. But it is still a mere fraction of what it could be.

We are told there are 400-some skimmers in the gulf. Around the country, there are 2,000; 1,600 or so in the continental United States.

Why are all those skimmers not in the gulf? This is something I have been calling for for weeks. Between Texas and South Carolina there are 850. Why aren't they skimming up the oil? When I raised this issue with the President, he and Admiral Allen said: Those skimmers need to be in other places in case there is an oilspill. That is like me saying that we can't send a fire truck to your house that is on fire because we may need it for another fire. That is not a lot of solace to you if your house is burning down, not a lot of solace to the people of the gulf when this oil is washing up onshore, ruining their lives, keeping them from working, hurting the ecosystem and the environment they love.

Something has happened that is good news. The day after I met with the President, along with our Governor and other State and local officials, on day 57 of the crisis, on day 58 Rear Admiral Watson issued a memo, June 16, 2010.

I ask unanimous consent that this be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

From: J.A. Watson, RADM
FOSC BP Deepwater Horizon Oil Spill
To: NIC
Subj: FOSC Determination under 46 U.S.C. §55113 Concerning Oil Spill Response Vessels Capable of Skimming Oil

1. Pursuant to my authority contained in 46 U.S.C. §55113, I have determined that an adequate number of oil spill response vessels (OSRVs), as defined by 46 U.S.C. §2101(20a), documented under the laws of the United States and capable of skimming oil cannot be employed in a timely manner to recover the oil released from the BP Deepwater Horizon spill.

2. Oil currently discharges into the Gulf of Mexico at unprecedented levels. There are simply not enough U.S. OSRVs capable of skimming oil available to keep up with the pace at which oil flows from the well. Until the flow is stopped, therefore, it is my opinion that domestic and foreign OSRVs capable of skimming oil are needed to provide adequate and timely protection to the Gulf Coast.

3. This determination applies only to OSRVs capable of skimming. No foreign OSRV may avail itself of any privileges conveyed by this determination unless its country has accorded to vessels of the U.S. the same privileges.

4. Respectfully request that U.S. Customs and Border Protection be notified of this determination.

Mr. LeMIEUX. This is a four-bullet point paragraph document. It reads in part:

Pursuant to my authority, I have determined that an adequate number of oil spill response vessels (OSRVs), as defined by 46 U.S.C. §2101(20a), documented under the laws of the United States and capable of skimming oil cannot be employed in a timely manner to recover the oil released from the BP Deepwater Horizon spill.

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That is the day after we raised this issue with the President. It comes on day 58. It should not have taken 58 days to figure out they didn't have enough equipment, but better late than never.

Monday of this week, the EPA and Coast Guard, on day 70, issued an order releasing these skimmers to come to the gulf from whatever legal requirements keep them where they are, including releasing Navy skimmers. That is good too. Now it is day 70, but it is still progress. I am hoping, and what I am seeing is that these skimmers will come to the gulf soon. We are tracking the skimmers. We got a list of these 2,000. We are calling folks in different places where the skimmers are, different ports around the Southeast and the Mid-Atlantic. We are going to check with them and say: Are your skimmers on the way? We need the help.

I was in Pensacola Monday. I have been down there four or five times since the incident began. The oil on the beach is profound. It breaks one's heart to see it. It is a splattering of oil and muck and scum on the beaches. In some places I found what I would call tar rocks about the size of grapefruit that have washed ashore. Who knows what is happening down below the water, how far these plumes of oil go, what it is doing to marine life, to the turtles, to the porpoises, to the fish, what that is going to mean for the people of the gulf coast who rely upon fishing and the seafood industry, what it will mean for our health.

When you stand on the beach, you can smell the oil. The people of my State are heartbroken. I can see it in their faces and hear it in their voices.

I talked to one woman who works at the pier. I asked her: Are people coming to the beach.

She said: People are coming who don't often come. People are coming who want to say goodbye, want to see the beach one last time.

That is like having a loved one who is in the hospital on their deathbed, going to see the beach one last time.

We have these skimmers, these 2,000. Hopefully they are on the way. That is progress. That is the domestic side of this issue.

The other side is foreign skimmers. We have been hearing from the beginning that foreign countries have been offering assistance, reaching out to us the way we help the world because of the goodness of our hearts as Americans when the world has problems. When there is a typhoon in Southeast Asia or an earthquake in Haiti or Chile, the first country there to respond because of the goodness of our people is the United States. We provide help and relief, military sometimes. Other countries have also offered to help us in this, our time of need, sometimes for free. Sometimes those companies want to get paid. Nonetheless, they have offered to help.

In fact, there have been 64 offers, according to the U.S. State Department's document of June 29, 2010. We have accepted 7 out of 64. Let me read some of these to you.

On June 23, Canada offered skimmers. That is under consideration. On May 13, the European Maritime Safety Agency, still under consideration; on June 22, Japan, under consideration. On April 30, Norway; some have been accepted, other offers are under consideration. On May 2, the Republic of Korea offered skimmers—May 2—under consideration; on June 23, Turkey; on June 22, Qatar; on May 10, the UAE, the United Arab Emirates, under consideration. Mr. President, 64 offers, 57 under consideration.

Now, the State Department said yesterday they will accept 22 offers of assistance from 12 countries. Good. Good. It is day 72. Why wasn't it done sooner? I have come to the floor before and shown a picture of a ship called the Swan that was offered on May 6 from a Dutch company. The Swan had the capacity of soaking in thousands of pounds of oil and water, and we never got back to them.

We now have the opportunity to bring another ship into our effort. The Swan was a huge ship. As shown in this picture I have in the Chamber, this is A Whale—appropriately named. It is reported to be the largest skimmer in the world. I met with the folks who own

the ship yesterday, Taiwanese folks. They have no approval yet to use this ship, but they still steamed this ship from Taiwan to the gulf—it is just getting there now—on their own dime. Imagine what it costs to sail this ship, 300 yards long, bigger than an aircraft carrier. It is the largest oil skimmer ever devised. It is at least 250 times that of these modified fishing boats we are using for skimming. It has a capability to draw as much as 500,000 barrels of oily water per 8- to 10-hour cycle, and it does not have to stop. It puts the ship next to it, which it offloads the oily water to, and it can keep going 24 hours a day.

By the way, storms are not a problem either because it is so big. It does not rock in the waves of a storm. So you hear these concerns now with our Tropical Storm Alex in the gulf that certain ships are going to have to stop their efforts. If this ship is allowed to work, it does not have to stop, according to what the owners told me. It is being tested by the Coast Guard either today or tomorrow.

Let's hope we use this incredible resource and ones like it because when this oil washes up onshore, when we have failed to respond to the offers of assistance from foreign countries, it is not just oil that is washing up onshore, it is failure. We need every resource, domestic and foreign alike, in the gulf, and we needed them yesterday. In fact, we needed them 50 days ago. It should not have taken this long to marshal this response.

I just watched the President of the United States on television. He is in Racine, WI. He gave a speech, a very political speech. He likes to blame the Republicans for everything that has gone wrong in the country. It is all our fault. Well, let me take issue with him on this one point. This is his job. He may not want to be in charge of the United States of America and be the President when we have the worst oilspill we have ever had, but that is part of the job. It is not Thad Allen's job to run this. It is not Janet Napolitano's job. It is not Ken Salazar's job. It is not Jane Lubchenco's job or any other folks who work in the administration. It is the job of the President of the United States.

When he ran for President, he said President Bush's response to Katrina was halfhearted and it was half measures. I am not sure he would want this same standard applied to him right now. I know it is fun to give a political speech, but the people in the Gulf of Mexico are suffering, and they need help and they need a President who is on the job managing through problems.

Mr. President, being from Florida, we have had a lot of crises in the past several years with hurricanes. In 2004, in 2005, we had 9 or 10 hurricanes come through Florida that devastated us. I got to watch a chief executive officer of our State, our Governor at the time, Jeb Bush, when I was in the Attorney General's Office, manage through problems, overcome obstacles, work 12, 14, 16 hours a day to make things happen, to get results.

That is what it takes, and there is no one like the chief executive officer to overcome those obstacles. That is what we need from the President of the United States in this situation. I do not want to see him in Wisconsin giving a political speech. I want to see him in Florida getting these skimmers there, overcoming obstacles, solving problems, managing through this crisis, so we can protect our beaches, protect our estuaries, and protect the way of life for the people of Florida, Alabama, Mississippi, and Louisiana.

This crisis is not over. It may not be on your television as much as it was, but the oil is still spewing out of this well. We hope these relief wells work. We hope they can stop the oil from leaking in the Gulf of Mexico at an unprecedented rate. We still do not know how much is leaking. We hope BP is capturing at least half of that oil now, maybe a little bit more, but we do not know.

But every day that goes by that oil leaks in the Gulf of Mexico and washes up on the shore of my State—when I stand on the beach in Pensacola and I cannot see a single skimmer, I wonder where our Federal Government is. We need help. We need some urgency. We need some purpose. I am glad they signed the order this week to let those skimmers come. I am glad we are finally starting to accept foreign skimmers—72 days into the crisis. But I will continue to come to the floor every day until that oil wellhead stops leaking to talk about this issue and bring light and attention to it, to make sure this government is doing everything it can, marshaling every resource possible to keep that oil from coming on our beaches and into our coastal waterways.

I will close with this: In Florida, people love the water. It is the reason most people come to Florida. It is not just because of the great way of life. It is not just because of the great climate. It is because of the water. Ninety percent of the people of our State live within 10 miles of the ocean. We have more recreational boaters than any other State in the country. We have more coastline than any other State in the country save Alaska. The water is a way of life to people in Florida.

I have had grown men, men I have known and respected my whole life—not men you would consider emotional or soft—talk about the situation of this oil crisis with me and start to break down and cry. It is that much of an issue for the people of Florida. I want to see our Federal Government rise to the task and do everything possible to solve this problem.

With that, Mr. President, I see my colleague is here and I yield the floor to him.

The PRESIDING OFFICER (Mr. BURRIS). The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I am sorry I was not here on the floor—but I was watching in my office—when my colleague from Ohio, Senator BROWN, made his recent statement on the Senate floor. I think Senator BROWN pointed out very poignantly what is happening to so many people in our country today who have exhausted their unemployment insurance benefits. I would like to follow up on the comments made by Senator BROWN to reinforce what he said just a few minutes ago on the Senate floor and the dire straits that so many people find themselves in going into the Fourth of July holiday.

Recently, a national group of business economists released its 2010 economic outlook, predicting that America's economy is ''on track'' toward recovery. Well, this is encouraging news. It indicates we are moving in the right direction under President Obama's leadership. But we also know the recovery is very fragile.

For example, last week, we learned that sales of new homes plummeted 33 percent in May, to the least level in 40 years. Let me repeat that. Home sales in May fell to the least level in 40 years. Banks are still reluctant to lend to small businesses. It is not that they do not have money. According to a new Federal Reserve report, U.S. companies are hoarding an all-time high sum of $1.84 trillion in cash, but they remain largely unwilling to invest, hire, and expand.

U.S. companies are hoarding an all-time high sum—$1.84 trillion in cash—but they are not investing, they are not hiring, and they are not expanding. So the threat of this double-dip recession is very real.

These economic warning signs are not just abstract facts and figures. They have very real consequences for families across the country. That is what my friend from Ohio was talking about earlier. The unemployment report for May was very disappointing. By the official numbers, there are 15 million hard-working people who have lost their jobs through no fault of their own, and they are struggling to find work. Those are the official numbers—the official numbers. Many experts in this field agree that the real numbers are far higher.

So when you count the people who have become so discouraged that they have stopped looking for work, or who are working part time involuntarily because they cannot get full time work, the number of unemployed workers is far higher, like about 30 million people.

So as shown on this chart, here is sort of the official figure of 15 million. But that is just people who are right now on the unemployment rolls who are actively looking for work. We have enough data to show that people have been out of work for so long—they have hunted for so long, and they are discouraged; they are not looking right now actively—they are not counted as

unemployed. The young people who have not had jobs for the first time, who are out of school but have not had jobs for the first time, they are not counted as unemployed. People who are working makeshift jobs for bits and pieces here and there, part-time, who one time had a full-time job, they are not counted either. When we add all those up, our real unemployment in this country is right around 30 million people.

The official figures will say there are five unemployed workers for every available job. That is not true. It is more like 10 workers. Job openings in America: 2.69 million. That is how many jobs are in America right now that are open—at least last month anyway. There are 30 million people out there after those 2.69 million jobs; not 1 in 5, but 1 in 10, a little over 1 in 10. It is little wonder that the average spell of unemployment in this country has skyrocketed to 34 weeks, far higher than in previous recessions. This chart shows that—here is the recession of 1980, 10 weeks; in July of 1981, 14 weeks; in July of 1990, 12 weeks; March of 2001, the recession, 13 weeks. These are the unemployment spells we had during those recessions. We are now up to 34 weeks and counting. Compare that to the recessions of the past. It is a small wonder that a lot of people say this is not a recession, this is a depression. People don't want to say it, but in many ways, we are on the edge of a depression.

As a result, a record number of Americans is facing long-term unemployment; 6.8 million Americans out of work for more than half a year, by official numbers alone. That is the highest number of long-term unemployed we have had since we started keeping track in 1948. Let me repeat that. The number of Americans out of work for more than half a year is the highest—the highest—since we have kept track of this since 1948. The families of these long-term unemployed are hanging on by a thread. Their savings are gone. Unemployment benefits are the only lifeline they have to pay the rent and put food on the table.

Again, I know I am not the only Member of this body whose office has been flooded with heartbreaking stories of families back home struggling to make ends meet. We heard a number of those stories from Senator BROWN from Ohio. These are people trying their hardest, doing everything they can to find work, but the jobs aren't there.

I heard from a community college professor from Sioux City who was laid off due to budget cuts. She has applied for dozens of jobs, many far below her skill level. She is often told she is overqualified. She has exhausted her unemployment benefits. She and her sons, one of whom is a special needs child, are on Medicaid and they have applied for food stamps.

I heard from a worker in Des Moines who has been in the insurance industry for many years. She was laid off almost a year ago and has struggled to find work. Her benefits were cut off last week. Here is what she writes. She says:

> My concern is that my family cannot survive without the unemployment benefits. We have depleted our savings just to save the house and not get behind on the bills. I know there are others far worse off. Please help pass the emergency unemployment insurance extension.

I heard from a schoolteacher in northern Iowa who was laid off in October of 2008. She recently ran out of unemployment benefits and had to apply for welfare. She writes:

> I have not felt so humiliated in 20 years. I have been a productive and hard-working woman since I was 13, but now I feel insignificant. Please do not misunderstand. I have been trying to find full-time employment, but to no avail.

Again, these are hard-working people trying their best, who never imagined they would be in need of Federal assistance. They paid into the unemployment insurance system while they were working. Their employers paid in. They ought to be able to count on it when times get tough. To me, it is a matter of fundamental fairness and human decency.

Yet, in the face of so many families in crisis, an extension—a short-term extension—of unemployment insurance is being needlessly, and I would even say cruelly, obstructed here in the Senate. Time and again we have tried to pass an extension of unemployment benefits and time and time again that effort has been blocked by Members on the other side of this aisle. As a result of this political gamesmanship, as of the end of last week—at the end of last week—1,350,000 Americans exhausted their unemployment benefits because of the lapse in this program. By the end of this week, that will go up to 1,720,000 who will be cut off because we won't extend it here. By July 10, 2.14 million—2,140,000 Americans will have their unemployment benefits cut off.

Blocking this bill may be a political game for some over here in the minority party, but it is not a game to millions of Americans who have lost their lifeline. For them, the obstruction of this bill is a personal and family crisis of the first magnitude.

Imagine: We are about to go out of here in a couple of days for 10 days, 12 days, something like that, to celebrate our Nation's birthday, the Fourth of July weekend. I am sure Senators will be with their families; Congress men and women will be with their families, and all of our staffs. We all have jobs. We have good jobs that pay us well. We have good benefits—health benefits, retirement benefits—as does our staff, Republican staff and Democratic staff. Republican Senators and Democratic Senators, we have good pay. We will have a good Fourth of July with our families. We will watch the fireworks and have hot dogs and hamburgers, listen to patriotic speeches, maybe make a few ourselves. How about all these people? How about these people? How about these families? What are they thinking about on the Fourth of July? They have lost their benefits. They don't know where to turn. What are they going to be celebrating? What are they going to think about their country? What are they going to think about this Congress, that turns its back on these people?

There is no reason why we can't extend the unemployment insurance benefits, none whatsoever. I think that is what we have to be thinking about.

Another thing that I think hits pretty hard, I have heard political candidates out on the stump who want to take a place in the Senate, or maybe in the House of Representatives, out there talking about how we shouldn't extend these benefits because this encourages people not to go to work; it sort of encourages laziness. Well, I think that is insulting and illogical. As I said, there are 30 million people out of work looking for 2 million jobs. They say, Well, but if you give them these unemployment benefits, it makes them lazy. They won't go to work.

The numbers vary from State to State, but the unemployment benefit nationwide is about $300 a week, below the poverty line. So here is the average income for a family of four on unemployment benefits: It is about $15,600. It is more in some States, less in other States. That is an average. So what is the poverty line for a family of four? It is $22,000. That is below the poverty line. They are telling me people don't want to go to work? These are people who had work. They are not out of work because they walked off the job; they are out of work because they were cut off of work. In some States, benefits are smaller. For example, in Mississippi, the weekly maximum benefit is $235 a week. Again, that is thousands of dollars less than the annual salary of a full-time minimum wage worker. Again, I can't imagine anyone who had the alternative to make more money and to have a full-time job would say, No, I want to stay on unemployment benefits. That is insulting. It is insulting.

I have also heard my colleagues object to this benefit extension on the grounds that providing these benefits is too expensive. It will add to the deficit. I understand the concern, and we are all concerned about the deficit of this country. But, it doesn't hold water when we are sitting in the midst of an economic crisis. We are about to pass a supplemental appropriations bill here sometime soon, probably after we get back from the Fourth of July break. It has about $37 billion in there in military aid to Iraq and Afghanistan. We are building infrastructure projects over there. We are putting people to work there. We are continuing to lose a lot of American lives, young Americans getting injured and killed, and that is adding to the deficit. Yet we are not paying for that. That is adding to the deficit.

It seems to me if we are trying to look ahead and trying to protect the people of this country, we want to get people back to work. We want to get the economy going again. We need to get the recovery up and running. Unemployment benefits cost money, yes, but think about it this way. That money is spent here in America. It is not spent overseas and it is not spent someplace else. It is spent here.

What do people do when they get unemployment insurance benefits? What do they do with that money? Do they put it in a shoe box? Do they bury it in a hole in the ground? No. They go out and they spend it. They spend it on food and clothes and the necessities of life: housing, rent, utilities. That money spins around in the economy. That is why the economists all agree that one of the—this is from moodyseconomy.com. The biggest boost for the economy in terms of benefits from the government, the biggest bang for the buck, so to speak, are food stamps. That is because poor people who get food stamps spend it right away on food. Not all, but most of the food is grown in this country and processed; not all of it, but most of it. So you get a big bang for the buck. For every dollar in food stamps, you get $1.73 in economic activity in this country—$1.73 for every dollar invested. Unemployment benefits, $1.63. Right next to food stamps, unemployment benefits. Infrastructure investments that so many of us talk about, very close on their heels: $1.59. If we want to put people to work, let's start doing infrastructure rebuilding in America. Rebuild our sewer and water systems, our highways, roads, bridges, rails, high speed. That is a great investment, plus it will put a lot of people to work too.

A whole lot of people say, Well, we have to extend the Bush tax cuts to get the economy going. Extending the Bush tax cuts is a 49-cent return on the dollar—not a very good investment, folks. Not very good.

So unemployment benefits, yes, they cost money. Yes, they do add to the deficit, but they provide for a lot of economic activity in this country—a lot more than extending a tax cut. For example, in Iowa alone, more than 3,700 jobs were saved or created in my State in 2009 thanks to the benefits of unemployment insurance. That is 3,700 jobs in my State alone because of unemployment benefits.

Again, under these circumstances, obstruction of an extension of unemployment benefits is inexplicable. How do you explain it? How do you explain something such as that to someone who is on their lifeline, has lost their benefits, or is on the verge of losing their benefits right now? It is like a person who is in the hospital with a serious infection. The doctor says, OK, here is a 15-day course of antibiotics. The patient goes home and says OK, 15 days, I have to take the antibiotics every day. But day 8 comes, day 9 comes, the patient feels better, they stop taking their antibiotics. The infection reasserts itself, the patient is right back in the hospital.

That is where we are in this economic recovery. We made the mistake once before; history shows this. In 1937, we were getting out of a depression, the public works projects and things President Franklin Roosevelt and the Democratic Congress put in place were getting us out of the recession. But then the so-called deficit hawks took over and began then to tighten down on the benefits and these programs. What happened? The Federal Reserve started tightening up the money, Congress slashed spending, the Fed tightened its policy, and the economy plunged back down into a depression.

That is why I used the analogy of someone in the hospital with a serious infection and they are prescribed 15 days of antibiotics, but after 5 to 7 days, they feel better and they stop, the infection then reasserts itself, and they are right back in the hospital. That is where we are now.

Well, quite frankly, there is an infection in our country. The infection is called a recession, a deep recession, a depression. Thirty million people are out of work. That is an infection. There is one thing that will help relieve that infection right now: the medicine of unemployment benefits.

Mr. DURBIN. Will the Senator yield for a question?

Mr. HARKIN. I am delighted to yield to the Senator.

Mr. DURBIN. Mr. President, I thank the Senator for bringing this issue and timely discussion to the floor.

We had a meeting today of the deficit commission—18 of us who have been charged with finding a way to deal with our Nation's deficit. Speaking to us was the Director of the CBO, Congressional Budget Office, Mr. Elmendorf, who talked about what we need to do. I asked him a question that went directly to the Senator's point: As we talk about reducing the deficit, isn't there a worry or concern that if we hit the brakes too soon, we can plunge even deeper into a recession, with more people out of work? He said yes. He said that you have to make sure we start moving forward, putting people to work, with the GDP growing; and once you have the economy stabilized and moving forward, with people paying taxes—which, incidentally, brings down the deficit—then you can talk about the long-term deficit fix. So I say to the Senator from Iowa, he really hit the nail on the head.

Our colleagues on the other side who refuse to support extending unemployment compensation benefits say: We want to take it from some other area of spending. Well, of course, that just reduces the stimulus to the American economy. So they are not helping things. What we need to do is help them.

I see the Senator from Iowa has 3,700 workers in Iowa affected by this. We have over 10,000 in the State of Illinois. In fact, it is 20,000 at this point. It will be 80,000 by the end of June, if I am not mistaken. At this point, these folks have reached a point of desperation.

I had a call over the weekend from a friend who is unemployed. She is the mother of three kids, with a grandchild in the house. They are cutting off her utilities because her unemployment check was cut off. That is the reality of life for people who have lost jobs through no fault of their own.

I thank the Senator for bringing up this issue. I will be embarrassed if we leave here for the Fourth of July break without taking on this unemployment issue and helping people across the Nation who are similarly situated.

I will ask the Senator a question since he yielded for that purpose. Does the Senator even possibly agree with what I have said?

Mr. HARKIN. Mr. President, I thank the Senator, who has been a champion of working people and families for all the many years I have known him, and that is many years now. I thank him for telling us about what the CBO said in the deficit commission.

I pointed out a couple of things earlier. The Senator is right on the mark in terms of economic activity, and that is why it is so important right now to get the economy moving again, to keep it moving. The biggest bang for the buck we get is food stamps. People spend those right away on food.

Second to that, for every dollar we put into unemployment benefits, it causes $1.63 of economic activity. That is not a bad return on the dollar. Well, down here on the chart, extending the Bush tax cuts, you only get 49 cents back. That is what my Republican friends say you need to do—more of these Bush tax cuts. That is dismal. Yet an infrastructure investment brings $1.59 cents. If you invest more in infrastructure—sewer and water, plants and highways, roads, bridges, high-speed rail—not only do you get a great return, you get a lot of people employed at the same time.

How can we leave here tomorrow or Friday, when we leave for 10 or 12 days, when we know this is what is happening? At the end of last week, 1,350,000 Americans lost their unemployment benefits. At the end of this week, it jumps up to 1,720,000. By July 10, before we come back, it will be 2,140,000 Americans who will lose their benefits. How can we go home and celebrate the Fourth of July with fireworks—the birthday of our Republic—and give patriotic speeches about how great we are, what a good country this is, when we are going to leave all these people out in the cold? What does that say about this body, about the Congress?

I will tell you, I say to all those families who have written me letters, contacted me by e-mail, and have come into my offices, telling me of your joblessness and your struggles: You are not forgotten. We are here fighting to try to get this done.

My Republican colleagues refuse to let us extend unemployment benefits—even for less than half a year, a short period of time. Well, we will do everything we can to get this done. For the sake of these families, our country, and for the sake of, yes, our economy, we can't leave here without extending these unemployment benefits.

I ask my Republican colleagues who have been blocking this to have a sense of humanity on this, a sense of compassion, of caring for these families. We all make good money around here. We get good pay and benefits, good retirement benefits. All our staffs are employed. Everybody here in this Chamber is employed. How about these people who are unemployed? You have to think about them before we close up shop and leave here this week.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

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

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

(The remarks of Mr. KERRY are located in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I begin by complimenting the senior Senator from Massachusetts for a remarkable tribute to the late Senator ROBERT BYRD. It was beautifully delivered, beautifully written. It captured the spirit of this wonderful Senator and highlighted just a few of the extraordinary accomplishments in his life. I was privileged to be on the floor to hear it delivered by the Senator from Massachusetts.

Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

SMALL BUSINESS LENDING FUND ACT

Ms. LANDRIEU. Mr. President, I was here earlier today, following Senator BAUCUS's handling of a portion of the small business bill. I am pleased to share in that responsibility on a small business bill that is not immediately before the Senate because, remember, we came off it temporarily to talk about the unemployment measure that is pending about which Senator HARKIN just spoke.

I want to return to the small business bill because at some point, after a vote on the unemployment measure before the Senate, we will get back to a very important bill for you, Mr. President, and you have been a leader in this area, as well as many of us.

I want to speak for a moment about a couple of provisions of the small business bill. The bill itself has three major pieces to it. There is a piece that came out of the Small Business Committee about which I spent some time this morning talking, the elements of strengthening the SBA lending programs, expanding the limits for the amount of money that businesses can borrow. There is a piece that is coming out of the Finance Committee that is broadly supported. Senator BAUCUS and Senator GRASSLEY have done a great job. Basically, it is tax cuts relative to small businesses that can help them with tax provisions. Then there is a piece that has come from the Treasury, the White House, the leadership team, about small business lending.

I want to talk for a few minutes about a piece of the small business package, and then I want to talk about the bank investment program, the $30 billion program.

First of all, one of the most important aspects of the small business bill is the extension and the expansion of 7(a) loans. To put this in plain English, these are the loans that the Small Business Administration partners with banks to make what we call floor plan lending. It is any business that has inventory—maybe it is a tractor company or a manufactured home company or a boat, marine industry with a small business owner—and you have some of these in Illinois, I know, Mr. President, and I have many of them in Louisiana—that has to buy inventory and put it in their showrooms for when people come by and they look at the product.

Some people might go on the Internet these days. My son does this. He spends a lot of time looking for automobiles because he has not yet been given permission to purchase his first one. He is looking every night, bringing pictures to his mother and father, talking about the benefits.

People today go on the Internet. They look at all these products they want to buy—boats, tractors, for example. They do not usually push the button to buy these products on the Internet; they go down to their local dealer. They want to walk into a showroom. They want to look at the product. They heard about it, and they might have documents from the Internet. They go to their local small business, whether it is in some parts of Illinois or Louisiana down in Thibodeaux, Violet, Larose. They walk into that local marine operator and say: I have looked on the Internet, and this is the kind of boat I want to buy. Do you have one in stock? If we pass this bill, he might have one in stock. If we do not pass this bill, chances are he will not be able to make that sale. That is what the 7(a) lending program does.

I have a letter from the National Marine Manufacturers Association that says they have over thousands of members. They say that they believe if we pass this provision in this small business bill, it could affect over 350,000 jobs in America because that is how these small businesses operate.

Unlike a lot of businesses we talk about, these are not businesses in China or in India or in South Africa or in France. These are small businesses with American-made products in our own neighborhoods, almost in every neighborhood in America, that has an inventory, that is trying to sell something. When that purchase is made, tax dollars are generated, money changes hands, and our economy gets rolling again.

This 7(a) lending program is not to be underestimated. It is not just an old government program that does not work. This program will potentially leverage loans up to $5 million. The way the program works is the Federal Government backs 40 percent of the loan. The banks usually take the first 50 percent, and then there is another 10 percent. So when you add all of that up, because our portion can now go up to $5 million, it is basically a $5 million loan.

That is a lot of money for a small business to be able to purchase a number of tractors for their inventory or automobiles or RVs or jet skis. This is a big industry, Mr. President. You know it. You see it on Main Streets all over the country.

When we pass this bill, I want my colleagues to know that those voting for it can be very proud. For those of my colleagues voting no, they are going to have some explaining to do because the automobile dealers in their States, the marine manufacturers in their States are going to say why didn't you vote for a bill that would allow me to go to my local bank, borrow up to $5 million so I can put inventory in our showrooms so people in this town can come to my shop or my place of business and purchase that equipment?

This 7(a) loan program is very important. It came out of our committee with broad bipartisan support. I am pleased it is in the underlying bill.

I want to say one more word. I know there may be others on the floor to speak. In another section of this small business bill, in our attempt to get jobs created in America to bring this recession to an end, to get our people back to work—yes, we have to extend unemployment, but eventually—eventually, not now, but some time soon, not now because it is too soon, many economists say, but at some time, we are going to have to stop the emergency extension of unemployment and have a job for people to go back to because I agree with Senator HARKIN, most people—99.9 percent of people in America—men and women, Black and White, Hispanic or Asian, would rather work because it not only helps their family economically, but it is very rewarding to work, particularly at something one likes to do, and it is life affirming. People aren't interested, as some of my Republican colleagues want to say, in sitting home and collecting $215 a week. In some States, I think in Mississippi, it is $146 a week. Who wants to do that? How many mouths can you feed at $146 a week? Please, tell me.

Not many. I do the shopping in my family. That wouldn't cover 4 days' or 5 days' worth of groceries in my family, and I have only two children.

So I am not sure what people are talking about on the Republican side, that people would like to stay home and collect a real big check. People want to get back to work. But in order to help them get back to work, we are going to have to have some extraordinary measures to get banks—medium-sized banks, community banks—lending again.

I think the President and the Treasury have come up with quite an innovative program. It is $30 billion, and many Republican Senators voted for it—at least eight. I don't know what the others were thinking, but I would like to give them a couple of arguments to rethink their vote.

Some of them have said this is the TARP again. Remember what TARP stands for. TARP stands for Troubled Assets Relief Program. It is a program for troubled banks. The ''T'' stands for ''trouble.'' This $30 billion program we have come up with should be called the healthy bank provision because this is not for troubled banks; this is for healthy banks. These are banks that are not troubled. They are healthy banks.

This program will allow them to voluntarily—not mandatorily but voluntarily—ask the Treasury to infuse some capital through an investment in all of our banks. The banks will then take that money and, if they follow the guidelines of Treasury in terms of the program as it is outlined, and they start to lend the money to small businesses, they will get a benefit. They do not have to pay the Treasury back a dividend. They can pay the Treasury back a lower dividend on the investment the taxpayers have made in that bank.

So for my colleagues who say this is TARP II, they are absolutely dead wrong. There is not a ''T'' in this program for ''trouble.'' This is for banks that are healthy, and I am very excited to say that our community banks in Louisiana survived this meltdown because they didn't engage in some of this reckless behavior that some of the large banks participated in. Our community banks in Illinois and in Michigan and in Ohio—I know they had a little more trouble in the rust belt—but many of the community banks in the South did very well and were very smart about their lending. They never got into trouble.

So this $30 billion infusion from Treasury into preferred stock in these banks, investments structured this way, will encourage these small banks to make money the old-fashioned way—not on transaction costs, not on charging people extra for the balance they do or don't have in their checking accounts, but by getting back to old-fashioned banking: making money in your bank when you make good loans to businesses. When you are smart and you are looking at businesses in your community and you are lending them money, they are expanding and they pay you back the loan with interest. You lend them more money, and they pay you back the money you lent them with interest. They grow, the business grows, the bank grows, and the community grows.

Mr. President, I suggest in America that we get back to the old-fashioned way that banks should make money. The Presiding Officer did that successfully when he was in Illinois—lend money to small business. That is what the President's $30 billion does.

I hope Republicans who voted against this provision because they believe this is TARP II will actually read the bill. It is not very long. It is just a few pages. It is just a few pages. It is not a troubled bank program; it is a healthy bank program, and they should be for it because, as the chairman of the committee, I have received a letter from the association that represents the community banks. They said: Senator, we favor this provision. We want this to happen.

So for the taxpayers listening, don't be fooled by the arguments on the other side. That just gets back to we are the party of no. We are going to say no, no matter how good the idea is. This is a good idea for healthy banks that the bank association supports. I think we should be for it, and I am hoping we can vote for it when we get back.

One other point. Then I am going to cede the floor. Because of the great work Senator WARNER of Virginia and Senator LEVIN have done, they have convinced enough of us on both sides of the aisle, I hope, to add to this provision something we call the State small business credit access fund. So in addition to what President Obama came up with, he and his team, Senator WARNER and Senator LEVIN did a lot of work on this and explained it to many of us. Many of our colleagues were Governors before they got here, so they know something about this. Their job was to create jobs when they were Governors. Now, happy for us, they are Senators and they are still trying to create jobs. So they brought an idea to our committee which we looked at very carefully and said yes. Then they worked through Finance, and Finance said yes.

What this does is set aside $2 billion for State programs that are already established and that act in very different ways but are mission-driven organizations run by our Governors. These are Governors from different parties, so it is not a partisan program. We are going to give $2 billion out through these programs, and they will then turn around and lend money and make the master plans of economic development in the State of Virginia real.

It helps the State of Michigan, where they have some great small businesses, CARL LEVIN says. But he said to me: MARY, the problem is that they do not have the collateral they once had to get the loan because their collateral has depreciated. So the banks are not going to lend them the money because they do not have the collateral. So we have come up with a way to enhance their collateral to make it a good loan—not a risky loan but a good loan. So that is in here.

So for people who say government is not creative or not innovative or we are not trying to do the smart things, this is a smart bill. Besides being a healthy bank bill, it is a smart lending bill. In some of these instances, the Federal Government is actually going to make a profit. So I hope when we get back, when we are talking about small business, we can be enthusiastic in supporting the basically $32 billion lending program, the small business package, and the tax cuts that Senator BAUCUS and Senator GRASSLEY, with the help of Senator SNOWE, have put together for small businesses throughout the country. I hope we can stop fighting, stop saying no, and just say yes to job growth and creation in America for hard-working taxpayers and Americans who deserve our best effort on this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I support the comments of and the legislation by the Senator from Louisiana. I think it makes a great deal of sense to strengthen small businesses. They are, after all, the job generators in this country. So I appreciated her comments. We don't always agree on every issue around here, but I am a strong supporter of her work as chairman of the Small Business Committee and of the legislation she has described.

Mr. President, I wanted to come to the Senate floor briefly today because we are talking about extending unemployment compensation, unemployment benefits, to people who are out of work, and we are having a very difficult time doing that. These benefits are for people who worked on payrolls. They actually paid a little of their money in taxes to support an unemployment fund so if they lost their jobs they would be able to get some unemployment help. But in order to do that, this has to be extended by the Senate, and it has become increasingly difficult to extend unemployment compensation to those who are out of work.

