

STATEMENT BY ARLEN SPECTER

My vote on the Employees Choice Bill, also known as Card Check, is very difficult for many reasons. First, on the merits, it is a close call and has been the most heavily lobbied issue I can recall. Second, it is a very emotional issue with Labor looking to this legislation to reverse the steep decline in union membership and business expressing great concern about added costs which would drive more companies out of business or overseas. Perhaps, most of all, it is very hard to disappoint many friends who have supported me over the years, on either side, who are urging me to vote their way.

In voting for cloture (to cut off debate) in June 2007, I emphasized in my floor statement and in a law review article that I was not supporting the bill on the merits, but only to take up the issue of labor law reform. Hearings had shown that the NLRB was dysfunctional and badly politicized. When Republicans controlled the Board, the decisions were for business. With Democrats in control, the decisions were for labor. Some cases took as long as eleven years to decide. The remedies were ineffective.

Regrettably, there has been widespread intimidation on both sides. Testimony shows union officials visit workers' homes, use strong-arm tactics, and refuse to leave until cards are signed. Similarly, employees have complained about being captives in employers' meetings with threats of being fired and other strong-arm tactics.

On the merits, the issue which has emerged at the top of the list is the elimination of the secret ballot which is the cornerstone of how contests are decided in a democratic society. The bill's requirement for compulsory arbitration if an agreement is not reached within 120 days may subject the employer to a deal he/she cannot live with. Such arbitration runs contrary to the basic tenet of the Wagner Act for collective bargaining which makes the employer liable only for a deal he/she agrees to. The arbitration provision could be substantially improved by the last best offer procedure which would limit the arbitrator's discretion and prompt the parties to more reasonable positions.

In seeking more union membership and negotiating leverage, Labor has a valid point that they have suffered greatly from outsourcing of jobs to foreign countries and losses in pension and health benefits. President Obama has pressed Labor's argument that the middle class needs to be strengthened through more power to unions in their negotiations with business. The better way to expand labor's clout in collective bargaining is through amendments to the NLRA rather than on eliminating the secret ballot and mandatory arbitration. Some of the possible provisions for such remedial legislation are set forth in an appendix.

The June 2007 vote on Employees' Choice was virtually monolithic: 50 Democrats for cloture to 48 Republicans against. I was the only Republican to vote for cloture. The prospects for the next cloture vote are virtually the same. No Democratic Senator has spoken out against cloture. Republican Senators are outspoken in favor of a filibuster. With the prospects of a Democratic win in Minnesota, yet uncertain, it appears that 59 Democrats will vote to proceed with 40 Republicans in opposition. If so, the decisive vote would be mine. In a highly polarized Senate, many decisive votes are left to a small group who are willing to listen, reject ideological dogmatism, disagree with the party line and make an independent judgment. It is an anguishing position, but we play the cards we are dealt.

The emphasis on bipartisanship is misplaced. There is no special virtue in having

some Republicans and some Democrats take similar positions. The desired value is independent thought and an objective judgment. It obviously can't be that all Democrats come to one conclusion and all Republicans come to the opposite conclusion by expressing their individual objective judgments. Senators' sentiments expressed in the cloakroom frequently differ dramatically from their votes in the well of the Senate. The nation would be better served with public policy determined by independent, objective legislators' judgments.

The problems of the recession make this a particularly bad time to enact Employees Choice legislation. Employers understandably complain that adding such a burden would result in further job losses. If efforts are unsuccessful to give Labor sufficient bargaining power through amendments to the NLRA, then I would be willing to reconsider Employees' Choice legislation when the economy returns to normalcy.

I am announcing my decision now because I have consulted with a very large number of interested parties on both sides and I have made up my mind. Knowing that I will not support cloture on this bill, Senators may choose to move on and amend the NLRA as I have suggested or otherwise. This announcement should end the rumor mill that I have made some deal for my political advantage. I have not traded my vote in the past and would not do so now.

APPENDIX

SOME SUGGESTED REVISIONS TO THE NATIONAL LABOR RELATIONS ACT

(1) Establishing a timetable:

(a) Require that an election must be held within 10 days of a filing of a joint petition from the employer and the union.

(b) In the absence of a joint petition, require the NLRB to resolve issues on the bargaining unit and eligibility to vote within 14 days from the filing of the petition and the election 7 days thereafter. The Board may extend the time for the election to 14 additional days if the Board sets forth specifics on factual or legal issues of exceptional complexity justifying the extension.

(c) Challenges to the voting would have to be filed within 5 days with the Board having 15 days to resolve any disputes with an additional 10 days if they find issues of exceptional complexity.

(2) Adding unfair labor practices:

(a) an employer or union official visits to an employee at his/her home without prior consent for any purpose related to a representation campaign.

(b) an employer holds employees in a "captive audience" speech unless the union has equal time under identical circumstances.

(c) an employer or union engages in campaign related activities aimed at employees within 24 hours prior to an election.

(3) Authorizing the NLRB to impose treble back pay without reduction for mitigation when an employee is unlawfully fired.

(4) Authorizing civil penalties up to \$20,000 per violation on an NLRB finding of willful and repeated violations of employees' statutory rights by an employer or union during an election campaign.

(5) Require the parties to begin negotiations within 21 days after a union is certified. If there is no agreement after 120 days from the first meeting, either party may call for mediation by the Federal Mediation and Conciliation Service.

(6) On a finding that a party is not negotiating in good faith, an order may be issued establishing a schedule for negotiation and imposing costs and attorney fees.

(7) Broaden the provisions for injunctive relief with reasonable attorneys' fees on a

finding that either party is not acting in good faith.

(8) Require a dissent by a member of the Board to be completed 45 days after the majority opinion is filed.

(9) Establish a certiorari-type process where the Board would exercise discretion on reviewing challenges from decisions by an administrative law judge or regional director.

(10) If the Board does not grant review or fails to issue a decision within 180 days after receiving the record, the decision of the administrative judge or regional director would be final.

(11) Authorizing the award of reasonable attorneys' fees on a finding of harassment, causing unnecessary delay or bad faith.

(12) Modify the NLRA to give the court broader discretion to impose a Gissel order on a finding that the environment has deteriorated to the extent that a fair election is not possible.

Mr. SPECTER. I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. KYL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NATIONAL SERVICE REAUTHORIZATION ACT

Ms. MIKULSKI. Mr. President, I ask unanimous consent that all postcloture time be yielded back, the motion to proceed be agreed to, and that after the bill is reported, I, Senator MIKULSKI, be recognized to call up the substitute amendment.

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

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1388) to reauthorize and reform the national service laws.

AMENDMENT NO. 687

(In the nature of a substitute)

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. I call up my amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI] proposes an amendment numbered 687.

Ms. MIKULSKI. I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments."

Ms. MIKULSKI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAPO. I ask unanimous consent that the order for the quorum call be dispensed with.

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

AMENDMENT NO. 688 TO AMENDMENT NO. 687

MR. CRAPO. I send an amendment to the desk.

THE PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAPO], for himself and Mr. CORKER, proposes an amendment numbered 688 to amendment No. 687.

The amendment is as follows:

(Purpose: To increase the borrowing authority of the Federal Deposit Insurance Corporation, and for other purposes)

At the appropriate place, add the following:

SEC. _____. INCREASED BORROWING AUTHORITY OF THE FEDERAL DEPOSIT INSURANCE CORPORATION.

Section 14(a) of the Federal Deposit Insurance Act (12 U.S.C. 1824(a)) is amended—

(1) by striking “\$30,000,000,000” and inserting “\$100,000,000,000”;

(2) by striking “The Corporation is authorized” and inserting the following:

“(1) IN GENERAL.—The Corporation is authorized”;

(3) by striking “There are hereby” and inserting the following:

“(2) FUNDING.—There are hereby”; and

(4) by adding at the end the following:

“(3) TEMPORARY INCREASES AUTHORIZED.—

“(A) RECOMMENDATIONS FOR INCREASE.—

During the period beginning on the date of enactment of this paragraph and ending on December 31, 2010, if, upon the written recommendation of the Board of Directors (upon a vote of not less than two-thirds of the members of the Board of Directors) and the Board of Governors of the Federal Reserve System (upon a vote of not less than two-thirds of the members of such Board), the Secretary of the Treasury (in consultation with the President) determines that additional amounts above the \$100,000,000,000 amount specified in paragraph (1) are necessary, such amount shall be increased to the amount so determined to be necessary, not to exceed \$500,000,000,000.

“(B) REPORT REQUIRED.—If the borrowing authority of the Corporation is increased above \$100,000,000,000 pursuant to subparagraph (A), the Corporation shall promptly submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing the reasons and need for the additional borrowing authority and its intended uses.”.

MR. CRAPO. Mr. President, today we face very difficult economic threats in our financial industries. It is important that we consider the possibility that our regulatory authorities do not have sufficient authority necessary to deal with potential financial institution failures. As a result, this is not an acknowledgment that anything like that will happen, but there is certainly the threat and concern in our financial markets as to whether we need to have additional protective authorities.

The Federal Deposit Insurance Corporation protects against the loss of insured deposits if a federally insured bank or savings institution fails. It is important to note, though, that depositors who have deposits at these institutions are protected by Federal guarantees, and these guarantees are, in the event of a bank failure, immediately

protected by the FDIC. It is not the taxpayers but fees and assessments paid by the depository institutions themselves that cover the cost of this protection. However, the level of borrowing authority the FDIC has to provide this protection has not increased since 1991. At that time, the amount was set at \$30 billion. The assets in the banking industry under protection have tripled since that time from \$4.5 trillion to \$13.6 trillion. Yet the borrowing authority of the FDIC has not been increased.

