

and I thank Chair LANDRIEU for her leadership. The Committee has held a series of hearings on the credit crunch, to explore topics from alternative sources of credit to what policies government can enact that will help small businesses create jobs and weather this recession. In these hearings, the one constant message we have heard is that small businesses need access to capital. This message is borne out by the most recent Federal Reserve's Senior Loan Officer Opinion Survey which shows that banks continue to tighten access to credit for small businesses—and have since the start of this recession.

To help small businesses access credit I have introduced two bills, the 10 Steps for a Main Street Economic Recovery Act, and the Next Steps for a Main Street Economic Recovery Act, which contain provisions that would reduce fees for small business borrowers and lenders, allow refinancing of 7(a) and 504 loans; create a lender platform to give small business borrowers more lending options, and to increase the maximum amount borrowers can take out in 7(a), 504, and microloan loan sizes to give small businesses who have capital needs in excess of the Small Business Administration's current loan sizes more borrowing options.

Many of the key provisions of my 10 steps bill were included in the American Recovery and Reinvestment Act, ARRA, most notably, fee reduction for 7(a) and 504 loans. This provision, along with increasing the guarantee rate on 7(a) loans to 90 percent, has been credited with increasing small business lending by over 70 percent since the passage of the ARRA. I was also pleased that President Obama recently announced his support for the loan limit increases in my Next Steps bill as a part of his plan to expand access to capital for small businesses.

These provisions have helped cushion the shock of the credit crisis for small business borrowers; however, I am concerned with one provision which has not lived up to its initial promise.

The American Recovery Capital, ARC, loan program was included in the American Recovery and Reinvestment Act as a result of a combined effort from both the Chairs and the Ranking Members of the House and Senate with the laudable goal of extending a lifeline to small business borrowers. The program allowed viable small businesses that were having difficulty paying their existing debts to access a 100 percent SBA-guaranteed bank loan to repay these debts. These small business borrowers would receive payments for up to 6 months, and then have a 1-year grace period before repayments on their ARC loan began.

However, since its implementation in June, the ARC loan program has been plagued with difficulties, most notably, the Office of Management and Budget has estimated that based on the underwriting requirements put forth by the administration, 60 percent of borrowers utilizing this program may default on their loans.

The ARC program was intended to assist viable small businesses that will be able to repay the loan, not to add additional debt to those who will not. Proper stewardship of taxpayer dollars demands that we put a stop to any Federal program which does not achieve its stated goals. ARC loans are one such program. My legislation immediately suspends the ARC loan program and returns all unobligated funds back to the Treasury.

We must ensure that above all else, taxpayer funds are protected.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2777

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

**SECTION 1. REPEAL OF AMERICAN RECOVERY CAPITAL LOAN PROGRAM.**

(a) IN GENERAL.—Section 506 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 157) is repealed.

(b) RETURN OF FUNDS.—Any unobligated balances of the amounts appropriated under the heading “BUSINESS LOANS PROGRAM ACCOUNT” under the heading “SMALL BUSINESS ADMINISTRATION” under title V of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 151) for loan subsidies and loan modifications for loans to small business concerns authorized in section 506 of division A of the American Recovery and Reinvestment Act of 2009 are rescinded.

(c) APPLICABILITY.—Any loan guarantee under section 506 of division A of the American Recovery and Reinvestment Act of 2009 entered into before the date of enactment of this Act, shall remain in full force and effect under the terms, and for the duration, of the loan guarantee.

By Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, Mr. VOINOVICH, Mr. MERKLEY, and Mr. VITTER):

S. 2778. A bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, today I am joining some of my colleagues from the Environment and Public Works Committee in introducing a bill to reauthorize the Economic Development Administration, EDA. EDA works with partners in economically distressed communities to create wealth and minimize poverty by promoting favorable business environments to attract private investment and encourage long-term economic growth.

I have long been a strong supporter of EDA. I believe the agency does an outstanding job of providing relatively small grants that help secure significant amounts of private investment in distressed communities across the country. Contrary to what some people would say, the government itself does not—frankly, cannot—expand the economy and create long-term jobs. That is the role of the private sector.

What the government can do, however, is help provide the right conditions for private sector investments to flourish. EDA does this in a myriad of ways, but primarily through infrastructure investments. I only wish more of the so-called “stimulus” bill enacted earlier this year had been dedicated to programs like EDA that are truly successful at spurring economic development.

Unlike the majority of the spending in the so-called “stimulus” bill, EDA investments actually provide economic benefits. In fact, studies show that EDA uses federal dollars efficiently and effectively, creating and retaining long-term jobs at an average cost that is among the lowest in government.

In my home State of Oklahoma, for example, EDA has worked long and hard with many communities in need to bring in private capital investment and jobs. Durant, Clinton, Tulsa, Oklahoma City, Seminole, Elk City, Muskogee, Woodward, Shawnee, Claremore, Miami and Elgin are just some of the Oklahoma communities that have made good use of EDA assistance. In fact, over the past seven years, EDA grants awarded in my home state have resulted in more than 9,000 jobs being created. With an investment of about \$33 million, we have leveraged another 32.7 million in State and local dollars and more than 625 million in private sector dollars. I would call that a wonderful success story.