I find that kind of inexplicable because for the folks at the top of the economic ladder, there is no problem in their getting what they want out of this Chamber. I noticed in the last 24 hours or so that one of my colleagues objected to something that was in the financial reform bill. He said: Well, you are going to impose a fee on the biggest banks. He said: I won't accept that. He said: If you do that, I won't vote for the bill. The biggest banks in the country shouldn't have to pay this fee.

I was thinking to myself: Why not? They drove the country into the ditch. They are the ones involved in the cesspool of greed, many of them, trading things on things they will get from people who never had it and making money on both sides, which created an

unbelievable orgy of speculation that ran the country right into the ditch. There is nothing wrong, it seems to me, with their having to pay a fee here or there.

But one of our colleagues said: I won't support that. All of a sudden, the conference committee got back together and said: How can we fluff up your pillow, big guy? Can we give you an aspirin, put you to sleep?

If you are at the top of this economic ladder in this Chamber, you can do just fine because somebody will make you comfortable. But what about the people at the bottom? What about the person who came home from work after 18 years on the job and said: Honey, I lost my job today. And they can't find another job? What about that family and that person? What about extending unemployment help for that person?

Things never change. Here is what Will Rogers said many years ago. He said:

> The unemployed here ain't eating regular, but we will get around to them as soon as everybody else gets fixed up OK.

Boy, if there was ever a description of the way things work these days, this is it. Old Will Rogers. And this description is as old as eight or nine decades, isn't it? The unemployed here ain't eating regular, but we don't have time yet. We will get to them after everybody else gets taken care of. And who gets taken care of first? The folks at the top of the economic ladder.

I wonder, I just wonder what would happen with a bill to extend unemployment benefits if the only Americans who were unemployed were investment bankers? Do you think that wouldn't have been passed in a nanosecond, just like that? But, no, the unemployed are people named Smith and Jones and Adams and Johnson. They are the ones somehow at the bottom of the economic ladder who don't seem to matter to some people.

My hope is this Congress will have the good sense to do the right thing. During tough times, we have something called a safety net—that is the unemployment compensation—that helps people when they are laid off, when they are out of work and are having trouble and can't find another job. It is our responsibility to extend that. That is what we should be doing.

As Will Rogers said: Everybody else gets help. In the last 24 hours, the folks at the top of the economic ladder got help—the biggest banks in the country. Why? Because somebody said they needed some comfort—a bedtime story, a fluffed pillow, an aspirin, some comfort. They got their comfort. But we are still waiting to see if the people who lost their jobs and who are at the bottom of the economic ladder will get the help they were promised. I hope so. We will have a vote on that and we will soon see.

ENERGY POLICY

Mr. President, I wanted to mention that yesterday a group of us went down to meet with the President on the subject of energy, and following that meeting a number of my colleagues spoke to the press. I did not. But because there were stories today about the representation of that meeting with the President, I thought I would at least offer my notion of what that meeting meant and what the consequences of it will or should be.

The meeting with the President, calling a number of Republicans and Democrats—about 10 or 12 of us—down to the White House, was to talk about energy and to simply try to evaluate what is achievable, what should be done with respect to energy. We know two things are making this country vulnerable: No. 1, we are way too dependent on foreign oil. We use one-fourth of the oil that is pulled out of this planet every morning. Every day we use one-fourth in this little place called the United States. Yet over 60 percent of that which we use comes from other countries. That leaves us far too vulnerable to others, and, by the way, some of whom are in very troubled parts of the world. We are far too vulnerable to others for our energy supplies. That is a fact.

The second something that is happening to this planet is called climate change. We don't necessarily know exactly what that is, but the wide consensus of scientists tells us we need to be concerned about it and we need to be taking actions to deal with it.

I appreciate the President's leadership on these issues and saying we need to move. We need to do some things here. But the discussion was, What is achievable?

What is achievable, in my judgment, from listening and participating in that meeting, is what I have always believed was achievable. The only thing achievable is that which will get 60 votes to come from the calendar of the Senate to the floor because it takes 60 votes on a motion to proceed to consider anything. I believe the only thing that can get 60 votes, based on not only the meeting yesterday but other discussions I have had, would be to bring the bill passed by the Energy Committee, which was bipartisan, to the floor of the Senate. That does not exclude anything else. That does not exclude anybody from offering climate change amendments, comprehensive climate change amendments. But we will never get to the floor unless we get to the floor with something that can get 60 votes, and I am convinced the only thing that can achieve that is the bipartisan Energy bill out of the committee.

The Energy bill itself is a bill that does reduce carbon. It does all the things I think it should do. Yes, it says we are going to continue to use the fossil energy—coal, oil, natural gas—but we are going to use that in a different way. We are going to decarbonize and take great pains to protect the planet as we do. We are going to build some nuclear. We are going to maximize renewables—solar and wind energy. We are going to do the biofuels, including biodiesel, ethanol, and geothermal. All of these sources of energy are important to our country's future.

All of these areas—conservation, including retrofitting buildings; the first ever renewable electric standard; building an interstate highway of transmission capability; high-voltage transmission so you can collect energy where the wind blows and the Sun shines and put it on a wire and send it to where it is needed in the load centers—all of that was part of the bill that was passed out of the Energy Committee 1 year ago this month. That is, in my judgment, what is achievable to get to the floor of the Senate, and then it is open for amendments. That does not exclude, by the way, any other amendments people wish to offer that can achieve the 60 votes, once it is on the floor, that can address climate change.

As I said before, there is something to climate change, as far as I am concerned. We would be fools not to recognize and fools not to address it. The question is not whether; it is when and how.

I said before that I would support capping carbon and I would support pricing carbon. I also said I will not support what is called cap and trade because I do not intend to give Wall Street a trillion-dollar carbon securities market to trade so they can tell us what the cost of our energy is going to be. But that aside, I really think it is important that we not end this year without doing an energy bill that advances this country's energy and national security.

Let me mention one additional item very quickly; that is, yesterday there was a hearing in the Armed Services Committee with respect to the nomination of General Petraeus to assume command in Afghanistan. I am not going to speak at length about this. I fully support General Petraeus and this nomination. I think the President has made an excellent choice. By the way, I don't think he had much choice but to replace General McChrystal, and replacing him with General Petraeus makes a great deal of sense to me.

I wish to say with respect to Afghanistan that I think it is long past the time for us to have a very significant discussion about Afghanistan. The President has indicated the potential withdrawal date beginning on July 1 of next year, 2011. But I think that even before that, we need to have a discussion in this country about what our role is in Afghanistan. What, in fact, is victory in Afghanistan? Are we fighting al-Qaida? Are we fighting terrorists in Afghanistan or are we fighting insurgents in Afghanistan? What about the Afghanistan Government and President Karzai? What is achievable?

Every day, we are sending young men and women to fight in a war, and many—I should not say ''many''—a number of them will lose their lives. We go on almost ''out of sight out of

mind,'' not thinking about it, not debating it nearly enough. What is it we are achieving? We have been at war for nearly 8 years, spending a great deal of money—lost treasure and lost lives. By the way, with respect to treasure, not a penny of it has been paid for.

I think it is time for us to have a good discussion in this country about what are we doing? How long will we do it? What is victory? What is achievable? Should we, in fact, be engaged in a long-term war against insurgents in that country? Where is al-Qaida? We know where it is in part: northern Pakistan. Where is al-Qaida? What is this—a war against terror or is it a war against insurgents?

My own view is that I think it is highly unlikely, no matter how long this country is in Afghanistan, that we will ever be successful in the rural tribal lands of Afghanistan. But my hope and my desire is to want the best for this country. I think the best will be achieved if we have a thoughtful, good, full, complete discussion as a nation about what our objectives are, how we achieve those objectives, and when, at last, at long, long last, we can bring troops home and be in a position where we are not saying America at this point is at war. We need to be addressing the terrorist threat across this planet, and that will take us a long while, but I think that is a very different circumstance than being engaged in the fight in Afghanistan as it currently exists.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEVIN. Mr. 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. LEVIN are printed in today's RECORD under ''Morning Business.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. COCHRAN. Mr. 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. COCHRAN are printed in today's RECORD under ''Morning Business.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, tomorrow evening, I think at about 5:30, we are going to have a vote that is going to immediately impact over 1 million people across the country, and millions more after that, if we do not extend unemployment benefits as we have done in every recession, Democratic or Republican President, throughout our history.

Anytime we have seen the unemployment rate, I believe at about 7.5 percent, above 7.5 percent or so, we have extended unemployment insurance benefits—insurance benefits—because you pay in and then when you are not working, you receive benefits. We have done that throughout our history for two reasons: No. 1, because we acknowledge what happens to a family when someone in the family loses their job, when the breadwinner can't bring home any bread; and No. 2, because we know it stimulates the economy. Every economist, from the right to the left, has agreed that the best way to stimulate the economy is to provide dollars to people who are forced to spend it, because they don't have a job. So someone who receives that $250 or $300 a week—it is not enough to do much on, but it is enough to pay the rent, enough to buy some food, enough to pay the electric bill; maybe get the kids some clothes, maybe put some gas in the car so they can continue to look for work. So we know it not only stimulates the economy, but it is the right thing to do from the standpoint of ethics, morals, values.

Tomorrow, we are going to have an opportunity to see whether there are 60 colleagues in the Senate who are willing to vote to stop a filibuster that has now gone on—I believe this is the ninth week—actually, 8 weeks on a jobs bill that included unemployment benefits extension—and then this week, the ninth week on the bill that we are focusing on, including unemployment benefits. It will also do something important for people who have used the first-time home buyer tax credit that runs out at the end of this month, which has been a great stimulus, another part of the Recovery Act that has been very important to the economy. It runs out, and we want people who haven't yet closed on their homes not to lose the ability to have a credit, so the bill will also include extending the home buyers credit implementation until October.

I understand there is a willingness and strong bipartisan support to help first-time home buyers but not to help the people who are out of work and probably are going to lose their houses, which I continue to not understand. I am grateful because I know we have at least one, maybe two Republican colleagues who will join with us to stop the filibuster. I am grateful for that. But we need at least three Republican colleagues to join with us in order to get this done tomorrow night.

We hear a lot of debate, a lot of discussion, a lot of arguments from the people who say: We are happy to extend unemployment benefits; we just want to pay for it.

That sounds great on the surface, unless you know the full history of how unemployment insurance works and the other kinds of decisions we make as a body. We have always funded unemployment benefit extensions through something called emergency spending. As I have said before, if 15 million people being out of work in America isn't an emergency, I don't know what is. That is more people than are affected by a hurricane or a flood or a tornado or an agricultural disaster. We have traditionally done this because it was the right thing to do as an emergency, but also because, again, we lose the economic stimulus, the economic benefit, if we don't do it that way.

For two reasons we have always done it this way. It is interesting that folks who argue passionately that we should not worry about the deficit if we are expanding the estate tax cut for the top 200 or 300 families in America, then deficits don't matter—or the top tax bracket, with the tax cuts under President Bush. Deficits don't matter to them. But, boy, they matter if we are talking about people who are out of work.

I talk to people every day in my State, people who have never been without a job in their lives. They are horrified they can't find a job. They are looking for a job every day. They want to work, but they are in an economy they didn't create, where right now there are five people looking for every one job. That is better than last year when it was six people looking for every one job. We know that because of what we have done with the Recovery Act, we are slowly coming out of the hole, but we have a long way to go yet.

Certainly, this isn't the time to filibuster jobs bills, whether it be small business or the jobs bill that we have been trying to pass in the last 8 weeks. It certainly isn't the time to say we are just tired of hearing about those people who are out of work; it is tiresome. Some people say that. They are tired of hearing about the unemployed.

Well, people in Michigan are tired of being unemployed. They want to work. They know how to work. They have worked their whole lives. It is not their fault that the crisis happened on Wall Street that dried up credit, that stopped manufacturers and small businesses from getting loans to be able to continue to do business. It is not their fault that they lost their savings or their 401(k)s or their pensions. It is not their fault we didn't enforce the trade laws in this country and lost 6 million manufacturing jobs under the previous administration because the focus was on cheap products rather than American jobs. That is not their fault.

It was not their fault that we continue to have tax incentives that promote jobs going overseas, which we want to do away with in the jobs bill. It is not their fault.

Mr. President, I want to read one e-mail out of the thousands I receive. I received it today. It is from Serena in Dearborn, MI. It says:

Senator Stabenow, the argument by the Republicans seems to be that they don't want to strap ''our children and grandchildren'' with the debts of their parents; however, I believe they are talking about their children and not mine. I say this because my children will be homeless and hungry in the next week or so.

A lot more damage is going to be done in the here and now than anyone realizes. If they are talking about the numbers of people being taken off unemployment insurance benefits, they are talking about families, not just adults. Families. I have two sons; where are we going to live, and how are we going to survive?

I wonder how many of these ''intelligent'' people went to college and paid for it all as they went and did not incur any debt? I am attending college currently and I am incurring debt because I plan, in the future, to be able to pay back the money with my new, better paying job. That is how most people have to do it, invest in the future and know that you are doing something not just for yourself but also for the country, become a positive influence on the society.

I don't know what I am going to do with my children, how I am going to pay my rent and utilities, have food to eat and gas to put into my car, so I can continue going to school and looking for work. I have never been without a job before.

Mr. President, that is a story that is repeated hundreds of thousands, in fact, unfortunately, millions of times across this country right now. People who are doing what we have asked them to do; they are caring for their children, many going back to school and trying to do a different career or upgrade their skills to give them something that gives them an edge in the job market to be able to get a job. But they are using unemployment benefits to keep them between being on the street and having a roof over their heads.

That is not some political rhetoric. That is what is happening to people. It doesn't have to happen to people. Serena, in Dearborn, MI, doesn't have to become homeless in a week or so. She doesn't have to, if we can come together and override this filibuster on unemployment benefits. We just need 60 people to support it in order to be able to get this done. I fear for Serena and for the tens of thousands of people in my State if we don't do this—and the millions who find themselves in a situation across the country.

We will never get out of deficit with over 15 million people out of work. This idea that suddenly now nothing matters but deficits ignores how we are going to get out of deficit. Back in the 1990s, when we actually balanced the budget, I was proud to do so. I think it was in 1997, when I was in the House under President Clinton. Part of what we did was focus on work, jobs, and education, and 22 million people got new jobs—22 million new jobs were created, and we came out of deficit. That is what we believe. That is what our Democratic majority believes, that you focus on work, you focus on small businesses getting capital, and manufacturers getting back to hiring people, and you focus on jobs. Then you lift us up out of deficit because people are working and buying things and paying their taxes, and they are part of the economy. It can't just be about a few people in our country.

We will not have a strong country if somehow the policies are only set for a privileged few. We have been different from other countries because we have had this strong middle class, which we are losing as a result of the policies, yes, in the last administration, and the deficits that were created, and we are losing it because we cannot get past filibusters now to move forward on a jobs agenda and help people who are out of work to be able to continue to live.

The Recovery Act that was put in place last year has worked, but there is much more to do. It stopped us from going over the cliff and began to turn things around. But there is much more to do. Somehow, just saying that, well, Wall Street is doing better—despite the ups and downs on Wall Street—and things are kind of doing OK now for those folks, so we are done ignores what is going on for way too many people in this country.

Mr. President, I think the latest poll I saw was that 47 percent of the people in my State have someone in their immediate family who has lost their job, and their family is impacted by that. That is astounding. We don't have the highest unemployment rate anymore; we have the second highest rate. I am sure that can be said of Nevada, Rhode Island, California, and around the country.

I strongly urge my colleagues to set aside the election politics, set aside whatever it is that has been getting in the way of getting this done, and be willing to look at what is happening for real families right now and how we can make sure that Serena isn't homeless with her two children in a couple of weeks and how millions of other Americans can be able to continue to care for their families while they look for work.

Then the most important thing we can do is partner with business, create the atmosphere and incentives to create that work. That is our job. I am laser-focused on that as well.

I see my distinguished friend from New Jersey. I will yield the floor to him and thank him for his passionate support for the people in this country who just want a fair shake. I thank the Presiding Officer, as well, for his passion and commitment to jobs and making sure we move our country forward by paying attention to the great middle class of this country, who need us to fight for them. That is what we are doing in the Senate.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I suggest the absence of a quorum.

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

The assistant editor of the daily digest proceeded to call the roll.

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

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

(The remarks of Mr. LAUTENBERG are printed in today's RECORD under ''Morning Business.'')

Mr. LAUTENBERG. Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRAHAM. Mr. President, I rise to speak for a few minutes in two areas, if the Chair can let me know when 10 minutes has expired.

The ACTING PRESIDENT pro tempore. The Senator will be so notified.

(The remarks of Mr. GRAHAM are printed in today's RECORD under ''Morning Business.'')

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

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

The assistant bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on the motion to concur in the House amendment to the Senate amendment to H.R. 4213 with amendment No. 4425 occur at 8 o'clock tonight, and that any time until then be equally divided and controlled between the two leaders or their designees; that upon the conclusion of this vote, if cloture is not invoked, the majority leader be recognized to enter a motion to reconsider the vote by which cloture was not invoked; that upon the conclusion of this vote, the Senate then proceed en bloc to the consideration of Calendar No. 455, H.R. 5623, and H.R. 5569, which is at the desk; that the bills be read a third time, passed, and the motions to reconsider be laid upon the table en bloc; that any statements relating to these measures be printed in the RECORD with no intervening action or debate.

Does the Senator from Texas wish to speak?

Mrs. HUTCHISON. I would appreciate, Mr. Leader, if I could ask a question.

Mr. REID. We will have the vote start at about 3 after 8. Is that OK?

Mrs. HUTCHISON. That is fine.

Parliamentary inquiry.

Mr. REID. That will give the Senator time to talk.

Mrs. HUTCHISON. Is the flood insurance bill that was passed by the House that will extend flood insurance for those coastal State people in what the leader just read.

Mr. REID. Yes. I was able to work that out with Senator LANDRIEU a short time ago so we could do that now.

Mrs. HUTCHISON. I thank the Senator.

Mr. REID. OK. I was very anxious to get it done. So we can start the vote at 8 o'clock, if the Senator gets through speaking.

Mrs. HUTCHISON. I thank the leader very much.

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

The Senator from Texas.

Mrs. HUTCHISON. Mr. President, in the couple minutes before the vote starts, I just want to say this is a huge move for the people of the gulf coast who have been trying to purchase flood insurance under the National Flood Insurance Program that lapsed June 1. The hardship is that, of course, we are going into hurricane season. Private insurance is not available on the coast for floods right now, so the Federal program is all there is.

People have not been able to close on housing contracts, on purchases of houses, because flood insurance is required and they have not been able to get it.

So Senator LANDRIEU, Senator VITTER, I, Senator CORNYN, Senator SESSIONS, Senator SHELBY, Senator NELSON, Senator LEMIEUX—everyone has been very concerned about this if we represent a border State—and Senator COCHRAN and Senator WICKER.

So we have been pressing, and I know there have been a lot of competing interests. But it is very important we are passing the bill that has passed the House already. It will be sent to the President, and the people of the gulf coast will once again be able to purchase that flood insurance, as we see a tropical storm moving toward our gulf coast as we speak. So it is certainly timely. It will certainly be a relief, and the extension will be until September 30. So the people who want to purchase insurance, which, of course, they need and will know they are covered, will be covered.

I thank the Chair. I thank the leader as well.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I originally said 8:03. I ask unanimous consent that the vote begin now.

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

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 4213, the American Jobs and Closing Tax Loopholes Act, with a Reid amendment No. 4425.

Harry Reid, Max Baucus, Jack Reed, Edward E. Kaufman, John F. Kerry, Sheldon Whitehouse, Carl Levin, Roland W. Burris, Richard J. Durbin, Jeff Merkley, Benjamin L. Cardin, Christopher J. Dodd, John D. Rockefeller, IV, Barbara Boxer, Patty Murray, Robert P. Casey, Jr., Charles E. Schumer.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur with amendment No. 4425 in the House amendment to the Senate amendment to H.R. 4213, the American Workers, State, and Business Relief Act of 2010, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from Kansas (Mr. ROBERTS), and the Senator from Missouri (Mr. BOND).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''nay.''

The yeas and nays resulted—yeas 58, nays 38, as follows:

[Rollcall Vote No. 204 Leg.]

YEAS—58

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (FL)
Bayh	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Rockefeller
Bingaman	Johnson	Sanders
Boxer	Kaufman	Schumer
Brown (OH)	Kerry	Shaheen
Burris	Klobuchar	Snowe
Cantwell	Kohl	Specter
Cardin	Landrieu	Stabenow
Carper	Lautenberg	Tester
Casey	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Warner
Dodd	Lincoln	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	
Feinstein	Mikulski	

NAYS—38

Alexander	Cornyn	Johanns
Barrasso	Crapo	Kyl
Bennett	Ensign	LeMieux
Brown (MA)	Enzi	Lugar
Brownback	Graham	McCain
Bunning	Grassley	McConnell
Burr	Gregg	Murkowski
Chambliss	Hatch	Nelson (NE)
Coburn	Hutchison	Reid
Cochran	Inhofe	Risch
Corker	Isakson	Sessions
Shelby	Thune	Voinovich
	Vitter	Wicker

NOT VOTING—3

Bond	DeMint	Roberts

The PRESIDING OFFICER. On this vote, the yeas are 58, the nays are 38. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

HOMEBUYER ASSISTANCE AND IMPROVEMENT ACT OF 2010

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT OF 2010

The PRESIDING OFFICER. Under the previous order, H.R. 5623 and H.R. 5569 are passed en bloc, and the motions to reconsider are considered made and laid upon the table en bloc.

The bill (H.R. 5623) was ordered to be read a third time, was read the third time, and passed.

The bill (H.R. 5569) was ordered to be read a third time, was read the third time, and passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 802 to and including 808, 811, 900, 901, 903, 963, 965 to and including 992, and all nominations on the Secretary's desk in the Air Force, Marine Corps, and Navy; that the nominations be confirmed en bloc and motions to reconsider be laid on the table en bloc; that no further motions be in order and any statements relating to the nominations be printed in the RECORD, 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.

The nominations considered and confirmed en bloc are as follows:

BROADCASTING BOARD OF GOVERNORS

Victor H. Ashe, of Tennessee, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Walter Isaacson, of Louisiana, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

Walter Isaacson, of Louisiana, to be Chairman of the Broadcasting Board of Governors.

Michael Lynton, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

Susan McCue, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

Dennis Mulhaupt, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

S. Enders Wimbush, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Theodore Sedgwick, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Slovak Republic.

Michael P. Meehan, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Dana M. Perino, of the District of Columbia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

DEPARTMENT OF THE TREASURY

S. Leslie Ireland, of Massachusetts, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. David H. Petraeus

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. Raymond T. Odierno

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Francis H. Kearney, III

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Rex C. McMillian

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Alton L. Stocks

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) William A. Brown

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Elaine C. Wagner

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Colin G. Chinn

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Willie L. Metts
Capt. Jan E. Tighe

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Thomas H. Bond, Jr.

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Samuel J. Cox

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Michael S. Rogers

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) David G. Simpson

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) David A. Dunaway

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Terry J. Benedict
Rear Adm. (lh) Thomas J. Eccles

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. James H. Rodman, Jr.

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Victor M. Beck

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Gerald W. Clusen

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Bryan P. Cutchen

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Patricia E. Wolfe

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Donald R. Gintzig

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Steven M. Talson

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Lothrop S. Little

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Garry J. Bonelli
Rear Adm. (lh) Scott E. Sanders

Rear Adm. (lh) Robert O. Wray, Jr.

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Margaret A. Rykowski

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Gregory C. Horn

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Paula C. Brown

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Scott A. Weikert

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Captain Kelvin N. Dixon
Captain Martha E.G. Herb
Captain Brian L. Laroche
Captain John C. Sadler

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1519 AIR FORCE nominations (2990) beginning JEREMY C. AAMOLD, and ending PETER W. ZUMWALT, which nominations were received by the Senate and appeared in the Congressional Record of March 3, 2010.

PN1661 AIR FORCE nominations (125) beginning MARK J. AGUIAR, and ending MELINDA A. WILLIAMSON, which nominations were received by the Senate and appeared in the Congressional Record of April 21, 2010.

PN1664 AIR FORCE nominations (47) beginning VERONA BOUCHER, and ending JAMES A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of April 21, 2010.

IN THE MARINE CORPS

PN1843 MARINE CORPS nominations (5) beginning ADAM M. KING, and ending JAMES D. VALENTINE, which nominations were received by the Senate and appeared in the Congressional Record of May 27, 2010.

IN THE NAVY

PN1688 NAVY nomination of Lynn A. Oschmann, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1689 NAVY nomination of Diane C. Boettcher, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1690 NAVY nominations (4) beginning STEPHEN J. LEPP, and ending MELANIE F. OBRIEN, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1691 NAVY nomination of Caroline M. Gaghan, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1692 NAVY nominations (5) beginning DAVID W. HOWARD, and ending CARL R. TORRES, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1693 NAVY nominations (2) beginning KEVIN A. ASKIN, and ending CRAIG S. FEHRLE, which nominations were received

by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1694 NAVY nominations (3) beginning JOHN B. HOLT, and ending CHRISTOPHER R. STEARNS, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1695 NAVY nomination of Jeffrey S. Tandy, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1696 NAVY nominations (3) beginning RUSSELL L. COONS, and ending SCOTT C. RYE, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1697 NAVY nominations (12) beginning KEVIN P. BENNETT, and ending PAUL F. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1698 NAVY nominations (15) beginning RICHARD A. BALZANO, and ending MARK J. WINTER, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1699 NAVY nominations (4) beginning JOHN T. ARCHER, and ending ANDREW D. MCDONALD, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1700 NAVY nominations (18) beginning STEVEN T. BELDY, and ending DAN A. STARLING, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1701 NAVY nominations (72) beginning JAMES D. BEARDSLEY, and ending CHRISTOPHER S. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1737 NAVY nominations (3) beginning LLOYD P. BROWN JR., and ending VINCENTIUS J. VANJOOLEN, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1738 NAVY nominations (19) beginning DANNY K. BUSCH, and ending MICHAEL ZIV, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1739 NAVY nominations (14) beginning WILLIAM S. DILLON, and ending MICHAEL J. VANGHEEM, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1740 NAVY nominations (5) beginning NORA A. BURGHARDT, and ending RICK T. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1741 NAVY nominations (11) beginning BRUCE J. BLACK, and ending DAVID G. WIRTH, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1742 NAVY nominations (12) beginning CHAD F. ACEY, and ending STEVEN G. WELDON, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1743 NAVY nominations (21) beginning JAMES S. BIGGS, and ending HAROLD E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1744 NAVY nominations (5) beginning RICHARD W. HAUPT, and ending JOSEPH A. SURETTE, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1745 NAVY nominations (5) beginning EDWARD A. BRADFIELD, and ending SCOTT E. ORGAN, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1746 NAVY nominations (4) beginning BRIAN D. CONNON, and ending ERIKA L. SAUER, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1747 NAVY nominations (4) beginning CONRADO K. ALEJO, and ending RICHARD D. JONES, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1748 NAVY nominations (9) beginning ERIC D. CHENEY, and ending CYNTHIA M. WOMBLE, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1749 NAVY nominations (169) beginning JAMES A. AIKEN, and ending THEODORE A. ZOBEL, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1787 NAVY nomination of James R. Peltier, which was received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1788 NAVY nominations (76) beginning JOSEPH C. AQUILINA, and ending WILLIAM M. WIKE, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1789 NAVY nominations (13) beginning STEPHEN G. ALFANO, and ending TERRY D. WEBB, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1790 NAVY nominations (27) beginning CHRISTOPHER A. BLOW, and ending LINDA D. YOUBERG, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1791 NAVY nominations (11) beginning JEFFREY A. FISCHER, and ending TRACY V. RIKER, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1792 NAVY nominations (25) beginning CATHERINE A. BAYNE, and ending MARY A. YONK, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1793 NAVY nominations (23) beginning JOHN D. BRUGHELLI, and ending POLLY S. WOLF, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1794 NAVY nominations (13) beginning BILLY M. APPLETON, and ending MIL A. YI, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1795 NAVY nominations (12) beginning ERIC M. AABY, and ending GEORGE N. SUTHER, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1841 NAVY nomination of Axel L. Steiner, which was received by the Senate and appeared in the Congressional Record of May 27, 2010.

PN1842 NAVY nomination of Clifford R. Shearer, which was received by the Senate and appeared in the Congressional Record of May 27, 2010.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The PRESIDING OFFICER. The Republican leader is recognized.

UNANIMOUS CONSENT REQUEST—H.R. 4853

Mr. MCCONNELL. Mr. President, let me just say briefly, once again, the majority wants to make this debate about Republicans opposing something. Let me make it clear that we have offered ways of paying for these programs, and we have been eager to approve them. But we cannot support job-killing taxes and adding tens of billions to the already unsustainable national debt. So the only reason the unemployment extension has not passed is because our friends on the other side simply refuse to pass a bill that does not add to the debt. That is it. That is the only difference between what they have offered and what we have offered.

In a moment, I will offer a 2-month extension of the expired unemployment insurance benefits. This extension would be fully paid using the very same stimulus funds 57 Democrats, including my friend the majority leader, voted to redirect for these same purposes. Let me repeat that. We would pay for this extension with a Democrat-approved stimulus offset. This extension we will offer would cover the month of June, when benefits have lapsed, and it would cover next month, so we will have time to further debate these proposals.

If the Democrats object to extending these programs using their own stimulus offset to pay for them, then they will be saying loudly and clearly that their commitment to deficit spending trumps their desire to help the unemployed. So let's be clear about the principle that is really at stake here: Are Democrats willing to extend these programs without—without—adding to the debt? That is the real question in this debate.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4853; that all after the enacting clause be stricken and the McConnell amendment at the desk be agreed to; that the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. REID. Mr. President, reserving the right to object, my friend the Republican leader knows full well that everything in the so-called extenders package was paid for. It was paid for because it was the right thing to do. We, as a Congress—Democrats and Republicans—have always extended unemployment benefits because it is an emergency. President Reagan did it for almost 3 years. President Bush did it for a couple years. It has been going on on a bipartisan basis when times are tough in America.

This is only an excuse the Republicans have. We only needed one more Republican to get this done. And I so appreciate the two good Senators from Maine for recognizing that these people who are unemployed deserve this.

Mark Zandi, JOHN MCCAIN's chief economic adviser, said that for every $1 spent on someone who is unemployed with unemployment compensation, $1.61 is returned.

For people to talk about, there are jobs out there and that all they have to

do is go look for them—for every job in America, there are five people looking for that job. It is better than it was. Just a short time ago, it was one job for every six job applicants.

So I understand and I think the American people understand what the Republicans are doing, and I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATIONS DISCHARGED

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Foreign Relations Committee be discharged en bloc of Foreign Service nominations beginning with Robin J. Brinkley Hadden and ending with Heather Louise Yorkson, which were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 24, 2010, PN1482, except for Hussein Waheed Iman; that the Senate proceed en bloc to their consideration; that the nominations be confirmed en bloc and the motions to reconsider be laid upon the table en bloc; that any statements 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.

The nominations considered and confirmed en bloc are as follows:

FOREIGN SERVICE

The following named persons of the agencies indicated for appointment as Foreign Service Officers of the classes stated.