This legislation does two significant things. It increases the borrowing authority of the FDIC from \$30 billion to \$100 billion, approximating the percentage increase of the assets under protection and the growth in the assets under protection since the original level was set in 1991. The bill also authorizes a temporary increase in borrowing authority from that \$100 billion increased level up to but not to exceed \$500 billion based on a process that would require the concurrence of the FDIC, the Federal Reserve Board, and the Treasury Department, in consultation with the President. The reason for this additional authority is because of the extreme difficulties we are facing in our economy now, and we need to ensure that the FDIC has the necessary capacity to deal with any such threats.

This legislation is very important and urgent. The reason I bring it forth on this national service legislation is because we don't have time to wait to consider this legislation. It exists in a freestanding bill form on a bipartisan basis, with Republicans and Democrats in strong support of the legislation. I believe there is strong agreement throughout the financial industries that this kind of increased borrowing authority for the FDIC is helpful and an important piece of the solution to the problems we face today.

As a matter of fact, one of the reasons it is urgent is not only because we need to be sure the FDIC is properly protected or in a position to properly protect depositors and financial institutions but also because in order to deal with this needed fund, the FDIC is currently considering significant increases in assessments to our Nation's banks. These increased assessments in many cases, in some of our smaller and midsize communities, are creating a terrific financial threat to the banks, which, in turn, then reduces the potential of these banks to engage in lending authority, the type of credit activity we want to see happening. So while Congress waits, we see credit being further restricted by the failure of Congress to take this action and free up the FDIC authority.

Again, another one of the reasons I bring the amendment today is because this legislation, even though it is supported on a broad, bipartisan basis, is being caught up with other issues in the Senate that could delay its consideration and result in the imposition of significantly increased assessments on

our Nation's banks. That is the cram-down legislation in terms of bankruptcy proposals that have been put forward.

Everyone in this body and throughout Congress and the country recognizes that we are having a difficult time dealing with very controversial proposals about our bankruptcy laws which have become known as the cram-down provisions that may or may not gain support in this Senate for passage. I personally think it is unlikely that the cram-down legislation will ultimately gain sufficient support in the Senate to be passed, but regardless of whether that happens, it is a difficult, controversial issue. This legislation, which is not difficult and not controversial, is being slowed down by being tied with the bankruptcy cram-down provisions. Because of that, it is imperative that we move forward as expeditiously as possible, consider the amendment, and move forward with this piece of the important reforms necessary for us to properly address the credit crisis and the financial threats our Nation faces today.

I yield the floor.

THE PRESIDING OFFICER. Who seeks recognition?

MS. MIKULSKI. I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

THE PRESIDING OFFICER (MR. KAUFMAN). Without objection, it is so ordered.

MR. CARPER. I say to the Presiding Officer, it is kind of ironic that both of us, who are from Delaware, are in the Chamber right now, and I want to start off by telling a short story about the University of Delaware and a visit I had there not long ago. I was invited, as my colleague has been invited, to speak to students and to host and be a part of a townhall meeting a month or two ago.

I opened up by talking to the students for a bit of the time, and then I took questions or comments from the students. I felt one of the most poignant questions was asked at the end of the session. Most of the students there were freshmen, sophomores, and juniors.

One young lady, who asked a question at the end of the session, was a senior. She is going to be graduating in a couple months. The question on her mind is, frankly, on the minds of a lot of graduating seniors at colleges and universities inside of Delaware and throughout our country. I might also add, it is on the minds of a lot of folks who are about to finish high school or who have finished and are still looking for work.

The young lady who spoke recently at our forum at the University of Delaware said: I am going to graduate in

May. I am not sure what I am going to do. She said: There used to be a lot of employers who came to this campus and other campuses looking for people to hire, to come and join them at their companies or at their workplaces. She said: Not so much of that is going on this year, for reasons I think we all understand.

While I am hopeful and encouraged this is not a permanent phenomenon but one that will be short lived, relatively speaking, her concerns are justified. I shared with her that when I graduated from Ohio State many a moon ago I entered a life of service for about 4½ or 5 years with the U.S. Navy. It was a deal I gladly entered into, Navy ROTC. The Navy helped put me through school at Ohio State, and when it was over, I owed the Navy some years of my life. I was very pleased to give that time, even in the middle of a hot war in Southeast Asia.

What I suggested to the young woman that day at the University of Delaware is that if she decided she did not find the job she wants with a company she wants or some other employer she is excited about working for, she should consider spending maybe not just a couple of months but maybe a year or even two in serving.

There are any number of opportunities to serve in Delaware and throughout the country. In fact, in some ways the need for people to serve is greater than it has been in a long time because nonprofits and others are cutting back and there is a need for those who will volunteer and step forward and say: Here am I. Send me. Or what can I do to help out?

I am not sure to what extent she internalized that message and is going to go out and look for opportunities to serve, but I know there is a great need for people who will serve.

For us, part of the challenge is trying to make sure those who want to serve can identify the opportunities to serve, those who want to make a difference in their lives are given some help and guidance in getting to places where they can make a difference with their lives.

The thing I like most of all about this legislation—we talk a lot here about that we ought to be more bipartisan. And God knows I believe that. I know the Presiding Officer feels that way. But one of the great things about this legislation is that it is about as bipartisan as it gets.

I want to take a moment to commend a couple of folks who are on the floor. I see Senator HATCH talking with Senator DODD. Both of them have been very instrumental in this legislation. I commend Senator MIKULSKI, Senator HATCH, Senator ENZI, Senator MCCAIN—I do not know if he is a co-sponsor of this bill. He has been a big champion of service over the years. I commend Senator KENNEDY, who I believe was here yesterday. He is a huge champion of this legislation. This legislation enjoys broad bipartisan support.

I say to my friend from Connecticut: Good going. Thank you for being the wind under our wings on this issue for a long time and for continuing to inspire us and encouraging us to go forward.

A couple years from now—maybe not even that long—I hope I run into that young woman again who asked that question at the University of Delaware a month or so ago. I hope she says to me: I took your advice. I looked around and I found a couple of opportunities where I could serve, and I decided to do that for a year or so. At the end of my year or so, the job market improved, the economy improved, and I went to work for some other employer and went on with the rest of my life.

One of the things I look for as an employer, one of the things I look for when there is a downtime, like right now, a downtime in our economy—when a lot of people are looking for employment opportunities and maybe not finding them, and they have some space to fill in their lives—how do they fill up that space? How do they fill up that dead time?

I am always encouraged when I find someone who says: I decided to go out and work with young people to help make sure they were going to be successful in life. I worked with veterans. I worked with Boy Scouts or Girl Scouts. I worked in Boys & Girls Clubs. I mentored. I did all kinds of things.

The idea behind this legislation is to better ensure that those who want to serve—maybe who do not have a lot to do in their lives right now; they have some free time they have not had for a long time because their studies are over—we want to make sure they will have some opportunities, good opportunities, to serve.

I will close with this: These are the words I actually shared with the University of Delaware students the other day. I talked about the sources of joy. We always look for joy. Everybody wants to be happy. Almost everybody I know wants to be happy. There are any number of sources of joy people turn to from time to time.

In my own life, I have always found the best source of joy—the one that never goes away, the one that never disappears, which always can be counted on—the best source of joy in our lives is helping other people, finding ways to give of ourselves to help other people.

For those young people in this country who decide to seize on the opportunities that will be provided through this legislation's enactment, they will have the opportunity to get something. Maybe it will provide good letters of recommendation going forward. Maybe it will provide for a stronger resume going forward. I think even more importantly than that, they are going to do a lot of good for folks with their own lives. They are going to do a lot of good for folks. They are going to help those people who need to be helped, and maybe, as important as anything, the

one who serves will enjoy a sense of satisfaction that, frankly, is sometimes hard to come by.

So I again applaud those who provided leadership on this bill, and I look forward to supporting it as we go forward this week. Thank you very much.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, let me begin by thanking my colleague from Delaware for his generous comments. He has been an advocate and strong supporter of the notion of service, and for that I thank him. I also commend my colleague from Maryland, Senator MIKULSKI, as well as Senator HATCH, Senator TED KENNEDY, and Senator ENZI, who have all been strong supporters, over the years, of the idea of providing venues and opportunities for people to serve our country in one capacity or another.

I rise this afternoon to offer my support for the Kennedy-Hatch Serve America Act. Four and a half decades ago, I was with my parents on a very cold January 20, not very far from where I am standing today, watching a young man by the name of John F. Kennedy, at the age of 43, become the President of the United States on the east front of the Capitol. It was a bitter cold day—we had a terrible snowstorm on the day before that January 20, 1961. As a very young boy of 12 or 13 years of age, I listened to the President excite a generation to get involved in things larger than ourselves. I was so motivated by his remarks, as were millions of others, that a few years later when I finished college, I joined the Peace Corps. I traveled to the Dominican Republic, not far from the Haitian border, where I spent 2 years in the mountains of that country working with the people in the small village of Benito Moncion in the province of Santiago Rodriguez. It was a life-changing experience. I came back from that experience a very different person than when I had left.