Authorization of FDA's programs expired on September 30, 2008. I had introduced a reauthorization bill in July, 2008, and the EPW Committee reported a bipartisan bill in September 2008. Unfortunately the bill was not enacted. I again introduced my own reauthorization bill in February of this year. Today I am happy to join my colleagues in introducing a similar bill that I hope will be approved by the Committee and the full Senate in the very near future. Particularly in these difficult economic times, we should be doing all we can to ensure the continuation of successful economic development programs, and EDA reauthorization is an important step.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 2781. Mr. JOHNSON (for Mr. DURBIN) proposed an amendment to amendment SA 2779 proposed by Mr. DEMINT to the amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

SA 2782. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2783. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2781.** Mr. JOHNSON (for Mr. DURBIN) proposed an amendment to amendment SA 2779 proposed by Mr. DEMINT to the amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the end of the amendment, add the following:

The provisions of the amendment shall become effective 1 day after enactment.

**SA 2782.** Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . The Secretary of Veterans Affairs shall coordinate with the Director of the Office of Management and Budget to identify amounts available for fiscal years before fiscal year 2010 for mileage reimbursements of employees of the departments and agencies of the Federal Government that remain available for obligation in order to provide up to \$250,000 to be administered by the Department of Veterans Affairs for the operations of the White House Commission on the National Moment of Remembrance established by section 5 of the National Moment of Remembrance Act (36 U.S.C. 116 note) for activities under that Act in fiscal year 2010.

**SA 2783.** Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 21, add the following:  
SEC. 229. Of the amounts appropriated or otherwise made available by this title under the headings "VETERANS HEALTH ADMINISTRATION" and "MEDICAL SERVICES", not less than \$1,000,000 shall be available for education debt reduction under subchapter VII of chapter 76 of title 38, United States Code, for mental health care professionals who agree to employment at the Department of Veterans Affairs.

## NOTICE OF HEARING

## COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate, that the hearing scheduled before Senate Committee on Energy and Natural Resources, for Thursday, November 19, 2009, will begin at 10:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on environmental stewardship policies related to offshore energy production.

For further information, please contact Linda Lance at (202) 224-7556 or Abigail Campbell at (202) 224-1219.

ORDERS FOR TUESDAY,  
NOVEMBER 17, 2009

Mr. DURBIN. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, November 17; 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; there then be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of H.R. 3082, the Military Construction and Veterans Affairs appropriations. Finally, I ask unanimous consent that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus luncheons.

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

## PROGRAM

Mr. DURBIN. When the Senate resumes consideration of the bill tomorrow, it will dispose of the remaining amendments to the bill. We expect there to be up to three rollcall votes beginning around 11:15 a.m., two votes after the recess for the caucus luncheons. Upon disposition of H.R. 3082, there will be up to 1 hour for debate prior to a cloture vote on the nomination of David Hamilton to be U.S. circuit judge for the Seventh Circuit.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. DURBIN. 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 8:19 p.m., adjourned until Tuesday, November 17, 2009, at 10 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

## AFRICAN DEVELOPMENT BANK

WALTER CRAWFORD JONES, OF MARYLAND, TO BE UNITED STATES DIRECTOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS, VICE MIMI ALEMAYEHOU.

## DEPARTMENT OF STATE

IAN HODDY SOLOMON, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A

TERM OF TWO YEARS, VICE ELI WHITNEY DEBEVOISE II, TERM EXPIRED.

UNITED STATES TRADE AND DEVELOPMENT  
AGENCY

LEOCADIA IRINE ZAK, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE TRADE AND DEVELOPMENT AGENCY, VICE LARRY WOODROW WALTHER, RESIGNED.

## IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C. SECTION 211(A):

*To be lieutenant*

RICHARD A. MOOMAW

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

*To be colonel*

LEON L. ROBERT

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

MICHAEL C. METCALF

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

TODD E. FARMER  
STEVEN R. WATT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

MARK D. CROWLEY  
RENEE G. JEFFERSON  
ANN M. JOHNSON  
KARL F. KNIGHT  
KENNETH W. KNOPE  
DENNIS J. MALLOY  
NEIL J. OCONNOR  
JOHN M. PITMAN III  
DAVID D. RABB  
SHERRI K. SCHUCHMANN  
BRENDAN E. SQUIRE  
MICHAEL J. STEVENSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

NATHANAEL L. ALLEN  
JOHN M. ALTMAN  
MATTHEW D. ANDERSON  
DAVID W. ASTIN  
CHRISTOPHER M. BADO  
SCOTT D. BAER  
KRISTIN M. BAKER  
CHRISTOPHER L. BALLARD  
MARK J. BENEDICT  
SCOTT J. BERTINETTI  
MAURICE T. BLAND  
JOHN M. BRADSHAW  
DAVID E. BRIGHAM  
PAUL C. BROTYZEN  
LYNN K. BYERS  
JAMES D. CARPENTER  
REBECCA CARTER  
ROCKY L. CARTER  
TIMOTHY A. CHAFOS  
DAVID K. CHAPMAN  
CHARLES F. CORSON  
TODD A. CYRIL  
GREGORY A. DADDIS  
PATRICK C. DEDHAM  
KEITH A. DETWILER  
RONALD C. DODGE, JR.  
JAMES E. DODSON  
WADE R. DOENGES  
ROBERT E. DUKE  
RICKY N. EMERSON  
DAVID A. EXTON  
ROBERT J. FAGAN  
STEVAN J. FRENCH  
HARRY M. FRIBERG  
RONALD J. GARNER  
BRADLEY T. GERICKE  
PIERRE D. GERVAIS  
KARL H. GINGRICH  
FRANK J. GONZALES  
BARRY F. GRAHAM  
GREGORY H. GRAVES  
DARRELL R. GREGG, JR.  
RICHARD K. GUFFEY  
RODNEY T. HAGGINS  
JIMMY L. HALL, JR.  
PATRICK R. HAMPTON  
KEITH R. HARRIS  
JEFFREY W. HARTMAN  
CLARK H. HEIDELBAUGH