For appointment as Foreign Service Officer of Class One, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

AGENCY FOR INTERNATIONAL DEVELOPMENT

Robin J. Brinkley Hadden, of Maryland
Sharon Thams Carter, of Florida Haven G. Cruz-Hubbard, of California
Mary Pamela Foster, of Maryland Bruce Gelband, of Virginia
Mikaela Sawtelle Meredith, of Virginia
Leslie Ann Perry, of Colorado Roy Plucknett, of Virginia Gary Robbins, of Colorado
Sarah Wright, of the District of Columbia

DEPARTMENT OF STATE

Joseph Ambrose Kenny, Jr., of Maryland
Eric Khant, of Florida

For appointment as Foreign Service Officer of Class Two, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

AGENCY FOR INTERNATIONAL DEVELOPMENT

Candace Harring Buzzard, of Washington
John Joseph Cardenas, of California
Holly Fluty Dempsey, of West Virginia
Peter William Duffy, of Massachusetts
Mustapha El Hamzaoui, of New Hampshire
Rebekah R. Eubanks, of Illinois
Christian William Hougen, of Virginia
Sheri-Nouane Bernadette Johnson, of New York
Jonathan T. Kamin, of Maryland
Karin A. Kolstrom, of Florida
William C. Maclaren, of Virginia
Veena Reddy, of California

DEPARTMENT OF STATE

Daniel G. Brown, of Missouri
Kevin A. Weishar, of Missouri

For appointment as Foreign Service Officer of Class Three, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

AGENCY FOR INTERNATIONAL DEVELOPMENT

Randolph Henri Augustin, of Georgia
Shirley L. Baldwin, of Virginia
Michelle M. Barrett, of Michigan
James A. Berscheit, of Wyoming
David M. Bogran Schrewe, of Texas
Aaron S. Brownell, of Texas
Leslie-Ann A. Burnette, of California
Matthew Andrew Burton, of New Hampshire
Tamika Cameron, of Texas
Stanley A. Canton, of Maryland
James Christopher Carlson, of Colorado
Christina Eve Chappell, of Pennsylvania
Randy Chester, of Nevada
Blake A. Chrystal, of Oregon
Mary R. Cobb, of Ohio
Barry Collins, of New Hampshire
Ananta Hans Cook, of California
Bradley Cronk, of Florida
Walter Doetsch, of Texas
Myra Yumiko Emata-Stokes, of California
Lalarukh Faiz, of Virginia
Stephen Fitzpatrick, of New Hampshire
Karla Inez Fossand, of Minnesota
Melissa M. Francis, of Florida
Stephanie James Garvey, of Texas
Michael Glees, of California
Garret John Harries, of Minnesota
Angela Dawn Hogg, of California
Cory B. Johnston, of Maine
Taisha Mumtazi Jones, of the District of Columbia
Michael G. Junge, of Washington
Karen D. Klimowski, of California
Patrick J. Kollars, of South Dakota
Thomas J. Kress, of New York
Ronald Jay Kryk, of Texas
Christopher James La Fargue, of Louisiana
Philip Lamade, of Missouri
Dwaine Eriq Lee, of California
Alyssa Wilson Leggoe, of New Jersey
Jesse Adam Leggoe, of New Jersey
Ginger Edwards Longworth, of South Carolina
Leslie Marbury, of Georgia
Bruce Freeman McFarland, of Washington
Andrew Mckim, of California
Amy B. Meyer, of California
A. Aurelia Micko, of Florida
Tracy Jeanne Miller, of Oregon
Kerry Monaghan, of Texas
Diane B. Moore, of New York
Monique Mosolf, of Florida
Juniper M. Neill, of Alaska
Christopher D. O'Donnell, of Florida
Miriam Onivogui, of Georgia
Sean Joseph Osner, of Texas
Geoffrey Brooks Parish, of Texas
Jonathan Clayton Richter, of Florida
Michael Allan Ronning, of Minnesota
Michele A. Russell, of Virginia
Carl Andrew Seagrave, of the District of Columbia
Lorraine Sherman, of Florida
Cybill Sigler, of Texas
Robert J. Simmons, of the District of Columbia
R. Christian Smith, of Nevada
Poonam Smith-Sreen, of Florida
Francisco Ricardo Somarriba, of Florida
Sandra Anna Stajka, of Virginia
Jennifer J. Tikka, of Washington
Doanh Q. Van, of Washington
Caroll L. Vasquez, of Virginia
Jorge E. Velasco, of Maryland
Stephanie Ann Wilcock, of Washington
George Zarycky, of Virginia

DEPARTMENT OF STATE

Anthony P. Kujawa, of Maryland
Kristi J. Mietzner, of Virginia

For appointment as Foreign Service Officer of Class Four, Consular Officer and Secretary in the Diplomatic Service of the United States of America:

DEPARTMENT OF STATE

Jeffrey R. Allen, of the District of Columbia
Todd Anderson, of Kentucky
James D. Applegate, of Michigan
Maha Angelina Armush, of Texas
Chuka Asike, of Texas
William D. Baker, of Texas
Richard C. Blackwood, of Virginia
Stephanie Elizabeth Boscaino, of Texas
Thomas S. Brown, of Washington
Christienne Carroll, of California
Jeffrey John Cary, of the District of Columbia
Michael G. Cathey, of California
Perry Yang Chen, of Virginia
Christina M. Cheshier, of Arizona
Martha Ann Crunkleton, of Florida
Christopher P. Curran, of New Hampshire
Roberto Custodio, of Florida
Gregory D'Alesandro, of Maryland
Joye L. Davis-Kirchner, of Missouri
Anne B. Debevoise, of California
Jaffar A. Diab, of Massachusetts
Christopher R. Dilworth, of Virginia
David Joseph Drinkard, of Missouri
Marialice Burford Eperiam, of Illinois
Jason D. Evans, of Washington
Kathleen Fox, of California
Kathey-Lee Galvin, of Oregon
Corey Matthew Gonzalez, of the District of Columbia
Grant S. Guthrie, of California
Anaida K. Haas, of Alaska
Adam J. Hantman, of Maryland
Sara Ruth Harriger, of Alaska
James Holtsnider, of Iowa
Aaron D. Honn, of Texas
Ludovic L. Hood, of the District of Columbia
Erika Lorel Hosking, of Virginia
Charles L. Jarrett III, of Tennessee
Hormazd J. Kanga, of Kentucky
David Kristian Kvols, of Florida
Felicia D. Lynch, of Florida
Mika McBride, of Texas
Matthew C. McNeil, of Virginia
Karen N. Mims, of Pennsylvania
Judith H. Monson, of New York
Roshni Mona Nirody, of Alaska
Sheila Sophia O'Donnell, of Illinois
Juan Carlos Ospina, of Florida
Benjamin Nelson Reames, of Texas
Charles Wilson Ruark III, of Georgia
Sarah A. Schmidt, of Maine
Heidi E. Smith, of Michigan
Marc Alan Snider, of Illinois
Virgil B. Strohmeyer, of California
Adrienne Beck Taylor, of Virginia
Rebecca S. Phelps Thurmond, of Michigan
Andres Valdes, of Florida
Sovandara Yin, of Oregon
Madelina M. Young, of Florida

The following-named Members of the Foreign Service to be Consular Officers and Secretaries in the Diplomatic Service of the United States of America:

DEPARTMENT OF COMMERCE

Vince H. Suneja, of Virginia

DEPARTMENT OF STATE

Kristen E. Aanstoos, of Mississippi

Kathleen Elizabeth Abner, of Maryland
Hatim Nelson Ahmed, of Virginia
Zia Ahmed, of Massachusetts
Andrew R. Alberts, of Virginia
Syed Mujtaba Andrabi, of Washington
Alison Marie Ashwell, of Virginia
Mark David Aubrecht, of Washington
Michelle E. Azevedo, of the District of Columbia
Jari D. Barnett, of Oklahoma
Jacob Barrett, of Virginia
Jonathan M. Barrow, of Maryland
Carrie Lynn Basnight, of Kentucky
Amanda K. Beck, of California
Michelle Nicole Bennett, of California
Andrew Berdy, of New Jersey
Dustin Reeve Bickel, of Georgia
Ashwin E. Bijanki, of Virginia
Natalie Irene Bonjoc, of California
Steven R. Bonsall, of Virginia
Kathleen E. Borgess, of Virginia
Ariela Borgia, of Virginia
Michael D. Boven, of Michigan
Benjamin Kirk Bowman, of Colorado
Ryan G. Bradeen, of Maine
Diedre T. Bradshaw, of Virginia
Katie C. Brasic, of Virginia
Steven Arthur Connett Bremner, of Minnesota
Mary K. Brezin, of Colorado
Matthew McMahon Briggs, of the District of Columbia
Christopher M. Britton, of Maryland
Sarah A. Budds, of South Carolina
Evan J. Burns, of Pennsylvania
John Patrick Callan, of Washington
Joseph Christopher Carnes, of Ohio
Melanie Rose Carter, of Illinois
Christopher P. Casas, of Virginia
Chris M. Celestino, of the District of Columbia
Brian M. Charmatz, of Maryland
Christopher A. Chauncey, of Virginia
David R. Chee, of Virginia
Geoffrey Kamen Choy, of Virginia
Marjorie Christian, of Virginia
Heather L. Churchill, of Virginia
Melanie L. Clark, of Virginia
Amy Laurence Conroy, of the District of Columbia
Jason A. Cook, of Virginia
William R. Cook, of California
William T. Coombs, of Maryland
Emilio Cortes, of Virginia
Gregory Roy Cowan, of Texas
Christen Lane Decker, of New Hampshire
Jonathan Morris Dennehy, of Massachusetts
Phillip Anthony de Souza, of Maryland
Jill Wisniewski Dietrich, of the District of Columbia
Julia Sampson Dillard, of California
Noah A. Donadieu, of Pennsylvania
Melissa Ann Dorsey, of Illinois
James E. Duckett, of Virginia
Ruth Lillian Dowe, of New York
William Echols, of Washington
Jessica D. Eicher, of Colorado
Jeffrey Gordon Eisen, of Wisconsin
Howard E. Ennaco, of Virginia
Ronald L. Etter, of Virginia
Kathryn Lindsay Fisher, of Virginia
Howard A. Frey, of Virginia
Marc Brandon Gartner, of California
Casey Thomas Getz, of Virginia
Richard D. Gopaul, of Maryland
Mark Ostapovych Gul, of Virginia
Amanda Gunton, of New York
James J. Hamblin, of Virginia
Zennia D. Hancock, of New York
Christine L. Harper, of Alabama
Tara L. Harrison, of Utah
Jennifer M. Heath, of Virginia
Annaliese J. Heiligenstein, of Texas
Laura Heimann, of Virginia
James Michael Henry, of Massachusetts
Benjamin E. Hettinga, of Virginia
Michael D. Hight, of Virginia
Sirli Hill, of Virginia
Duane Martin Hillegas, of Maryland
Thomas Martin Hochstetler, of Virginia
Ellen M. Hoffman, of Virginia
Jennifer Holmes, of Utah
Jacqueline Philyaw Hoskins, of Virginia
Margo Marie Huennekens, of California
Christian Brian Hummel, of Virginia
William Hunt, Jr., of Maryland
Casey Iorg, of California
Jennifer J. Isakoff, of Virginia
Charles L. Jewell, Jr., of Virginia
Michael D. Johnstone, of Virginia
Alex Jones, of Wisconsin
John Boyce Jones, of Virginia
Leon V. Jones II, of Virginia
Lisa Kalajian, of New Jersey
Marjon E. Kamrani, of Ohio
Ji Hong Kang, of Virginia
Katherine A. Keegan, of Virginia
Kathryn Kane Keeley, of the District of Columbia
Alishia Kontor, of Virginia
Marc N. Kroeper, of Virginia
Klaudia G. Krueger, of Florida
Corinne M. Kuhar, of Virginia
Tammy L. Lake, of Florida
Kristina Law, of Virginia
Pui-Yung Law, of Virginia
Michael A. Leon, of Virginia
Steven Howard Lerda, of Virginia
John T. Lewis, of Virginia
Pierre Antoine Louis, of Florida
Mike Lurie, of Virginia
Matthew K. Maggard, of Virginia
Andrew J. Malandrino, of Virginia
Jeffrey M. Martin, of Rhode Island
Leonard Frederick Martin, of Maryland
Tracy L. Masuda, of Virginia
Billy F. McAllister, Jr., of Virginia
Bradley Thomas McGuire, of Virginia
William H. McHenry II, of Virginia
Charlotte I. McWilliams, of Texas
Candice R. Means, of Virginia
Henry Wyatt Measells IV, of Virginia
Michael A. Middleton, of Virginia
Amy J. Mills, of Virginia
Kyle G. Mills, of Virginia
Eric K. Montague, of Virginia
Grant Hanley Morrow, of Pennsylvania
David Jeffrey Mouritsen, of Utah
Peter D. Mucha, of Virginia
Amy P. Mullin, of Virginia
Paul W. Neville, of the District of Columbia
Albert Francisco Ofrecio, of California
Jung Oh, of Virginia
Stephanie Nicole Padgett, of Virginia
Benjamin Parsell, of the District of Columbia
Vikas C. Paruchuri, of Pennsylvania
Michael Pennell, of Tennessee
Severin J. Perez, of Virginia
Robert A. Perls, of New Mexico
Andrea Lyn Peterson, of the District of Columbia
Charles Saunders Port, of Virginia
Kern R. Provencio, of Virginia
Michael Joseph Pryor, of California
Michael G. Ramsey, of Virginia
Charles Anthony Raymond, of Virginia
Amy Nicole Reichert, of Colorado
Anthony S. Ridgeway, of Virginia
Edward Lewis Robinson III, of Maryland
Seth R. Rogers, of South Carolina
Jared D. Ross, of Maryland
Alison Roth, of Virginia
Craig Anthony Rychel, of the District of Columbia
Anne G. Saunders, of Virginia
Tamara L. Scott, of Maryland
Timothy James Scovin, of the District of Columbia
Elizabeth Sellen, of the District of Columbia
Michael R. Shaw, of Virginia
Roger Lanier Shields, of Virginia
Craig M. Singleton, of Florida
Thomas Michael Slayton, of the District of Columbia
John Thomas Woodruff Slover, of Colorado
Paulette C. Small, of North Carolina
Barry Daniel Smith, of Oregon
Don J. Smith, of Virginia
Jason A. Smith, of Virginia
Scott M. Smith, of Virginia
William Catlett Solley, of Virginia
Michelle Sosa, of California
Judith C. Spanberger, of Maryland
Kenneth Sturrock, of Florida
Rudranath Sudama, of Maryland
Janel Lynn Sutton, of Colorado
Peter J. Sweeney, of New Jersey
Drew Tanzman, of California
Alper A. Tunca, of the District of Columbia
Tommy Vargas, of Virginia
Gareth John Vaughan, of the District of Columbia
Eric Vela, of Virginia
Christopher Volpicelli, of Virginia
John Philips Waterman, of Massachusetts
Mark A. Wilkins, of Virginia
Christal G. Winford, of Virginia
Joanna K. Wojcik, of Virginia
Hsueh-Ting Wu, of California
Heather Louise Yorkston, of Maryland

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING SENATOR ROBERT C. BYRD

Mr. COCHRAN. Mr. President, the Senate has lost its most talented, dedicated, and best-informed Member about the precedents, rules, and customs of the Senate, when the distinguished President pro tempore, ROBERT BYRD, passed away to join his beloved wife Erma in the heaven he was confident existed for those who were true believers.

I had the good fortune to work closely with ROBERT BYRD as a fellow member of the Appropriations Committee for 30 years. I served as the ranking minority member when he was chairman and as chairman when he was the ranking minority member. I preferred being chairman. But I thoroughly enjoyed the opportunities to conduct the hearings, schedule the committee markups, and negotiate with our House colleagues to formulate and pass the bills that funded the departments of the executive branch, the judiciary, and the Congress.

One of the highlights of my experience with ROBERT BYRD was a trip we took to several European capitals. He was comfortable discussing our mutual interests and differences with the leaders of other nations. His mastery of European history and politics was as impressive as his well-informed understanding of American history and politics.

On one leg of our trip, Senator BYRD asked my wife Rose to come sit by him.

He wanted to dictate something to her. He started a recitation with names that were not familiar to me, but eventually Rose realized that he was reciting from memory the names of the monarchs of Great Britain, the United Kingdom as we know it, and in the order in which each had served throughout the entire history of that great country. It was an unbelievable performance, reflecting an awesome ability of recall, and a reverential appreciation of a nation which has been our closest ally in recent history.

ROBERT BYRD was not only my friend but a mentor, an example of dedicated, disciplined, and determined leadership. I will miss him, but I will always remember his legacy of seriousness of purpose, and his love for the Senate, its role in the legislative process, its powers of advise and consent, and its continuity that has helped make our government the most respected in the world.

Mr. LEVIN. Mr. President, I want to take a few moments today about one of the best teachers I have ever known: Senator ROBERT C. BYRD.

The man we lost this week is known for many things: as the longest serving member of Congress in the Nation's history; as an accomplished legislator; as an author and historian; as a self-made man who reached exalted heights, yet never forgot the coal miners and the families of the mountain home community from which he came. I think of him as a teacher, one who began teaching me from the moment I came to the U.S. Senate, and one whose lessons I sought right up to the time he was taken from us this week.

Serving as a new Senator in the majority means, among other things, hours spent in this Chamber, presiding over the Senate. I was fortunate that for many of my early years here, I spent much of that time in the Presiding Officer's chair listening to Senator BYRD speak on the history of this body, its traditions and practices, and its historic debt to another great body that played a major role in mankind's march toward democratic government, the Roman senate.

I was learning from him two decades later, when Senator BYRD led a small group of us who filed a lawsuit and later a legal brief challenging a law we believed to be unconstitutional: the law granting the President the so-called line-item veto. He, like I and many others, saw this law as bending the Constitution in ways that usurped Congress's constitutional authority and responsibility. In 1998, the U.S. Supreme Court agreed. The majority in that case, citing its ''profound importance,'' concluded that the line-item veto ''may or may not be desirable,'' but that it was surely not consistent with ''the procedures designed by the Framers of article I, section 7 of the Constitution'' the so-called presentment clause.

I remember standing next to Senator BYRD at a press conference celebrating that victory for the Constitution, as he pulled out of his pocket the copy of that great founding document he always carried with him. A copy of the Constitution that sits today on my desk, in front of me at all times, was inscribed to me by Senator ROBERT C. BYRD.

I had hoped to visit with him this week to again listen and learn. In February, Senator BYRD sent all of us, his Senate colleagues, a letter setting out his position on preserving the ability to engage in extended debate in the Senate. It was yet another powerful defense of both the enduring traditions of the Senate, and the need for thoughtfulness in invoking those traditions. Senator BYRD's letter sparked some thoughts of my own, and last week, I discussed with his staff scheduling a meeting with him this week to get his take. Once again, I was in need of the insight and wisdom of Senator ROBERT BYRD.

How I wish he were here today, to continue teaching us. While that was not to be, the lessons of Senator BYRD's life and long service will endure.

His career is a testament to hard work and determination. This is a man who spent 10 years in night school classes to earn his law degree, who when he focused on an issue he did so with uncommon intensity. We can all learn from his commitment and grit.

Like any good teacher, Senator BYRD never stopped trying to learn. He was a man of strong convictions who knew the value of admitting when he was in error. He acknowledged that earlier in his life, he had taken positions and held opinions on the subject of civil rights that he later regretted. When he shared those regrets, he created a powerful teachable moment. We can all learn from his willingness to learn and grow to the very end of his life.

He was tireless in his defense of the role the Constitution assigns to the Congress, and specifically the Senate, in our democracy. In his letter to us in February, he wrote: ''The Senate is the only place in government where the rights of a numerical minority are so protected.'' He called those protections ''essential to the protection of the liberties of a free people.''

Whether it was Congress's constitutional obligations to render judgments on matters of war and peace or to exercise the power of the purse, Senator BYRD was a relentless fighter for the role the Founding Fathers carefully set out for us. He was not defending Senate authority for its own sake. His passion was not for Senate prerogatives for their own sake, but for the brilliantly conceived constitutional balance of powers essential to our freedoms. He passionately believed that we must not yield one ounce of the authority that the Constitution entrusts to the peoples' elected representatives. We can all learn from the conviction, the dedication and the intellectual power he brought to that cause, to the end of making it our cause. Let the mission he so eloquently espoused be our mission, though our power to persuade be far less than Senator BYRD's.

ROBERT BYRD had many loves—his late, beloved wife Erma, West Virginia and its people, his God, and the Constitution of the nation he cherished. But the Senate is his special legacy. For more than two centuries we have kept our traditions intact: our unique respect for extended debate and minority rights, and for the legislative authority that the Constitution places in our hands to exercise and defend. These traditions are maintained because of Senators like ROBERT BYRD, Senators who live them and fight for them. I learned more about these weighty issues from this great teacher than from anyone or anything in my years in the Senate.

ROBERT BYRD is no longer with us, teaching us, leading us. But the lessons of ROBERT BYRD's life and career will endure, guiding all of us now occupying these desks, and Senators who will occupy these desks for ages to come.

Mr. KERRY. Mr. President, the Senate, in its 223-year history, has never had a greater champion than ROBERT BYRD. West Virginia, in its 147-year history, has never had a more powerful advocate or public servant than ROBERT BYRD.

Like so many Senators elected before and after me, I learned very quickly how passionate ROBERT BYRD was about this institution, its roots in the Constitution. As all of us remember, he had that dog-eared copy of the Constitution he carried in the front pocket of his suit, and sometimes in the caucus or other times on the floor, he would pull it out to help reinforce a point he was making, even though we all knew he could recite the Constitution by memory. But he consulted it often without hesitation. In its words, he reminded us that he always found wisdom, truth, and excitement—the same excitement he felt as a young boy in Wolf Creek Hollow, reading by kerosene lamp about the heroes of the American Revolution and the birth of our Nation. Those words literally guided him through the 58 years he spent in Washington as a Member of the Congress and as a Senator.

It is fair to say that no one knew the Senate—its history, its traditions, and its precedents—better than ROBERT BYRD. It is all there in the four-volume collection of his speeches on the Senate, which we were all privileged to receive from him.

Every freshman Senator got a personal crash course on the Senate's history from ROBERT BYRD himself. I was one of five Democratic freshmen elected in 1984. The class of 1984 was privileged to share some lofty hopes and goals. Four of the five of us eventually ran for President: Al Gore, Paul Simon, TOM HARKIN, and myself. All of us can tell you that we arrived in the Senate with a thirst for action and an impatience for delay. Then-minority leader ROBERT BYRD didn't discourage any of

that. In fact, he encouraged it, and he helped all of us with our committee assignments so we could push the list of our policy ideas that we exuberantly believed we could and would pass into law. But in meetings with us individually, he also helped each of us to see the bigger picture, to impress upon us the fact that one of our most important responsibilities as Senators was to be caretakers of this institution—an institution he regarded as both the morning star and the evening star of the American constitutional constellation.

To ROBERT BYRD, the Senate was, as he said, ''the last bastion of minority rights, where a minority can be heard, where a minority can stand on its feet, one individual if necessary, and speak until he falls into the dust.'' Indeed, earlier this year, when many of us felt frustration over the Senate's rules governing filibusters—specifically, the requirement of 60 votes to cut off debate—ROBERT BYRD cautioned against amending the rules to facilitate expeditious action by a simple majority. In a letter sent to all of us, he observed that:

The occasional abuse of the rules has been, at times, a painful side effect of what is otherwise the Senate's greatest purpose—the right to extended, or even unlimited, debate. The Senate is the only place in government where the rights of a numerical minority are still protected.

He added:

Majorities change with elections. A minority can be right, and minority views can certainly improve legislation. . . . Extended deliberations and debate—when employed judiciously—protect every Senator, and the interests of their constituency, and are essential to the protection of the liberties of a free people.

ROBERT BYRD also impressed upon us the fact that we did not serve ''under'' any President; that as a separate but equal branch of government, we served ''with'' Presidents, acted as a check on the executive's power. ROBERT BYRD was the longest serving Member of Congress in all of our Nation's history, and as such he served with 11 Presidents.

At no time in his career was ROBERT BYRD's defense of legislative prerogatives more pronounced and more eloquent than in arguing against granting the Bush administration's broad power to wage preemptive war against Iraq. He chided the Senate for standing ''passively mute . . . paralyzed by our own uncertainty,'' ceding its war powers to President Bush.

ROBERT BYRD was, as we all know, a lot more than the guardian of the Senate. He was a major figure in the great panorama of American history over more than half a century. He was a thinker—thinking and reevaluating more in his eighties and nineties than many Senators do in a lifetime. He was an ardent supporter of the Vietnam war but surprised many with his fierce opposition to President Bush's invasion of Iraq. He was a protector of West Virginia's coal industry but came to accept the mounting scientific data of global warming and took part in finding a solution. To do otherwise, he said, would be ''to stick our heads in the sand.''

ROBERT BYRD cast more than 18,500 votes in the Senate—a record that will never be equalled. His last vote was June 17 against a Republican proposal to prevent the extension of unemployment benefits. Earlier this year, even with his health failing, he cast one of the most historic votes of his career in support of legislation to expand health care to all Americans—the life work of his old and departed friend Ted Kennedy.

Whether he voted with you or against you, it was never hard ideology with ROBERT BYRD. He had no use for narrow partisanship that trades on attack and values only victory. I learned that as a candidate for President in 2004 when Senator BYRD came to my defense after opponents aimed religious smears at me. I was forever grateful to him for doing that.

It all began one Sunday when Senator BYRD was home in West Virginia and found that a brochure had been inserted in a church bulletin saying that if elected President, I would ban the Bible. Senator BYRD exploded. ''No one side has the market on Christianity or belief in God,'' said this born-again Baptist. Later at a rally in Beckley, he accused my opponents of having ''improperly hijacked the issue of faith'' and said that the suggestion that I intended to ban the Bible was ''trash and a lie.''

But Senator BYRD was not done. He also went to the Senate floor to denounce this kind of politics:

Paid henchmen who talk about Democratic politicians who are eager to ban the Bible obviously think that West Virginians are gullible, ignorant fools. They must think that West Virginians just bounced off the turnip truck. But the people of West Virginia are smarter than that. We are not country bumpkins who will swallow whatever garbage some high-priced political consultant makes up.

That was ROBERT BYRD telling it the way he thought.

Anytime Senator BYRD spoke, any of us who had the privilege of serving with him remember his speeches were filled with as many Bible references as historical references. When the Senator spoke, the Senate kind of came to a halt. Senators would lean forward and listen, as they did not necessarily do otherwise, and learn.

It is fitting that this teacher in the Senate, this guardian of the Senate, will lie in state in this Chamber on the floor of the institution he revered and which also had so much respect for him. He is as much a part of this Chamber in many ways as the historic desks or galleries or the busts of Senate presidents.

He ran for public office 15 times, and he never lost. He was first elected to the West Virginia legislature in 1946 and served three terms in the House of Representatives before his election to the Senate. It is no wonder that he was such a keen observer of politics.

I remember when I decided to run in 2004, I went to talk with Senator BYRD. His advice, in fact, was among the first I sought. He advised me to ''go to West Virginia,'' ''get a little coal dust'' on my hands and face and ''live in spirit with the working people.'' In keeping with his advice, I did just that. What a great experience it was.

He was deeply proud of West Virginia and its people. He proudly defended his work to invest Federal dollars in his State, the kind of spending that some people deride as pork. ROBERT BYRD knew it was something else. It was opportunity for his people. He took pride in the way that Federal funding helped to lift the economy of West Virginia, one of the ''rock bottomest of States,'' as he put it. He breathed new life into so many communities across that State with funding for highways, hospitals, universities, research institutes, scholarships, and housing—all the time giving people the opportunities that he knew so many West Virginians of his generation never had. ''You take those things away, imagine, it would be blank,'' he once said.

ROBERT BYRD's journey was, in many ways, America's journey. He came of age in an America segregated by race. But like America, he changed, even repenting, and he made amends. Not only did he come to regret his segregationist past, but he became an ardent advocate of all kinds of civil rights legislation, including a national holiday honoring Dr. Martin Luther King. And in the end, ROBERT BYRD endorsed Barack Obama for President. ''I have lived with the weight of my own youthful mistakes my whole life, like a millstone around my neck,'' he wrote in 2008. ''And I accept that those mistakes will forever be mentioned when people talk about me. I believe I have learned from those mistakes. I know I've tried very hard to do so.''

That is the expression of a man with a big heart and a big mind.

The moments that define most men's lives are few. Not so with ROBERT BYRD. He devoted his life to Erma and his family and to public service, compiling an extraordinary record of accomplishment and service in more than half a century in Congress. His mastery of Senate rules and parliamentary procedure was legendary. His devotion to his colleagues and to this institution was unequaled. And his contributions to his State and to the Nation were monumental.

ROBERT BYRD spent most of his life making sure the Senate remained what the Founding Fathers intended it to be: a citadel of law, of order, of liberty, the anchor of the Republic. And in doing so, he takes his place among the giants of the Senate, such as Daniel Webster, John C. Calhoun and, of course, his and our dear friend Ted Kennedy.

May ROBERT BYRD rest in peace.

Mr. GRAHAM. Mr. President, I rise to celebrate the life and career of Senator ROBERT C. BYRD. I have been in

the body now since 2002, and Senator BYRD will go down in history as not only the longest serving Senator to date—maybe forever—but also as one of the most effective Members of the Senate.

He was tough. During his prime, they tell me, there was no tougher opponent and no better ally than to have Senator BYRD on your side. And when he was on the other side, you had a long day ahead of you.

He talked about his early life. He is a human being, like the rest of us. I think what he was able to do for his people in West Virginia, and the country as a whole, will stand the test of time, and he will be viewed for many things, not just one. That is the way it should be for all of us.

I had the pleasure of getting to know him when I first came to the Senate and I walked into one hell of a fight over judges. The Senate was in full battle over the filibustering of judges. The Senate had gone down a road it had never gone down before—an open resistance to the judicial nominations of President Bush across the board. The body was about to explode. There were 55 Republicans at the time, and we all believed that what our Democratic colleagues were doing was unprecedented, unnecessary, and, quite frankly, dangerous to the judiciary. I am sure they had their view, too, and everybody has a reason for what they do around here.

The Gang of 14—affectionately known by some, and discussed by others—was formed during that major historical moment in the Senate. I remember talking to some observers of the Senate who were telling me that if the rules were changed to allow a simple majority vote for the confirmation of judges, that would take the Senate down a road it had never gone down before, and where it would stop, nobody knew. At the same time, there was another constitutional concept that meant a lot to me and to others, and that is that people deserve a vote when they are nominated by the President.

Well, Senator BYRD and 13 other Senators—and he was a big leader in this—came up with the compromise called ''extraordinary circumstances.'' We agreed that we would not filibuster judges unless there was an extraordinary circumstance. We understood that elections had consequences. What we had in mind was that we would reserve our right to filibuster only if the person did not meet the qualification test. I believe the advise and consent role of the Senate has to be recognized, and I respect elections but not a blank check. So there is always the ability of any Senator here, or a group of Senators, to stand up and to object—one party versus the other—if you believe the person is not qualified.

The second issue we dealt with was that we all reserved unto ourselves the ability to object if we thought the person was an activist judge—a political person who was going to be put on the bench and the robe used to carry out the political agenda rather than to interpret the law.

The law meant a lot to Senator BYRD—the Constitution did. One of my cherished possessions is a signed copy of the Constitution, given to all the members of the Gang of 14. That is just one example of where very late in life he made a huge impact on the Senate. As history records that moment, I daresay it is probably one of his finest hours. Because the consequences of not resolving that dispute the way we did could have changed the Senate rules forever, and I think the judiciary for the worse. So we have a lot to celebrate.

His family, I know, mourns the loss of their loved one; the people of West Virginia, their best champion has passed. But we all pass. It is what we leave behind that counts, and I think he has left a lot behind and something both Republicans and Democrats can be proud of. Even though you disagreed with him, as I did on many occasions, I had nothing but respect for the man. He was a true guardian of the Senate and what it stands for.

I don't think we will ever find anybody who loved the institution more than Senator BYRD. He will be missed. But the best way we can honor his memory is to try to follow in his footsteps when it comes to making sure the constitutional role of the Senate is adhered to, and that we understand the Senate is not the House, the Senate is not the executive branch, the Senate is something special, and let us keep it that way.

Mr. REED. Mr. President, I rise to pay tribute to an extraordinary Senator—ROBERT BYRD of West Virginia. Chairman BYRD was the longest serving Senator in the history of this country. He served with extraordinary distinction not only on behalf of the people of West Virginia but on behalf of all of us.

The great lesson of his life is that through constant self-improvement, through constant education, not only can one rise to great heights but one can also contribute to one's country and community.

Senator BYRD was born in very humble circumstances. At his birth, I do not think anyone would have predicted he would become the longest serving Senator in the history of the United States. In fact, tragically, within a year of his birth, his mother passed away, and he went to live with his father's sister. But in those difficult circumstances in West Virginia, he rose above it through tenacious effort, through hard work.

Through his life's path, he had an extraordinary companion, the love of his life—Erma. Together they not only had a family but they built a life of service to others. I know how dear his dear Erma was to Senator BYRD.

Their children, Mona, Marjorie, their sons-in-law, their grandchildren, and their great-grandchildren all at this moment are reflecting on the wonderful person ROBERT BYRD was, how much he meant to them, and also I hope recognizing how much he meant to all of us. In this very difficult moment, I am sure his memory and his example will sustain them as it sustains all of us.

Senator BYRD, from these humble circumstances through hard work in shipyards, in the coal fields of West Virginia, rose up. He rose up because of his incredible talent, not only intellectual talent, but I had the great good fortune once to hear him play the fiddle. Anyone who can play a fiddle like that has great hope of employment, at least in the musical world. But he went beyond that.

Again the lesson Senator BYRD teaches us all is constant striving. He was someone who received his law degree while a member of the Congress, the first and perhaps only person to go to law school while he was also serving the people of West Virginia and the Congress.

He wrote what is regarded as the foremost history of the Senate, not only this Senate but also the Roman Senate. He did that because he was committed to finding out about history, about life, about human challenges, about great human endeavors, and using that knowledge to help others.

He was someone whom we all revered. When I arrived in the Senate, he was gracious and kind and helpful. I can always remember he would greet me as ''my captain.'' He had a deep affection for those who served, even someone as myself who did not serve at the same level of distinction as DAN INOUYE, JOHN KERRY, JOHN MCCAIN, and others. He is someone who helped and supported me, and I appreciated very much his kindness.

I also appreciate the passion he brought in defense of the Constitution of the United States and the passion he brought to ensure the Senate and the Congress played its rightful role in the deliberations of this government.

He would say quite often that he had not served under numerous Presidents; he had served with them as a Senator, in the legislature, a coequal branch of government. He fought not simply for personal prerogatives, he fought for principle, that this government would be based on, as our Founding Fathers' designed it, the interplay between the executive, legislative, and judicial branches. His passion for the Constitution was evident and obvious.

He also was passionate in the last few years about the foreign policy of the United States. He spoke with eloquence and with passion against our engagement in Iraq. He saw it, as now it is becoming clearer and clearer, as a strategic distraction from the true challenge, which was to defeat our opponents, al-Qaida and their affiliated terrorist groups, and to do that to protect this country.

He was a remarkable man, born of humble origin, self-educated, unceasingly educating himself and always

seeking to better and improve himself. I would suspect in his last few days he was still striving to learn more.

I simply close by thanking him for his service, thanking his family for supporting him in his service, and thanking the people of West Virginia for their wisdom in sending ROBERT BYRD to the U.S. Congress and the U.S. Senate.

Ms. LANDRIEU. Mr. President, I come to the floor this afternoon to speak on a couple of different subjects. Briefly I wish to say a few words about our extraordinary and great colleague who has left the Senate and left this world, but his spirit will be here for many years to come and his presence will be felt here for decades, if literally not centuries, and the extraordinary contribution that Senator ROBERT BYRD of West Virginia has made to the Congress, to the Senate, to our country, and to the world.

My colleague, the Senator from Rhode Island, gave a beautiful tribute a few minutes ago. I was in the Chamber and listened to what he said. I wish to add that not only did ROBERT BYRD rise up through educating himself—in these days that is almost a foreign concept to so many people. You go to school, you get a degree—but he did all of that and more. He read so much. He was so curious about so many aspects of life, not just politics, not just government, but industry, art, and music that literally he was one of the most inspirational human beings I have ever had the pleasure to know or ever read about in that sense.

Senator REED said he lifted himself from literally an orphan status in one of the poorest communities in the world, West Virginia. Parts of it are much like a few parts of our country that are extraordinarily poor, even by world standards.

He came from a very humble, orphaned beginning with virtually no chance at anything much, and ended up, we know, sitting at that desk, which is one of the great desks of honor in this Chamber. As people who work here know, the longer one is here, the closer one gets to the center aisle. Since he held up the center aisle literally with his presence every day, one cannot get any more senior than that desk. We look at it now these days and are reminded of him.

He lifted himself, he lifted his family, but I would say in that earnest curious way, he lifted an entire State and an entire Nation. There are not many individuals who can say that their life actually did that. But ROBERT BYRD is one of them. West Virginia today is lifted so much higher. The children of West Virginia, the families of West Virginia, the communities of West Virginia literally were lifted by the strength—the spiritual and intellectual strength—and courage and tenacity of a man for whom there is no peer in this room relative to that, and our Nation across decades, through many of the great trials of this Nation. He lifted this Nation to a better place and was such a strong man and such a great man that he would even admit when he made some very bad mistakes, which raises him even higher in my eyes.

He said toward the end of his life many times that his stand on civil rights was not right. He apologized profusely for being on the wrong side of history on that issue. He did not make many mistakes such as that. But he was such a great man that he admitted when he did.

Senator REED recalled that he always called him ''captain,'' but Senator BYRD had a way of referring to each of us in a special way. He would always say to me: How are you today, Senator, and how is that fine father of yours, Moon Landrieu? It would always make me feel so wonderful that he would say he was such a great mayor. How is Moon today and how is Verna? Can you imagine a gentleman with so much on his mind that he would always remember to me the parents I have and that we both admire so much? It was a special way about him.

Finally, when Katrina happened and all of us on the gulf coast were devastated—frankly, I could not find a great deal of comfort at the level of the administration that was in power. I never thought they quite understood the depths of the destruction that occurred. It worried me then and it still troubles me to this day. But the first meeting I had with Senator BYRD, when I was trying to explain to him how devastating this situation was—because it wasn't a hurricane, it was a flood and the Federal levees had collapsed—he just sort of put his hand out and said: Senator, have a seat. He said: I do understand, and I am going to work with you. I am going to help you. I am going to be here for the people of Louisiana and the gulf coast as we try to get this right.

Mr. President, we were shortchanged by other Members of Congress and by the White House. They never quite understood. When the first allocation of funding was given out, it was just an arbitrary number thrown out that we were going to take $10 billion and help the gulf coast, but no State could get more than $5.4 billion. Well, when you looked at the facts at the time, the numbers were so disproportionate to the injury that Louisiana and our people had suffered, had you done it on just a disaster basis—which we should have done in calculating it—we should have gotten $15 billion relative to that distribution.

When I brought those numbers to Senator BYRD, he said: We are going to work on it. And you know what, Mr. President, he did. Unbelievable as it might be to the people in this Chamber, because he was a very powerful chairman of the Appropriations Committee, he could actually do it, and he did.

I didn't have to explain that much or beg that much. I just had to present the data to him that showed this is how many houses were destroyed, this is how many homes were lost, this is what the President gave to X, Y and Z; what do you think, Senator BYRD? Is it fair for us? And he said: Absolutely. So he gave us literally billions of dollars.

Today, St. Bernard Parish, the city of New Orleans, and parishes all in the southern part of the State are recovering because of one person, Senator BYRD, the chair of the Appropriations Committee, who said: We are not going to leave you at your hour of greatest need.

I will never forget, and my State will never forget, the generosity and the courage it took for him to stand with us through that difficult time. So I wanted to, in a small way, add my voice to the many tributes that Senator BYRD has received, and those are the most important ones that I wanted to share today.

Mr. LAUTENBERG. Mr. President, this is not my regular seat in the Senate, but I came here to stand near the place that Senator ROBERT C. BYRD occupied. His absence is noted by the flowers and the black cloth that covers his desk.

There is so much to say about ROBERT C. BYRD that to have a serious discussion about who and what he was would take far more time than we have available. He was an unusual man, brilliant, genius, credited with encyclopedic knowledge.