I was joined by millions of others, who went off and joined VISTA, the military, and community action organizations all across the country. I have been asked so many times over the years why I joined the Peace Corps. Why did other people go into the Marine Corps, the Justice Department, and serve their country? The reason I have given over these last four and a half decades is, because an American President asked me to. It's not any more complicated than that. Someone asked me to serve, and the thought that someone believed I could do something to make a difference was a form of flattery, I suppose, but it also provided the opportunity for me to meet that challenge. It did so by creating the structures that allowed us to step into a program that gave us the opportunity to serve.

That is what we are doing again here today: providing the structure that will allow for people today—who are no different from any other generation of

Americans over our two centuries as a Republic—to be asked to serve. People today want to serve, and they have the same desires and ambitions to make a difference for our country in their local communities, in our States, and in our Nation.

What Senator MIKULSKI, Senator KENNEDY, Senator HATCH, and Senator ENZI have done with this bill is to create the architecture by which when we ask people to serve, they have a place to come. We have a spot for you. We have a place where you can make a difference in our country. That is the brilliance of this idea. This bill expands opportunities not only to college graduates or to those out of graduate school; we actually begin in this bill by offering you the opportunity to serve as a middle school student, a high school student, or someone who does want to go on to higher education. Maybe most exciting of all, we offer these opportunities to people who perhaps have the most to give—the retirees in our country. The individuals who have been at work providing for their families, engaged in business practices by which they developed their wisdom and expertise over the years, and who have now reached a point in their lives where they would like to share that. What a wonderful opportunity for our country to reach out to that generation of retirees and say: Here is an opportunity for you to continue to make a difference.

After I finished the Peace Corps, I came back and served for 6 years in the Army Reserves, the National Guard. That was a good experience. It was very different, obviously, to go off to basic training at Fort Dix, NJ, but nonetheless a very worthwhile experience. So service covers a wide range of activities. In my case, it was the Peace Corps, then it was the Army Reserves, and then it was Big Brothers Big Sisters. I was a Big Brother in my State of Connecticut. So service has been a major part of my life.

I would like to think today that to the extent I have made a difference in this job, it was affected certainly by my family, first and foremost, but also by the people, whose names will never be known by others, who had a huge influence on me. People in that small village in the Dominican Republic, people in my community in Connecticut, people I met in the military service—all have shaped me and taught me the lessons of how serving each other, making a difference in each other's lives, can make a significant difference for many more.

In Connecticut, community members, both young and old, are giving their time.

In Hamden, CT, older Americans such as Mozelle Vann, a retired social worker, are working to make sure elementary school students don't fall through the cracks—one example, one woman, making a difference, affecting the lives of students who are going to be enriched and lead better lives because

Mozelle Vann is giving something back.

High school students in Waterbury, CT, are giving back to their communities by taking part in the Youth Health Service Corps created by the Connecticut Area Health Education Center. This organization works with disadvantaged high school students interested in pursuing health careers. Lord knows we need people to move into professions relating to health care. These students complete rigorous training and dedicate their time to working with nursing home residents. So these high school students, in the midst of determining what their futures will hold, are being offered the opportunity to learn about health care services, making a difference in a nursing home that is most likely short-handed, and serving people in that community.

This past year, residents worked with students to create a Martin Luther King, Jr., commemorative quilt and together discussed Dr. King's impact on our Nation.

There are as many examples as there are communities and individuals whom we represent of people who want to serve and want to give something back.

Senators THAD COCHRAN of Mississippi, my good friend, and I have offered four ideas to this bill, and I am very grateful to Senator MIKULSKI, Senator HATCH, Senator KENNEDY, and Senator ENZI as well, for their willingness to accept these ideas. Representative ROSA DELAURU, the Congresswoman from New Haven, CT, is the author of these ideas in the House of Representatives.

The first of these we call the semester of service, giving students a chance to give something back, learning early the benefit and the value of volunteering, of stepping up and serving your community. The Semester of Service Act is one that will allow the opportunity for children within the educational system to serve our communities. This service-learning will take place right alongside math problems and book reports. With a semester of service, we ask our students to not only consider themselves residents in their communities but resources to them. Just as mine did, I have no doubt that the younger generation will respond to that call.

The Summer of Service Act is also a large part of the bill. The bill provides our middle and high school students unique opportunities to serve during the summer months. Already in Connecticut, more than 5,500 students take part in community service activities linked to academic achievement. With this legislation, that is something we will be able to do across the country.

The bill also includes many parts of the Encore Service Act, a bill Senator COCHRAN and I authored to help harness the enormous experience and wisdom older Americans have to offer in their communities, as I mentioned a moment ago. We have all heard about

the challenges posed by the 78 million baby boomers nearing retirement age. Yet Americans are living longer and healthier lives than at any time in our history, and it is time to look at that growing population of experienced, capable Americans of different professions and backgrounds as the asset it is, and to realize what a difference it can make in our country.

Together, the programs included in this bill will encourage older Americans to serve communities with the greatest need, whether through AmeriCorps or through the Silver Scholars Program. The legislation also offers Encore Fellowships for older Americans who have already had full, successful careers to lend their professional expertise and experience to the cause of community and public service. It expands the capacity and builds on the success of current senior programs. So I again commend my colleagues for including that language.

And finally, we can't talk about expanding service opportunities without talking about the AmeriCorps program, which is the heart of national service in our country. The Serve America Act will expand AmeriCorps to include 250,000 members, allowing many more Americans to serve each other. Last year alone, 75,000 AmeriCorps members gave back to their communities, and they brought reinforcements. Those 75,000 members—and this statistic can't be repeated often enough—those 75,000 AmeriCorps members recruited 2.2 million community volunteers. You talk about a ripple effect—having 75,000 people across our country in AmeriCorps who then went out and recruited 2.2 million people in their communities to get deeply involved and serve those communities. That is the benefit. Some discuss the cost of the 75,000 AmeriCorps members, but the fact that they were able to attract 2.2 million people to also serve is tremendously worthwhile. Which is why I am pleased that in this bill, we increase the AmeriCorps education award and peg its increases to the Pell Grant.

I again thank the authors of this bill, of which I am proud to be a leading co-sponsor, for the accomplishments they have achieved. As I said a moment ago, this bill is creating the opportunity for Americans to serve. Just as when I was standing on the steps of the east front of the Capitol, 45 or 46 years ago, and heard an American President not only ask us to serve, but provided with opportunities to do so, today we need to provide that same structure, that same ability for people to serve. They want to. People are anxious to. It is something all Americans take pride in, and it transcends party, partisanship, politics and ideology. People want to serve our country. We are benefitting from it in ways we can't even imagine. We need to see to it that this generation is going to achieve or have the same opportunities to fulfill that desire as well.

For all of the reasons I have mentioned, this bill is very worthy of our unanimous support, and I hope it will enjoy that. This is one of those moments when I think all of us, despite our political differences from time to time, recognize the value of this. Whether it is in faith-based organizations, whether it is in community organizations, we are a richer, stronger, more vibrant nation because people have the opportunity to serve each other. There is nothing more gratifying, nothing you will ever do that will give you a greater sense of gratification than knowing you have helped another human being. Particularly in times such as these when people are struggling—losing jobs, homes, savings—they want to know if anybody can help. Every single one of us can make a difference in the life of somebody else. Providing that opportunity today, with the structure that Senator MIKULSKI, Senator KENNEDY, Senator HATCH, and Senator ENZI have created, is just what we need. So I commend them for it.

Let me mention as well that I know MIKE CRAPO, the Senator from Idaho, my good friend and a very valuable member of the Banking Committee, came to the floor and has offered an amendment, a proposal to deal with the Federal Deposit Insurance Corporation. Let me say that I support what Senator CRAPO wants to do. This is an idea that I believe is necessary. The problem here is twofold.

One is, obviously, for this bill, we are hoping to move through without amendments. Members have worked very closely together to construct this bipartisan bill. That in no way diminishes the point Senator CRAPO is making. In fact, we are working on another bill that includes more than just the Crapo amendment, which will be an important addition over the next number of days. We are trying to work it out. I hear there are some differences. I would say respectfully to my colleague from Idaho that I would hope he might reconsider offering the amendment on this bill for the reasons I have mentioned, not because his idea lacks merit—I support the idea—but if we add amendments to this bill, then it is going to make it that much more difficult to get it done.

Secondly, there is more to do than just what the Crapo amendment would suggest, and that is going to require a little more time to put that together. There is no immediate emergency here. I have been guaranteed by the FDIC, that although they would like it to get done, it is not something—I have been told—that in the next number of days or so that unless we act, there is a catastrophic event that could occur. But clearly we need to move on this. He and others have my commitment that we are going to achieve that, but at this hour, at this moment on this bill, I would respectfully urge my colleagues, if required, to table this amendment and preferably to have the

amendment withdrawn so we wouldn't have to be in that situation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, before the Senator from Connecticut leaves, I wish to thank him for his contribution and remarks in two areas, both on the Serve America Act and his comments on the Crapo amendment.

First, on the Serve America Act, I wish to say on the Senate floor that we really appreciate the contribution he has made to this bill. When Senator KENNEDY and Senator HATCH were working on it, I know they had three goals: how we could reinvigorate national service, how we could refocus it in a contemporary way, as well as how we could reenergize it.

I think the Senator's ideas were some of the best, involving middle school children and so on. They have been outstanding. That is no surprise because the Senator has been involved with this not only in his own personal life—walking his own talk as a Peace Corps volunteer. I remember when we were putting the original national service bill together, Senator DODD was the Senator who reminded the committee that the poor needed to serve as well. They are not just passive beneficiaries. We always think maybe it is only the affluent and the young who can serve. The Senator from Connecticut was the one who said: Wait a minute. Everybody can serve. It doesn't matter what your age or your income is.

I think the original bill was better because of the philosophy of the Senator. Now we can see that here. It is a philosophy about the empowerment of people. We thank the Senator for that.

On the banking bill, I, too, agree with the Senator. He can offer the amendment, but this could sink the bill in the process. I hope he will withdraw this amendment and offer it on a more appropriate vehicle.

Again, I thank the Senator for his work today and for his work as a Senator.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I am glad the Senator from Connecticut and the Senator from Utah are on the Senate floor. I rise to speak in favor of the National Service Act and to commend the Health, Education, Labor and Pensions Committee for the diligent work they did on this reauthorization.

There are a lot of people who will poke fun at voluntarism or at programs or say we are always creating new things and spending more. This bill, with a bipartisan effort by Senators ENZI, DODD, MIKULSKI, and others, is to ensure that the 40 programs we had under the National Service Act are brought down to 24 programs and to see that meaningful, good programs are empowered.

This bill doesn't pay people to volunteer. It provides capital for the infra-

structure for communities to develop the programs for volunteers; for example, Hands on Georgia and Hands on Atlanta. Hands on Atlanta is a program of volunteers that addresses the 52 percent of the young children in Atlanta elementary schools who are not reading at grade level. Volunteers have been mobilized over the last 4, 5 years to give the greatest gift of all—the gift of literacy—and improve the standing of our children.

It is no small secret that one of the reasons our school superintendent in Atlanta was selected the superintendent of the year recently by the national association was because of the dramatic program of bringing people into the school system to help uplift our students. So voluntarism is important to us in the United States, and it is important to our reputation around the world.

Secondly, I support this legislation because I have an affinity for a young lady named Michelle Nunn. A former U.S. Senator from Georgia, Sam Nunn, was a distinguished leader here for 24 years and served our State well. He is personally a good friend of mine. His daughter Michelle has dedicated her life to the organization of volunteer efforts in this country to improve the plight of other people. She now heads the Points of Light Foundation, started by George Herbert Walker Bush, which helps people around the country. For Michelle's everlasting support and contribution to voluntarism, I give her credit.

I also want to take a minute—Senator DODD served in the Peace Corps, and I wanted him to hear this because I want to acknowledge his support on this effort, along with Senators HATCH and KENNEDY. This past Saturday, I attended one of the most moving ceremonies of my life—moving in a sad way but also in an uplifting way.

Unfortunately, a wonderful young lady, 24 years old, from Cumming, GA, Kate Puzey, was killed in Benin, Africa, on March 11. She was a Peace Corps worker who graduated first in her class in high school, was an honors graduate from William and Mary, and she studied French in Paris to learn the language that led her to be able to go to this part of the world and teach this poor African nation about agriculture and other skills. She served since July of 2007 and was in the last 2 months of her service in Benin.

I went to this service because I felt moved. I am ranking member of the African Subcommittee on Foreign Relations. Paul Coverdell, who served in the seat I now hold, was a director of the Peace Corps. I felt moved that morning when I got to go to the service and sit in the back of the room and pay my respects to a great American. I left having listened to 12 eulogies by young people whose lives were changed by Kate. The acting director of the Peace Corps, Ms. Jody Olsen, delivered a beautiful eulogy.

I realized how much voluntarism means to the United States, not just on

our shores but in Africa and on continents around the world. I commend people such as Senator DODD who have given time in the Peace Corps. I ask the Senate to give its unanimous support to this legislation. I dedicate this speech in honor of Kate Puze, to her life, and what she did as a Georgian and as a volunteer. She joined the Peace Corps and changed the plight, the lives, the hopes, and in fact the future of children in that small country on the west coast of Africa.

God bless the Peace Corps and the life of Kate Puze. And thanks to those who have volunteered and to the committee that has brought this National Service Act reauthorization to the floor of the Senate.

Mr. DODD. If my colleague will yield. Mr. ISAKSON. Yes.

Mr. DODD. I thank him for his gracious comments about this young woman. My nephew graduated from college a few years ago and was in Africa for approximately a year and a half. He spent 6 months in Guyana working with the people there, increasing awareness on issues such as HIV/AIDS. These are wonderful examples, like the young woman the Senator described, of people who make a difference.

The great thing about the Peace Corps is not just helping people in a struggling country get back on their feet but it is the experience of returning home from service. It is the lessons learned that we bring back to our communities. There are 180,000 of us who are returned volunteers since the first group left from the south lawn of the White House to go to Ethiopia, and how blessed we are with the richness of opportunities here and the lessons learned.

I commend my colleague for being at that ceremony and reflecting on the impact this one individual made, this young woman, in service of our country. I can't think of a more compelling argument on why this bill being offered by our colleagues deserves our unanimous support. Again, I thank the Senator for his comments.

Mr. ISAKSON. Mr. President, the Senator and I are precisely the same age, and he and I were both inspired by President Kennedy's inaugural address and the establishment of the Peace Corps. It is ironic that the next President who embraced voluntarism in his office happened to be George Herbert Walker Bush. So we had a great Democrat and a great Republican who encouraged us to volunteer to help the plight of others. It is a great tribute to this bill and to America.

Mr. DODD. It is also not widely known—Senator ISAKSON mentioned President Bush and the Thousand Points of Light Program, which he sponsored—that President Ronald Reagan was a strong supporter of the Peace Corps, increasing the budget significantly. Loret Ruppe was the director. I served with her husband, who was a Congressman from Michigan. She was a magnificent director of the Peace

Corps. Every year of Ronald Reagan's Presidency, he supported the Peace Corps program. So it is a joy to see the bipartisan support that my colleague has mentioned.

Mr. ISAKSON. I thank the Chair and yield back my time.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I thank the distinguished Senator from Georgia. He has been a prime sponsor of this legislation. There are very few people around here I admire any more than I admire him. He is a terrific addition to the Senate. I am honored that he would be on this bill and be willing to speak for it. That means a lot to me, and it is going to mean a lot to the folks in his home State and all over this country. It is the right thing to do. I thank him personally for being such a great Senator.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Mr. President, I wish to take a moment to discuss the role of the State service commissions under this bill and the existing national service system. One of the things that was very important to me when we drafted this legislation was to make sure the States were given a primary role in the program so we would have 50 State laboratories using this program. We didn't just want to add a level of Federal bureaucracy. Time and time again, it has been shown that State governments are more responsive and in tune with the needs of their communities and, with this bill, we will put that resource to good use.

For those who do not know, State service commissions are Governor-appointed public agencies or nonprofit organizations made up of more than 1,110 commissioners—private citizens helping lead the Nation's philanthropic movement. The Nation's 52 State service commissions currently grant more than \$220 million in AmeriCorps funds and \$28 million in State-based initiatives with State or private funds to support citizen service and voluntarism in America.

In Utah, this role is filled by the Utah Commission on Volunteers, which is overseen by our Lieutenant Governor, a great Lieutenant Governor named Gary Herbert. They oversee the work of more than 8,000 Utahans who participate in national service programs, including the AmeriCorps, Learn and Serve, and, of course, Senior Corps programs, to mention a few.

The Serve America Act will triple the oversight and programming for commissions over the course of the next 5 years, increasing participants from 75,000 to 250,000. Effective grants

oversight and planning by commissions is essential to the integrity of these new programs. The State commissions will administer five new corps, five grant competitions, and the Serve America fellows program, which is an individual placement program that will be administratively intensive but vital to get members to rural communities and small organizations.

Increasingly, State commissions take the lead role of managing volunteers and donations in response to natural disasters, which has been particularly important in the gulf coast hurricane recovery and Midwest flood relief.

For example, the Iowa Commission on Volunteer Service last year set up eight volunteer reception centers, staffed with AmeriCorps members, that helped increase and better utilize traditional volunteers in Iowa's historic flooding and tornadoes of last summer. Those centers connected over 800,000 volunteer hours to families who called in for help. These centers became the central points for deployment for faith-based groups, schools, and businesses that sent volunteers to help.

AmeriCorps members often led teams of unaffiliated volunteers after training them to gut and muck out houses, as well as clear the miles of debris that littered the Iowa landscape. This effort was valued at over \$13 million by FEMA in savings to the taxpayers, and it is still going on today. In fact, two of the centers are being run for the rebuilding phase and over 1,000 AmeriCorps members will help support the massive rebuilding efforts of this past summer.

I think it is clear the State service commissions are up to the task of overseeing much of the work that will be done under the Serve America Act. I certainly will be glad to see them take on this much larger role that this bill gives them the opportunity to do.

I am a firm believer of one reason why our economy has run so well in the past and one reason why we have a Federal Republic that has lasted all these years is because we recognize that with these 50 States, we have 50 State laboratories to test out these programs. Then we can pick and choose which ones are the most successful and why. It is great to have them competing against each other, having them setting examples for each other, having them open doors for each other. There is a lot to that. This bill basically turns over the effective running of all these funds to State representatives and to State volunteer movements and commissions, State service commissions, if you will.

We will learn a lot from this. We have already learned a lot, but we will learn even more, and as we move toward 250,000 volunteers under this program, that will be extended to probably at least 7 million or 8 million more volunteers, none of whom will be paid for giving this type of service—at least these 7 million or 8 million. We do pay people a small stipend that is less than

the minimum wage, less than the poverty level, but that extrapolates into as many as 7 million people, maybe even more—we hope more—who will actually volunteer at no cost to the Government and save trillions of dollars over the years.