When I came to the Senate in 1983, I was not a young man. I am now an older man. When I came, I wanted to meet Senator BYRD. I came from the business world. I was chairman and CEO of a significant corporation that carried substantial esteem and respect for the record compiled by the three of us boys from poor working-class families in Paterson, NJ, an industrial city that had its origins as an industrial place at the time of Alexander Hamilton.

I was privileged to meet a lot of people who could be described as lofty and holding positions of importance. When I went in to Senator BYRD's office to introduce myself—I had met him a couple of times before I was elected to the Senate seat from New Jersey—it was with great awe and respect that I sat in front of this individual who had given so much to our country, who taxed our wits and made us think more deeply about our responsibilities than sometimes we have. He was a tower of knowledge and strength.

I introduced myself to him, and we had a nice chat for a while. He asked me about my background. I talked about my life and my experiences, which are not anything like the depth of Senator ROBERT BYRD's background. I came from a poor family. I served in the Army. I received my education at Columbia University because I was able to use the scholarship that was given to soldiers who had served in the military.

As I listened to ROBERT BYRD, what he had accomplished in his lifetime

dwarfed anything I had ever seen. He was a man born into poverty, orphaned at an early stage in life, and turned over to relatives to be brought up. He taught himself how to play the violin and attended law school part time at night for years, finally getting his law degree from the university. He was an incredible figure in our time.

We feel his absence already. In his latest years, he was not fortunate enough to have the kind of health he had as a younger man, but he always had the respect of everybody who knew him.

When we look at his history, if one has time to go to the computer and get a biography that is held in Wikipedia and see the more than 30 pages' worth of his accomplishments and history, it was a privilege and an honor for those of us who knew him when we look at the positions he held. He had elegance. He had grace. He had resilience. He was tough. He had a meticulous grasp of history.

I came out of the computer business. I used to tease ROBERT C. BYRD. I called him ''my human computer.'' He had so much knowledge that, frankly, I think it competed very ably with the computers in the early eighties when I came to the Senate.

When I visited him in his office, he asked me if I knew the history of the monarchs of the British Empire. I said I did not know much about them. I knew the recent one, the sitting monarch at the time. He proceeded for more than one hour to give me the history of the monarchs of the British Empire, starting with William the Conqueror, 1066, and recalling everybody who was King or Queen of England, of the British Empire. He talked about how long they served, the precise dates they served, whether they died by the hand of an assassin, whether they died from a disease, whether they died from an accident. He knew all of that detail. I was sitting in total bewilderment as to how one could capture and remember so much of that information.

When I asked to be excused because I had some other business, he was ready to give me the history of the Roman Senate. He did this not like most of us, with notes. He had it in his brain while he recalled everything he learned and did, the number of votes, where he cast them, and on what issue. It was remarkable.

He served at a period of time when we had some of the most remarkable people this body has seen. Not to suggest we do not have talent equal to the stature of some of those who served then. It is worthy of mention that he was the majority leader in the Senate from January 1977 to January 1981 and again from 1989 to 1989, a relatively short period. He preceded and served with people such as Howard Baker on the Republican side, Bob Dole, Mike Mansfield, and George Mitchell. He was an equal with those powerhouses and stood as one of them. He stood out.

He revered this Senate and the process with which we then operated. We are far less committed to process. BOB BYRD insisted we have the time, respect, courtesy, and proper addressing of individuals, giving it a certain loftiness that we otherwise would not have had.

Nobody knew more about this body than ROBERT C. BYRD. He was this Chamber's protector. He protected the Senate's rules, the Senate's integrity, and he protected the Senate's civility. He taught each and every one of us how the Senate works—the ins, the outs. It is hard to imagine serving a single day without him. He had such respect for the management of this country of ours.

We should be inspired by ROBERT C. BYRD's legacy to become more cooperative and more civil in the days ahead. We ought to reflect on those values tomorrow as we view Senator BYRD's casket lying in repose in this Chamber that he loved so dearly. He loved it so much that he reminded all of us from time to time—he would pick up on a phrase. Someone talked about serving under President this or that President. He said: Sir, never, never under. We serve with the President of the United States. We never serve under them. We are a body of equal importance. And he knew that from every possible position of responsibility he held.

What we should do as a Senate is accept the best that ROBERT C. BYRD brought to us, to share the image he brought to all of us and to the stature of this body.

ROBERT C. BYRD's journey in life was simply remarkable. He was born into deep poverty, growing up without the comforts that many of us take for granted, such as running water, and setting an example for all Americans of what you might be if you make the effort and you have the dedication to a higher purpose.

Although he was high school valedictorian at the age of 16, he had to skip college because he did not have the means to pay for it. He overcame that obstacle by becoming a self-taught man and a student of history. How did he learn to play the violin all by himself, and learn what he did about education and law?

He served half a century—51 years—in the Senate, holding every critical position, including, as I mentioned, majority leader and minority leader and President pro tempore. In that position he was third in line for the Presidency of the United States.

Still, he never forgot where he came from and his duty to help everyday people. He pleaded their case, particularly his beloved West Virginia, as well as across the country.

I had the privilege to serve with Senator BYRD when he was chairman of the Appropriations Committee. Some like to make light of his position to fund projects in West Virginia, but there was nothing cynical about his life's cause to stamp out poverty in his home State and in this country. Senator BYRD called bringing Federal dollars back to his State one of his greatest achievements. He understood that a new school meant a child would have a better chance for a future. A new sewage system meant that families might have clean water—unaccustomed as they were in lots of places in his home State. A new highway meant that farmers and companies could bring their product and their produce to market in hours.

I will use the expression that he ''elegantized'' the beauty of the deeds of working people and brought meaning to the purpose of their lives and their work.

He was a forward-looking man. He, working with all of us, recognized the importance of an appropriate infrastructure—the importance of Amtrak, of the railroad that serves so many millions of Americans every year. He was a voice for stronger rail service, knowing that could get people more reliable travel so they would not be stuck in massive traffic jams when they had to get someplace. It was an important part of an agenda that he had that was so broad.

Years ago, when Amtrak—a favorite part of my view of what has to happen with our infrastructure—was under siege, we worked side by side to protect America's premier rail network from being defunded. In 2007, when the Amtrak law I authored was on this floor, we faced a difficult vote to defeat a killer amendment. I remember standing here as they were counting the yeas and nays, and Senator BYRD had occasion to let his simple yes or no ring out across this place. He put a stamp on that, and that meant that he didn't like it or he did like it.

He wanted everybody in this place to remember that he was chairman of the Appropriations Committee. He remembered when people voted with him and when they didn't. He couldn't stand the hypocrisy of people who would say: Oh, these earmarks are terrible, and then they would put in their list. But he would remember it. It was not a good thing, to meet with ROBERT C. BYRD's disapproval, when you wanted something; especially after so hypocritically voting against something and then wanting that very thing for your own State.

We have an obligation to honor the legacy of this giant of an individual, this giant of a Senator, this giant of a public servant, and that means never losing sight of the millions of Americans out there who don't know whether they will have a home now or have a job, or whether they will be able to afford electricity or food or a roof to sleep under, or a way to take care of their children. But he reminded us on a constant basis what our commitment was.

It also means, I think in reflection, that we should be renewing our commitment, as hard as it is—and it is easy to kind of pontificate here—to working together. But let us look at what is happening. Let us look at what

has been happening now. I don't think this is an appropriate time to voice lots of criticism, but when we see how difficult it is to move positive things through this institution, it is hard to understand, because the fundamentals that ROBERT C. BYRD brought to his work were that we were here to serve the public. That was the mission.

Rather than standing in the way of permitting things to be considered—things of value—perhaps we ought to have a BYRD lecture to the Senate-at-large every now and then and let someone who knew him or studied him talk about what he brought to the Senate, in addition to extraordinary leadership; someone who could talk about the degree of collegiality that is necessary for us to consider things—serious things—and to get them done.

Senator BYRD recently said—and he said this on a regular basis:

The world has changed. But our responsibilities, our duties as Senators have not changed. We have a responsibility, a duty to the people to make our country a better place.

It would be fitting if in the shadow of his passing that we could take a sledgehammer to partisan gridlock, put the unnecessary rancor aside and start functioning in a deliberative fashion once again.

I thank you, Senator ROBERT C. BYRD, for what you gave to us and gave to this country. All of it will not be recognized in these moments. But as history is reviewed, people will remember—I hope they do—that even when he made a mistake, a serious mistake in his early days—when he was not eager to support desegregation; that he should not have abided with segregationists; that this country belonged to all the people and no one should be discriminated against—that one can be forgiven with good deeds after some bad ones. And he redeemed himself so nobly, so wonderfully.

So we say, as we have been for these days, thank you, ROBERT C BYRD. We loved being with you, and we will miss you.

Mr. WEBB. Mr. President, I have not yet had the opportunity on the floor to express my regret for the passing of Senator ROBERT BYRD and my incredible respect for the service he gave our country.

I was only able to serve with Senator BYRD at the twilight of his career. I knew him in my capacities as Assistant Secretary and then Secretary of the Navy years ago, and I admired him for many years as an individual of fierce intellect. He was a strong proponent of the balance of power, particularly protective of the powers of the U.S. Congress as they relate to the executive branch, which is an area I have also focused on over the years.

Senator BYRD had great love for the people of Appalachia. He was their greatest champion. He was a self-made man in every sense of the word—self-made economically, born an orphan, and self-made in terms of his own education.

I recall that when I was Secretary of the Navy, I had the authority to name various combatants, and I named a submarine the ''USS West Virginia.'' When I made the statement about why I named it that, I pointed out that West Virginia, in every war in the 20th century, ranked either first or second in terms of its casualty rate. He was someone who never forgot the contributions of the people of that much-maligned State to the well-being and greatness of our country. He left his mark on all of us, and I would be remiss if I didn't express my regret in his passing.

Mr. WHITEHOUSE. Mr. President, I rise today to pay tribute to our departed Senate Dean, ROBERT C. BYRD of West Virginia. Senator BYRD served in this Chamber longer than any Senator in history, 50½ years. Combined with 6 prior years in the House of Representatives, Senator BYRD's service spanned nearly a quarter of the history of the Republic, from the Truman administration to the Obama one, longer than the span of my life.

To serve with Senator BYRD, as was my privilege for too short a time, was to serve with a giant of the Senate, an apotheosis of a long-ago age when oratory was an art. How fortunate I was to sit on the Budget Committee several chairs away from the man who wrote the Budget Act. I will never forget a Budget Committee hearing last year at which, with 35 years of hindsight, Senator BYRD reviewed the very budget process that he had designed. On that February morning, Senator BYRD delighted in describing his crafting of the budget process and its implementation and evolution over three and a half decades.

Tomorrow, for the first time since 1959 when ROBERT C. BYRD was a 40-year-old first-year Senator, a departed Member of this body will lie in repose in its Chamber. The tribute will surely be fitting, as the Senate's most senior Member occupies the floor one final time.

The man will be missed, but his legacy will continue to guide this institution for generations to come, and the institution to whose principles and welfare he dedicated his life, the U.S. Senate, will endure with his lasting imprint upon it.

VOTE EXPLANATION

Mr. BROWNBACK. Mr. President, I regret that on June 28, 2010, I was unable to vote on the confirmation of Gary Scott Feinerman, of Illinois, to be U.S. District Judge for the Northern District because my flight from Kansas City was delayed. I wish to address this vote, so that the people of the great State of Kansas, who elected me to serve them as U.S. Senator, may know my position. I would have voted in favor of this confirmation.

TRIBUTE TO COLONEL PHILIP C. SKUTA

Mr. LEAHY. Mr. President, I rise today to recognize COL Phil Skuta, USMC, who will complete his tour of duty with the U.S. Marine Corps' Office of Legislative Affairs on July 15, 2010. In his role as the director of the Marine Corps' Senate Liaison Office, he has provided excellent support by ensuring the smooth and timely passage of information from the Marine Corps to Senators and their staffs. His sense of duty and responsibility contributed to a successful relationship between the U.S. Senate and the U.S. Marine Corps. His dedication to serving the U.S. Senate will be missed.

A native of Williamsport, PA, Colonel Skuta attended the University of Pittsburgh and received a commission as a second lieutenant in the U.S. Marine Corps in 1987. His career as a Marine officer has been varied and admirable. Prior to his assignment to the U.S. Senate, he served on the Joint Chiefs of Staff, in the Strategic Plans and Policy Directorate. Before that, he led 1,200 marines, soldiers, and sailors in combat in Iraq in 2004 as a battalion task force commander. Over the past 24 months, his excellent work, leadership of his liaison team, and example of professionalism have served the Senate well and reflected credit on the U.S. Marine Corps.

Upon his arrival as director of the U.S. Senate Marine Corps Liaison Office, Colonel Skuta assumed and upheld the distinguished standard set by his predecessors. His approach to resolving complex issues allowed him to advise and inform Members and their staffs of Marine Corps plans, policies, programs, and worldwide activities. Despite the fluidity of legislative process, Colonel Skuta established and developed productive working relationships through engagement opportunities.

As liaison officer to the Senate, Colonel Skuta represented the Marine Corps on all Marine-related matters and effectively articulated the Marine Corps' most difficult and challenging legislative initiatives to Members and staff. He has been an integral player in maintaining effective relationships between the Marine Corps, my colleagues in the Senate, professional committee staff, and personal staff members. In particular, he responded to hundreds of congressional inquiries, ranging from such sensitive issues as notification of combat casualties from the Afghanistan and Iraq campaigns to providing timely information on the operation, organization, and budget of the Marine Corps. He also planned and executed dozens of international congressional delegations. I had the pleasure of traveling on two of these congressional delegations with Colonel Skuta and was impressed with his service to the Members of the Senate. He reflected well on his service at numerous Marine Corps and joint social events on Capitol Hill. Among others, these events included

the Marine Corps Birthday Commemoration, the Joint Services Reception, the Marine Corps Marathon, and several Marine Corps seasonal receptions.

On behalf of the Senate, I thank Colonel Skuta for his continued service to the Nation and the U.S. Marine Corps, and I thank his wife Jane for her steadfast support while he fulfilled this essential duty. We in the U.S. Senate, and I personally, wish them all the best as Phil departs to assume duties as Director of the Marine Corps' Strategic Initiatives Group at Headquarters, U.S. Marine Corps, Washington, DC.

Semper Fi!

HARRIS v. McRAE

Mr. HATCH. Mr. President, 30 years ago today, the Supreme Court of the United States announced its landmark decision in *Harris* v. *McRae*, 448 U.S. 297, upholding the constitutionality of the Hyde amendment, which prohibits Federal funding of abortions under the Medicaid Program. That decision made it possible for Congress, by annual enactment of the Hyde amendment, to protect American taxpayers from being forced to fund the destruction of innocent preborn human beings.

The majority opinion, written by Justice Potter Stewart, established three important principles. First, no matter what unwritten right to abortion may be said to exist in our written Constitution, ''it simply does not follow that a woman's freedom of choice carries with it a constitutional entitlement to the financial resources to avail herself of the full range of protected choices.'' Second, the Court accepted in full the argument of Solicitor General Wade McCree that the Hyde amendment is rationally related to the interest we all have in preserving nascent human life and encouraging childbirth. Finally, the Court rejected the spurious claims of the Hyde amendment's opponents that the amendment violated the establishment clause of the first amendment because it somehow incorporated into federal law the religious doctrine of the Roman Catholic Church.

In our recent debate over healthcare reform, we often heard that because the Hyde amendment is already ''settled law,'' there was no need for specific provisions to ban taxpayer subsidies for abortion through the health insurance exchanges or other features of the legislation. That argument, of course, was wrong. The Hyde amendment affects the appropriations that fund the Departments of Labor and of Health and Human Services. The vast health care bureaucracy created by this new legislation will exist outside of those departments. Time will tell whether those who argued so strongly that the Hyde amendment is settled and ''good law'' will nonetheless challenge it again in the future.

Let's be honest about a fundamental point: change in our health care system provides another opportunity for abortion advocates to claim that abortion is health care that must be funded by the taxpayers. That claim must be resisted and defeated, just as it was resisted and defeated in Harris v. McRae.

Were he still among us, our dear and esteemed colleague Henry Hyde would have reminded our colleagues of this, with an eloquence we cannot muster. The amendment bearing his name, after all, did not become law by accident; nor did it survive other than by the heroic efforts of Henry Hyde and a small cadre of pro-life attorneys who persuaded the Department of Justice to make the very arguments critical to successfully defending the Hyde amendment in court.

Henry Hyde was vilified at the time for his amendment, and for his unwillingness to yield or compromise on its principles. Investigators for the plaintiffs in Harris followed the Congressman to Mass, and then argued to the Federal district court in Brooklyn that his amendment was motivated by his religion. What a scandal—that a Congressman's faith would motivate his work.

Henry, of course, did more than simply introduce and achieve passage of his amendment. That alone would have been heroic. But he also entered the litigation challenging his amendment as an intervening-defendant, joined by former Senator and now-Judge James L. Buckley, Senator Jesse Helms, and others, to ensure that the amendment would receive the most vigorous defense in court.

His New York lawyers, Lawrence Washburn and Gerald Bodell, were joined by the superb legal team at Americans United for Life Legal Defense Fund, a fledgling Chicago-based office that suddenly found itself in the biggest case in its short existence. The AUL lawyers, including Northwestern University law professor Victor G. Rosenblum, eminent Chicago trial lawyer Dennis Horan, and AUL staff attorneys Patrick Trueman and Thomas Marzen, were pivotal in framing the legal arguments that prevailed in Harris. They simultaneously represented intervening defendants in Williams v. Zbaraz, defending an Illinois version of the Hyde amendment. In Williams, named for AUL's clients Dr. Jasper F. Williams and Dr. Eugene F. Diamond, Professor Rosenblum eloquently argued to the Supreme Court that neither due process nor equal protection required government at any level to treat abortion on a par with the life-giving alternative of childbirth.

The victories in Harris and Williams remain the most significant pro-life legal victories of our lifetimes. But, until the Hyde amendment becomes a part of the United States Code rather than an annual appropriations amendment, so that it covers a government programs and expenditures, we must continue to make the same vigilant effort that made the victories in those cases possible. AUL was a key partner as I and others in Congress fought to put true Hyde-type language in the health care legislation. Undaunted at the loss in Congress, AUL has turned its attention to the States, helping to draft legislation allowing States to ''opt-out'' of coverage for abortion through the insurance exchanges, and to take other steps to ensure that health care reform does not undermine the principles of the Hyde amendment.

Many of the courageous warriors who first defended those principles three decades ago have passed from our midst: my friends Henry Hyde and Jesse Helms, attorneys Dennis Horan and Tom Marzen, and Dr. Jasper Williams. Thankfully, some of the young lawyers who worked with them such as Carl Anderson, Robert Destro, and Paige Comstock Cunningham, remain active pro-life leaders today. Meanwhile, the ranks of young lawyers and students eager to follow in the footsteps of these legal pioneers continues to grow. That is what trailblazers do, they lead the way so that others may follow and continue the fight. May their efforts be blessed, and this Nation move swiftly to the day when the lives of the unborn receive full legal protection.

CLEAN AIR ACT AMENDMENTS OF 2010

Mr. CARDIN. Mr. President, today I rise to discuss my support for the Clean Air Act Amendments of 2010 and how I plan to continue to work with the sponsors to improve the bill to meet health standards for Maryland and the States of the Northeast.

First, I want to commend Senator CARPER for his years of hard work and dedication to clean air policy issues. I know these issues are very near and dear to Senator CARPER and his perseverance is admirable. I feel the same way about water quality protection in the Chesapeake Bay watershed. When this bill received a hearing in the Environment and Public Works Committee in March I expressed my support for the goals of the Clean Air Act Amendments of 2010 and what the bill aims to achieve. Because I believe this legislation is the right framework to protect public health, I have added my name as a cosponsor of this bill.

The strong limits the legislation sets on mercury emissions is important. Air pollution, primarily from powerplants, is the main source of the mercury that contaminates the fisheries of the Chesapeake Bay Mid-Atlantic. We have fish consumption advisories throughout Maryland because of the high levels of mercury found in fish tissue.

A large part of my motivation for restoring the Chesapeake Bay is to restore a healthy fishery for Maryland watermen to make a sound living on and for recreational anglers to enjoy. I am pleased with the effects this bill would have on the health of our fishery and the people who rely on healthy fish from a healthy bay.

The cap on sulfur dioxide, SO_2, levels in the Clean Air Act Amendments of

2010 is strong as well. SO_2 is a harmful particulate that is a major component of acid rain which does serious damage to plants and trees. States in the Mid-Atlantic and Northeast see the worst of acid rain's effects on our forests and croplands. EPA's acid rain program has yielded tremendous success and the SO_2 reductions that the bill calls for would help us achieve greater SO_2 reductions.

These important limits on two harmful air pollutants are very important measures to protect the public health and the environment.

Nitrogen Oxide, NO_X, is a dangerous air pollutant that contributes to haze, water nitrification, and ground level ozone during the summer months which is extremely dangerous to breathe particularly for people who suffer from respiratory diseases like asthma and emphysema. Maryland, and Northeast and Mid-Atlantic States struggle to achieve attainment of healthy air standards because of NO_X emissions. The Federal Government must do what it can to help these States achieve healthy air through reductions in NO_X.

I am committed to working with Senators CARPER and ALEXANDER to make the bill achieve the goal of NO_X reductions to protect the public health of citizens of all States including Maryland.

Maryland's experience as a downwind State motivated the Maryland legislature and our Governor to take firm and decisive action to reduce mercury, SO_2 and NO_X emissions in the State by implementing the toughest powerplant emissions law on the east coast. The Healthy Air Act, enacted in July 2007, established an ambitious timetable of 3 years for Maryland's powerplants to meet a new set of robust clean air standards.

Using 2002 as its emissions baseline, Maryland's Healthy Air Act has the State well on its way to reducing NO_X emissions in Maryland by 75 percent by 2012, after already achieving an interim goal of 70 percent reduction target for NO_X in 2009. SO_2 emissions will be reduced by 80 percent this year with a second phase of controls in 2013 to achieve 85 percent SO_2 emission reductions. The Healthy Air Act also sets a 90 percent reduction in mercury by 2013.

Maryland's powerplants quickly met this challenge by immediately installing and operating pollution emission reductions technologies. In less than 3 years Maryland's State electricity generators began achieving significant mercury, SO_2 and NO_X emissions reductions. The Maryland Department of Environment tells me that all of our power generators are either meeting or are on schedule to meet the near term targets of Maryland's Healthy Air Act.

The Clean Air Act Amendments of 2010 supports Maryland's mercury and SO_2 reductions goals. Because Maryland has taken positive steps to also reduce NO_X emissions I must work to ensure that any national standard supports Maryland's healthy air attainment limits for NO_X as well.

Being a downwind State that must mitigate or offset pollution that travels in from other States has made it especially challenging for Maryland to be in attainment with the National Ambient Air Quality Standards, NAAQS, for ozone and fine particulate matter by the Federal deadline of 2010. Maryland is doing its part.

I mention all of this so that my colleagues understand how important strong clean air requirements are to me and to Maryland. I support the goal of cleaner air and I think the approach the Clean Air Act Amendments of 2010 takes is correct. I very much want to save lives by cleaning up our air and I want to work with Senator CARPER, Senator ALEXANDER and the other sponsors of this bill to make it stronger. Specifically, I want to ensure that EPA will review its air quality standards. Should the agency's analysis of the ozone standard indicate that additional NO_X emissions reductions are necessary to protect public health it is important that the EPA has a congressional mandate to act to strengthen the emission reduction requirement on NO_X to address this public health threat.

In a matter of days, EPA will issue its revised Clean Air Interstate Rule, CAIR, following the DC Circuit's determination that CAIR did not adequately address transport. Later this summer EPA will also propose new National Ambient Air Quality Standards. These landmark policies ought to guide what steps need to be taken to better protect public health and inform us about the congressional authority needed.

ADDITIONAL STATEMENTS

TRIBUTE TO SUSAN BERRY

● Mr. BINGAMAN. Mr. President, my hometown of Silver City, NM, is in the southwestern corner of our State. It is the county seat, and the largest town for about a hundred miles around. Right on the edge of the Gila Wilderness, it has been called by others, not by just me, ''One of the 100 Best Small Towns in America.''

One of the reasons it is so outstanding is because of the tireless, thoughtful work of Susan Berry. For 36 years, she has been involved in historic preservation work in and around our town, and throughout the State of New Mexico. An early force of the MainStreet Project in Silver City and a longtime member of the Design Review Committee, she has done so much so well, that the New Mexico Historic Preservation Division recently gave her its Lifetime Achievement Award which she earned during a career of preserving the past for the future.

On Saturday of this week, she will retire after decades of service as director of the Silver City Museum. Her accomplishments in that capacity are too numerous to list, but as a result of her vision and skill, that museum has been accredited by the American Association of Museums, one of only thirteen in New Mexico to be so designated.

She has helped make Silver City a significant destination for travelers to the Southwest, and added to the list of reasons that 10,000 people like to call it ''home.'' We are so fortunate that she chose to make the town the focus of her considerable ability and vision for so many years.●

REMEMBERING POLLY ARANGO

● Mr. BINGAMAN. Mr. President, today I wish to pay tribute to the extraordinary life of Polly Arango, who died on Saturday, June 26, 2010, in a tragic accident in Alamosa, CO. Her husband, children, grandchildren, family, and friends have lost a very special individual. And New Mexico and the Nation lost a tireless advocate for children, particularly those with disabilities.

Polly spent her life working on behalf of the most vulnerable in our society. Early in her career, she organized programs that allowed American families to adopt orphans from Ecuador. She and her husband John later adopted themselves, providing loving care to a son who had severe developmental difficulties. Shortly thereafter, Polly began her lifelong to work to ensure that other families in similar situations had access to vital education, health care, and support services.

To do so, she cofounded Parents Reaching Out, a nonprofit organization that works with parents, caregivers, educators and other professionals to promote healthy, positive and caring experiences for New Mexico families and children.

Polly also founded and served as the executive director of Family Voices, an advocacy group that strives to bolster both the access and the quality of health care for children with special needs. In her work for Family Voices, she, more than any other leader in the advocacy world, fought for family-centered care for children with disabilities. Her efforts with officials in New Mexico led to many important successes such as establishing the Medically Fragile Children's Program and the New Mexico High Risk Insurance Pool, reducing the school age for children with disabilities, and increasing coverage and services for children in Medicaid Programs.

Polly was very helpful to my staff and me over many years as we worked together on major health reform and education issues. She was in contact with us monthly and even weekly to inform us of developments in New Mexico and across the Nation and she had a wonderful ability to blend an understanding of complex policies with the practical needs of New Mexicans. I know she was particularly heartened by our recent passage of national

health care reform. And, I know she would agree that we all must continue to fight to ensure that the needs of children remain central in our efforts to forge a more effective and equitable health care system.

I extend my sincere condolences to Polly's husband and children, and the entire Arango family.●

● Mr. UDALL of New Mexico. Mr. President, I rise today to celebrate the life—and mourn the loss—of one of New Mexico's finest public servants.

The Land of Enchantment suffered a tremendous loss last Saturday, when Polly Arango was involved in a fatal accident in Alamosa, CO. As a longtime resident of Algodones, NM, Polly was one of the most exemplary advocates for children living with disabilities our State has ever known. During her time with us, Polly taught us that regardless of socioeconOmic status, culture, race, religion or health conditions, our children have inalienable rights that we must fight to protect.

Born in Green Bay, WI, Polly moved to our State in 1962 to attend University of New Mexico. After marrying John Arango, she began her career as an advocate placing Ecuadorian orphans with families in the United States while her husband served as Peace Corps director in Panama and Ecuador.

A turning point for Polly and John came with the adoption of their son Nicolas. As Polly learned that Nicolas had a severe developmental disability, she began her work securing full education and access to health care for children with chronic health conditions. Nicolas inspired Polly's work to open the eyes of school officials, policymakers, community leaders, friends and neighbors to the challenges facing children with disabilities. Her efforts were not only for Nicolas, but for thousands of other New Mexican families in need.

In 1992, Polly cofounded a national grassroots network called Family Voices. Today, Family Voices consists of more than 45,000 New Mexican families and friends working together to improve health care for children and youth with special needs. Polly served as the first executive director and most recently served on the board of directors. Polly also cofounded Parents Reaching Out, a statewide network of programs designed to meet the ever changing needs of New Mexican families. Based on her leadership, this organization continues to connect children and their families to resources that will improve their quality of life.

Polly represented families and family-centered care on many national boards, commissions and international forums. She was named to the New Mexico Medicaid Advisory Committee and served as a member of the New Mexico Supreme Court's Court Improvement Project on foster care. She also co-authored several books and many articles on health care, foster children, and families, and she was executive producer and writer of a PBS documentary about inclusion titled: ''What Does Normal Mean?''

Through her work, Polly displayed a noble commitment to fight for the health and civil rights of all children, especially disabled children, who often cannot fight for themselves. Polly actively demonstrated one of our greatest American values: that families can be the most important caregivers, and every child deserves a family.

She was survived by her husband, John; her four children—Carlos Arango, Francesca Wilson, Maria Arango and Nicolas Arango; her seven grandchildren—Sloan Wilson, Conor Arango, Gabby Arango, Kellen Wilson, Grace Arango, Lenor Arango and Isabel Arango; and seven of her eight brothers and sisters—Richard Egan, Kevin Egan, Martha Egan, Kathryn Stout, Patrick Egan, Michael Egan and Thomas Egan.

In her recent obituary, Polly's friends and family kindly thanked me for my role in health care reform and my support for rural health programs. While I appreciate these sentiments, I want to thank Polly. I want to thank her for her invaluable contributions as a mother, friend, and public servant on behalf of all she touched. Our State won't be the same without her. I am blessed to have known her. New Mexico will miss Polly Arango, but we know that her legacy will live on.

As Polly Arango is laid to rest this week, I ask my colleagues to join me in honoring this remarkable public servant.●

TRIBUTE TO PETE JOHNSON

● Mr. COCHRAN. Mr. President, I am pleased to commend Pete Johnson of Clarksdale, MS, for his service as the Federal Co-Chairman of the Delta Regional Authority.

The authority was formed in 2001 as a Federal-State partnership to enhance the quality of life of the people of the Mississippi River Delta region. Since its inception, Pete Johnson has led the Delta Regional Authority as the Federal cochairman in its efforts to advance the economic opportunities of the residents of 252 counties and parishes in parts of 8 States, which make up the delta region.

Pete Johnson has served the 9.5 million residents of the region and the Governors of Mississippi, Alabama, Tennessee, Kentucky, Illinois, Missouri, Arkansas, and Louisiana, with distinction in his capacity as the Federal cochairman.

Under Chairman Johnson's leadership, the Delta Regional Authority has established successful Federal grant programs, as well as the Delta Leadership Institute, Healthy Delta, I-Delta, and the Delta Development Highway System, the Delta Doctors Program, and a multimodal system for the region.

Pete has proven himself to be an exemplary and proactive leader, and the far-reaching effects of his leadership are evidenced by the numerous Delta Regional Authority contributions to the region over the years. The Delta Regional Authority has leveraged limited Federal resources with other Federal, State, and local investments, resulting in over $434 million for 510 projects focused on economic development throughout the eight-state region. Over $1.5 billion of private funds has also been invested in these projects.

In addition, the implementation of the Delta Regional Authority Federal Grant Program has created 5,472 jobs, trained 3,315 individuals for jobs, and improved the water and sewer systems for 11,860 families in the area.

In Mississippi, we are very grateful for the outstanding service of Pete Johnson and his wife Margaret and for the sacrifices they have made to improve the economy and the quality of life in the delta region.●

ELGIN, NORTH DAKOTA

● Mr. CONRAD. Mr. President, today I wish to recognize a community in North Dakota that recently celebrated its 100th anniversary. On June 17–20, 2010, the residents of Elgin gathered to celebrate their community's history and founding.

Elgin, a Northern Pacific Railroad town site, was first named Shanley but became Elgin in 1910. The residents were having difficulty agreeing on a new name, and Isadore Gintzler is said to have looked at his pocket watch to check the time at a very late hour and suggested its brand name, Elgin, as a compromise name for the town site. The post office was established August 11, 1910. Elgin was incorporated as a village in 1911.

Some of the present day businesses and accommodations that continue to thrive within the city of Elgin include the Jacobson Memorial Hospital Care Center and Clinics, Dakota Hill Housing, a dentist, an eye clinic, a cafe and bowling alley, a grocery store, a hardware store, gas stations, a bank, accounting offices, a drug store, insurance agencies, a newspaper, the post office, a lumber yard, a motel, a new public library, and grain elevators.

Citizens of Elgin organized numerous activities to celebrate their centennial. Some of the activities included an opening ceremony, historical Power Point presentation, historical bus tour, musical entertainment, an alumni football game, a magician show, and an antique parade.

I ask the U.S. Senate to join me in congratulating Elgin, ND, and its residents on the first 100 years and in wishing them well through the next century. By honoring Elgin and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Elgin that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Elgin has a proud past and a bright future.●

WAKONDA, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I wish to pay tribute to the 125th anniversary of Wakonda, SD. The town calls itself ''The Good Life Town'' and I would have to agree. With a strong sense of community and a welcoming spirit, Wakonda is a wonderful place to call home.

Wakonda was founded when the North Western Railroad expanded its line in northwestern Clay County. Surveyors originally planned out the town, calling it Summit, but when negotiations on land price fell through, the town was moved southwest. The building crews stayed on local farms and completed their work by the end of the year. GEN William Beadle is credited with suggesting the name of Wakonda, a Santee Sioux word meaning ''wonderful.'' The town quickly sprouted, with many new businesses popping up in the coming years.

To celebrate Wakonda's historical achievement, the town will join together for a weekend of activities. With a golf tournament, kids carnival, and artistic exhibits, this town is sure to have a great time celebrating. I am proud to recognize Wakonda on reaching this milestone and wish them all the best in their future.●

FIRST STATE BALLET THEATRE

● Mr. KAUFMAN. Mr. President, it has been an honor to watch the arts blossom in the State of Delaware. One of the organizations leading this movement is the First State Ballet Theatre, which is celebrating 10 years of dedication and excellence in the art of dance.

The late choreographer Martha Graham once said:

> We look at the dance to impart the sensation of living in an affirmation of life, to energize the spectator into keener awareness of the vigor, the mystery, the humor, the variety, and the wonder of life. This is the function of the American dance.

Since the founding of the First State Ballet Theatre in 1999 by Pasha and Kristina Kambalov, it has been devoted to exposing Delawareans to dance. Through providing dance training and conducting education outreach, its audiences have learned much about the history and relevance of the art of dance.

The company's impressive 10-year run has brought a host of classical ballets, including favorite classics such as ''The Nutcracker'' and ''Swan Lake.'' The theatre has also been involved in vibrant productions such as ''Carmen,'' showing the depth and amazing talent present within the troupe. The theatre hosts a cast of talented dancers, who come long distances to perform throughout our State. The ballet company currently has a troupe of 15 talented resident dancers who star in a variety of productions.

The theatre has also attracted an outstanding group of master choreographers, who have created a diverse range of shows. They are led by artistic director Pasha Kambalov, school director Kristina Kambalov, and assistant artistic director Lev Assaouliak. Between them, these three have many years of experience in the art of dance and countless achievements, including performing in many impressive repertoires, and they were trained professionally in renowned schools of ballet. In 2006, the Kambalovs were honored with the Wilmington and Wilmingtonian Awards for their outstanding work improving the quality of life in the community.

As Delaware's only professional dance company, the First State Ballet Theatre has strived to help the arts flourish, and by doing so it has drawn both in-State and out-of-State audiences to its performances. By offering enticing productions that appeal to various sections of the population at affordable prices, the First State Ballet Theatre has inspired a whole new generation to become a part of the theatre's family. The theatre has also taught over 7,000 children about dance with the help of its talented and caring staff.

For 10 years, the First State Ballet Theatre has stood for excellence in the arts, and has treated its audiences to breathtaking and vibrant productions that have inspired the people of Delaware. The First State Ballet Theatre has been a great asset to my home State, and its accomplishments will inevitably continue to bring it success for years to come. Once again, I would like to congratulate the theatre on reaching this 10-year milestone.●

TRIBUTE TO ARKANSAS PROFESSIONALS

● Mrs. LINCOLN. Mr. President, today I recognize three Arkansans who have been recognized as leaders in their professions. These individuals represent the best of their fields, and I am proud of their accomplishments on behalf of our State.

Bobby J. Brooks has been named the 2009 Driver of the Year by the Arkansas Truckers Association.

Kevin McDaniel, vice president of production at O.K. Farms Inc. in Fort Smith, received the Poultry Federation's 2010 Industry Leader of the Year Award.

Kathy Manis Findley was named as the Nonprofit Executive of the Year for her work at Safe Places in Little Rock.

I commend these individuals for their hard work and dedication, as well as the work of all Arkansas professionals who strive to make our State better each and every day.●

TRIBUTE TO BASS REEVES

● Mrs. LINCOLN. Mr. President, today I pay tribute to an American hero, Arkansas native Bass Reeves, one of the first African-American U.S. Deputy Marshals west of the Mississippi River. He was one of the most respected lawmen who served the U.S. District Court for the Western District of Arkansas, which had criminal jurisdiction in the Indian Territory, the present State of Oklahoma. He captured more than 3,000 fugitives in his legendary career. Many scholars consider Bass Reeves to be one of the greatest frontier heroes in U.S. history.

Born into slavery in 1838 in Crawford County, AR, and then moved to Texas, Bass fled to Indian Territory during the Civil War and lived with the Seminole and Muscogee (Creek) Indians. Following emancipation, he settled near Van Buren, AR, to raise horses and start a family. He and his wife Nellie Jennie had 10 children: 5 boys and 5 girls.

In 1875, Isaac Parker was appointed U.S. district judge for the Western District of Arkansas, and Bass was recruited to serve as a Deputy U.S. Marshal. He stood 6′2″, weighed 180 pounds, and could shoot a pistol or rifle accurately with either hand. He was known for his toughness, intelligence, and detective skills, even though he could neither read nor write.

He arrested some of the most dangerous criminals of the time, repeatedly demonstrating honor and integrity. He had to stand trial himself and was imprisoned for 5 months on a false accusation of murder. Following acquittal, he returned to tracking down and arresting criminals.

Bass served the Federal courts in the Indian Territory for 32 years, from 1875 until 1907 when Oklahoma became a State. At age 68, he became a member of the Muskogee, OK, police department and served until his death from Brights disease on January 12, 1910.

Mr. President, I recognize Deputy U.S. Marshal Bass Reeves as a real American hero.●

TRIBUTE TO CAPTAIN JOHN B. NOWELL, JR.

● Mr. McCAIN. Mr. President, I would like to take a moment to recognize the extraordinary contributions of Captain John B. Nowell, Jr., U.S. Navy, to our Nation. Captain Nowell has served with exceptional distinction as the director, Navy Senate Liaison, a position of great responsibility, from August 2008 to June 2010.

Captain Nowell's service to our country began with his induction into the U.S. Naval Academy in the summer of 1980. Upon his graduation and commissioning in 1984, he started out on what would become a distinguished career as a talented and respected surface warfare officer—a career that continues today. His naval service has literally taken him around the world, as he has served on ships from the east coast to the west coast, from Africa to Japan, and all of the oceans and seas in between.

Recognizing the enormous talent and potential in him, the Navy rewarded Captain Nowell with command at sea, entrusting him with the leadership of the guided-missile destroyer USS *Porter* and her crew from April 2002 to December 2003. During this time, Captain Nowell was called upon to lead his crew into combat, surge-deploying for Operation Iraqi Freedom into the Fifth and Sixth Fleet Areas of Responsibility where the *Porter* conducted Tomahawk strikes and Theater Ballistic Missile Defense. The crew of the USS *Porter* earned numerous accolades during Captain Nowell's command, including the coveted Battle ''E'' Award.

Captain Nowell's success as a wartime commander at sea ultimately led to command an entire Destroyer Squadron and to assume the role of the maritime force commander for Joint Task Force Lebanon. However, the most telling vote of confidence in his ability to lead would surely be his selection to command the inaugural Africa Partnership Station deployment, a multinational force of ships, submarines, aircraft, expeditionary partnership teams, and land-based forces charged with building partnership capacity throughout the African continent.

Today, we say goodbye to Captain Nowell after nearly 2 years of extraordinary service as the Navy's lead liaison to the U.S. Senate. During this time he led 15 congressional and staff delegations to 30 countries, often being requested by name to facilitate visits to combat zones and fleet locations for the most senior-ranking delegations. As he departs for his next challenging assignment as the head of surface warfare assignments at Naval Personnel Command, I honor him for his service to our country, his inspirational leadership, and his irrepressible drive. I call upon my colleagues to join me in wishing ''fair winds and following seas'' to Captain Nowell, his wife Jo, and his children Katherine, Stephen, and John III, who will be following his father's legacy as a midshipman at the U.S. Naval Academy.●

ASSOCIATION FOR COMMUNITY AFFILIATED PLANS

● Mrs. MCCASKILL. Mr. President, a few months ago we completed debate on one of the most significant reforms of American health care in decades. As a result of that work we will see over 30 million Americans who haven't had access to health insurance gain that access. The law that we passed helps all Americans, but especially the most vulnerable, gain access to quality, affordable health insurance. Today I rise to recognize an organization that for 10 years has been similarly working to provide care for our Nation's most vulnerable citizens.

The Association for Community Affiliated Plans, ACAP, is a national trade organization representing 51 community-based health plans in 25 States, together covering over 7 million people. Its nonprofit Safety Net Health Plan members provide health coverage through public insurance programs, primarily Medicaid, Medicare, and the Children's Health Insurance Program, CHIP, delivering desperately needed health services to low-income and vulnerable Americans who would otherwise be uninsured. Coordinating with State and local governments, community groups and health care providers, ACAP plans, by delivering the services made possible by Medicaid, Medicare and CHIP, serve as a safety net for those who fall through the gaps in a system that largely relies on employer-provided or privately purchased coverage.

In 2000, 17 safety net plans, often started by community health centers who were serving uninsured and Medicaid patients, came together to form ACAP. In the ensuing decade ACAP plans have grown from covering 1 million people in 2000 to 7 million today. These plans, like Children's Mercy Family Health Partners in my home State of Missouri, remain deeply rooted in their communities, serving those who need help the most. Over 55,000 of my constituents receive their insurance from Children's Mercy Family Health Partners as they provide a critical safety net that makes a difference in Missouri.

I commend the Association for Community Affiliated Plans and its members for their service to our Nation's underserved populations, as well as congratulate them on their 10th anniversary of supporting the Nation's nonprofit Safety Net Health Plans.●

RECOGNIZING U.S. NAVAL ACADEMY CLASS OF 1970

● Ms. MIKULSKI. Mr. President, today I wish to express our deep gratitude for the inspirational leadership and outstanding service to our nation by the U.S. Naval Academy class of 1970. It has been an honor to support the Naval Academy in my capacity as a Senator from Maryland and as a member of the U.S. Naval Academy Board of Visitors for over 20 years. The Naval Academy has a proud history of developing excellence in education and personal character of our past and present, and continues to prepare and train the future leaders of our nation. I am so proud of the class of 1970 for exemplifying the high quality standards of the academy.

The Naval Academy class of 1970 started their journey as midshipmen in 1966, during the height of the Vietnam war. They volunteered for the job knowing that after graduation their roles as Navy and Marine Corps officers would be during difficult and demanding times for the U.S. military. That it was such a challenging time for our nation and our military did not deter them, it made them more determined. Their service and extraordinary spirit has enriched and sustained our Nation. I come to the floor today to ensure that their sacrifice and patriotism is remembered and celebrated.

From their graduation day on, the class of 1970 set a very high standard. Their accomplishments and careers are impressive. Members of this class fought valiantly in the Vietnam war, the gulf war and other conflicts during the last 40 years. They served in the air, on land and at sea. Members of the class of 1970 have served at the very highest level of our military. They served as commanding officers of warships, combatant commanders, and as the Vice Chairman of the Joint Chiefs of Staff. Twenty-four members of this class achieved flag or general officer rank.

Since their early years as midshipmen, they have given of themselves not just on the battlefield but also in their communities on the home front. Whether volunteering at the Boys Club and Big Brothers programs as midshipmen, teaching at our nation's military colleges or volunteering in their community they have generously contributed to the support of academics, ethics, character development, and leadership of our next generation.

Even more extraordinary than their time in uniform is the amount the members of this class have continued to give back since their military service ended. This remarkable class has continued to lead by example. They have worked to educate our children, support defense agencies, and to promote community services. Their accomplishments and achievements have reached the highest levels of government, industry, science, law, medicine, education, and religious vocations. Many have continued to fight for our freedom in their roles as leaders of corporations that are vital to our national defense. I admire the spirit of service and dedication to making our country and the world a better place.

The U.S. Naval Academy class of 1970 exemplifies the Navy ethos of ''Honor, Courage, and Commitment.'' These values have defined their commitment and dedication to the United States. Like many others before and after them, they have sacrificed long deployments, separation from loved ones, tests and trials that most Americans can't imagine. Some even sacrificed their life doing their duty. I know that new generations of midshipmen and future Naval and Marine Corps officers will be inspired by the rich heritage of service they have passed down to them.

As the U.S. Naval Academy class of 1970 gathers to mark forty years of service to our nation and to the U.S. Navy, Marine Corps, Air Force, Army, and Naval Academy, it is with great pleasure that I offer my gratitude for their service to our country.●

TRIBUTE TO MARY A. FRANCIS

● Ms. MURKOWSKI. Mr. President, today I pay tribute to an Alaskan who has devoted most of her adult life to education in Alaska. Dr. Mary A.

Francis will retire today, June 30, 2010, from her positions as the executive director of both the Alaska Council of School Administrators and the Association of Alaska School Administrators. Her leadership, advocacy, encouragement, and experience will be missed.

Mary's career in education began as an English teacher. Over the course of time, her skills and dedication brought her to different jobs in communities across Alaska. Her first assignment as an administrator was as curriculum director for the Lower Kuskokwim School District, a district that includes some of Alaska's most remote villages along the Kuskokwim River in southwest Alaska. Later, as assistant superintendent in Fairbanks, she experienced life ''in the big city''—a comparative term as Alaskan cities go. The bulk of her career, though, has been spent in southeast Alaska, as superintendent in Wrangell, a 12-year tenure as Petersburg's superintendent, and most recently 8 years in Juneau serving Alaska's school administrators.

It was in Petersburg where Mary's competence was recognized on the national stage when she was selected by her peers and recognized by the American Association of School Administrators as Alaska's Superintendent of the Year in 2000.

At the time of her retirement from Petersburg, Mary briefly considered spending her remaining years playing golf and enjoying life. She quickly realized that she would be bored stiff and accepted the position as executive director of the Alaska Council of School Administrators in 2002. This is not an easy job, as Mary was asked to represent the diverse perspectives of superintendents and other central office administrators, university professors, elementary and secondary principals, and school business officials. As executive director, Mary was also asked to assist these diverse member organizations to accomplish their mission: to provide leadership for and promotion of a collective professional voice in setting the educational agenda for Alaska. Throughout her tenure, Mary provided inspiration, authentic understanding, advocacy, and encouragement to the council as a whole as well as to its individual members.

Mary Francis has done this difficult job with grace, tact, firmness, and a sense of humor for 8 years. Mary noted, in announcing her resignation, ''There is never a good time to make a decision to leave a position. However, ACSA's financial position is sound and with a working Strategic Plan in place, the organization is on solid footing now and for the future.''

ACSA Board President Pete Swanson remarked, ''Dr. Francis' resignation has been accepted with reluctance by the Board. She will be sorely missed as she provides just the right balance of oversight for our board and the AASA board for whom she also serves in the Executive Director capacity. Her ability to advocate for and represent the school administrators of Alaska with the Legislature and many statewide committee forums is considerable. Dr. Francis leaves a legacy of working hard for the concerns and issues of Alaska's school administrators.''

On behalf of the countless educators whose lives she has touched, I extend my gratitude to Dr. Mary A. Francis for her selfless dedication to advancing the cause of education in Alaska and I wish her a happy, healthy, and exciting retirement.●

REMEMBERING CEDRIC ERROLL FLOWERS, JR.

● Mr. SHELBY. Mr. President, I wish to pay tribute to Cedric Erroll Flowers, Jr., my dear friend who passed away on May 25, 2010.

Cedric was born and raised in Sumter County, AL, where he attended Demopolis High School. There, he developed an interest in English literature and world history, as well as a passion for music. He devoted his ample talents to the piano and the clarinet, the latter of which he played for the Demopolis High School concert band. This is remarkable given his failing, and eventual loss of, eyesight. Despite his blindness, Cedric excelled in high school.

Following graduation from Demopolis High School in 1951, Cedric enrolled at the Alabama Institute for the Deaf and Blind where he pursued his love of music. Without eyes to guide him, Cedric studied and mastered the art of piano tuning by ear. It was also at the Alabama Institute for the Deaf and Blind where he met Sue Akel, whom he would later marry in 1962.

After earning his degree from the Alabama Institute for the Deaf and Blind, Cedric took his newly acquired skills to Savannah, GA, where he cared for all the pianos within the Chatham County and Savannah City Schools. In 1954, he came back to Alabama where he performed this same invaluable service for the concert series program at my alma mater, the University of Alabama.

In 1964, Cedric opened his own business, Flowers Piano Company. Known as the ''People Who Know Pianos,'' Flowers Piano Company began as a specialty piano retail store and a service-based enterprise. For many years, Cedric, who was also instrumental in founding the Tuscaloosa Music Merchants Association, served as the exclusive local dealer of high-end pianos in the Tuscaloosa area. As his business flourished, Cedric expanded the store's inventory to include band instruments and sheet music and offer beginner piano lessons.

Cedric's passion for tending to pianos did not cease with the establishment of his company. His skills as a Master Concert Tuner/Technician served the Piano Technicians Guild and the National Association of Music Merchants well. In fact, while continuing to serve and provide equipment to the University of Alabama, he worked with artists and musical groups who performed in and around Tuscaloosa and Birmingham. His expertise and precision benefitted music and entertainment throughout Tuscaloosa and Jefferson Counties.

Cedric also served the Tuscaloosa community as a deacon at the First Presbyterian Church of Tuscaloosa and a volunteer for many music and art-related endeavors and causes.

A faithful member of the University of Alabama family, Cedric never missed game day play-by-play radio coverage of the Crimson Tide. I can only imagine how happy he was to hear the sweet sound of the Million Dollar Band playing ''Yea, Alabama'' in the Rose Bowl following the Tide's BCS National Championship victory this past January.

I was fortunate to have known Cedric during his time here, and I mourn his passing. He is loved and respected throughout our community and will be missed by his beloved wife of 47 years, Sue, and his daughter, Marcia. I ask the entire Senate to join me in recognizing and honoring the life of my friend, Cedric Erroll Flowers, Jr.●

RECOGNIZING GERALD PELLETIER INC.

● Ms. SNOWE. Mr. President, this summer, thousands of Mainers and Americans will be drawn to the town of Millinocket to enjoy the natural beauty of Maine's outdoors. This year, however, they will also have the opportunity to enjoy the bountiful meals provided by the Pelletier family at the Pelletier Loggers Family Restaurant. Besides serving up hearty Maine cooking to locals and tourists alike, the Pelletier family performs the herculean task of delivering many thousands of cords of firewood each year to the people of Maine through their extensive logging operations. As such, I rise today to honor the Pelletier family and their small business, Gerald Pelletier, Inc., which has continued to embrace the spirit of entrepreneurship by providing critical jobs to rural Mainers as well as serving the people of our State for over 50 years.

What began as a log hauling operation in 1954 by a father that wanted to put extra food on the table during the winter months, eventually developed into a successful logging operation employing family members and dozens of Mainers alike. Gerald Pelletier Inc., produces over 200,000 cords of firewood each year, much of which is hauled over the Golden Road, a treacherous logging highway cutting through the Maine woods to the Canadian border. The company's logging operation is carried out with the utmost care thanks to the training many of the workers receive through the Certified Logging Professionals program, which trains and certifies loggers in safe, efficient, and environmentally sound logging practices. The company is also a

member of the Sustainable Forestry Initiative, the Maine Forest Products Council, and the Professional Logging Contractors of Maine. Today, with brothers Eldon and Rudy Pelletier at the helm, Gerald Pelletier Inc. has over 100 employees during the frigid winter months that, in addition to logging, build and maintain roads and bridges throughout Maine.

Gerald Pelletier Inc. has become a very attractive operation thanks in large part to the television show American Loggers, which airs on the Discovery Channel. This popular show has catapulted the company into a bright spotlight, and thrust the family into a form of reality-stardom. Produced by a native son of Maine, the show portrays the struggles and successes of the family as it continues its work in one of Maine's most remarkable and historic industries.

With this newfound nationwide appeal, Gerald Pelletier Inc. was recently able to undertake another entrepreneurial endeavor, the Pelletier Loggers Family Restaurant in Millinocket. Their restaurant serves up hearty Maine meals prepared from scratch to an array of locals and visitors alike. Customers can order from a wide variety of creatively titled menu items like the Moose on the Loose, a 10 oz. filet mignon, or for those interested in sampling fresh seafood, the Triple Trailer, which is a seafood medley of lobster, scallops and shrimp.

While at the restaurant, customers from across the country can also get a true visual taste of the Maine logging experience. In front of the building, a tractor trailer truck can be seen bursting from the second floor. Inside, various tools used in the logging trade adorn the walls, including a rugged chainsaw that is stuck through one of the beams. Clearly, the Pelletiers have invested a great deal of effort in providing visitors with a thorough and fulfilling traditional experience.

Truly, Gerald Pelletier Inc. embodies the entrepreneurial spirit that makes America so great. The Pelletier family has shown that a small business can succeed through hard work and personal sacrifice. I extend my congratulations to Rudy and Eldon Pelletier, the two coowners, and everyone at Gerald Pelletier Inc. for their remarkable enterprises, and offer my best wishes for their future success.●

TRIBUTE TO LYDIA SAND

● Mr. THUNE. Mr. President, today I recognize Lydia Sand, an intern in my Sioux Falls, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Lydia is a graduate of Washington High School in Sioux Falls, SD. Currently, she is attending Bethel University, where she is majoring in international relations. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Lydia for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGES FROM THE HOUSE

At 10 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5552. An act to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

ENROLLED JOINT RESOLUTION SIGNED

At 10:20 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 33. Joint resolution to provide for the reconsideration and revisions of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

The joint resolution was subsequently signed by the President pro tempore (Mr. INOUYE).

At 11:25 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 65. Concurrent resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable Robert C. Byrd, late a Senator from the State of West Virginia.

At 3:44 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 293. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the LI Senate.

At 7:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5623. An act to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5552. An act to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, June 30, 2010, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 33. Joint resolution to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

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–6467. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Reimbursement Transportation Cost Payment Program for Geographically Disadvantaged Farmers and Ranchers'' (RIN0560–AI08) received in the Office of the President of the Senate on June 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6468. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ethiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC–6469. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Correspondence with the United States Patent and Trademark Office'' (RIN0651–AC08) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6470. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition and Removal of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States; Removal of Person Based on Removal Request''

(RIN0694–AE92) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6471. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Multiyear Contract Authority for Electricity from Renewable Energy Sources'' (DFARS Case 2008–D006) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Energy and Natural Resources.

EC–6472. A communication from the Acting Chair of the Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska—2010–11 and 2011–12 Subsistence Taking of Wildlife Regulations; Subsistence Taking of Fish on the Yukon River Regulations'' (RIN1018–AW30) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC–6473. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Listing the Flying Earwig Hawaiian Damselfly and Pacific Hawaiian Damselfly as Endangered Throughout Their Ranges'' (RIN1018–AV47) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC–6474. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Changes in the Regulations Governing Migratory Bird Rehabilitation'' (RIN1018–AX09) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC–6475. 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 ''Extended Carryback of Losses to or from a Consolidated Group'' ((TD 9490) (RIN1545–BJ12)) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC–6476. 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 ''Disaster Relief'' (Notice No. 2010–48) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC–6477. 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 ''Patient Protection and Affordable Care Act: Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections'' ((TD 9491) (RIN1545–BJ61)) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC–6478. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, the Agency's response to the GAO report entitled ''Information Security: Agencies Need to Implement Federal Desktop Core Configuration Requirements''; to the Committee on Foreign Relations.

EC–6479. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Patient Protection and Affordable Care Act: Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections; Interim Final Rule'' (RIN1210–AB43) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6480. A communication from the Assistant General Counsel for Regulatory Services, Office of Management, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Availability of Information to the Public'' (RIN1880–AA84) received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6481. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research and Training Centers (RRTCs)—Improved Outcomes for Individuals with Psychiatric Disabilities'' (CFDA No. 84.133B–5) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6482. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Dental Devices: Classification of Dental Amalgam, Reclassification of Dental Mercury, Designation of Special Controls for Dental Amalgam, Mercury, and Amalgam Alloy; Technical Amendments'' (Docket No. FDA–2008–N–0163) received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6483. A communication from the Program Manager, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Rules Under the Patient Protection and Affordable Care Act Regarding Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Prohibition on Discrimination in Favor of the Highly Compensated, and Patient Protections'' (RIN0991–AB69) received in the Office of the President of the Senate on June 23, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6484. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6485. A communication from the Assistant General Counsel for Regulations, Office of Safe and Drug-Free Schools, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Carol M. White Physical Education Program; Catalog of Federal Domestic Assistance (CFDA) Number 84.215F'' received in the Office of the President of the Senate on June 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6486. A communication from the Acting Director of Interpretations and Regulatory Affairs Division, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Child Labor Regulations, Orders and Statements of Interpretation'' (RIN1215–AB70 and RIN1245–AA00) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6487. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Bismuth Citrate; Confirmation of Effective Date'' (Docket No. FDA–2008–C–0098) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6488. A communication from the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, the fiscal year 2009 performance report to Congress relative to the Animal Generic Drug User Fee Act; to the Committee on Health, Education, Labor, and Pensions.

EC–6489. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's Annual Railroad Unemployment Insurance System Report; to the Committee on Health, Education, Labor, and Pensions.

EC–6490. A communication from the Deputy Archivist, Information Security Oversight Office, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Classified National Security Information'' (RIN3095–AB63) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6491. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Office's Federal Activities Inventory Reform Act Inventory Summary as of June 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6492. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to the GAO report entitled ''Information Security: Agencies Need to Implement Federal Desktop Core Configuration Requirements (FDCC)''; to the Committee on Homeland Security and Governmental Affairs.

EC–6493. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010–0978); to the Committee on the Judiciary.

EC–6494. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Administrative Remedy Program: Exception to Initial Filing Procedures'' (RIN1120–AB59) received in the Office of the President of the Senate on June 29, 2010; to the Committee on the Judiciary.

EC–6495. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Trademark Technical and Conforming Amendments'' (RIN0651–AC39) received in the Office of the President of the Senate on June 25, 2010; to the Committee on the Judiciary.

EC–6496. A communication from the Deputy General Counsel, Office of Disaster Assistance, Small Business Administration,

transmitting, pursuant to law, the report of a rule entitled ''Disaster Assistance Loan Program'' (RIN3245–AF98) as received in the Office of the President of the Senate on June 25, 2010; to the Committee on Small Business and Entrepreneurship.

EC–6497. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''1-Naphthaleneacetic Acid; Time-Limited Tolerance, Technical Correction'' (FRL No. 8831–6) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6498. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to two violations of the Antideficiency Act that occurred within the Department of the Army and was assigned case numbers 06–03 and 07–03; to the Committee on Appropriations.

EC–6499. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10–008, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–6500. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10–056, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–6501. A communication from the Acting Chairman of the Joint Chiefs of Staff, transmitting, pursuant to law, two reports relative to terrorist threats to military installations; to the Committee on Armed Services.

EC–6502. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the operations of the National Defense Stockpile (NDS); to the Committee on Armed Services.

EC–6503. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report on the remaining obstacles to the efficient and timely circulation of $1 coins; to the Committee on Banking, Housing, and Urban Affairs.

EC–6504. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, a report on the Bank's system of internal controls for fiscal year 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–6505. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of New Export Control Classification Number 6A981 Passive Infrasound Sensors to the Commerce Control List of the Export Administration Regulations, and Related Amendments'' (RIN0694–AE44) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6506. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Annular Casing Pressure Management for Offshore Wells'' (RIN1010–AD47) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Energy and Natural Resources.

EC–6507. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Office of Management and Budget (OMB) Approvals Under the Paperwork Reduction Act; Technical Amendment'' (FRL No. 8833–7) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6508. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries'' (FRL No. 9169–7) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6509. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines'' (FRL No. 9169–6) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6510. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard Program'' (FRL No. 9169–9) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6511. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; California; Motor Vehicle Inspection and Maintenance Program'' (FRL No. 9112–8) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6512. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Iowa'' (FRL No. 9170–6) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6513. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Temporary Suspension of Certain Oil Spill Response Time Requirements to Support Deepwater Horizon Oil Spill of National Significance (SONS) Response'' (RIN1625–AB49 and RIN2050–AG63) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6514. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to California State Implementation Plan, Imperial County Air Pollution Control District'' (FRL No. 9169–2) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Environment and Public Works.

EC–6515. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Finding of Attainment for PM10 for the Mendenhall Valley PM10 Nonattainment Area, Alaska'' (FRL No. 9171–4) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committee were submitted:

By Mr. KERRY, from the Committee on Foreign Relations:

[Treaty Doc. 111–1 Tax Convention with Malta with 1 declaration (Ex . Rept. 111–3); and Treaty Doc. 111–3 Protocol Amending Tax Convention with New Zealand with 1 declaration (Ex. Rept. 111–4)]

The text of the committee-recommended resolutions of advice and consent to ratification are as follows:

111–1: TAX CONVENTION WITH MALTA

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Convention Between the Government of the United States of America and the Government of Malta for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on August 8, 2008, at Valletta (the ''Convention'') (Treaty Doc. 111–1), subject to the declaration of section 2.

Section 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration:

The Convention is self-executing.

111–3: PROTOCOL AMENDING TAX CONVENTION WITH NEW ZEALAND

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Protocol Amending the Convention between the United States of America and New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on December 1, 2008, at Washington (the ''Protocol'') (Treaty Doc. 111–3), subject to the declaration of section 2.

Section 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration:

The Protocol is self-executing.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. LINCOLN for the Committee on Agriculture, Nutrition, and Forestry.

*Elisabeth Ann Hagen, of Virginia, to be Under Secretary of Agriculture for Food Safety.

*Sara Louise Faivre-Davis, of Texas, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

*Lowell Lee Junkins, of Iowa, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

*Myles J. Watts, of Montana, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

*Catherine E. Woteki, of the District of Columbia, to be Under Secretary of Agriculture for Research, Education, and Economics.

By Mr. BAUCUS for the Committee on Finance.

*Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade.

*Richard Sorian, of New York, to be an Assistant Secretary of Health and Human Services.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN of Massachusetts:

S. 3551. A bill to provide a fully offset extension of emergency unemployment insurance assistance, enhanced Medicaid FMAP reimbursements, and summer employment for youth, and for other purposes; to the Committee on Finance.

By Mr. ENSIGN (for himself, Mr. REID, Mr. HATCH, Mr. BEGICH, and Mr. BENNETT):

S. 3552. A bill to require an Air Force study on the threats to, and sustainability of, the air test and training range infrastructure; to the Committee on Armed Services.

By Ms. STABENOW (for herself, Mr. DURBIN, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. LEVIN, Mr. BROWN of Ohio, Mr. FRANKEN, Mr. BURRIS, Mrs. GILLIBRAND, and Mr. CASEY):

S. 3553. A bill to require the Secretary of the Army to study the feasibility of the hydrological separation of the Great Lakes and Mississippi River Basins; to the Committee on Environment and Public Works.

By Mr. MENENDEZ:

S. 3554. A bill to direct the Federal Trade Commission to promulgate rules prohibiting deceptive advertising of abortion services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON (for himself and Mr. THUNE):

S. 3555. A bill to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the ''Andrew W. Bogue Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. BROWNBACK (for himself and Mr. BOND):

S. 3556. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard; to the Committee on Finance.

By Mr. DODD (for himself, Mr. DURBIN, and Mr. KERRY):

S. 3557. A bill to provide for Kindergarten Plus programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD:

S. 3558. A bill to improve the No Child Left Behind Act of 2001, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD:

S. 3559. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mrs. GILLIBRAND):

S. 3560. A bill to instruct the Secretary of State to designate the Pakistani Taliban as a foreign terrorist organization; to the Committee on Foreign Relations.

By Mr. UDALL of New Mexico (for himself and Mr. WHITEHOUSE):

S. 3561. A bill to establish centers of excellence for green infrastructure, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON of Nebraska:

S. 3562. A bill to rename the Homestead National Monument of America near Beatrice, Nebraska, as the Homestead National Historical Park; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. BOND, and Mr. BAYH):

S. 3563. A bill to amend the Small Business Act to temporarily designate as a HUBZone counties that are most affected by a recession; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself and Mr. DEMINT):

S. Res. 575. A resolution congratulating the University of South Carolina baseball team for winning the 2010 NCAA Division I Baseball National Championship; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 576. A resolution expressing support for designation of June 30, 2010, as ''National ESIGN Day 2010''; considered and agreed to.

By Ms. MIKULSKI (for herself and Mr. CARDIN):

S. Res. 577. A resolution commemorating the remarkable life of patriotism, conviction, and compassion led by Chaplain Henry Vinton Plummer; considered and agreed to.

By Mr. BROWN of Ohio (for himself, Mr. LUGAR, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BENNET, Mr. COCHRAN, Mr. BAUCUS, and Mr. CASEY):

S. Res. 578. A resolution designating June 2010 as ''Summer Food Service Program Awareness Month''; considered and agreed to.

By Mr. WARNER (for himself, Mr. WEBB, Mrs. HAGAN, and Mr. BURR):

S. Con. Res. 66. A concurrent resolution to commemorate the 75th anniversary of the Blue Ridge Parkway; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself and Mrs. SHAHEEN):

S. Con. Res. 67. A concurrent resolution celebrating 130 years of United States—Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally; considered and agreed to.

ADDITIONAL COSPONSORS

S. 931

At the request of Mr. FEINGOLD, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 931, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1382

At the request of Mr. DODD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1489

At the request of Ms. SNOWE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1489, a bill to amend the Small Business Act to create parity among small business contracting programs, and for other purposes.

S. 1624

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1624, a bill to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, and for other purposes.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2765

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2765, a bill to amend the Small Business Act to authorize loan guarantees for health information technology.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 2995

At the request of Mr. CARPER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2995, a bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector.

S. 2998

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2998, a bill to temporarily expand the V nonimmigrant visa category to include Haitians whose petition for a family-sponsored immigrant visa was approved on or before January 12, 2010.

S. 3034

At the request of Mr. SCHUMER, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3062

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 3062, a bill to extend credits related to the production of electricity from offshore wind, and for other purposes.

S. 3073

At the request of Mr. VOINOVICH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3073, a bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Program.

S. 3260

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3260, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3462

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3462, a bill to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes.

S. 3497

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3497, a bill to amend the Outer Continental Shelf Lands Act to require leases entered into under that Act to include a plan that describes the means and timeline for containment and termination of an ongoing discharge of oil, and for other purposes.

S. 3549

At the request of Mr. TESTER, the names of the Senator from Delaware (Mr. CARPER), the Senator from North Carolina (Mrs. HAGAN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 3549, a bill to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

S.J. RES. 29

At the request of Mrs. FEINSTEIN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S.J. Res. 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. CON. RES. 63

At the request of Mr. JOHNSON, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. Con. Res. 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

AMENDMENT NO. 4425

At the request of Mr. ROCKEFELLER, his name was added as a cosponsor of amendment No. 4425 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4430

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 4430 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BROWN of Massachusetts:

S. 3551. A bill to provide a fully offset extension of emergency unemployment insurance assistance, enhanced Medicaid FMAP reimbursements, and summer employment for youth, and for other purposes; to the Committee on Finance.

Mr. BROWN of Massachusetts. Mr. President, I rise to speak about legislation that I have introduced today in the Senate. The name of the bill is the Fiscally Responsible Relief for Our States Act of 2010.

As you know, over the past week, the Senate has vigorously debated three different versions of the extenders bill, and we will be debating a version of it again today. Even though it is true each of these packages contained extensions of programs important to all of our constituents, especially in these tough economic times—such as emergency unemployment benefits, which I know we are trying to work on again today; increased FMAP reimbursements; and funding for summer jobs for the youth throughout America—it is also true that each of these packages contained billions of dollars of tax increases for businesses, and each added billions to our record $13 trillion and rising national debt which our kids and grandkids and great-grandchildren will have a difficult time paying back, and they will have the responsibility to pay it back.

A lot of what I am proposing today in this bill, and other bills that we will probably be discussing, is whether we should use our bank account or we should put it on our credit card. That is all we are talking about. We are not talking about the viability of these proposals. Of course we want to help with summer jobs. Of course we want to help people who are hurting with unemployment insurance. Of course we want to provide FMAP and Medicaid reimbursements to help our struggling States. But do we use our checking account or do we use the credit card? I am in favor of using the checking account by using unallocated stimulus dollars, by finding other monies that are in the so-called slush funds that haven't been used in years or are still available or cutting across the board in various entities to come up with the money we need to fund these programs.

As I said, no one is disputing the value of these very important programs, especially in my home State of

Massachusetts, but throughout the country as well. Our economy has shown signs of slowly recovering, but people out of work certainly need some help to search for new employment and, as I said, States need help in providing funding for some of the most vulnerable in our population. But we also have to make tough choices, and we have to live within our means.

It is clear the American people want their elected Representatives in Congress to start paying for the initiatives and start exercising the type of fiscal responsibility as each and every citizen in Massachusetts and in America is already doing. They are looking to us for guidance to show a better way. They are challenging us to do it better, to look outside the box and pay for things with the checking account, not the credit card; to not continue to add to the debt, continuously adding to the debt.

As evidenced by what the Banking Committee chairman did—and he is sitting in the Chamber of the Senate—they thought about it a little better. They found a way to pay for the financial reform bill. They did better. They thought outside the box. Why can't we do the same?

Today I introduce the Fiscally Responsible Relief for Our States Act of 2010. It provides for an extension of emergency unemployment benefits through November 30, 2010. It also includes extension of enhanced FMAP reimbursements for States. But also, as has been previously discussed, it includes the gradual drawdown of the enhanced funding because we need to send a clear message to the State governments that they must get their own fiscal houses in order and they cannot always come to the Federal Government with a can saying: Please help us. So we need to ensure that we do the necessary reforms to ensure their future budgetary viability is real and so is that of the Federal Government.

Last, this proposal I am making provides important summer jobs—obviously summer is just starting—for the youth in our cities and towns.

The cost of extending these programs is fully paid for through the rescission of unobligated Federal funds including stimulus funding as well as cuts in other areas. In fact, my legislation reduces the deficit, all of this accomplished without raising taxes on businesses at a time they cannot afford it, or when our economy is just about to recover, putting more and more burdens on businesses and individuals in the middle of a 2-year recession. Some of these pay-fors are even provisions the majority party has supported in previous bills.