This is a conservative program in many respects and it is a liberal program in the sense that it helps so many people. Conservatives want to help all these people too. I guess the best thing to say is it is neither conservative nor liberal, although it has the best instincts of both sides who come together in the best interest of helping their fellow men, women, and children in this great country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I am sure there are others who wish to speak on the Crapo amendment. However, either speaking on the Crapo amendment or the bill, we ask people to come over and talk on it. In the meantime, we would be willing to set this amendment aside. If there are other amendments the minority wishes to offer, we are certainly not going to stop them from doing that. I think we should get all the amendments we can on this legislation.

So if there are other amendments people have, there is no stopping them from offering them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KAUFMAN. Mr. President, I would like to begin by thanking my distinguished colleague, Senator MIKULSKI, for her effective leadership steering this bill through the HELP Committee while gaining bipartisan support.

The strong support this bill enjoys is not surprising given her stewardship and, of course, the hard work of Senator KENNEDY who brought us to this point.

I would also like to thank Senators HATCH and ENZI for their work on this bill.

When we work together across the aisle, the end result is a better bill and good governance.

I can think of no bill that better represents the values of America than the Serve America Act.

It will expand the opportunities for Americans to serve their communities and their Nation.

It makes me—and I think all of us here proud that each year over 60 million Americans volunteer, donating over 8 billion hours of their own time, their own lives—to make our country—and the world—a better place.

We are in a time of crisis. Right now, our country needs those volunteers at our schools, hospitals, and shelters more than ever. Nonprofits are doing all that they can to help those who have lost their jobs, their houses, their savings, their retirement.

This bill recognizes the need to reinforce and strengthen this system in a number of ways.

I recently spoke here in the Senate about the need for our country to reset its focus on how best to change the culture of our economy away from a Wall Street profit-first mentality to one that prioritizes jobs and careers that will help our Nation tackle the challenges it currently faces.

I believe that the vitality of our economy rests with our ability to be the world's leader in innovation, and I believe this means that we must do more to attract the best and the brightest to careers in science and engineering.

Those who have dedicated themselves to these fields have much to contribute beyond making our economy competitive; they also contribute to our communities' well-being.

This bill, I am proud to say, recognizes the important role that engineers can play in bettering our communities.

I would like to commend the HELP Committee for expanding the purpose of the bill to include providing service opportunities for our Nation's retiring professionals, including those retiring from the science, technical, engineering, and mathematics professions—also known as "STEM" jobs.

Not only will this allow us to tap the unique skills and knowledge of our retired STEM workforce, but it will allow us to strengthen the STEM education pipeline.

This bill will send retired engineers into communities, classrooms, and after school programs, allowing them to share their wisdom and experience with students.

Ultimately, they will help these young people understand not only the important role that science and math can play in their careers, but how they can use their expertise in those fields to solve our country's—and the world's—greatest challenges.

This bill also acknowledges that innovative, community-based service-learning programs that integrate STEM are a successful strategy to engage middle- and high-school students in meaningful hands-on learning opportunities that also help them meet their community's needs.

It specifically allows funds to be used to integrate service-learning programs into STEM curricula at the elementary, secondary, and postsecondary schools levels and then draw on practicing or retired STEM professionals to work in these programs.

In this case, electrical engineers might participate in a program that helps students apply lessons from their math and science classes to expand and improve broadband access in rural communities.

Linking the classroom to real-world applications will help students better understand the role and responsibilities of engineers and scientists in the workplace.

The third way that this bill draws on the expertise and knowledge of engineers is that it allows "Professional Corps" programs to be created. These "Professional Corps" programs will recruit and place qualified professionals, like engineers, in communities that don't have an adequate supply of these professionals.

For example, an employer would sponsor an individual and pay their salary to be placed in an organization that works with the community to conduct green energy audits of local public buildings or homes in disadvantaged communities.

This would not only reduce a community's carbon footprint; it would also help improve public awareness of engineering's critical role in solving our Nation's greatest challenges—like energy efficiency and energy dependence.

We must—once again—capture the attention of our students and let them see the numerous ways that STEM contribute to our economy and can improve the lives of their fellow citizens—in America and abroad.

Just as I decided to study engineering because I was inspired by "Sputnik" and the race to put a man on the Moon, we must inspire our students to work on issues of critical need as well.

The underrepresentation of so many groups in STEM fields is troubling, since diversity is widely acknowledged to spur innovation and creativity.

Innovation and creativity in turn spur the development of new products and new markets, which are essential to maintaining a competitive economy.

Engineers and scientists can have a tremendous impact on the lives of these traditionally underrepresented groups by serving as mentors in their communities.

This bill will encourage our Nation's scientists and engineers to work in and with economically disadvantaged communities to ensure that these fields include rather than exclude, and encourage rather than discourage, traditionally underrepresented groups from pursuing a STEM education.

The Serve America Act will help our young people identify those challenges and provide them with real opportunities to make a difference—opportunities like improving energy efficiency, working toward energy independence for America, bolstering disaster preparedness and response, promoting environmental sustainability, strengthening our education and health care infrastructure, and improving opportunities for economically disadvantaged individuals.

These challenges are daunting, yet I know that if asked, a new generation of engineers and scientists will rise to the occasion.

I stand in proud support of the Serve America Act, as it will inspire multiple generations to volunteer and to engage in national service.

Their generosity will not only strengthen America—but the world. I appreciate my colleagues' allowing me the opportunity to explain how the service opportunities this bill creates are also opportunities for our practicing and retired engineers to serve their fellow citizens—ensuring that that our country's future STEM workforce is strong enough, diverse enough, and motivated enough to tackle the greatest challenges facing America.

I will close by once again thanking Senators MIKULSKI, KENNEDY, HATCH, and ENZI for their leadership.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. DEMINT. Mr. President, I wish to speak for few minutes on the Serve America Act. I think this is a great opportunity to talk about what is good about a lot of the Members of the Senate. I certainly appreciate and applaud the sponsors of this bill for their good intentions and know their hearts are in the right place. Some of my best friends are supporting this bill. But I think, as we look at what is good about the hearts of many Members of the Senate, we need to recognize this bill does represent a lot of what is wrong with our Federal Government today—a lot of our philosophies, and a lot of our departures from a constitutional form of government.

What works in America today is our civil society—a lot of the volunteer groups that many of us have been a part of. I know for years I spent more time in United Way and a lot of the charity groups, being on their boards back in my community, and I saw what the volunteer arts groups and PTAs and health groups did to build a strong community. Civil society works in America. They are small groups. They are the true engines of character in our country. They promote service and patriotism. In this time where we have seen some of our economic institutions let us down, we have certainly seen our Government and our policies let us down, civil society does not let us down. It works in America today.

It is understandable why Congress would want to get involved. We see that passion to serve, that desire to do something that is greater than yourselves. We look at that working in our civil society and we want to get involved and expand it.

Unfortunately, our history shows us when Government gets involved, it tends to take something that is working and make it not work nearly as well. Civil society works because it is everything Government is not. It is small, it is personal, it is responsive, it is accountable. Civil society must be protected from any effort to make it more like Government.

That is what we are doing with this bill today. This bill centralizes control of important functions of our civil society. There is a downside to good intentions here in Government. The Founders created a limited government and our oath to support and defend the Constitution means that is our focus here. Our oath is to a limited government. The Founders wanted the people to be free from our good intentions. Government charity is anathema to what our Founders intended and what our Constitution stands for. Despite our good intentions, where we try to implement those good intentions and our compassion through the force of Government, we are effectively violating our oath of office here.

Well-intended legislation has left more than half of all Americans dependent on the Government. Today in America over half of Americans get their income from the government or a government source. About 20 percent of the country works for the government or an entity that gets its primary source of revenue from government. Another 20 percent gets their income and health care from Medicare or Social Security. Once you add in welfare and other subsidies, you make it so over half of all Americans are already dependent on the Government. This bill proposes to spend nearly \$6 billion over 5 years, which means it will be probably \$10 billion, probably more, over a 10-year period. It will have nearly a quarter of Americans working for it, which means it will be the 14th largest company, as far as employees, in the entire world.

What have we done here that suggests we can manage anything like that? Do you see anything in our history as a Federal Government that shows we have the ability to effectively manage something like that without extreme levels of waste and fraud and abuse? Look what we have done recently with the stimulus plan and the bailout plans. As soon as it comes to light what is actually happening with that money, people are outraged at what is going on. Despite the good intentions of this bill, we are creating a huge new government entity that will be unmanageable and violates some of the core principles of our civil society. Every time the Government steps in to solve a problem, it creates three new problems in its place.

This bill is everything wrong with how Congress sees the world. Government will make service organizations less effective, less responsive, and less personal. When the French historian de Tocqueville came to the United States

not long after we were founded, one of the things that amazed him about our country that was so different from France was that in his home country when there was a problem, people would say: Someone ought to do it and government should do it; but in America we were different. When someone saw a problem, they went and got a friend and formed a small group and solved the problem themselves. Much of that was motivated by religious convictions that our place in this world is not only to help ourselves but to love and help those around us. That was key.

Jefferson called it little democracies, when he saw these little groups all around America voluntarily doing things to solve problems and make communities better. Burke called them little platoons. Most people who understand America know that those voluntary groups are what made our country great and what sustain us even today. Civil society binds communities, not by its fruits, but by its motives—charity, donations, giving without thought of getting anything in return. This is the selfless sacrifice that happens throughout America today. This is what works.