My legislation is an attempt to compromise, listening to the concerns of so many Americans who have called for us to extend these programs but also taking into consideration not burdening future generations. Some of them are sitting right here. It will allow us to provide for the needs of our citizens without putting more debt on the credit card. Once again, it is the checking account versus the credit card. Commending Senator DODD for what they did with the bill we are going to be discussing next week, that is a perfect example of thinking outside the box and finding a way to pay for a lot of these things we are trying to do. If we use these commonsense steps, we can get our fiscal house in order, and we will continue to put our country on the path to recovery.

Madam President, I have great respect for you and everyone in this Chamber. I have been in Washington a little over 5 months now. I have been following you and others—it seems that everybody is following my voting record. It speaks for itself in that I worked to work across party lines to solve problems. But the thing that is a problem is, it needs to be a two-way street. Bipartisanship is not just from the new Senator from Massachusetts. It needs to be with the majority party looking outside the box, as Senator DODD and his team did, to find a realistic solution to pay for a lot of these things the people are requesting, that they expect. But they also expect us to use fiscal sanity and fiscal responsibility to do our very best, to get the job done. It is not only good for Massachusetts, it is good for this Nation.

By Mr. DODD (for himself, Mr. DURBIN, and Mr. KERRY):

S. 3557. A bill to provide for Kindergarten Plus programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today to reintroduce legislation to jump-start the chances for success of low-income children entering school. Today, I am introducing the Sandy Feldman Kindergarten Plus Act of 2010.

The Kindergarten Plus Act will provide children below 185 percent of the poverty line with additional time in school during the summers before and after the traditional kindergarten school year to ensure more children enter school ready to succeed.

Too many low-income children enter school unprepared because they have not had the same resources as their more affluent peers. As exhibited by the nation's achievement gap which is already well-established prior to kindergarten, it becomes difficult for them to ever catch-up.

We must do a better job of preparing less fortunate children for school. To do this, we should expose them to classroom practices, introduce them to critical educational concepts, and familiarize them with school activities such as story time or circle time. Ultimately, we need to provide them with a solid foundation that allows them to enter school with the skills necessary to become strong students.

Only 39 percent of low-income children, compared to about 85 percent of high-income children, can recognize letters of the alphabet upon arrival in kindergarten. Moreover, low-income children often have a more limited vocabulary. By the time they are in first grade, children in low-income families have on average 5,000 words in their vocabulary. In contrast, children from more affluent families enter school with vocabularies of about 20,000 words. These startling discrepancies should tell us that more needs to be done to help all children enter school with an equal opportunity for success. This legislation strives to provide these opportunities and to lessen the achievement gap by giving low-income children more support and exposure to quality education.

This legislation was named after Sandy Feldman who was a tireless advocate for children and public education. Her commitment to social justice and her focus on early childhood education led her to develop the concept for this legislation, and it was Sandy who spent countless hours developing the details to ensure this would be a high-quality initiative.

This bill is supported by the American Federation of Teachers. I urge my colleagues to join this effort and cosponsor this legislation. I encourage them to help give low-income children a jump-start on school success. .

By Mr. DODD:

S. 3558. A bill to improve the No Child Left Behind Act of 2001, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, 9 years ago I and many of my colleagues supported the No Child Left Behind Act because every American child deserves an education that opens up opportunities for success and prepares him or her for the 21st century economy.

Today, because the high hopes we had for this law have not been realized, I rise to reintroduce the No Child Left Behind Reform Act.

The objective of the law we passed nearly a decade ago was the right one. Students, parents, teachers, principals, and other stakeholders all agree that educators and schools should be held accountable for the results they are getting on behalf of our children.

But instead of rewarding excellence, No Child Left Behind has turned out to be a law that punishes our schools, further straining those that already were in need of help. At times, the law has been implemented rigidly and with little regard for what is actually going on in schools. The previous administration's repeated failure to live up to funding promises has robbed our efforts to improve our education system of the resources that would make success possible.

We can have accountability without a regime of draconian punishments for schools that fall behind. What we cannot have is an inflexible and unfunded mandate that fails school districts, teachers, and, worst of all, the very students whose futures are at stake.

Although the legislation I am introducing today does not deal with the issue of funding, I do want to note that it simply will not work if we treat education as anything less than an urgent budget priority. This administration has made a solid commitment to education funding, and I was pleased to see that commitment bear fruit in the form of funding through the Recovery Act.

I am also heartened to see that the administration supports comprehensive reform of No Child Left Behind. Reform does not mean repeal. The fundamental aim of the law was right. Accountability is as important now as it was when we passed the law.

The two main reforms my legislation makes are designed to enforce accountability with measures that accurately reflect student performance and to encourage better teacher performance without the imposition of mandates that make it harder to ensure that students are taught by qualified and dedicated educators.

First, my legislation will allow schools to be given credit for performing well on measures other than test scores when calculating student achievement.

Test scores are important measures of what students know. But they are not the only, or even necessarily the best, measures of how much progress a school's student body has made. Dropout rates, participation in advanced placement courses, individual student improvement over time—these are metrics that can tell us not just where students are, but how far they have come.

Unfortunately, current law only allows these measures to show how schools are failing, not to reflect how schools are succeeding. When more kids are taking advanced courses or fewer are dropping out, a school is doing something right—and it should receive credit for doing so.

Second, my legislation reforms the teacher certification process.

The next student, parent, or, indeed, teacher I meet who does not believe educators should be highly qualified will be the first. But under the current law, ''highly qualified'' is poorly defined.

For instance, a high school science teacher could be required to hold degrees in biology, physics, and chemistry to be considered highly qualified. In small schools where there may be only one 7th or 8th grade teacher teaching all subjects, these teachers could similarly be required to hold degrees in every subject area.

The result is a shortage of teachers and a surplus of confusion.

My bill will allow states to create a single assessment covering multiple subjects for middle school teachers and allow states to issue a broad certification for science and social studies.

No Child Left Behind was supposed to challenge our schools to do better. Instead, it has become an obstacle to progress, a struggle that often distracts from the business of education. As we reauthorize the law—and we should—we must reform it so that it encourages students, educators, and school administrators to do better instead of punishing them when they fall behind.

Every American child deserves to be taught by a great teacher in a great school. Until we reach that goal, we must always dedicate our time and resources towards helping students succeed. Until our laws are moving us towards that goal, we must continue to reform them.

I urge my colleagues to join me in supporting this important legislation.

By Mr. DODD:

S. 3559. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, today I rise to introduce the Mentoring America's Children Act of 2010, which will help promote positive youth development for children.

Approximately 17.6 million young people, which is nearly half the population between ages 10 and 18, live in situations that put them at risk of not living up to their potential. Without intervention by caring adults, these young people could make choices that undermine their future as well as the economic and social well-being of our Nation.

Mentoring programs that provide youth with support, advice, friendship, positive reinforcement, and constructive examples have proved to be a powerful tool for enhancing positive development among youth. I, myself, was a mentor in the Big Brother Program in Connecticut, and I saw first-hand the impact these programs have on the children involved. Research has found that mentored youth have fewer school absences, better attitudes towards school, less drug and alcohol abuse, fewer incidents of hitting, better relationships with their parents, and more positive attitudes towards helping others. Mentored youth are also more likely to graduate from high school and go on to higher education. Thus, mentoring invests not only in the individual child, but our Nation's future success. However, approximately 14.6 million young people are in need of mentors; they are part of what we call our nation's ''mentoring gap.''

The Mentoring America's Children Act of 2010 amends the Elementary and Secondary Education Act of 1965 ESEA, in order to strengthen the mentoring program is several ways. First, it will update the purpose of the program to include character education and school connectedness, which has been found to reduce school absentee rates and improve academic performance. This bill broadens the scope of mentoring to include special populations such as indigenous youth, delinquent and neglected populations, and programs targeting middle and high school migrant youth. All of these special populations are at increased risk of not reaching their potential.

The Mentoring America's Children Act of 2010 also provides training and technical assistance to grantees, tracks student outcomes, and improves the sustainability of grant recipients. Finally, it strengthens the research related to school-based mentoring to help inform future mentoring programs in order to best meet the needs of our youth.

Mentoring plays a key role in improving the lives of youth, especially those from disadvantaged backgrounds. It is critical that we invest in our youth and help provide them with the opportunities to reach their potential. Thus, I urge my colleagues to join me in supporting the Mentoring America's Children Act of 2010. Together we can invest in the lives of our youth and improve the future of our nation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 575—CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA BASEBALL TEAM FOR WINNING THE 2010 NCAA DIVISION I BASEBALL NATIONAL CHAMPIONSHIP

Mr. GRAHAM (for himself and Mr. DEMINT) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 575

Whereas on June 29, 2010, the University of South Carolina Gamecocks won the 2010 NCAA College World Series with a 2-to-1 victory over the University of California, Los Angeles Bruins at Johnny Rosenblatt Stadium in Omaha, Nebraska;

Whereas the University of South Carolina baseball team has secured the University's first national championship in men's athletics since the founding of the institution in 1801;

Whereas the University of South Carolina baseball team won six straight games to win the national championship in the ninth appearance of the team at the College World Series;

Whereas the University of South Carolina Gamecocks won the final College World Series hosted at the historic Johnny Rosenblatt Stadium, which has hosted the College World Series since 1950;

Whereas Head Coach Ray Tanner has won his first national title as Head Coach in his fourteenth season at the University of South Carolina;

Whereas outfielder Jackie Bradley, Jr. was named Most Outstanding Player of the 2010 College World Series;

Whereas first baseman Christian Walker, outfielder Jackie Bradley, Jr., outfielder Evan Marzilli, and designated hitter Brady Thomas were named to the 2010 College World Series All-Tournament Team;

Whereas the State of South Carolina was proud to send two home teams, the University of South Carolina and Clemson University, to the 2010 College World Series; and

Whereas the University of South Carolina Gamecocks baseball team is the 2010 National Champion: Now, therefore, be it

Resolved, That the Senate—

(1) commends that University of South Carolina Gamecocks for winning the 2010 NCAA College World Series;

(2) recognizes the achievement and dedication of all players, coaches, and support staff who made winning the national championship possible;

(3) congratulates the citizens of South Carolina, the University of South Carolina, and Carolina Gamecock fans everywhere; and

(4) requests that the Secretary of the Senate submit an enrolled copy of this resolution to—

(A) Dr. Harris Pastides, President of the University of South Carolina;

(B) Eric Hyman, Director of Athletics at the University of South Carolina; and

(C) Ray Tanner, Head Coach of the University of South Carolina baseball team.

Mr. GRAHAM. Mr. President, I rise to celebrate tonight that last night the University of South Carolina won the College World Series. I never thought I would live long enough to hear myself say that.

I have been a Gamecocks fan since high school. I went to the University of South Carolina, and there is no group of people who loves sports and their university more than the University of South Carolina, but we have been a long-suffering group.

We have been waiting for next year every year I can remember, and we have knocked on the door and the door has never opened. But this group of young men and Coach Tanner of the University of South Carolina baseball team were down and out, one strike away from elimination, lost the first game, and made it all the way through to beat great teams such as Clemson. Last night's game, if you watched it—it was over about 12:30—was a nail-biter. It was probably the best example of college baseball I have ever seen, amateur athletics. And what a fitting tribute to Rosenblatt Stadium for that to be the last game. It was a well-played game. To the opponents at UCLA, I know your heart was broken, but you acquitted yourself well.

I rise on behalf of the University of South Carolina, my alma mater, and the State of South Carolina to let people in South Carolina and throughout the country know that we finally did it, that this group of young men pitched incredibly well, had timely hits, and never gave up. It was about a lot more than baseball to the people in South Carolina. To those who have been following Gamecock sports, there is the legend of the chicken curse, that our mascot is a gamecock fighting chicken and we have been cursed because of that. I am here to tell you on the Senate floor tonight that the chicken curse is over. Long live the Gamecock Nation.

To my friends at Clemson—I live 5 miles away from the baseball stadium at Clemson University—your day is coming. It won't be long before I will be able to take this floor and celebrate Clemson University's winning of the College World Series.

Upon the passing of ROBERT C. BYRD, this body and this country has lost a great public servant.

To the people of South Carolina, we have something to be proud of.

As we go into the holiday season—the July 4th holiday is right around the corner—let's remember what it is all about: the birth of our Nation. I will be going to Afghanistan and Iraq, having the Fourth of July celebration with our troops. I ask every American to keep them in their prayers because what we are going to do on the Fourth of July, being with our family and friends, is only made possible because of their sacrifice.

Mr. President, I wish you and your family a great holiday.

SENATE RESOLUTION 576—EXPRESSING SUPPORT FOR DESIGNATION OF JUNE 30, 2010, AS ''NATIONAL ESIGN DAY 2010''

Mrs. MURRAY (for herself and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 576

Whereas the Electronic Signatures in Global and National Commerce Act (ESIGN) (15 U.S.C. 7001 et seq.) was enacted on June 30, 2000, to ensure that a signature, contract, or other record relating to a transaction may not be denied legal effect, validity, or enforceability solely because the signature, contract, or other record is in electronic form;

Whereas in that Act, Congress directed the Secretary of Commerce to take all actions necessary to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, for the purpose of facilitating the development of interstate and foreign commerce; and

Whereas June 30, 2010, marks the 10th anniversary of the enactment of ESIGN and would be an appropriate date to designate as ''National ESIGN Day 2010'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of a ''National ESIGN Day 2010'';

(2) recognizes the contribution made by Congress in the Electronic Signatures in Global and National Commerce Act (ESIGN) (15 U.S.C. 7001 et seq.) to the adoption of modern solutions that keep the United States on the leading technological edge; and

(3) reaffirms the commitment of the Senate to facilitating interstate and foreign commerce in an increasingly digital world.

SENATE RESOLUTION 577—COMMEMORATING THE REMARKABLE LIFE OF PATRIOTISM, CONVICTION, AND COMPASSION LED BY CHAPLAIN HENRY VINTON PLUMMER

Ms. MIKULSKI (for herself and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 577

Whereas Henry Vinton Plummer was born into slavery on July 31, 1844, in Prince George's County, Maryland and escaped from slavery to serve honorably in the U.S. Navy during the Civil War;

Whereas Henry Plummer was assigned in 1864 to the Union gunboat U.S.S. Coeur de Lion, which engaged numerous Confederate ships trying to run Union blockades in the Chesapeake Bay and its tributaries during the Civil War;

Whereas after being honorably discharged from the Navy in 1865, Henry Plummer studied to become a minister, and felt called to serve again in the United States military;

Whereas in 1866, the 39th Congress passed legislation to establish African-American military units and stipulated that a chaplain be assigned to each regiment;

Whereas in July 1884, Henry Plummer was appointed the first African-American chaplain in the United States Regular Army with a military rank equivalent of Captain;

Whereas Chaplain Plummer served for more than 10 years with the Ninth Cavalry and was stationed at Army forts in Kansas, Wyoming, and Nebraska;

Whereas during his time in uniform, Chaplain Plummer worked to improve education and voter participation and reduce the temptation of gambling, drunkenness, and prostitution among soldiers under his ministry;

Whereas Chaplain Plummer fought racism and other injustices of the time while serving his country with the Ninth Calvary;

Whereas Chaplain Plummer's records in Fort Riley and Fort Robinson noted that he performed admirably in his work among soldiers and in his efforts on behalf of their spiritual well-being;

Whereas Chaplain Plummer endured racial bias and animosity throughout his time in uniform, including being denied officer housing and being forced to live among enlisted personnel despite holding the Army officer rank equivalent of Captain;

Whereas in 1894, Chaplain Plummer was court-martialed, convicted, and dismissed from the Army under circumstances tainted by racial and personal animus;

Whereas the Army Board for Correction of Military Records concluded that personal grudges and racial bias were driving factors that led to Chaplain Plummer's court-martial;

Whereas the Army Board for Correction of Military Records noted evidence that shows Chaplain Plummer served his country well and was a highly respected and admired officer;

Whereas in 2005, the Army Board for Correction of Military Records changed the status of Chaplain Plummer's military discharge to ''honorable'';

Whereas despite the unfair and racially charged atmosphere that led to Chaplain Plummer's conviction and discharge, he continued to ask for reinstatement in the military out of a desire to serve his country;

Whereas Chaplain Plummer was a devoted family man, minister, veteran, and community leader committed to the principles of liberty and opportunity for which the United States stands; and

Whereas Chaplain Plummer rose from the depths of slavery to remarkable heights, and led a life of selfless contributions to his country: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the life and patriotism of Chaplain Henry Vinton Plummer;

(2) expresses its admiration for Chaplain Plummer for his perseverance and resolve in the face of racial oppression in the military history of the United States; and

(3) congratulates Chaplain Plummer's extended family for their work to commemorate his life of devotion to helping others while overcoming tremendous adversity.

SENATE RESOLUTION 578—DESIGNATING JUNE 2010 AS ''SUMMER FOOD SERVICE PROGRAM AWARENESS MONTH''

Mr. BROWN of Ohio (for himself, Mr. LUGAR, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BENNET, Mr. COCHRAN, Mr. BAUCUS, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 578

Whereas the Summer Food Service Program provides healthy, nutritious meals to an average 2,900,000 children each weekday during the summer;

Whereas there are 34,700 feeding sites in low-income neighborhoods located at churches, schools, parks, recreation centers, and summer camps in all 50 States;

Whereas thousands volunteer at summer feeding sites;

Whereas summer feeding programs play an important role in providing safe places for children and teenagers to engage in physical activity and provide educational opportunities to spur learning during the summer months;

Whereas data from the Department of Agriculture has shown rates of hunger and food insecurity among school-age children increase during the summer months;

Whereas of the 19,500,000 children receiving free or reduced priced meals through the National School Lunch Program, only 1 in 9 receive meals at a summer feeding site on an average day;

Whereas there are only 34 summer food sites for every 100 school lunch programs; and

Whereas many low-income, food insecure children in rural areas lack access to summer feeding locations: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2010 as ''Summer Food Service Program Awareness Month'';

(2) encourages schools, nonprofit institutions, churches, parks, recreation centers, and summer camps to sponsor summer feeding sites in their communities; and

(3) encourages schools, local businesses, nonprofit institutions, churches, cities, and State governments to raise awareness of the availability of summer feeding sites and support efforts to increase participation of children who might otherwise go without meals if not for the Summer Food Service Program.

SENATE CONCURRENT RESOLUTION 66—TO COMMEMORATE THE 75TH ANNIVERSARY OF THE BLUE RIDGE PARKWAY

Mr. WARNER (for himself, Mr. WEBB, Mrs. HAGAN, and Mr. BURR) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 66

Whereas the Blue Ridge Parkway links the Great Smoky Mountains National Park to the Shenandoah National Park, providing 469 scenic miles for motor recreation along the crest of the Blue Ridge Mountains in North Carolina and Virginia;

Whereas North Carolina state geologist Joseph Hyde Pratt first proposed a scenic road along the Blue Ridge Mountains in 1906;

Whereas on November 24, 1933, at the recommendation of Virginia Senator Harry Byrd, Secretary of the Interior Harold Ickes approved construction of the new highway to connect the Great Smoky Mountains National Park with the Shenandoah National Park;

Whereas on September 11, 1935, construction began on the first 12.5 mile section of the Blue Ridge Parkway near Cumberland Knob in North Carolina;

Whereas Stanley L. Abbott is widely remembered as the ''father of the Blue Ridge Parkway'' for his work to oversee planning of the project;

Whereas the Blue Ridge Parkway was established by Congress as a unit of the National Park Service on June 30, 1936;

Whereas the National Park Service development program, ''Mission 66'', oversaw the completion of most remaining gaps along the Blue Ridge Parkway during the 1950s and 1960s;

Whereas the final stretch of the Blue Ridge Parkway was completed in 1987 with the construction of the Linn Cove Viaduct;

Whereas the Blue Ridge Parkway provides recreational opportunities for families in the United States at picnic areas and campgrounds and on scenic drives through the Appalachian mountain passes;

Whereas the diverse topography and numerous vista points along the Blue Ridge Parkway make the road the most accessible way to visit and experience the Southern Appalachian rural landscape and mountains;

Whereas the Parkway is world-renowned for biodiversity, including 74 species of mammals, 50 species of salamanders, 35 species of reptiles, 159 species of birds, and 25 species of fish;

Whereas the Blue Ridge Parkway is the most visited unit of the National Park Service with nearly 20 million visitors each year;

Whereas the Blue Ridge Parkway promotes regional travel and tourism by unifying the 29 counties through which the road passes, engendering a shared regional identity, providing a common link of interest, and contributing to the economic vitality of the area;

Whereas the Blue Ridge Parkway is one of the strongest economic engines in the Southern Appalachian region, generating an estimated $23,000,000,000 in North Carolina and Virginia annually;

Whereas the Blue Ridge Parkway has received volunteer support from thousands of North Carolinians and Virginians, including 1,400 volunteers in 2008 who provided a total of more than 50,000 hours of service;

Whereas the Blue Ridge Parkway is a great public works achievement that maintains natural, historic, and cultural significance for the people of North Carolina and Virginia; and

Whereas this crown jewel of the National Park Service deserves the support of Congress to preserve the ecological and cultural integrity, maintain the infrastructure, and protect the famously scenic views of the Parkway: Now, therefore, be it

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

(1) commemorates the 75th anniversary of the Blue Ridge Parkway; and

(2) acknowledges the historic and enduring scenic, recreational, and economic value of this unique national treasure.

SENATE CONCURRENT RESOLUTION 67—CELEBRATING 130 YEARS OF UNITED STATES-ROMANIAN DIPLOMATIC RELATIONS, CONGRATULATING THE ROMANIAN PEOPLE ON THEIR ACHIEVEMENTS AS A GREAT NATION, AND REAFFIRMING THE DEEP BONDS OF TRUST AND VALUES BETWEEN THE UNITED STATES AND ROMANIA, A TRUSTED AND MOST VALUED ALLY

Mr. VOINOVICH (for himself and Mrs. SHAHEEN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 67

Whereas the United States established diplomatic relations with Romania in June 1880;

Whereas the United States and Romania are two countries united by shared values and a strong commitment to freedom, democracy, and prosperity;

Whereas Romania has shown, for the past 20 years, remarkable leadership in advancing security and democratic principles in Eastern Europe, the Western Balkans, and the Black Sea region, and has amply participated to the forging of a wider Europe, whole and free;

Whereas Romania's commitment to meeting the greatest responsibilities and challenges of the 21st century is and has been reflected by its contribution to the international efforts of stabilization in Afghanistan and Iraq, its decision to participate in the United States missile defense system in Europe, its leadership in regional nonproliferation and arms control, its active pursuit of energy security solutions for South Eastern Europe, and its substantial role in shaping a strong and effective North Atlantic Alliance;

Whereas the strategic partnership that exists between the United States and Romania has greatly advanced the common interests of the United States and Romania in promoting transatlantic and regional security and free market opportunities, and should continue to provide for more economic and cultural exchanges, trade and investment, and people-to-people contacts between the United States and Romania;

Whereas the talent, energy, and creativity of the Romanian people have nurtured a vibrant society and nation, embracing entrepreneurship, technological advance and innovation, and rooted deeply in the respect for education, culture, and international cooperation; and

Whereas Romanian Americans have contributed greatly to the history and development of the United States, and their rich cultural heritage and commitment to furthering close relations between Romania and the United States should be properly recognized and praised: Now, therefore, be it

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

(1) celebrates the 130th anniversary of United States-Romanian diplomatic relations;

(2) congratulates the Romanian people on their achievements as a great nation; and

(3) reaffirms the deep bonds of trust and values between the United States and Romania.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4431. Mr. COCHRAN (for himself, Ms. LANDRIEU, and Mr. WICKER) submitted an

amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table.

SA 4432. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4433. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4434. Ms. CANTWELL (for herself, Mr. VITTER, Mrs. MURRAY, Ms. STABENOW, and Mr. INOUYE) submitted an amendment intended to be proposed by her to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4435. Mrs. HAGAN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4436. Mr. CARDIN (for himself, Mr. BURRIS, and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4437. Mr. NELSON of Florida (for himself, Ms. LANDRIEU, Mr. WICKER, Mr. VITTER, Mr. COCHRAN, and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4438. Mr. SANDERS (for himself, Mr. GRASSLEY, Mr. HARKIN, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4439. Mr. SANDERS (for himself, Mr. BROWN of Ohio, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4440. Mr. SANDERS (for himself, Mr. BROWN of Ohio, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4441. Mrs. SHAHEEN (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4442. Mr. BURRIS submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4443. Mr. UDALL of Colorado (for himself, Mr. SCHUMER, Mr. REID, Mr. LIEBERMAN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. SANDERS, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4444. Mr. REID (for himself, Mr. CRAPO, Mr. ENSIGN, Mr. LIEBERMAN, Mrs. SHAHEEN, Mrs. LINCOLN, Mr. TESTER, Ms. STABENOW, Mr. WICKER, and Mr. COBURN) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4445. Ms. KLOBUCHAR (for herself, Mr. LEMIEUX, Mr. KERRY, Mrs. SHAHEEN, and Mr. NELSON of Florida) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4446. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4447. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4448. Mr. MERKLEY (for himself and Mr. BOND) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4431. Mr. COCHRAN (for himself, Ms. LANDRIEU, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 128, between lines 19 and 20, insert the following:

SEC. 1704. DISASTER LOANS PROGRAM ACCOUNT.

(a) IN GENERAL.—From unobligated balances in the appropriations account appropriated under the heading ''DISASTER LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'', up to $100,000,000 shall be available to the Administrator of the Small Business Administration (in this section referred to as the ''Administrator'') to waive the payment, for a period of not more than 3 years, of not more than $15,000 in interest on loans made under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) to businesses located in an area affected by a hurricane occurring during 2005 or 2008 for which the President declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) PRIORITY.—The Administrator shall, to the extent practicable, give priority to an application for a waiver of interest under the program established under this section by a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)) with not more than 50 employees or that the Administrator determines suffered a substantial economic injury as a result of the discharge of oil that began in April 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit *Deepwater Horizon* (in this section referred to as the ''Deepwater Horizon oil spill'').

(c) TERMINATION.—The Administrator may not approve an application under the program established under this section after December 31, 2010.

(d) OTHER DISASTERS.—If a disaster is declared under section 7(b) of the Small Business Act (15 U.S.C.636(b)) during the period beginning on the date of enactment of this Act and ending on December 31, 2010, and to the extent there are inadequate funds in the appropriations account described in subsection (a) to provide assistance relating to the disaster under section 7(b) of the Small Business Act and waive the payment of interest under the program established under this section, the Administrator shall give priority in using the funds to applications under section 7(b) of the Small Business Act relating to the disaster.

(e) REIMBURSEMENT BY RESPONSIBLE PARTY.—The Administrator may present a claim to the responsible party (as defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) for costs and expenses described in section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)) relating to a waiver of interest under this section for a business suffering a substantial economic injury as a result of the Deepwater Horizon oil spill of 2010 in accordance with section 1013 of the Oil Pollution Act of 1990 (33 U.S.C. 2713).

(f) BUDGETARY PROVISION.—This section is designated as an emergency for purposes of pay-as-you-go principles. The amount made available under this section is designated as an emergency requirement pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010. The amount made available under this section is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)).

SA 4432. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

PART V—OTHER PROVISIONS

SEC. _____. ENCOURAGEMENT OF CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES BY NATIVE CORPORATIONS.

(a) IN GENERAL.—Paragraph (2) of section 170(b) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (C)

as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED CONSERVATION CONTRIBUTIONS BY CERTAIN NATIVE CORPORATIONS.—

''(i) IN GENERAL.—Any qualified conservation contribution (as defined in subsection (h)(1)) which—

''(I) is made by a Native Corporation, and

''(II) is a contribution of property which was land conveyed under the Alaska Native Claims Settlement Act,

shall be allowed to the extent that the aggregate amount of such contributions does not exceed the excess of the taxpayer's taxable income over the amount of charitable contributions allowable under subparagraph (A).

''(ii) LIMITATION.—This subparagraph shall not apply to any contribution of property described in clause (i)(II) which, by itself or when aggregated to any other property to which this subparagraph applies, is a contribution of more than 10 percent of the land conveyed to the Native Corporation described in clause (i)(I) under the Alaska Native Claims Settlement Act.

''(iii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation of clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(2)) as a charitable contribution to which clause (i) applies in each of the 5 succeeding years in order of time.

''(iv) DEFINITION.—For purposes of this subparagraph, the term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act.

''(v) TERMINATION.—This subparagraph shall not apply to any contribution in any taxable year beginning after December 31, 2010.''.

(b) CONFORMING AMENDMENT.—Section 170(b)(2)(A) of such Code is amended by striking ''subparagraph (B) applies'' and inserting ''subparagraphs (B) or (C) apply''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to modify any existing property rights conveyed to Native Corporations (withing the meaning of section 3(m) of the Alaska Native Claims Settlement Act) under such Act.

SEC. _____. INCREASE IN PENALTY FOR FAILURE TO FILE A PARTNERSHIP OR S CORPORATION RETURN.

(a) IN GENERAL.—Sections 6698(b)(1) and 6699(b)(1) of the Internal Revenue Code of 1986 are each amended by striking ''$195'' and inserting ''$205''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns for taxable years beginning after December 31, 2010.

SA 4433. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

After part IV of subtitle A of title II, insert the following:

PART V—ENERGY

SEC. —. INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(2) Subparagraph (B) of section 6427(e)(6) of such Code is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2009.

SA 4434. Ms. CANTWELL (for herself, Mr. VITTER, Mrs. MURRAY, Ms. STABENOW, and Mr. INOUYE) submitted an amendment intended to be proposed by her to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle A of title II, insert the following:

SEC. —. REPEAL OF QUALIFIED SHIPPING INVESTMENT WITHDRAWAL RULES.

(a) IN GENERAL.—Section 955 of the Internal Revenue Code of 1986 is hereby repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 951(a)(1)(A) of the Internal Revenue Code of 1986 is amended by adding ''and'' at the end of clause (i) and by striking clause (iii).

(2) Section 951(a)(1)(A)(ii) of such Code is amended by striking '', and'' at the end and inserting '', except that in applying this clause amounts invested in less developed country corporations described in section 955(c)(2) (as so in effect) shall not be treated as investments in less developed countries.''.

(3) Section 951(a)(3) of such Code is hereby repealed.

(4) Section 964(b) of such Code is amended by striking '', 955,''.

(5) The table of sections for subpart F of part III of subchapter N of chapter 1 of such Code is amended by striking the item relating to section 955.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of controlled foreign corporations ending on or after the date of the enactment of this Act, and to taxable years of United States shareholders in which or with which such taxable years of controlled foreign corporations end.

SEC. —. TAX IMPOSED ON ELECTING UNITED STATES SHAREHOLDERS.

(a) IN GENERAL.—In the case of a United States shareholder for which an election is in effect under this section, a tax is hereby imposed on such shareholder's pro rata share (determined under the principles of paragraph (2) of subsection (a) of section 951 of the Internal Revenue Code of 1986) of the sum of—

(1) the foreign base company shipping income (determined under section 954(f) of the Internal Revenue Code of 1986 as in effect before the enactment of the American Jobs Creation Act of 2004) for all prior taxable years beginning after 1975 and before 1987, and

(2) income described in section 954(b)(2) of the Internal Revenue Code as in effect prior to the effective date of the Tax Reform Act of 1975, without regard to whether such income was not included in subpart F income under section 954(b)(2) or any other provision of such Code,

but only to the extent such income has not previously been included in the gross income of a United States person as a dividend or under any section of the Internal Revenue Code after 1962, or excluded from gross income pursuant to subsection (a) of section 959 of the Internal Revenue Code of 1986.

(b) AMOUNT OF TAX.—The amount of tax imposed by subsection (a) shall be 5.25 percent of the income described therein.

(c) INCOME NOT SUBJECT TO FURTHER TAX.—The income on which a tax is imposed by subsection (a) shall not (other than such tax) be included in the gross income of such United States shareholder (or any other United States person who acquires from any person any portion of the interest of such United States shareholder in such foreign corporation) and shall be treated for purposes of the Internal Revenue Code of 1986 as if such amounts are, or have been, included in the income of the United States shareholder under section 951(a)(1)(B).

(d) ADDITIONAL TAX IMPOSED FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.—

(1) IN GENERAL.—If, during the period consisting of the calendar month in which the election under this section is made and the succeeding 23 calendar months, the taxpayer does not maintain an average employment level at least equal to the taxpayer's prior average employment, an additional amount shall be taken into account as income by the taxpayer during the taxable year that includes the final day of such period, equal to $25,000 multiplied by the number of employees by which the taxpayer's average employment level during such period falls below the prior average employment.

(2) PRIOR AVERAGE EMPLOYMENT.—For purposes of this subsection, the taxpayer's prior average employment is the average number of full time equivalent employees of the taxpayer during the period consisting of the 24 calendar months immediately preceding the calendar month in which the election under this section is made.

(3) AGGREGATION RULES.—In determining the taxpayer's average employment level and prior average employment, all domestic members of a controlled group (as defined in section 264(e)(5)(B) of the Internal Revenue Code of 1986) shall be treated as a single taxpayer.

(e) ELECTION.—

(1) IN GENERAL.—A taxpayer may elect to apply this section to—

(A) the taxpayer's last taxable year which begins before the date of the enactment of this Act, or

(B) the taxpayer's first taxable year beginning on or after such date.

(2) TIMING OF ELECTION AND ONE-TIME ELECTION.—Such election may be made only once by any taxpayer, and only if made on or before the due date (including extensions) for filing the return of tax for the taxable year of such election.

(f) EFFECTIVE DATE.—This section shall apply to taxable years ending on or after the date of the enactment of this Act.

SA 4435. Mrs. HAGAN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms.

LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 11 and 12, insert the following:

SEC. 1210. CERTAIN CEILING FANS.

(a) IN GENERAL.—Heading 9902.84.14 of the Harmonized Tariff Schedule of the United States is amended by striking ''12/31/2009'' and inserting ''12/31/2012''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) applies with respect to goods entered or withdrawn from warehouse for consumption, on or after the 15th day after the enactment of this Act.

(2) RETROACTIVE APPLICATION TO CERTAIN ENTRIES.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with U.S. Customs and Border Protection before the 90th day after the date of the enactment of this Act, any entry, or withdrawal from warehouse for consumption, of any goods described in heading 9902.84.14 of the Harmonized Tariff Schedule of the United States (as added by subsection (a) that was made—

(A) after December 31, 2009; and

(B) before the 15th day after the date of the enactment of this Act;

shall be liquidated or reliquidated as though the amendment made by subsection (a) applied to such entry or withdrawal.

SA 4436. Mr. CARDIN (for himself, Mr. BURRIS, and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 113, between lines 17 and 18, insert the following:

SEC. 1348. SECTION 8(a) IMPROVEMENTS.

(a) PROGRAMS FOR SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS.—

(1) NET WORTH THRESHOLD.—

(A) IN GENERAL.—Section 8(a)(6)(A) of the Small Business Act (15 U.S.C. 637(a)(6)(A)) is amended—

(i) by inserting ''(i)'' after ''(6)(A)'';

(ii) by striking ''In determining the degree of diminished credit'' and inserting the following:

''(ii)(I) In determining the degree of diminished credit'';

(iii) by striking ''In determining the economic disadvantage'' and inserting the following:

''(iii) In determining the economic disadvantage''; and

(iv) by inserting after clause (ii)(I), as so designated by this section, the following:

''(II)(aa) Not later than 1 year after the date of enactment of the Small Business Jobs Act of 2010, the Administrator shall—

''(AA) assign each North American Industry Classification System industry code to a category described in item (cc); and

''(BB) for each category described in item (cc), establish a maximum net worth for the socially disadvantaged individuals who own or control small business concerns in the category that participate in the program under this subsection.

''(bb) The maximum net worth for a category described in item (cc) shall be not less than the modified net worth limitations established by the Administrator under section 1348(a)(2) of the Small Business Jobs Act of 2010.