What does not work is what we are doing right here. The big difference is private service organizations exist for the people who receive the aid. Government service organizations exist for the people who give it—in this case, for the people who are paid to do it. You cannot pay people to volunteer and expect the organization to remain focused on its mission. Charity is a private, moral impulse, not a government program.

Government will not and, by definition, cannot strengthen and replace the civil society. Volunteerism is something that works in America. When we think of America, we do not think of Congress and Presidents, we think of Little League games and PTA meetings and bake sales.

Civil society is America. It responds to needs, meets challenges, and solves problems because it is free from Government. Because volunteers donate their time and money, accountability is acute. I have seen it. I have sat on a United Way board. Every year we evaluate every program and every dollar we have given to someone, and we determine is it working or can we make it more efficient.

If the program is not working, the money goes away immediately. That does not happen here. If the program does not work here, we add more money to it. That is going to happen with every program we start, including the one we are talking about today.

Projects that do not work in a civil society get cut. Organizers who lose or abuse funds are dismissed. It is voluntary. So everyone is invested in its success. We know the large groups throughout America, the Boy Scouts, the Girl Scouts, the United Way, the Salvation Army, the YMCA, Catholic

Charities, fraternal orders, groups such as Kiwanis, Rotary, Knights of Columbus. These are large organizations, but they work because they are locally controlled.

Smaller groups, local arts councils and community theatres, PTAs, youth sports leagues, the animal rescues, the book clubs, crisis pregnancy centers, soup kitchens, food and other clothes drives that go on, church service groups, they are everywhere.

Those are the little platoons, the little democracies that make this country work. For us to presume, in the Congress, that somehow we are going to reach out into all these groups and make it work better is pretty presumptuous based on our history.

Why now? Why at a time in economic crisis with unimaginable debt and spending do we come in and say: We need to spend another \$10 billion over the next 10 years to create another Government program to do something that is already working.

At the same time, we are talking about creating this new bureaucracy to replace private voluntarism with Government programming. We are actually cutting some of the incentives for people to give to charity and for the private sector to work. The President's budget actually cuts the charitable donations of the people who give the most to charity in this country. So look at what we are doing. We are making it harder for the private sector to work.

You also look at what we have done over the years, forgetting that a lot of private charity and the motivation to serve God and community is a religious-based motivation. What have we done in this country?

We have essentially tried to purge that motivation from our country. Most public schools, or at least a lot of them, used to sponsor Boy Scout groups. But after being sued for years because the Boy Scouts have God in their pledge and they set standards for their leaders that some do not agree with, the threat of lawsuits essentially means our Government schools have thrown out the Boy Scouts.

More than half our astronauts, half our FBI agents, a lot of the most successful people in this country were trained in the Boy Scouts to serve their community, where their character was developed. But this Federal Government has forced them out of public places. For years we purged religion from our society. Religion was the primary motivation for a lot of civic groups, a lot of services, a lot of charities, a lot of hospitals that were formed, a lot of schools.

But we have said that has no place. Because we have unleashed the ACLU and other groups to constantly sue and intimidate groups, that religious motivation has been moved, has been purged in many cases.

Now we are going to come in and help solve the problem we have created. We want to promote voluntarism, we want

to promote community service, when what we have done over the last several decades is essentially tried to destroy the motivation for people to serve a cause that is greater than themselves.

We cannot replace private charity with Government programs. If we try, a lot of people are going to miss meals, suffer cold winters, and leaky roofs. I wish to go back to where I started. I appreciate the motivation, the heartfelt sense of compassion and the patriotism that I know my colleagues feel in sponsoring this legislation.

But I think we need to come to a point as a government that we recognize we cannot do everything. That is why we take the oath to the Constitution to defend and protect the very limited form of Government. This Congress, this Government, does not need to start or expand an organization to a quarter million people, when we are paying people to do work that we decided needs to be done and take those decisions out of the hands of millions of Americans who look around every day and see what they can do to make their families, their communities, and their country a better place to live.

These are not Government decisions. We need to focus on what we were set up to do and do it much better than we are doing, instead of every week coming in here, bringing our good intentions and our compassion and every problem we see across the country we say something needs to be done. Then we say: The Government needs to do it.

That is the fatal flaw of the Congress today, is we forget that sacred oath of office that says: We will protect and defend the Constitution which says this Federal Government has a very limited function. And those functions that are not prescribed in the Constitution are left to individuals and to the States.

This is a huge well-intended mistake we are making. It serves a point that we need to realize this Government needs to stop spending and stop borrowing, stop taxing, and let America work.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, almost every group that the distinguished Senator from South Carolina has mentioned is helped by this bill, and every one of them wants this bill. This bill is basically run by the States. I agree with the Senator, they do it better than anybody else.

As we close today's debate, I want to take this opportunity to focus on the economic case for national and community service, to articulate why the Serve America Act makes sense from an economic standpoint, and to highlight why the bill will generate a good return on investment right when the country and so many individuals need it most.

In today's environment, every bill we consider must be viewed through an

economic lens. What role does the legislation play in fueling our economic recovery? How can we cost-efficiently make Government a partner with the private and nonprofit sectors? How can we ensure we support efforts that are effective and shut down those that are not? What are the short- and long-term effects of what we do?

Unfortunately, the economic recession has had a dramatic effect on our nonprofit sector and civil society. In the wake of the downturn, senior centers, soup kitchens, nursing homes, nursery schools, and other nonprofit organizations serving the vulnerable have seen a threefold crisis. As the markets have fallen, wealth has evaporated and decimated charitable donations. By the way, I do not agree with the President's recommendation to cut back on tax benefits to those who give to charity. The State and local budget crunch has hit the nonprofit sector especially hard. And the human need for help from community-serving institutions is skyrocketing right at a time when their resources are shrinking. One report called it America's "Quiet Crisis." I believe that we here in the Senate should give this crisis more public attention and ensure that our civil society and our Nation's volunteers, which are the bedrock of efforts to meet needs in our country, remain strong. We need to help give more Americans opportunities to do good works in hard times.

Research has uncovered disturbing evidence of civil society's growing troubles. Churches, which are typically our Nation's great engines of compassion, deliver social services to the poor and needy. Our country depends on faith-based institutions to meet needs that they are uniquely equipped to meet, far better than distant Government bureaucracies. Unfortunately, churches raised \$3 to \$5 billion less than anticipated in the last quarter of 2008, crippling efforts to keep pace with growing humanitarian needs. Other nonprofit budgets are shrinking. Chicago's Meals on Wheels, which delivers hot meals to homebound seniors, trimmed its budget by 35 percent; and half of all Michigan nonprofits say their financial support has dropped.

Meals on Wheels is a Federal program. It would not exist without support from the Federal Government. It is handled very well at the local level.

These trends are occurring just as need for help is rising. United Way call centers saw a 68-percent increase over the past year in the number of calls for basic needs, such as securing food, shelter, and warm clothing, and is receiving 10,000–15,000 more calls every month than in 2007.

Lorna L. Koci, services director for the Utah Food Bank, recently visited my office to talk about increasing needs in my home State. The top three reasons people dial 2-1-1 in Utah to reach the United Way call center is for emergency food assistance followed by health care and housing needs. In the

past 6 months, calls requesting food assistance have doubled and food pantry visits by Utah families are up at least 30 percent. Now you can imagine what that is in other States. Utah takes care of our people. My own church has a church welfare plan. No one in my faith should go without food, shelter or clothing. Most of the people served are the working poor, but many families are seeking assistance for the first time. These people were contributors and are now recipients. At alarming rates, needs are growing in Utah and across the Nation.

Addressing this quiet crisis in our civil society is a matter of jobs, not just charity. The nonprofit sector accounts for 5 percent of GDP and 11 percent of the American workforce, with 9.4 million employees and 4.7 million volunteers nationwide. For perspective, the nonprofit sector is greater than the auto and financial industries combined. It contributes more than \$322 billion in wages and its workforce outnumbers the combined workforces of the utility, wholesale trade, and construction industries. What happens to our nonprofit sector will have a big effect on our country, both from the standpoint of employment and meeting needs of the most vulnerable in our society.

We have spent a lot of time on the floor of this Senate discussing ways to “bailout” industries and to get our economy moving again. I certainly have not agreed with the levels of spending, and I worry about the long-term effects of our actions on the Federal deficit and the national debt. I don’t think many of our actions have been wise, in the short term and certainly not for the long term. Thomas Jefferson warned of the moral problem of leaving a crippling debt to future generations. With the changing demographics in this country and the growth of entitlements, we are setting ourselves up for a fiscal crisis of tremendous significance.

Yet the economic debate has almost completely ignored the platoons of civil society, those individuals, volunteers and nonprofit institutions in local neighborhoods and communities that do most of the social service work in our country to meet vital needs and do it at low cost to governments and society.

There also has been so much talk of “bailouts” in our debates, let’s just bail out this industry or that industry. We need to move from talk of bailouts to a spirit of challenge in our country. Where is the personal responsibility? Where is the support for efforts that truly enlist Americans in local communities to step forward to lend a hand? Our answers are not going to be found in the Federal Government. Our Government can offer resources, but it cannot love a needy child, offer the hand of compassion to help the elderly live independently in their homes with dignity, or help provide the deft human touch that gives hope in times of despair.