''(cc) The categories described in this item are—

''(AA) manufacturing;

''(BB) construction;

''(CC) professional services; and

''(DD) general services.

''(III) The Administrator shall establish procedures that—

''(aa) account for inflationary adjustments to, and include a reasonable assumption of, the average income and net worth of the owners of business concerns that are dominant in the field of operation of the business concern; and

''(bb) require an annual inflationary adjustment to the average income and maximum net worth requirements under this clause.

''(IV) In determining the assets and net worth of a socially disadvantaged individual under this subparagraph, the Administrator shall not consider any assets of the individual that are held in a qualified retirement plan, as that term is defined in section 4974(c) of the Internal Revenue Code of 1986.''.

(B) TEMPORARY INFLATIONARY ADJUSTMENT.—

(i) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall modify the net worth limitations established by the Administrator for purposes of the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) by adjusting the amount of the net worth limitations for inflation during the period beginning on the date on which the Administrator established the net worth limitations and the date of enactment of this Act.

(ii) TERMINATION.—The Administrator shall apply the net worth limitations established under clause (i) until the effective date of the net worth limitations established by the Administrator under clause (ii)(II) of section 8(a)(6)(A) of the Small Business Act (15 U.S.C. 637(a)(6)(A)), as added by this paragraph.

(C) TRANSITION PERIOD.—Section 7(j)(15) of the Small Business Act (15 U.S.C. 636(j)(15)) is amended—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(D) by striking ''Subject to'' and inserting ''(A) Except as provided in subparagraph (B), and subject to''; and

(E) by adding at the end the following:

''(B)(i) A small business concern may receive developmental assistance under the Program and contracts under section 8(a) during the 3-year period beginning on the date on which the small business concern graduates—

''(I) because the small business concern has participated in the Program for the total period authorized under subparagraph (A); or

''(II) under section 8(a)(6)(C)(ii), because the socially disadvantaged individuals who own or control the small business concern have a net worth that is more than the maximum net worth established by the Administrator.

''(ii) After the end of the 3-year period described in clause (i), a small business concern described in clause (i)—

''(I) may not receive developmental assistance under the Program or contracts under section 8(a); and

''(II) may continue to perform and receive payment under a contract received by the small business concern under section 8(a) before the end of the period, under the terms of the contract.''.

(2) GAO STUDY.—Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended by adding at the end the following:

''(22) REVIEW OF EFFECTIVENESS.—

''(A) GAO STUDY.—Not later than 5 years after the date of enactment of this paragraph, and every 5 years thereafter, the Comptroller General of the United States shall—

''(i) conduct an evaluation of the effectiveness of the program under this subsection, including an examination of—

''(I) the number and size of contracts applied for, as compared to the number received by, small business concerns after successfully completing the program;

''(II) the percentage of small business concerns that continue to operate during the 3-year period beginning on the date on which the small business concerns successfully complete the program;

''(III) whether the business of small business concerns increases during the 3-year period beginning on the date on which the small business concerns successfully complete the program; and

''(IV) the number of training sessions offered under the program; and

''(ii) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding each evaluation under clause (i).

''(B) SBA REPORT.—Not later than 1 year after the date of enactment of this paragraph, and every year thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report evaluating the program under this section, including an assessment of—

''(i) the regulations promulgated to carry out the program;

''(ii) online training under the program; and

''(iii) whether the structure of the program is conducive to business development.''.

(3) REPORT ON FRAUD DETECTION.—Not later than 90 days after the date of enactment of this Act, the Administrator shall—

(A) assess the workload of business development specialists of the Administration;

(B) evaluate the use of fraud detection tools, such as the use of data mining techniques and provide additional financial and analytical training for business development specialists of the Administration;

(C) propose amendments to regulations and operational changes that would closely evaluate an applicant to participate in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) if a family member of the applicant is, or has been, a participant in the program under section 8(a) of the Small Business Act providing the same type of supplies or services as the applicant;

(D) review the regulations relating to economic disadvantage with respect to the income and asset levels of an applicant for or participant in the program under section 8(a) of the Small Business Act at the time of application and annual certification; and

(E) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the assessment, evaluation, proposals, and review under this paragraph.

(b) SURETY BOND PILOT PROGRAM.—

(1) DEFINITIONS.—In this subsection—

(A) the terms ''bid bond'', ''payment bond'', ''performance bond'', and ''surety'' have the meanings given those terms in section 410 of the Small Business Investment Act of 1958 (15 U.S.C. 694a);

(B) the term ''Board'' means the pilot program advisory board established under paragraph (4)(A);

(C) the term ''eligible small business concern'' means a socially and economically disadvantaged small business concern that is participating in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(D) the term ''Fund'' means the Small Business Surety Bond Pilot Program Fund established under paragraph (5)(A);

(E) the term ''graduated'' has the meaning given that term in section 7(j)(10)(H) of the Small Business Act (15 U.S.C. 636(j)(10)(H));

(F) the term ''pilot program'' means the surety bond pilot program established under paragraph (2)(A); and

(G) the term ''socially and economically disadvantaged small business concern'' has the meaning given that term in section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

(2) PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish a surety bond pilot program under which the Administrator may guarantee any surety against loss resulting from a breach of the terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto, by an eligible small business concern.

(B) APPLICATION.—An eligible small business concern desiring a guarantee under the pilot program shall submit an application at such time, in such manner, and accompanied by such information as the Administrator may require.

(C) REVIEW.—A surety desiring a guarantee under the pilot program against loss resulting from a breach of the terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto by an eligible small business concern shall—

(i) submit to the Administrator a report evaluating whether the eligible small business concern meets such criteria as the Administrator may establish relating to whether a bond should be issued to the eligible small business concern; and

(ii) if the Administrator does not guarantee the surety against loss, submit an update of the report described in clause (i) every 6 months.

(3) TECHNICAL ASSISTANCE AND EDUCATIONAL TRAINING.—

(A) IN GENERAL.—The Administrator shall provide technical assistance and educational training to an eligible small business concern participating in the pilot program or desiring to participate in the pilot program for a period of not less than 3 years, to promote the growth of the eligible small business concern and assist the eligible small business concern in promoting job development.

(B) TOPICS.—

(i) TECHNICAL ASSISTANCE.—The technical assistance under subparagraph (A) shall include assistance relating to—

(I) scheduling of employees;

(II) cash flow analysis;

(III) change orders;

(IV) requisition preparation;

(V) submitting proposals;

(VI) dispute resolution; and

(VII) contract management.

(ii) EDUCATIONAL TRAINING.—The educational training under subparagraph (A) shall include training regarding—

(I) accounting;

(II) legal issues;

(III) infrastructure;

(IV) human resources;

(V) estimating costs;

(VI) scheduling; and

(VII) any other area the Administrator determines is a key area for which training is needed for eligible small business concerns.

(4) PANEL.—

(A) ESTABLISHMENT.—The Administrator shall establish a pilot program advisory board to evaluate and make recommendations regarding the pilot program.

(B) MEMBERSHIP.—The Board shall be composed of 5 members—

(i) who shall be appointed by the Administrator;

(ii) not less than 2 of whom shall have graduated from the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)); and

(iii) not more than 1 of whom may be an officer or employee of the Administration.

(C) DUTIES.—The Board shall—

(i) evaluate and make recommendations to the Administrator regarding the effectiveness of the pilot program;

(ii) make recommendations to the Administrator regarding performance measures to evaluate eligible small business concerns applying for a guarantee under the pilot program; and

(iii) not later than 90 days after the date on which all members of the Board are appointed, and every year thereafter until the authority to carry out the pilot program terminates under paragraph (6), submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the activities of the Board.

(5) FUND.—

(A) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a revolving fund to be known as the ''Small Business Surety Bond Pilot Program Fund'', to be administered by the Administrator.

(B) AVAILABILITY.—Amounts in the Fund shall be available without fiscal year limitation or further appropriation by Congress.

(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund $20,000,000.

(D) RESCISSION.—Effective on the day after the date on which the term of all guarantees made under the pilot program have ended, all amounts in the Fund are rescinded.

(6) TERMINATION.—The Administrator may not guarantee a surety against loss under the pilot program on or after the date that is 7 years after the date the date on which the Administrator makes the first guarantee under the pilot program.

(c) EXTENSION OF PARTICIPATION TERM FOR VICTIMS OF HURRICANE KATRINA OR HURRICANE RITA.—

(1) RETROACTIVITY.—If a small business concern, while participating in any program or activity under the authority of paragraph (10) of section 7(j) of the Small Business Act (15 U.S.C. 636(j)), was located in a parish or county described in paragraph (2) of this subsection and was affected by Hurricane Katrina of 2005 or Hurricane Rita of 2005, the period during which that small business concern is permitted continuing participation and eligibility in that program or activity shall be extended for 24 months after the date such participation and eligibility would otherwise terminate.

(2) PARISHES AND COUNTIES COVERED.—Paragraph (1) applies to any parish in the State of Louisiana, or any county in the State of Mississippi or in the State of Alabama, that has been designated by the Administrator as a disaster area by reason of Hurricane Katrina of 2005 or Hurricane Rita of 2005 under disaster declaration 10176, 10177, 10178, 10179, 10180, 10181, 10205, or 10206.

(3) REVIEW AND COMPLIANCE.—The Administrator shall ensure that the case of every small business concern participating before the date of enactment of this Act in a program or activity covered by paragraph (1) is reviewed and brought into compliance with this subsection.

SA 4437. Mr. NELSON of Florida (for himself, Ms. LANDRIEU, Mr. WICKER, Mr. VITTER, Mr. COCHRAN, and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:–

PART V—OTHER PROVISIONS–

SEC. _____. 5-YEAR NET OPERATING LOSS CARRYBACK FOR CERTAIN OIL SPILL-RELATED LOSSES.–

(a) EXTENSION OF NET OPERATING LOSS CARRYBACK PERIOD.—Paragraph (1) of section 172(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:–

''(K) CERTAIN OIL SPILL-RELATED LOSSES.—In the case of a taxpayer which has a qualified oil spill loss (as defined in subsection (k)) for a taxable year, such qualified oil spill loss shall be a net operating loss carryback to each of the 5 taxable years preceding the taxable year of such loss.''.–

(b) QUALIFIED OIL SPILL LOSS.—Section 172 of the Internal Revenue Code of 1986 is amended by redesignating subsection (k) as subsection (l) and by inserting after subsection (j) the following new subsection:–

''(k) RULES RELATING TO QUALIFIED OIL SPILL LOSSES.—For purposes of this section—

''(1) QUALIFIED OIL SPILL LOSSES.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'qualified oil spill loss' means the lesser of—

''(i) the excess of—

''(I) the amount of losses in a taxable year ending after April 20, 2010, and before October 1, 2011, incurred by a commercial or charter fishing business operating in the Gulf of Mexico or a Gulf of Mexico tourism-related business attributable to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, over–

''(II) amounts received during such taxable year as payments for lost profits and earning capacity under section 1002(b)(2)(E) of the Oil Pollution Act of 1990 (33 U.S.C. 2702(b)(2)(E)), by insurance, or otherwise, or–

''(ii) the amount of the net operating loss for such taxable year.–

''(B) SAFE HARBOR FOR CERTAIN SMALL BUSINESSES.—In the case of—

''(i) any commercial or charter fishing business operating in the Gulf of Mexico, or–

''(ii) any Gulf of Mexico tourism-related business,–

the gross receipts of which for any taxable year ending after April 20, 2010, and before October 1, 2011, do not exceed $5,000,000, such term means the amount of the net operating loss of such business for such taxable year.–

''(C) COORDINATION WITH QUALIFIED DISASTER LOSSES.—Such term shall not include any qualified disaster loss (as defined in subsection (j)).–

''(2) COORDINATION WITH SUBSECTION (b)(2).—For purposes of applying subsection (b)(2), a qualified oil spill loss for any taxable year shall be treated in a manner similar to the manner in which a specified liability loss is treated.–

''(3) ELECTION.—Any taxpayer entitled to a 5-year carryback under subsection (b)(1)(K) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(K). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.–

''(4) GULF OF MEXICO TOURISM-RELATED BUSINESS.—For purposes of this subsection—

–

''(A) IN GENERAL.—The term 'Gulf of Mexico tourism-related business' means a hotel, lodging, recreation, entertainment, or restaurant business located in a Gulf Coast community.–

''(B) GULF COAST COMMUNITY.—The term 'Gulf Coast community' means any county or parish in the States of Louisiana, Mississippi, Alabama, or Florida which borders the Gulf of Mexico.''.–

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to net operating losses arising in taxable years ending after April 20, 2010.–

(2) TRANSITION RULE.—In the case of a net operating loss for a taxable year ending after April 20, 2010, and before the date of the enactment of this Act—

(A) any election made under section 172(b)(3) of such Code with respect to such loss may (notwithstanding such section) be revoked before the applicable date, and–

(B) any application under section 6411(a) of such Code with respect to such loss shall be treated as timely filed if filed before the applicable date.

For purposes of this paragraph, the term ''applicable date'' means the date which is 60 days after the date of the enactment of this Act.

SA 4438. Mr. SANDERS (for himself, Mr. GRASSLEY, Mr. HARKIN, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CERTIFICATION REQUIREMENT.

(a) SHORT TITLE.—This section may be cited as the ''Employ America Act''.

(b) IN GENERAL.—The Secretary of Homeland Security may not approve a petition by an employer for any visa authorizing employment in the United States unless the employer has provided written certification, under penalty of perjury, to the Secretary of Labor that—

(1) the employer has not provided a notice of a mass layoff pursuant to the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.) during the 12-month period immediately preceding the date on which the alien is scheduled to be hired; and

(2) the employer does not intend to provide a notice of a mass layoff pursuant to such Act.

(c) EFFECT OF MASS LAYOFF.—If an employer provides a notice of a mass layoff pursuant to the Worker Adjustment and Retraining Notification Act after the approval of a visa described in subsection (b), any visas approved during the most recent 12-month period for such employer shall expire on the date that is 60 days after the date on which such notice is provided. The expiration of a visa under this subsection shall not be subject to judicial review.

(d) NOTICE REQUIREMENT.—Upon receiving notification of a mass layoff from an employer, the Secretary of Homeland Security shall inform each employee whose visa is scheduled to expire under subsection (c)—

(1) the date on which such individual will no longer be authorized to work in the United States; and

(2) the date on which such individual will be required to leave the United States unless the individual is otherwise authorized to remain in the United States.

(e) EXEMPTION.—An employer shall be exempt from the requirements under this section if the employer provides written certification, under penalty of perjury, to the Secretary of Labor that the total number of the employer's workers who are United States citizens and are working in the United States have not been, and will not be, reduced as a result of a mass layoff described in subsection (c).

(f) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Labor shall promulgate regulations to carry out this section, including a requirement that employers provide notice to the Secretary of Homeland Security of a mass layoff (as defined in section 2 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101)).

SA 4439. Mr. SANDERS (for himself, Mr. BROWN OF OHIO, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—WORKER OWNERSHIP, READINESS, AND KNOWLEDGE

SEC. __01. SHORT TITLE.

This title may be cited as the ''Worker Ownership, Readiness and Knowledge Act'' or the ''WORK Act''.

SEC. __02. DEFINITIONS.

In this title:

(1) EXISTING PROGRAM.—The term ''existing program'' means a program, designed to promote employee ownership and employee participation in business decisionmaking, that exists on the date the Secretary is carrying out a responsibility authorized by this title.

(2) INITIATIVE.—The term ''Initiative'' means the Employee Ownership and Participation Initiative established under section __03.

(3) NEW PROGRAM.—The term ''new program'' means a program, designed to promote employee ownership and employee participation in business decisionmaking, that does not exist on the date the Secretary is carrying out a responsibility authorized by this title.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(5) STATE.—The term ''State'' means any of the 50 States within the United States of America.

SEC. __03. EMPLOYEE OWNERSHIP AND PARTICIPATION INITIATIVE.

(a) ESTABLISHMENT.—The Secretary of Labor shall establish an Employee Ownership and Participation Initiative to promote employee ownership and employee participation in business decisionmaking.

(b) FUNCTIONS.—In carrying out the Initiative, the Secretary shall—

(1) support within the States existing programs designed to promote employee ownership and employee participation in business decisionmaking; and

(2) facilitate within the States the formation of new programs designed to promote employee ownership and employee participation in business decisionmaking.

(c) DUTIES.—To carry out the functions enumerated in subsection (b), the Secretary shall—

(1) support new programs and existing programs by—

(A) making Federal grants authorized under section __5; and

(B)(i) acting as a clearinghouse on techniques employed by new programs and existing programs within the States, and disseminating information relating to those techniques to the programs; or

(ii) funding projects for information gathering on those techniques, and dissemination of that information to the programs, by groups outside the Department of Labor; and

(2) facilitate the formation of new programs, in ways that include holding or funding an annual conference of representatives from States with existing programs, representatives from States developing new programs, and representatives from States without existing programs.

SEC. __04. PROGRAMS REGARDING EMPLOYEE OWNERSHIP AND PARTICIPATION.

(a) ESTABLISHMENT OF PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to encourage new and existing programs within the States, designed to foster employee ownership and employee participation in business decisionmaking throughout the United States.

(b) PURPOSE OF PROGRAM.—The purpose of the program established under subsection (a) is to encourage new and existing programs within the States that focus on—

(1) providing education and outreach to inform employees and employers about the

possibilities and benefits of employee ownership, business ownership succession planning, and employee participation in business decisionmaking, including providing information about financial education, employee teams, open-book management, and other tools that enable employees to share ideas and information about how their businesses can succeed;

(2) providing technical assistance to assist employee efforts to become business owners, to enable employers and employees to explore and assess the feasibility of transferring full or partial ownership to employees, and to encourage employees and employers to start new employee-owned businesses;

(3) training employees and employers with respect to methods of employee participation in open-book management, work teams, committees, and other approaches for seeking greater employee input; and

(4) training other entities to apply for funding under this section, to establish new programs, and to carry out program activities.

(c) PROGRAM DETAILS.—The Secretary may include, in the program established under subsection (a), provisions that—

(1) in the case of activities under subsection (b)(1)—

(A) target key groups such as retiring business owners, senior managers, unions, trade associations, community organizations, and economic development organizations;

(B) encourage cooperation in the organization of workshops and conferences; and

(C) prepare and distribute materials concerning employee ownership and participation, and business ownership succession planning;

(2) in the case of activities under subsection (b)(2)—

(A) provide preliminary technical assistance to employee groups, managers, and retiring owners exploring the possibility of employee ownership;

(B) provide for the performance of preliminary feasibility assessments;

(C) assist in the funding of objective third-party feasibility studies and preliminary business valuations, and in selecting and monitoring professionals qualified to conduct such studies; and

(D) provide a data bank to help employees find legal, financial, and technical advice in connection with business ownership;

(3) in the case of activities under subsection (b)(3)—

(A) provide for courses on employee participation; and

(B) provide for the development and fostering of networks of employee-owned companies to spread the use of successful participation techniques; and

(4) in the case of training under subsection (b)(4)—

(A) provide for visits to existing programs by staff from new programs receiving funding under this title; and

(B) provide materials to be used for such training.

(d) GUIDANCE.—The Secretary shall issue formal guidance, for recipients of grants awarded under section __5 and one-stop partners affiliated with the statewide workforce investment systems described in section 106 of the Workforce Investment Act of 1998 (29 U.S.C. 2881), proposing that programs and other activities funded under this title be—

(1) proactive in encouraging actions and activities that promote employee ownership of, and participation in, businesses; and

(2) comprehensive in emphasizing both employee ownership of, and participation in, businesses so as to increase productivity and broaden capital ownership.

SEC. __05. GRANTS.

(a) IN GENERAL.—In carrying out the program established under section __4, the Secretary may make grants for use in connection with new programs and existing programs within a State for any of the following activities:

(1) Education and outreach as provided in section __4(b)(1).

(2) Technical assistance as provided in section __4(b)(2).

(3) Training activities for employees and employers as provided in section __4(b)(3).

(4) Activities facilitating cooperation among employee-owned firms.

(5) Training as provided in section __4(b)(4) for new programs provided by participants in existing programs dedicated to the objectives of this title, except that, for each fiscal year, the amount of the grants made for such training shall not exceed 10 percent of the total amount of the grants made under this title.

(b) AMOUNTS AND CONDITIONS.—The Secretary shall determine the amount and any conditions for a grant made under this section. The amount of the grant shall be subject to subsection (f), and shall reflect the capacity of the applicant for the grant.

(c) APPLICATIONS.—Each entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(d) STATE APPLICATIONS.—Each State may sponsor and submit an application under subsection (c) on behalf of any local entity consisting of a unit of State or local government, State-supported institution of higher education, or nonprofit organization, meeting the requirements of this title.

(e) APPLICATIONS BY ENTITIES.—

(1) ENTITY APPLICATIONS.—If a State fails to support or establish a program pursuant to this title during any fiscal year, the Secretary shall, in the subsequent fiscal years, allow local entities described in subsection (d) from that State to make applications for grants under subsection (c) on their own initiative.

(2) APPLICATION SCREENING.—Any State failing to support or establish a program pursuant to this title during any fiscal year may submit applications under subsection (c) in the subsequent fiscal years but may not screen applications by local entities described in subsection (d) before submitting the applications to the Secretary.

(f) LIMITATIONS.—A recipient of a grant made under this section shall not receive, during a fiscal year, in the aggregate, more than the following amounts:

(1) For fiscal year 2011, $300,000.

(2) For fiscal year 2012, $330,000.

(3) For fiscal year 2013, $363,000.

(4) For fiscal year 2014, $399,300.

(5) For fiscal year 2015, $439,200.

(g) ANNUAL REPORT.—For each year, each recipient of a grant under this section shall submit to the Secretary a report describing how grant funds allocated pursuant to this section were expended during the 12-month period preceding the date of the submission of the report.

SEC. __06. EVALUATIONS.

The Secretary is authorized to reserve not more than 10 percent of the funds appropriated for a fiscal year to carry out this title, for the purposes of conducting evaluations of the grant programs identified in section __05 and to provide related technical assistance.

SEC. __07. REPORTING.

Not later than the expiration of the 36-month period following the date of enactment of this Act, the Secretary shall prepare and submit to Congress a report—

(1) on progress related to employee ownership and participation in businesses in the United States; and

(2) containing an analysis of critical costs and benefits of activities carried out under this title.

SEC. __08. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for the purpose of making grants pursuant to section __5 the following:

(1) For fiscal year 2011, $3,850,000.

(2) For fiscal year 2012, $6,050,000.

(3) For fiscal year 2013, $8,800,000.

(4) For fiscal year 2014, $11,550,000.

(5) For fiscal year 2015, $14,850,000.

(b) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated for the purpose of funding the administrative expenses related to the Initiative, for each of fiscal years 2011 through 2015, an amount not in excess of—

(1) $350,000; or

(2) 5.0 percent of the maximum amount available under subsection (a) for that fiscal year.–

SA 4440. Mr. SANDERS (for himself, Mr. BROWN of Ohio, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ESTABLISHMENT OF THE EMPLOYEE OWNERSHIP BANK.

(a) FINDINGS.—Congress finds that—

(1) between December 2007 and May 2010, payroll employment in the United States fell by 7,381,000;

(2) between January 2000 and May 2010, the manufacturing sector lost 5,632,000 jobs;

(3) as of May 2010, fewer than 12,000,000 workers in the United States were employed in the manufacturing sector, the fewest number of factory jobs since March 1941;

(4) at the end of 2009, the United States had a trade deficit of more than $374,908,000,000, including a $226,877,200,000 trade deficit with China;

(5) preserving and increasing decent paying jobs must be a top priority of Congress;

(6) providing loan guarantees, direct loans, and technical assistance to employees to buy their own companies will preserve and increase employment in the United States; and

(7) just as the United States Export-Import Bank was created in 1934, in the midst of the Great Depression, as a way to increase United States jobs through exports, the time has come to establish the United States Employee Ownership Bank within the Department of the Treasury to preserve and expand jobs in the United States.

(b) DEFINITIONS.—In this section—

(1) the term ''Bank'' means the Unites States Employee Ownership Bank, established under section 4;

(2) the term ''eligible worker-owned cooperative'' has the same meaning as in section 1042(c)(2) of the Internal Revenue Code of 1986;

(3) the term ''employee stock ownership plan'' has the same meaning as in section

4975(e)(7) of the Internal Revenue Code of 1986; and

(4) the term ''Secretary'' means the Secretary of the Treasury.

(c) ESTABLISHMENT OF UNITED STATES EMPLOYEE OWNERSHIP BANK WITHIN THE DEPARTMENT OF THE TREASURY.—

(1) IN GENERAL.—Before the end of the 90-day period beginning on the date of enactment of this Act, the Secretary shall establish the United States Employee Ownership Bank, to foster increased employee ownership of United States companies and greater employee participation in company decision making throughout the United States.

(2) ORGANIZATION OF THE BANK.—

(A) MANAGEMENT.—The Secretary shall appoint a Director to serve as the head of the Bank, who shall serve at the pleasure of the Secretary.

(B) STAFF.—The Director may select, appoint, employ, and fix the compensation of such employees as are necessary to carry out the functions of the Bank.

(d) DUTIES OF BANK.—The Bank is authorized to provide loans, on a direct or guaranteed basis, which may be subordinated to the interests of all other creditors—

(1) to purchase a company through an employee stock ownership plan or an eligible worker-owned cooperative, which shall be at least 51 percent employee owned, or will become at least 51 percent employee owned as a result of financial assistance from the Bank;

(2) to allow a company that is less than 51 percent employee owned to become at least 51 percent employee owned;

(3) to allow a company that is already at least 51 percent employee owned to increase the level of employee ownership at the company; and

(4) to allow a company that is already at least 51 percent employee owned to expand operations and increase or preserve employment.

(e) PRECONDITIONS.—Before the Bank makes any subordinated loan or guarantees a loan under subsection (d)(1), a business plan shall be submitted to the bank that—

(1) shows that—

(A) not less than 51 percent of all interests in the company is or will be owned or controlled by an employee stock ownership plan or eligible worker-owned cooperative;

(B) the board of directors of the company is or will be elected by shareholders on a one share to one vote basis or by members of the eligible worker-owned cooperative on a one member to one vote basis, except that shares held by the employee stock ownership plan will be voted according to section 409(e) of the Internal Revenue Code of 1986, with participants providing voting instructions to the trustee of the employee stock ownership plan in accordance with the terms of the employee stock ownership plan and the requirements of that section 409(e); and

(C) all employees will receive basic information about company progress and have the opportunity to participate in day-to-day operations; and

(2) includes a feasibility study from an objective third party with a positive determination that the employee stock ownership plan or eligible worker-owned cooperative will generate enough of a margin to pay back any loan, subordinated loan, or loan guarantee that was made possible through the Bank.

(f) TERMS AND CONDITIONS FOR LOANS AND LOAN GUARANTEES.—Notwithstanding any other provision of law, a loan that is provided or guaranteed under this section shall—

(1) bear interest at an annual rate, as determined by the Secretary—

(A) in the case of a direct loan under this Act—

(i) sufficient to cover the cost of borrowing to the Department of the Treasury for obligations of comparable maturity; or

(ii) of 4 percent; and

(B) in the case of a loan guaranteed under this section, in an amount that is equal to the current applicable market rate for a loan of comparable maturity; and

(2) have a term not to exceed 12 years.

(g) EMPLOYEE RIGHT OF FIRST REFUSAL BEFORE PLANT OR FACILITY CLOSING.—Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) is amended—

(1) in the section heading, by adding at the end the following: ''**; employee stock ownership plans or eligible worker owned cooperatives**''; and

(2) by adding at the end the following:

''(e) EMPLOYEE STOCK OWNERSHIP PLANS AND ELIGIBLE WORKER-OWNED COOPERATIVES.—

''(1) GENERAL RULE.—If an employer orders a plant or facility closing in connection with the termination of its operations at such plant or facility, the employer shall offer its employees an opportunity to purchase such plant or facility through an employee stock ownership plan (as that term is defined in section 4975(e)(7) of the Internal Revenue Code of 1986) or an eligible worker-owned cooperative (as that term is defined in section 1042(c)(2) of the Internal Revenue Code of 1986) that is at least 51 percent employee owned. The value of the company which is to be the subject of such plan or cooperative shall be the fair market value of the plant or facility, as determined by an appraisal by an independent third party jointly selected by the employer and the employees. The cost of the appraisal may be shared evenly between the employer and the employees.

''(2) EXEMPTIONS.—Paragraph (1) shall not apply—

''(A) if an employer orders a plant closing, but will retain the assets of such plant to continue or begin a business within the United States; or

''(B) if an employer orders a plant closing and such employer intends to continue the business conducted at such plant at another plant within the United States.''.

(h) REGULATIONS ON SAFETY AND SOUNDNESS AND PREVENTING COMPETITION WITH COMMERCIAL INSTITUTIONS.—Before the end of the 90-day period beginning on the date of enactment of this Act, the Secretary of the Treasury shall prescribe such regulations as are necessary to implement this section and the amendments made by this section, including—

(1) regulations to ensure the safety and soundness of the Bank; and

(2) regulations to ensure that the Bank will not compete with commercial financial institutions.

(i) COMMUNITY REINVESTMENT CREDIT.—Section 804 of the Community Reinvestment Act of 1977 (12 U.S.C. 2903) is amended by adding at the end the following new subsection:

''(1) ESTABLISHMENT OF EMPLOYEE STOCK OWNERSHIP PLANS AND ELIGIBLE WORKER-OWNED COOPERATIVES.—In assessing and taking into account, under subsection (a), the record of a financial institution, the appropriate Federal financial supervisory agency may consider as a factor capital investments, loans, loan participation, technical assistance, financial advice, grants, and other ventures undertaken by the institution to support or enable employees to establish employee stock ownership plans or eligible worker-owned cooperatives (as those terms are defined in sections 4975(e)(7) and 1042(c)(2) of the Internal Revenue Code of 1986, respectively), that are at least 51 percent employee-owned plans or cooperatives.''.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, $500,000,000 for fiscal year 2010, and such sums as may be necessary thereafter. –

SA 4441. Mrs. SHAHEEN (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, insert the following:

SECTION ___. ON-THE-JOB TRAINING.

(a) SHORT TITLE.—This section may be cited as the ''On-the-Job Training Act of 2010''.

(b) TRAINING.—

(1) IN GENERAL.—Subtitle D of title I of the Workforce Investment Act of 1998 is amended by inserting after section 173A (29 U.S.C. 2918a) the following:

''SEC. 173B. ON-THE-JOB TRAINING.

''(a) DEFINITION.—In this section, the term 'federally recognized tribal organization' means an entity described in section 166(c)(1).

''(b) GRANTS.—From the amount made available under subsection (g), and subject to subsection (d)—

''(1) the Secretary shall make grants on a discretionary basis to local areas, for adult on-the-job training, or dislocated worker on-the-job-training, carried out under section 134; and

''(2) using an amount that is not more than 10 percent of the funds made available under subsection (g), the Secretary shall make grants to States, local boards, and federally recognized tribal organizations for developing on-the-job training programs, in consultation with the Secretary.

''(c) APPLICATION.—To be eligible to receive a grant under subsection (b), a State, local board, or federally recognized tribal organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. In preparing such an application for a grant under subsection (b)(1), a local board shall consult with the corresponding State.

''(d) REIMBURSEMENT OF WAGE RATES.—Notwithstanding the limitation in section 101(31)(B), in making the grants described in subsection (b)(1) the Secretary may allow for higher levels of reimbursement of wage rates the Secretary determines are appropriate based on factors such as—

''(1) employer size, in order to facilitate the participation of small- and medium-sized employers;

''(2) target populations, in order to enhance job creation for persons with barriers to employment; and

''(3) the number of employees that will participate in the on-the-job training, the wage and benefit levels of the employees (before the training and anticipated on completion of the training), the relationship of the training to the competitiveness of the employer and employees, and the existence of other employer-provided training and advancement opportunities.

''(e) ADMINISTRATION.—The Secretary may use an amount that is not more than 1 percent of the funds made available under subsection (g) for the administration, management, and oversight of the programs, activities, and grants, funded under subsection (b), including the evaluation of, and dissemination of information on lessons learned through, the use of such funds.

''(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the manner in which subtitle B is implemented, for activities funded through amounts appropriated under section 137.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2011 and each subsequent fiscal year.''.

(2) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Workforce Investment Act of 1998 is amended by inserting after the item relating to section 173A the following:

''Sec. 173B. On-the-job training.''.

SA 4442. Mr. BURRIS submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 113, between lines 17 and 18, insert the following:

SEC. 1348. NET WORTH THRESHOLD.

Section 8(a)(6) of the Small Business Act (15 U.S.C. 637(a)(6)) is amended by adding at the end the following:

''(F)(i) Subject to clause (ii), the Administrator may not establish the maximum net worth for participation in the program under this subsection in an amount less than $2,500,000.

''(ii) The amount under clause (i) shall be periodically adjusted by the Administrator to account for inflation.''.

SA 4443. Mr. UDALL of Colorado (for himself, Mr. SCHUMER, Mr. REID, Mr. LIEBERMAN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. SANDERS, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITS ON MEMBER BUSINESS LOANS.

(a) IN GENERAL.—

(1) REVISED LIMITATION AND CRITERIA.—Effective 6 months after the date of enactment of this Act, section 107A(a) of the Federal Credit Union Act (12 U.S.C. 1757a(a)) is amended to read as follows:

''(a) LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an insured credit union may not make any member business loan that would result in the total amount of such loans outstanding at that credit union at any one time to be equal to more than the lesser of—

''(A) 1.75 times the actual net worth of the credit union; or

''(B) 12.25 percent of the total assets of the credit union.

''(2) ADDITIONAL AUTHORITY.—The Board may approve an application by an insured credit union upon a finding that the credit union meets the criteria under this paragraph to make 1 or more member business loans that would result in a total amount of such loans outstanding at any one time of not more than 27.5 percent of the total assets of the credit union, if the credit union—

''(A) had member business loans outstanding at the end of each of the 4 consecutive quarters immediately preceding the date of the application, in a total amount of not less than 80 percent of the applicable limitation under paragraph (1);

''(B) is well capitalized, as defined in section 216(c)(1)(A);

''(C) can demonstrate at least 5 years of experience of sound underwriting and servicing of member business loans;

''(D) has the requisite policies and experience in managing member business loans; and

''(E) has satisfied other standards that the Board determines are necessary to maintain the safety and soundness of the insured credit union.

''(3) EFFECT OF NOT BEING WELL CAPITALIZED.—An insured credit union that has made member business loans under an authorization under paragraph (2) and that is not, as of its most recent quarterly call report, well capitalized, may not make any member business loans, until such time as the credit union becomes well capitalized, as reflected in a subsequent quarterly call report, and obtains the approval of the Board.''.

(b) IMPLEMENTATION.—

(1) TIERED APPROVAL PROCESS.—The Board shall develop a tiered approval process, under which an insured credit union gradually increases the amount of member business lending in a manner that is consistent with safe and sound operations, subject to the limits established under section 107A(a)(2) of the Federal Credit Union Act (as amended by this Act). The rate of increase under the process established under this paragraph may not exceed 30 percent per year.

(2) RULEMAKING REQUIRED.—The Board shall issue proposed rules, not later than 6 months after the date of enactment of this Act, to establish the tiered approval process required under paragraph (1). The tiered approval process shall establish standards designed to ensure that the new business lending capacity authorized under the amendment made by subsection (a) is being used only by insured credit unions that are well-managed and well capitalized, as required by the amendments made under subsection (a) and as defined by the rules issued by the Board under this paragraph.

(3) CONSIDERATIONS.—In issuing rules required under this subsection, the Board shall consider—

(A) the experience level of the institutions, including a demonstrated history of sound member business lending;

(B) the criteria under section 107A(a)(2) of the Federal Credit Union Act, as amended by this Act; and

(C) such other factors as the Board determines necessary or appropriate.

(c) REPORTS TO CONGRESS ON MEMBER BUSINESS LENDING.—

(1) REPORT OF THE BOARD.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Board shall submit a report to Congress on member business lending by insured credit unions.

(B) REPORT.—The report required under subparagraph (A) shall include—

(i) the types and asset size of insured credit unions making member business loans and the member business loan limitations applicable to the insured credit unions;

(ii) the overall amount and average size of member business loans by each insured credit union;

(iii) the ratio of member business loans by insured credit unions to total assets and net worth;

(iv) the performance of the member business loans, including delinquencies and net charge offs;

(v) the effect of this section on the number of insured credit unions engaged in member business lending, any change in the amount of member business lending, and the extent to which any increase is attributed to the change in the limitation in section 107A(a) of the Federal Credit Union Act, as amended by this Act;

(vi) the number, types, and asset size of insured credit unions that were denied or approved by the Board for increased member business loans under section 107A(a)(2), as amended by this Act, including denials and approvals under the tiered approval process;

(vii) the types and sizes of businesses that receive member business loans, the duration of the credit union membership of the businesses at the time of the loan, the types of collateral used to secure member business loans, and the income level of members receiving member business loans; and

(viii) the effect of any increases in member business loans on the risk to the National Credit Union Share Insurance Fund and the assessments on insured credit unions.

(2) GAO STUDY AND REPORT.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on the status of member business lending by insured credit unions, including—

(i) trends in such lending;

(ii) types and amounts of member business loans;

(iii) the effectiveness of this section in enhancing small business lending;

(iv) recommendations for legislative action, if any, with respect to such lending; and

(v) any other information that the Comptroller General considers relevant with respect to such lending.

(B) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall submit a report to Congress on the study required by subparagraph (A).

(d) DEFINITIONS.—In this section—

(1) the term ''Board'' means the National Credit Union Administration Board;

(2) the term ''insured credit union'' has the meaning given that term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

(3) the term ''member business loan'' has the meaning given that term in section 107A(c)(1) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(1));

(4) the term ''net worth'' has the meaning given that term in section 107A(c)(2) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(2)); and

(5) the term ''well capitalized'' has the meaning given that term in section

216(c)(1)(A) of the Federal Credit Union Act (12 U.S.C. 1709d(c)(1)(A)).

SA 4444. Mr. REID (for himself, Mr. CRAPO, Mr. ENSIGN, Mr. LIEBERMAN, Mrs. SHAHEEN, Mrs. LINCOLN, Mr. TESTER, Ms. STABENOW, Mr. WICKER and Mr. COBURN) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part IV of title II, insert the following:

SEC. —. TIME FOR PAYMENT OF MANUFACTURERS' EXCISE TAX ON RECREATIONAL EQUIPMENT.

(a) IN GENERAL.—Subsection (d) of section 6302 of the Internal Revenue Code of 1986 (relating to mode or time of collection) is amended to read as follows:

''(d) TIME FOR PAYMENT OF MANUFACTURERS' EXCISE TAX ON RECREATIONAL EQUIPMENT.—The taxes imposed by subchapter D of chapter 32 of this title (relating to taxes on recreational equipment) shall be due and payable on the date for filing the return for such taxes.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to articles sold by the manufacturer, producer, or importer after the date of the enactment of this Act.

SA 4445. Ms. KLOBUCHAR (for herself, Mr. LEMIEUX, Mr. KERRY, Mrs. SHAHEEN, and Mr. NELSON of Florida) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 11 and 12, insert the following:

SEC. 1210. GLOBAL BUSINESS DEVELOPMENT AND PROMOTION ACTIVITIES OF THE DEPARTMENT OF COMMERCE.

(a) INCREASE IN EMPLOYEES WITH RESPONSIBILITY FOR GLOBAL BUSINESS DEVELOPMENT AND PROMOTION ACTIVITIES.—

(1) IN GENERAL.—During the 24-month period beginning on the date of the enactment of this Act, the Secretary of Commerce shall increase the number of full-time departmental employees whose primary responsibilities involve promoting or facilitating participation by United States businesses in the global marketplace and facilitating the entry into, or expansion of, such participation by United States businesses. In carrying out this subsection, the Secretary shall ensure that—

(A) the cohort of such employees is increased by not less than 80 persons; and

(B) a substantial portion of the increased cohort is stationed outside the United States.

(2) ENHANCED FOCUS ON UNITED STATES SMALL- AND MEDIUM-SIZED BUSINESSES.—In carrying out this subsection, the Secretary shall take such action as may be necessary to ensure that the activities of the Department of Commerce relating to promoting and facilitating participation by United States businesses in the global marketplace include promoting and facilitating such participation by small and medium-sized businesses in the United States.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for each of the fiscal years 2011 and 2012 such sums as may be necessary to carry out this section.

(b) ADDITIONAL FUNDING FOR GLOBAL BUSINESS DEVELOPMENT AND PROMOTION ACTIVITIES OF THE DEPARTMENT OF COMMERCE.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce for the period beginning on the date of the enactment of this Act and ending 18 months thereafter, $30,000,000 to promote or facilitate participation by United States businesses in the global marketplace and facilitating the entry into, or expansion of, such participation by United States businesses.

(2) REQUIREMENTS.—In obligating and expending the funds authorized to be appropriated by paragraph (1), the Secretary of Commerce shall give preference to activities that—

(A) assist small- and medium-sized businesses in the United States; and

(B) the Secretary determines will create or sustain the greatest number of jobs in the United States and obtain the maximum return on investment.

SEC. 1211. ADDITIONAL FUNDING TO IMPROVE ACCESS TO GLOBAL MARKETS FOR RURAL BUSINESSES.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $5,000,000 for each of the fiscal years 2011 and 2012 for improving access to the global marketplace for goods and services provided by rural businesses in the United States.

(b) REQUIREMENTS.—In obligating and expending the funds authorized to be appropriated by subsection (a), the Secretary of Commerce shall give preference to activities that—

(1) assist small- and medium-sized businesses in the United States; and

(2) the Secretary determines will create or sustain the greatest number of jobs in the United States and obtain the maximum return on investment.

SEC. 1212. ADDITIONAL FUNDING FOR THE EXPORTECH PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $11,000,000 for the period beginning on the date of the enactment of this Act and ending 18 months thereafter, to expand ExporTech, a joint program of the Hollings Manufacturing Partnership Program and the Export Assistance Centers of the Department of Commerce.

(b) REQUIREMENTS.—In obligating and expending the funds authorized to be appropriated by subsection (a), the Secretary of Commerce shall give preference to activities that—

(1) assist small- and medium-sized businesses in the United States; and

(2) the Secretary determines will create or sustain the greatest number of jobs in the United States and obtain the maximum return on investment.

SEC. 1213. ADDITIONAL FUNDING FOR THE MARKET DEVELOPMENT COOPERATOR PROGRAM OF THE DEPARTMENT OF COMMERCE.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce for the period beginning on the date of the enactment of this Act and ending 18 months thereafter, $15,000,000 for the Manufacturing and Services unit of the International Trade Administration—

(1) to establish public-private partnerships under the Market Development Cooperator Program of the International Trade Administration; and

(2) to underwrite a portion of the start-up costs for new projects carried out under that Program to strengthen the competitiveness and market share of United States industry, not to exceed, for each such project, the lesser of—

(A) ⅓ of the total start-up costs for the project; or

(B) $500,000.

(b) REQUIREMENTS.—In obligating and expending the funds authorized to be appropriated by subsection (a), the Secretary of Commerce shall give preference to activities that—

(1) assist small- and medium-sized businesses in the United States; and

(2) the Secretary determines will create or sustain the greatest number of jobs in the United States and obtain the maximum return on investment.

SEC. 1214. HOLLINGS MANUFACTURING PARTNERSHIP PROGRAM; TECHNOLOGY INNOVATION PROGRAM.

(a) HOLLINGS MANUFACTURING PARTNERSHIP PROGRAM.—Section 25(f) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(f)) is amended by adding at the end the following:

''(7) GLOBAL MARKETPLACE PROJECTS.—In making awards under this subsection, the Director, in consultation with the Manufacturing Extension Partnership Advisory Board and the Secretary of Commerce, may—

''(A) take into consideration whether an application has significant potential for enhancing the competitiveness of small and medium-sized United States manufacturers in the global marketplace; and

''(B) give a preference to applications for such projects to the extent the Director deems appropriate, taking into account the broader purposes of this subsection.''.

(b) TECHNOLOGY INNOVATION PROGRAM.—In awarding grants, cooperative agreements, or contracts under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n), in addition to the award criteria set forth in subsection (c) of that section, the Director of the National Institute of Standards and Technology may take into consideration whether an application has significant potential for enhancing the competitiveness of small- and medium-sized businesses in the United States in the global marketplace. The Director shall consult with the Technology Innovation Program Advisory Board and the Secretary of Commerce in implementing this subsection.

SEC. 1215. SENSE OF THE SENATE CONCERNING FEDERAL COLLABORATION WITH STATES ON EXPORT PROMOTION ISSUES.

It is the sense of the Senate that the Secretary of Commerce should enhance Federal collaboration with the States on export promotion issues by—

(1) providing the necessary training to the staff at State international trade agencies to enable them to assist the United States and Foreign Commercial Service (established by section 2301 of the Export Enhancement Act

of 1988 (15 U.S.C. 4721)) in providing counseling and other export services to businesses in their communities; and

(2) entering into agreements with State international trade agencies for those agencies to deliver export promotion services in their local communities in order to extend the outreach of United States and Foreign Commercial Service programs.

SEC. 1216. REPORT ON TARIFF AND NONTARIFF BARRIERS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the United States Trade Representative and other appropriate entities, shall report to Congress on the tariff and nontariff barriers imposed by Colombia, the Republic of Korea, and Panama with respect to exports of articles from the United States, including articles exported or produced by small- and medium-sized businesses in the United States.

SA 4446. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 11 and 12, insert the following:

SEC. 1210. TREATMENT OF CERTAIN FOOTWEAR.

(a) IN GENERAL.—The Additional U.S. Notes to chapter 64 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following:

''5. For the purposes of determining the constituent material of the outer sole pursuant to Note 4(b) to this chapter, no account shall be taken of textile materials which do not possess the characteristics usually required for normal use of an outer sole, including durability and strength.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

SA 4447. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle B of title II, add the following:

SEC. ____. TAXATION OF INCOME OF CONTROLLED FOREIGN CORPORATIONS ATTRIBUTABLE TO IMPORTED PROPERTY.

(a) GENERAL RULE.—Subsection (a) of section 954 of the Internal Revenue Code of 1986 (defining foreign base company income) is amended by striking the period at the end of paragraph (5) and inserting '', and'', by redesignating paragraph (5) as paragraph (4), and by adding at the end the following new paragraph:

''(5) imported property income for the taxable year (determined under subsection (j) and reduced as provided in subsection (b)(5)).''.

(b) DEFINITION OF IMPORTED PROPERTY INCOME.—Section 954 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(j) IMPORTED PROPERTY INCOME.—

''(1) IN GENERAL.—For purposes of subsection (a)(5), the term 'imported property income' means income (whether in the form of profits, commissions, fees, or otherwise) derived in connection with—

''(A) manufacturing, producing, growing, or extracting imported property;

''(B) the sale, exchange, or other disposition of imported property; or

''(C) the lease, rental, or licensing of imported property.

Such term shall not include any foreign oil and gas extraction income (within the meaning of section 907(c)) or any foreign oil related income (within the meaning of section 907(c)).

''(2) IMPORTED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'imported property' means property which is imported into the United States by the controlled foreign corporation or a related person.

''(B) IMPORTED PROPERTY INCLUDES CERTAIN PROPERTY IMPORTED BY UNRELATED PERSONS.—The term 'imported property' includes any property imported into the United States by an unrelated person if, when such property was sold to the unrelated person by the controlled foreign corporation (or a related person), it was reasonable to expect that—

''(i) such property would be imported into the United States; or

''(ii) such property would be used as a component in other property which would be imported into the United States.

''(C) EXCEPTION FOR PROPERTY SUBSEQUENTLY EXPORTED.—The term 'imported property' does not include any property which is imported into the United States and which—

''(i) before substantial use in the United States, is sold, leased, or rented by the controlled foreign corporation or a related person for direct use, consumption, or disposition outside the United States; or

''(ii) is used by the controlled foreign corporation or a related person as a component in other property which is so sold, leased, or rented.

''(D) EXCEPTION FOR CERTAIN AGRICULTURAL COMMODITIES.—The term 'imported property' does not include any agricultural commodity which is not grown in the United States in commercially marketable quantities.

''(3) DEFINITIONS AND SPECIAL RULES.—

''(A) IMPORT.—For purposes of this subsection, the term 'import' means entering, or withdrawal from warehouse, for consumption or use. Such term includes any grant of the right to use intangible property (as defined in section 936(h)(3)(B)) in the United States.

''(B) UNITED STATES.—For purposes of this subsection, the term 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(C) UNRELATED PERSON.—For purposes of this subsection, the term 'unrelated person' means any person who is not a related person with respect to the controlled foreign corporation.

''(D) COORDINATION WITH FOREIGN BASE COMPANY SALES INCOME.—For purposes of this section, the term 'foreign base company sales income' shall not include any imported property income.''.

(c) SEPARATE APPLICATION OF LIMITATIONS ON FOREIGN TAX CREDIT FOR IMPORTED PROPERTY INCOME.—

(1) IN GENERAL.—Paragraph (1) of section 904(d) of the Internal Revenue Code of 1986 (relating to separate application of section with respect to certain categories of income) is amended by striking ''and'' at the end of subparagraph (A), by redesignating subparagraph (B) as subparagraph (C), and by inserting after subparagraph (A) the following new subparagraph:

''(B) imported property income, and''.

(2) IMPORTED PROPERTY INCOME DEFINED.—Paragraph (2) of section 904(d) of such Code is amended by redesignating subparagraphs (I), (J), and (K) as subparagraphs (J), (K), and (L), respectively, and by inserting after subparagraph (H) the following new subparagraph:

''(I) IMPORTED PROPERTY INCOME.—The term 'imported property income' means any income received or accrued by any person which is of a kind which would be imported property income (as defined in section 954(j)).''.

(3) CONFORMING AMENDMENT.—Clause (ii) of section 904(d)(2)(A) of such Code is amended by inserting ''or imported property income'' after ''passive category income''.

(d) TECHNICAL AMENDMENTS.—

(1) Clause (iii) of section 952(c)(1)(B) of the Internal Revenue Code of 1986 (relating to certain prior year deficits may be taken into account) is amended—

(A) by redesignating subclauses (II), (III), (IV), and (V) as subclauses (III), (IV), (V), and (VI), and

(B) by inserting after subclause (I) the following new subclause:

''(II) imported property income,''.

(2) The last sentence of paragraph (4) of section 954(b) of such Code (relating to exception for certain income subject to high foreign taxes) is amended by striking ''subsection (a)(5)'' and inserting ''subsection (a)(4)''.

(3) Paragraph (5) of section 954(b) of such Code (relating to deductions to be taken into account) is amended by striking ''and the foreign base company oil related income'' and inserting ''the foreign base company oil related income, and the imported property income''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after the date of the enactment of this Act, and to taxable years of United States shareholders within which or with which such taxable years of such foreign corporations end.

SA 4448. Mr. MERKLEY (for himself and Mr. BOND) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, between lines 3 and 4, insert the following:

SEC. 1137. REBUILDING COUNTIES.

(a) IN GENERAL.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''or'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(F) rebuilding counties.''; and

(2) in paragraph (4), by adding at the end the following:

''(E) REBUILDING COUNTIES.—

''(i) IN GENERAL.—The term 'rebuilding county' means an initial period rebuilding county or an extension period rebuilding county.

''(ii) INITIAL PERIOD REBUILDING COUNTY.—The term 'initial period rebuilding county' means a county, parish, or similar political subdivision—

''(I) for which the Administrator determines that the 1-year unemployment rate average is not less than 120 percent of the 1-year average unadjusted unemployment rate for the United States, based on the most recent data available from the Secretary of Labor;

''(II) that—

''(aa) as of the date of the determination under subclause (I), is not a HUBZone; or

''(bb) will cease to qualify as a HUBZone not later than 2 years after the date of the determination under subclause (I); and

''(III) during the 3-year period beginning on the date on which the Administrator makes the determination under subclause (I).

''(iii) EXTENSION PERIOD REBUILDING COUNTY.—The term 'extension period rebuilding county' means a county, parish, or similar political subdivision—

''(I) for which the Administrator has made a determination under clause (ii)(I);

''(II) for which the 3-year period described in clause (ii)(III) has ended;

''(III) for which the Administrator determines that the average unemployment rate for the 1-year period ending on the date on which the 3-year period described in clause (ii)(III) ends is not less than 140 percent of the 1-year average unadjusted unemployment rate for the United States, based on the most recent data available from the Secretary of Labor; and

''(IV) during the period beginning on the date on which the Administrator makes the determination under subclause (III) and ending on the earlier of—

''(aa) the date that is 3 years after the date of the determination under subclause (III); and

''(bb) the date on which the Bureau of the Census publicly releases the initial results of the first decennial census occurring after the date of the determination under subclause (III).

''(iv) 1-YEAR UNEMPLOYMENT RATE AVERAGE.—The term '1-year unemployment rate average' means the average unemployment rate, based on the most recent data available from the Secretary of Labor, during any 1-year period during the period—

''(I) beginning on the date on which a recession begins, as determined by the National Bureau of Economic Research; and

''(II) ending on the date that is 180 days after the date on which the National Bureau of Economic Research publicly releases the determination under subclause (I).''.

(b) RECESSION OF 2007.—For purposes of applying section 3(p)(4) of the Small Business Act, as added by subsection (a), in relation to the recession announced by the National Bureau of Economic Research on December 1, 2008, the term ''1-year unemployment rate average'' means the average unemployment rate during the 1-year period ending on the date of enactment of this Act, based on the most recent data available from the Secretary of Labor.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

Mr. COBURN, pursuant to the provisions of section 512 of Public Law 100–81, submitted his notice of intent to proceed to consider the bill (S. 1237) to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes, dated June 24, 2010.

[Letter with reasons for objection appear in the CONGRESSIONAL RECORD on June 29, 2010]

RELINQUISHING OF OBJECTION TO EXECUTIVE NOMINATIONS

I, Senator TOM COBURN, do not object to proceeding to the following nominations:

802—Victor Ashe, of Tennessee, to be a Member of the Broadcasting Board of Governors.

804—Walter Isaacson, of Louisiana, to be Chairman of the Broadcasting Board of Governors.

805—Michael Lynton, of California, to be a Member of the Broadcasting Board of Governors.

806—Susan McCue, of Virginia, to be a Member of the Broadcasting Board of Governors.

807—Dennis Mulhaupt, of California, to be a Member of the Broadcasting Board of Governors.

808—S. Enders Wimbush, of Virginia, to be a Member of the Broadcasting Board of Governors.

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the hearing before the Subcommittee on Water and Power previously announced for July 1, has been rescheduled and will now be held on Wednesday, July 14, 2010, at 3:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to examine the Federal response to the discovery of the aquatic invasive species Asian carp in Lake Calumet, Illinois.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to Gina_Weinstock@energy.senate.gov.

For further information, please contact Tanya Trujillo or Gina Weinstock.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 30, 2010 at 9:30 a.m. in room G50 of the Dirksen Senate Office Building.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARPER. 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 June 30, 2010, at 10 a.m., to conduct a hearing entitled ''Green Housing for the 21th Century: Retrofitting the Past and Building an Energy-Efficient Future.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 30, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 30 at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARPER. 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 June 30, 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 ENVIRONMENT AND PUBLIC WORKS

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 30, 2010, at 9 a.m. in room 406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 30, 2010.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 10 a.m. to conduct a hearing entitled ''Nuclear Terrorism: Strengthening Our Domestic Defenses, Part I.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 30, 2010, at 9 a.m., in room SH–216 of the Hart Senate Office Building, to continue the hearing on the nomination of Elena Kagan to be an Associate Justice of the Supreme Court of the United States.

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

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. CARPER. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 2:30 p.m. to conduct a hearing entitled, ''Interagency Contracts (Part II): Management and Oversight.''

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

SPECIAL COMMITTEE ON AGING

Mr. CARPER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on June 30, 2010, from 2–5 p.m. in Dirksen 106 for the purpose of conducting a hearing.

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Sarah Cramer and Michael Crusinberry of my staff be granted the privilege of the floor for the duration of today's proceedings.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Heidi McDonald and Amanda Spinney from Senator BINGAMAN's office be granted the privilege of the floor for the remainder of today.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Adam Pelzer and Madeline Daniels of my staff be granted floor privileges for the duration of today's proceedings.

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

AIRPORT AND AIRWAY EXTENSION ACT OF 2010, PART II

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5611, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5611) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CARPER. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 5611) was ordered to a third reading, was read the third time, and passed.

CELEBRATING 130 YEARS OF UNITED STATES-ROMANIAN DIPLOMATIC RELATIONS

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Con. Res. 67, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 67), celebrating 130 years of United States-Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CARPER. Mr. President, I ask unanimous consent that the concurrent 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 concurrent resolution (S. Con. Res. 67) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 67

Whereas the United States established diplomatic relations with Romania in June 1880;

Whereas the United States and Romania are two countries united by shared values and a strong commitment to freedom, democracy, and prosperity;

Whereas Romania has shown, for the past 20 years, remarkable leadership in advancing security and democratic principles in Eastern Europe, the Western Balkans, and the Black Sea region, and has amply participated to the forging of a wider Europe, whole and free;

Whereas Romania's commitment to meeting the greatest responsibilities and challenges of the 21st century is and has been reflected by its contribution to the international efforts of stabilization in Afghanistan and Iraq, its decision to participate in the United States missile defense system in Europe, its leadership in regional nonproliferation and arms control, its active pursuit of energy security solutions for South Eastern Europe, and its substantial role in shaping a strong and effective North Atlantic Alliance;

Whereas the strategic partnership that exists between the United States and Romania has greatly advanced the common interests of the United States and Romania in promoting transatlantic and regional security and free market opportunities, and should continue to provide for more economic and cultural exchanges, trade and investment, and people-to-people contacts between the United States and Romania;

Whereas the talent, energy, and creativity of the Romanian people have nurtured a vibrant society and nation, embracing entrepreneurship, technological advance and innovation, and rooted deeply in the respect for education, culture, and international cooperation; and

Whereas Romanian Americans have contributed greatly to the history and development of the United States, and their rich cultural heritage and commitment to furthering close relations between Romania and the United States should be properly recognized and praised: Now, therefore, be it

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

(1) celebrates the 130th anniversary of United States-Romanian diplomatic relations;

(2) congratulates the Romanian people on their achievements as a great nation; and

(3) reaffirms the deep bonds of trust and values between the United States and Romania.

NATIONAL ESIGN DAY 2010

COMMEMORATING THE REMARKABLE LIFE OF CHAPLAIN HENRY VINTON PLUMMER

SUMMER FOOD SERVICE PROGRAM AWARENESS MONTH

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 576, S. Res. 577, and S. Res. 578.

Without objection, the Senate proceeded to consider the resolutions.

Mr. CARPER. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements relating to the resolutions be printed in the RECORD.

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

The resolutions (S. Res. 576, S. Res. 577, and S. Res. 578) were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 576

Whereas the Electronic Signatures in Global and National Commerce Act (ESIGN) (15 U.S.C. 7001 et seq.) was enacted on June 30, 2000, to ensure that a signature, contract, or other record relating to a transaction may not be denied legal effect, validity, or enforceability solely because the signature, contract, or other record is in electronic form;

Whereas in that Act, Congress directed the Secretary of Commerce to take all actions necessary to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, for the purpose of facilitating the development of interstate and foreign commerce; and

Whereas June 30, 2010, marks the 10th anniversary of the enactment of ESIGN and would be an appropriate date to designate as ''National ESIGN Day 2010'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of a ''National ESIGN Day 2010'';

(2) recognizes the contribution made by Congress in the Electronic Signatures in Global and National Commerce Act (ESIGN) (15 U.S.C. 7001 et seq.) to the adoption of modern solutions that keep the United States on the leading technological edge; and

(3) reaffirms the commitment of the Senate to facilitating interstate and foreign commerce in an increasingly digital world.

S. RES. 577

Whereas Henry Vinton Plummer was born into slavery on July 31, 1844, in Prince George's County, Maryland and escaped from slavery to serve honorably in the U.S. Navy during the Civil War;

Whereas Henry Plummer was assigned in 1864 to the Union gunboat U.S.S. Coeur de Lion, which engaged numerous Confederate ships trying to run Union blockades in the Chesapeake Bay and its tributaries during the Civil War;

Whereas after being honorably discharged from the Navy in 1865, Henry Plummer studied to become a minister, and felt called to serve again in the United States military;

Whereas in 1866, the 39th Congress passed legislation to establish African-American military units and stipulated that a chaplain be assigned to each regiment;

Whereas in July 1884, Henry Plummer was appointed the first African-American chaplain in the United States Regular Army with a military rank equivalent of Captain;

Whereas Chaplain Plummer served for more than 10 years with the Ninth Cavalry and was stationed at Army forts in Kansas, Wyoming, and Nebraska;

Whereas during his time in uniform, Chaplain Plummer worked to improve education and voter participation and reduce the temptation of gambling, drunkenness, and prostitution among soldiers under his ministry;

Whereas Chaplain Plummer fought racism and other injustices of the time while serving his country with the Ninth Calvary;

Whereas Chaplain Plummer's records in Fort Riley and Fort Robinson noted that he performed admirably in his work among soldiers and in his efforts on behalf of their spiritual well-being;

Whereas Chaplain Plummer endured racial bias and animosity throughout his time in uniform, including being denied officer housing and being forced to live among enlisted personnel despite holding the Army officer rank equivalent of Captain;

Whereas in 1894, Chaplain Plummer was court-martialed, convicted, and dismissed from the Army under circumstances tainted by racial and personal animus;

Whereas the Army Board for Correction of Military Records concluded that personal grudges and racial bias were driving factors that led to Chaplain Plummer's court-martial;

Whereas the Army Board for Correction of Military Records noted evidence that shows Chaplain Plummer served his country well and was a highly respected and admired officer;

Whereas in 2005, the Army Board for Correction of Military Records changed the status of Chaplain Plummer's military discharge to ''honorable'';

Whereas despite the unfair and racially charged atmosphere that led to Chaplain Plummer's conviction and discharge, he continued to ask for reinstatement in the military out of a desire to serve his country;

Whereas Chaplain Plummer was a devoted family man, minister, veteran, and community leader committed to the principles of liberty and opportunity for which the United States stands; and

Whereas Chaplain Plummer rose from the depths of slavery to remarkable heights, and led a life of selfless contributions to his country: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the life and patriotism of Chaplain Henry Vinton Plummer;

(2) expresses its admiration for Chaplain Plummer for his perseverance and resolve in the face of racial oppression in the military history of the United States; and

(3) congratulates Chaplain Plummer's extended family for their work to commemorate his life of devotion to helping others while overcoming tremendous adversity.

S. RES. 578

Whereas the Summer Food Service Program provides healthy, nutritious meals to an average 2,900,000 children each weekday during the summer;

Whereas there are 34,700 feeding sites in low-income neighborhoods located at churches, schools, parks, recreation centers, and summer camps in all 50 States;

Whereas thousands volunteer at summer feeding sites;

Whereas summer feeding programs play an important role in providing safe places for children and teenagers to engage in physical activity and provide educational opportunities to spur learning during the summer months;

Whereas data from the Department of Agriculture has shown rates of hunger and food insecurity among school-age children increase during the summer months;

Whereas of the 19,500,000 children receiving free or reduced priced meals through the National School Lunch Program, only 1 in 9 receive meals at a summer feeding site on an average day;

Whereas there are only 34 summer food sites for every 100 school lunch programs; and

Whereas many low-income, food insecure children in rural areas lack access to summer feeding locations: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2010 as ''Summer Food Service Program Awareness Month'';

(2) encourages schools, nonprofit institutions, churches, parks, recreation centers, and summer camps to sponsor summer feeding sites in their communities; and

(3) encourages schools, local businesses, nonprofit institutions, churches, cities, and State governments to raise awareness of the availability of summer feeding sites and support efforts to increase participation of children who might otherwise go without meals if not for the Summer Food Service Program.

CONDITIONAL ADJOURNMENT OF THE HOUSE AND CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 293, the adjournment resolution, received from the House and at the desk.

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

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (H. Con. Res. 293) providing for the conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CARPER. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 293) was agreed to, as follows:

H. CON. RES. 293

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, July 1, 2010, through Saturday, July 3, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, July 13, 2010, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Wednesday, June 30, 2010, through Sunday, July 4, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 12, 2010, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble

at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

MEASURE READ THE FIRST TIME—H.R. 5552

Mr. CARPER. Mr. President, I understand that H.R. 5552 has been received from the House and is at the desk, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. CARPER. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 5552) to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

Mr. CARPER. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to executive session and that the previous action tonight with respect to Calendar No. 963 be vitiated and that the Senate then proceed to Calendar No. 964; that the nomination be confirmed; that the motion to reconsider be laid upon the table; 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.

The nomination considered and confirmed is as follows:

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Lloyd J. Austin, III

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the majority leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, reappoints the following individual to the United States Commission on International Religious Freedom: Dr. Don H. Argue of Washington.

ORDERS FOR MONDAY, JULY 12, 2010

Mr. CARPER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of H. Con. Res. 293 until 2 p.m. on Monday, July 12; 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 that following any leader remarks, there be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

PROGRAM

Mr. CARPER. Mr. President, when we return on Monday, July 12, Senators should expect a rollcall vote at approximately 5:30 p.m. We hope to reach an agreement to vote on confirmation of a judicial nomination. Senators will be notified when any agreement is reached.

ADJOURNMENT UNTIL MONDAY, JULY 12, 2010, AT 2 P.M.

Mr. CARPER. 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 9:40 p.m., adjourned until Monday, July 12, 2010, at 2 p.m.

DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ROBIN J. BRINKLEY HADDEN AND ENDING WITH HEATHER LOUISE YORKSTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2010.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, June 30, 2010:

BROADCASTING BOARD OF GOVERNORS

VICTOR H. ASHE, OF TENNESSEE, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2010.

WALTER ISAACSON, OF LOUISIANA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2012.

WALTER ISAACSON, OF LOUISIANA, TO BE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS.

MICHAEL LYNTON, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2012.

SUSAN MCCUE, OF VIRGINIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2011.

DENNIS MULHAUPT, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2011.

S. ENDERS WIMBUSH, OF VIRGINIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2010.

DEPARTMENT OF STATE

THEODORE SEDGWICK, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SLOVAK REPUBLIC.

BROADCASTING BOARD OF GOVERNORS

MICHAEL P. MEEHAN, OF VIRGINIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2010.

DANA M. PERINO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2012.

DEPARTMENT OF THE TREASURY

S. LESLIE IRELAND, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF THE TREASURY.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DAVID H. PETRAEUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. LLOYD J. AUSTIN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. RAYMOND T. ODIERNO

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. FRANCIS H. KEARNEY III

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. REX C. MCMILLIAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) ALTON L. STOCKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) WILLIAM A. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ELAINE C. WAGNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. COLIN G. CHINN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. WILLIE L. METTS
CAPT. JAN E. TIGHE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. THOMAS H. BOND, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) SAMUEL J. COX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) MICHAEL S. ROGERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DAVID G. SIMPSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DAVID A. DUNAWAY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) TERRY J. BENEDICT
REAR ADM. (LH) THOMAS J. ECCLES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JAMES H. RODMAN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. VICTOR M. BECK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. GERALD W. CLUSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. BRYAN P. CUTCHEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) PATRICIA E. WOLFE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) DONALD R. GINTZIG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) STEVEN M. TALSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) LOTHROP S. LITTLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) GARRY J. BONELLI
REAR ADM. (LH) SCOTT E. SANDERS
REAR ADM. (LH) ROBERT O. WRAY, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MARGARET A. RYKOWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. GREGORY C. HORN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PAULA C. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) SCOTT A. WEIKERT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPTAIN KELVIN N. DIXON
CAPTAIN MARTHA E.G. HERB
CAPTAIN BRIAN L. LAROCHE
CAPTAIN JOHN C. SADLER

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ROBIN J. BRINKLEY HADDEN AND ENDING WITH HEATHER LOUISE YORKSTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2010.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JEREMY C. AAMOLD AND ENDING WITH PETER W. ZUMWALT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 3, 2010.

AIR FORCE NOMINATIONS BEGINNING WITH MARK J. AGUIAR AND ENDING WITH MELINDA A. WILLIAMSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 2010.

AIR FORCE NOMINATIONS BEGINNING WITH VERONA BOUCHER AND ENDING WITH JAMES A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 2010.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH ADAM M. KING AND ENDING WITH JAMES D. VALENTINE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 27, 2010.

IN THE NAVY

NAVY NOMINATION OF LYNN A. OSCHMANN, TO BE CAPTAIN.

NAVY NOMINATION OF DIANE C. BOETTCHER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH STEPHEN J. LEPP AND ENDING WITH MELANIE F. OBRIEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATION OF CAROLINE M. GAGHAN, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH DAVID W. HOWARD AND ENDING WITH CARL R. TORRES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH KEVIN A. ASKIN AND ENDING WITH CRAIG S. FEHRLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH JOHN B. HOLT AND ENDING WITH CHRISTOPHER R. STEARNS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATION OF JEFFREY S. TANDY, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH RUSSELL L. COONS AND ENDING WITH SCOTT C. RYE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH KEVIN P. BENNETT AND ENDING WITH PAUL F. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH RICHARD A. BALZANO AND ENDING WITH MARK J. WINTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH JOHN T. ARCHER AND ENDING WITH ANDREW D. MCDONALD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH STEVEN T. BELDY AND ENDING WITH DAN A. STARLING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH JAMES D. BEARDSLEY AND ENDING WITH CHRISTOPHER S. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH LLOYD P. BROWN, JR. AND ENDING WITH VINCENTIUS J. VANJOOLEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH DANNY K. BUSCH AND ENDING WITH MICHAEL ZIV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH WILLIAM S. DILLON AND ENDING WITH MICHAEL J. VANGHEEM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH NORA A. BURGHARDT AND ENDING WITH RICK T. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH BRUCE J. BLACK AND ENDING WITH DAVID G. WIRTH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH CHAD F. ACEY AND ENDING WITH STEVEN G. WELDON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH JAMES S. BIGGS AND ENDING WITH HAROLD E. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH RICHARD W. HAUPT AND ENDING WITH JOSEPH A. SURETTE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH EDWARD A. BRADFIELD AND ENDING WITH SCOTT E. ORGAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH BRIAN D. CONNON AND ENDING WITH ERIKA L. SAUER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH CONRADO K. ALEJO AND ENDING WITH RICHARD D. JONES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH ERIC D. CHENEY AND ENDING WITH CYNTHIA M. WOMBLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH JAMES A. AIKEN AND ENDING WITH THEODORE A. ZOBEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATION OF JAMES R. PELTIER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH JOSEPH C. AQUILINA AND ENDING WITH WILLIAM M. WIKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH STEPHEN G. ALFANO AND ENDING WITH TERRY D. WEBB, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER A. BLOW AND ENDING WITH LINDA D. YOUBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH JEFFREY A. FISCHER AND ENDING WITH TRACY V. RIKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH CATHERINE A. BAYNE AND ENDING WITH MARY A. YONK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH JOHN D. BRUGHELLI AND ENDING WITH POLLY S. WOLF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH BILLY M. APPLETON AND ENDING WITH MIL A. YI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH ERIC M. AABY AND ENDING WITH GEORGE N. SUTHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATION OF AXEL L. STEINER, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF CLIFFORD R. SHEARER, TO BE COMMANDER.