So our debates on this floor should no longer exclude our nonprofit sector and civil society and the citizens who stand ready to help in times of trouble. No sector, quite frankly, offers more bang for the buck and generates a better return on investment than investments in our Nation’s most precious asset—the talents and skills and enterprise of our people.

Let’s first talk about the important task of getting Americans into productive work. Community and national service efforts target two populations that have been hit particularly hard by the economic downturn—our Nation’s young people, including college graduates, and older Americans. While unemployment rose for all age groups during 2008, the increase was dramatic for America’s young people. And we know from research that youth unemployment rates are a good barometer of the overall health of the economy, since young people typically face the greatest difficulties in finding steady employment, due to their lack of experience. By February 2008, the overall unemployment rate had reached 8.1 percent. The youth unemployment rate for individuals 16 to 19 years old was nearly triple that at 21.6 percent. In particular, African-American youth were the most likely to be unemployed at a rate of more than 36 percent. Remember, during the Great Depression, we saw rates of unemployment for the adult population hovering around 25 percent.

High rates of youth unemployment are detrimental not only to jobless youth but to our economy as a whole. An individual who experiences early unemployment is more likely to have lower future earnings as well as repeated spells of joblessness. This is not the future we want for our young people. The demoralizing effects of long-term unemployment may lead to risky behaviors, such as crime and drug use.

Unemployment rates for college graduates are increasing. In fact, the college graduate unemployment rate has broken the record for college graduates, and some researchers predict the rate, which is at 4.1 percent, will exceed 5 percent in 2009.

Our economic troubles are not just affecting the young. Many older Americans are quickly finding themselves out of work. In January 2009, 5.2 percent of workers 55 and older were unemployed, an increase of 63 percent from last year, with 1.5 million older workers now facing joblessness. In October 2008, one out of every three jobless Americans age 55 and older had been out of work for at least 27 weeks. A decline in the value of retirement funds—nearly \$3 trillion from America’s retirement accounts over the past 14 months, with the average American losing 34 percent on retirement holdings—has forced many older Americans to return to the job market.

Investing in community and national service to put America—particularly younger and older Americans—into

productive work is a low-cost solution to fight unemployment and a vital bridge to permanent, higher paying employment in the private sector. Since the beginning of full-time and part-time national and community service in 1993, an initiative that began with the Commission on National and Community Service under President George H.W. Bush, more than 540,000 Americans have tackled the Nation’s most challenging problems, not through Government, but through an extensive network of nonprofit organizations working at the local level. Well known nonprofits such as Habitat for Humanity that builds homes for low-income Americans, Teach for America, which sends bright teachers to the highest need communities, and City Year, which puts young Americans into productive work meeting needs in our Nation’s cities.

Every year since 2004, thanks to President George W. Bush’s commitment to ramp up national and community service through his USA Freedom Corps after 9/11, our Government has offered 75,000 opportunities to adults of all ages to serve not through some government bureaucracy, but through nonprofit organizations created by the innovation of our people. These public-spirited Americans who give a year of their lives in service to community and country are given a below-poverty monthly living stipend and receive a small award to help defray the costs of college at the end of their year of service.

In addition to creating jobs at lower cost to Government or the private sector, national and community service programs and members leverage impressive resources within their communities. These 75,000 national service participants leveraged 2.2 million traditional volunteers who receive nothing from government to work on behalf of meeting the needs of a nation. As I stated earlier, that is nearly a 1 to 30 ratio of national servicemembers to traditional volunteers. In fact, this is the power of so many nonprofit partnerships today.

It bothers me when I hear comments such as those recently made on the floor: We are forcing Government into everybody’s lives. My gosh, we are providing a means of support for people—without making it the minimum wage or without giving them welfare—by helping them become servants and servers to the community at a lower cost. Millions are served without any pay at all because of these programs. How can anybody find fault with these programs?

Imagine placing one national servicemember in a Habitat for Humanity build. That individual, who organizes the building project, recruits, trains and puts to work volunteers, dozens of them at no cost to Government, to ensure home after home rises to meet the needs of low-income Americans. It is a great model. And it is not only about increasing the number of volunteers. In

2007, our national service programs leveraged an impressive \$231 million in financial resources to meet local needs. It is a successful model of a public-private partnership, where the private participation in the form of resources and volunteers together outpaces the public.

National service programs also have been shown to meet critical needs in communities. Independent evaluations have shown that teachers in Teach for America have made greater gains in math among their students compared to other teachers; participants in Citizen Schools show higher school attendance, a significant predictor of whether a student will stay on track to graduate from high school, and higher math and English grades; and third graders working with Experience Corps members scored higher in reading tests and exhibited better behavior in schools than children in control schools. African-American men in Youth Corps programs were more likely to have experienced more employment and higher earnings, to have voted in the last election, and scored higher on measures of personal and social responsibility than members in a control group. And 75 percent of former participants in the YouthBuild program, most of whom are high school dropouts, had found gainful employment, were going to school, or were training for jobs. Research has also shown that participants in Youth Corps programs were more likely to secure better employment after completing their service and that former members, particularly African-American and Hispanic males, had higher wages than their peers not in the program.

These are the programs we are helping; programs that are doing all this work for free and making a difference in the lives of children and families. These are the programs that enlist seniors who would like to give back to the community. How can the argument be made that these programs should not be in effect?

The economic benefits of traditional volunteering are also significant. In 2007, more than 60 million Americans—or more than 26 percent of the adult population over 16—gave 8.1 billion hours of volunteer service. The cost of that service, had it been done by paid workers, would have amounted to approximately \$158 billion. Volunteering in America rose significantly after 9/11, I believe thanks in no small measure to the leadership of President George W. Bush, who asked every American to give 2 years of service to the country over their lifetimes. Volunteering rose from 59.8 million Americans the year after 9/11, which was a very high baseline, given that we knew volunteering would rise in this year, to 65.4 million Americans from 2004 to 2005. The story here is that America did respond to 9/11 and sustained the wave of service and patriotism for which the President and we in the Congress had hoped. The Mormon mission—which is often for a

period of 2 years in service abroad or domestically—was one of the inspirations for the President's 2-year call to service. Almost every young Mormon male serves, as do many adults and females. They learn to care for people and give to communities. The spirit of service remains strong today at around 61 million volunteers within the last year.

We clearly have room to grow the pool of volunteers and the ServiceNation coalition, consisting of more than 125 organizations from the AARP to Colin Powell's America's Promise Alliance for Youth, has endorsed this effort to increase our volunteer base from 61 million to 100 million every year. According to a recent report by AARP, entitled "More to Give: Tapping the Talents of the Baby Boomer, Silent and Greatest Generations," a majority of older Americans are healthy and free of caregiving obligations, and tens of millions of them are prepared to increase their volunteer service in a world they believe they are leaving in worse condition than they inherited. This may be the first generation to believe this and they want to make it right. They have the capacity to do so. The 77 million baby boomers are the longest-living, best educated, healthiest, and most highly skilled generation in our history and represent enormous potential to meet significant needs throughout our country. We should be more creative in enabling more of them to serve.

As the Nation's economy continues to sputter and organizations continue to operate on shrinking budgets, volunteers will become even more essential to the Nation's work. We need to do all we can to harness this productive capacity in these difficult times, and Americans seem very willing to shoulder more responsibilities to get the country moving again.

The Serve America Act gives our country a hat trick—it puts Americans into productive work at low cost to Government, meeting the needs of the Nation, and with no new bureaucracy, since volunteers work through an established network of well-known and trusted nonprofit organizations created by the social enterprise of innovative people. The legislation also targets the two populations most in trouble from the economic downturn—our young people and older Americans. A new volunteer generation fund will tap, train and help deploy more traditional volunteers to meet needs identified by local communities. We saw the wellspring of American compassion in the aftermath of Hurricane Katrina. We need more of those efforts every day, not just in times of disaster.

The bill also creates 175,000 more opportunities for full-time and part-time national and community service, mobilizing our people to tackle problems like the high school dropout epidemic and growing poverty. These 175,000 members, if current leverage ratios

continue, would mobilize approximately 5.25 million traditional volunteers to help in these and other vital efforts. Together with the 75,000 who already leverage 2.2 million Americans, we could have around 8 million Americans participating every year in efforts to address specific challenges in education, healthcare, poverty, energy, and the environment. In hard times, we could use their good works.

The Serve America Act also fosters a culture of service among younger and older Americans. Service-learning opportunities in our Nation's schools have been shown to boost student attendance and engagement, which in turn have a positive effect on keeping students on track to graduate from high school. On the other end of the spectrum, the bill also provides Encore Fellowships to older Americans who want to use their lifetime of skills and talents to help meet the country's needs. And national and community service programs will engage not just the young, but older Americans in their full-time and part-time efforts.

Times of trial have always summoned the greatness of the American people. These are such times. Putting millions of Americans into productive work, not through the instrument of the government, but through the innovation of nonprofit and other community serving organizations, is a smart way to foster a spirit of challenge in the country and tap the innovation and expertise of our people. Government cannot stand on the sideline; it has an important role to play in partnering with the private and nonprofit sectors to further enable this innovation and release the energy of more Americans to give back in times of trouble. By putting hundreds of thousands of Americans to work in full-time and part-time national and community service; leveraging millions of additional volunteers to help meet urgent community needs; fostering innovation among the next generation of social entrepreneurs; and engaging nonprofit institutions in helping to meet challenges in key areas, we can help strengthen our economy and do something this country has always done well since its founding—release the energy of millions of Americans to do more good works in hard times.

Mr. President, the distinguished Senator from Colorado is in the Chamber. I know he wishes to speak, so I will turn the time over to the distinguished Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. INHOFE. Mr. President, will the Senator yield?

Mr. UDALL of Colorado. Mr. President, I am happy to yield to the Senator from Oklahoma.

Mr. INHOFE. Mr. President, I have a unanimous consent request.

I ask unanimous consent that at the conclusion of the remarks of the Senator from Colorado the Senator from Nebraska, Mr. JOHANNS, be recognized,

then I be recognized, and then the Senator from Hawaii, Mr. AKAKA, be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, I presided over the last hour and listened to the speeches about this important Serve America Act, and I felt compelled to rise and express my strong support for the legislation as well.

I am a proud cosponsor of this legislation, and I want to particularly thank my colleagues—Senators KENNEDY, HATCH, MIKULSKI, and ENZI—for working in a bipartisan manner to bring this important legislation to the Senate floor.

During these challenging times, we forget that every day millions of volunteers give their time and energy to help others and to make their communities more livable. Thousands of recent college graduates help educate young people in poor and rural schools through the Teach for America program. Millions of men and women join together to build affordable homes or improve health services for those in need throughout America through the AmeriCorps program. Tens of thousands of seniors are foster grandparents to our young people or companions to those who need help with everyday tasks through the Senior Corps program.

These volunteers, as we have been hearing most of this afternoon, are the best of what our country has to offer and the very essence of the American spirit. By working together to pass this bill, we are doing honor to their commitment to civic engagement and public service.

Service to community and country is something that has been an important part of my life. Prior to my career in politics, I served as the executive director of the Colorado Outward Bound School. Outward Bound provides participants with opportunities to test themselves—both physically and mentally—by confronting obstacles and surviving the elements. At the same time, the school teaches participants to rely on each other for support, assistance, and to work better as a team to meet all the challenges that Mother Nature can throw at you.

As part of the Outward Bound program, we considered it important to promote volunteering because we believed it helped strengthen our communities.

Voluntarism also enables young people to develop personal confidence and self-respect, to avoid the temptation to utilize violence to settle differences by instead learning skills and helping others.

I also had the opportunity to work in the House of Representatives with my fellow House Member TOM UDALL, where we introduced legislation to promote volunteer efforts on our public lands. The goal of our piece of legisla-

tion called the SERVE Act was to enhance the stewardship of the natural and cultural resources for the millions of people who visit them for recreation and education every year.

We also worked together to give the Peace Corps the resources to expand their ranks. After more than 40 years, the Peace Corps remains one of the most admired and successful initiatives ever put in place. The Peace Corps offers an avenue to better understand other cultures and to do a better job of promoting an understanding of American values by citizens abroad.

Many Coloradans have dedicated themselves to community and national service. For example, Colorado has one of the highest levels of recruitment of Peace Corps volunteers nationwide, including my mother, who served in the Peace Corps in Nepal from the age of 56 to 61.

So we have a great volunteer spirit in this country, and we can do more to expand the opportunities for people who would like to give their time to help others in our communities. The bill before us today, the Serve America Act, does that by building on the very strong foundation built by AmeriCorps and other service programs.

Let me discuss a couple of the important elements of this important piece of legislation.

First, it establishes the Youth Engagement Zone to Strengthen Communities program and the Campus of Service program. By engaging high school students and out-of-school youth in community opportunities, we can instill a spirit of service in our young people that will stay with them for a lifetime.

Secondly, the Campus of Service program recognizes colleges and universities with outstanding service-learning programs, and provides resources to support students who want to pursue careers in public service. So many adults who work in Government, nonprofits, and other public service careers got started because of opportunities they had when they were in school. This program will expand the options available to students, so more young people can find rewarding volunteer experiences, and so we can increase the number of young people who want to pursue careers in public service.

Third, the bill creates a set of focused corps: the Education Corps, the Healthy Futures Corps, the Clean Energy Futures Corps, the Veterans Corps, and the Opportunity Corps.

I wish to take a minute to address one, the Clean Energy Futures Corps. In this program, the participants would do a variety of jobs to help make our communities more energy efficient and to preserve our country's natural beauty. These volunteers might help weatherize low-income households to help residents save money or to help clean and improve parks, trails, and rivers.

I was fortunate I was born into a family with a long tradition of working to protect our country's majestic pub-

lic lands so future generations could enjoy the spectacular scenery and outdoor recreation activities we appreciate today. So I am pleased that Senators KENNEDY, HATCH, MIKULSKI, and ENZI included preserving our national treasures as a core principle of the Clean Energy Futures Corps.

I am also very pleased the corps will encourage energy efficiency and weatherization efforts. Energy efficiency must play a key role in helping us use energy in a more responsible and sustainable way. If you think about it, the most affordable kilowatt of energy is the one that is not used. This is important, especially for families struggling to get by each week. Energy efficiency and weatherization efforts will help ensure these families do not have to choose between paying their heating bill and putting food on their table.

Community service enriches everyone who participates—those who are being helped and those who are offering their service. Volunteers can change a neighbor's life or transform our entire country.

I support the mission of this bill. I commend President Obama as the driving force in promoting service opportunities for Americans of all ages.

Mr. President, as I conclude, I want to offer some additional remarks that amplify what my good friend from Utah, Senator HATCH, said in response to our good friend from South Carolina.

The Senator from South Carolina came to the floor and expressed his concerns about this important legislation. He suggested that civil society is everything government is not. Well, with all due respect to my friend from South Carolina, I could not disagree more. I think civil society and government are not mutually exclusive. In fact, the Founders designed our formal democratic government systems based on what they learned in the civil society of the early days of our country.

Lincoln—probably our greatest President, the founder of the Republican Party—if I can paraphrase him—said: What we cannot do alone, we do together in self-government to accomplish.

There is an increasing demand clearly in our society that Senator MIKULSKI, Senator KENNEDY, Senator ENZI, and Senator HATCH have heard and want to tap into. Senator ISAKSON was on the floor earlier talking about creating an infrastructure of volunteers that this bill would so importantly promote. He talked about that the corps' participants are only paid stipends and small, cover-your-expenses salaries. So this is not an expensive program for the benefits that are generated.

The Senator from Utah talked about how this is the best of the liberal and conservative philosophies combined. The Senator from South Carolina talked about the great French historian de Tocqueville who identified this

wonderful spirit in America of voluntarism way back in the 1820s and suggested somehow that could only be pursued through what he called the civil society. Well, that spirit is unique to America, I believe, and it is alive and well, and it can be promoted by civil society, by private society, as well as by this private-public partnership that is envisioned in this important legislation.

In closing, I cannot help but think of my friend, a mentor, a leader, the Senator from Arizona, Mr. McCAIN, who, in expressing the lessons he had learned in his life, talked about why he joined the military. And he put it simply. He said in order to build his self-respect, he wanted to dedicate himself to a cause greater than his own self-interest. That is what this important legislation will do, and it will allow millions of Americans to have that opportunity, to dedicate themselves to causes greater than their own self-interests.

I urge swift passage so we can go to work.

Mr. President, I thank you and yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

AMENDMENT NO. 693 TO AMENDMENT NO. 687

Mr. JOHANNS. Mr. President, I ask unanimous consent to send an amendment to the desk.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. JOHANNS] proposes an amendment numbered 693 to amendment No. 687.

Mr. JOHANNS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: to ensure that organizations promoting competitive and non-competitive sporting events involving individuals with disabilities may receive direct and indirect assistance to carry out national service programs)

On page 115, line 15, strike “1 percent” and insert “2 percent”.

On page 115, line 20, strike “\$10,000,000” and insert “\$20,000,000”.

On page 213, after line 21, insert the following:

SEC. 1613. AVAILABILITY OF ASSISTANCE.

(a) FINDINGS.—Congress finds the following:

(1) Special Olympics is a nonprofit movement with the mission to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy, and participate in a sharing of gifts, skills, and friendship with their families, other Special Olympics athletes and the community.

(2) With sports at the core, Special Olympics is a leader in the field of intellectual disability, and is making impressive strides in the areas of health, education, family support, research, and policy change for people with intellectual disabilities.

(b) AMENDMENT.—Subtitle F of title I is further amended by inserting after section 184 the following:

“SEC. 184A. AVAILABILITY OF ASSISTANCE.

“Notwithstanding any other provision of this Act relating to eligibility, a reference in subtitle C, D, E, or H of title I regarding an entity eligible to receive direct or indirect assistance to carry out a national service program shall include an organization promoting competitive and non-competitive sporting events involving individuals with disabilities (including the Special Olympics), which promote the quality of life for individuals with disabilities.”.

Mr. JOHANNS. Mr. President, I rise today to speak about the need to support programs which help individuals with developmental disabilities such as Special Olympics. The care and treatment of people with developmental disabilities has always been a priority of mine. In fact, it is probably the major reason I am in public service today.

When I was Governor of Nebraska, I made it a priority to reform a piece of the system delivery in our State. Many of these citizens had mental illness and developmental disabilities. One of my major achievements was signing a bill into law which increased the use of community-based services for these citizens.

In Nebraska today, these citizens are much more likely to receive care at a specialized day treatment program or other local residential facility. This legislation was a victory for those Nebraskans and their loved ones who suffer from mental illness, giving them a chance to more fully participate in everyday life and to make a contribution to their communities.

Our efforts to aid the most vulnerable among us, though, must be a national as well as a local goal. And Government is only a part of the solution. There are many impressive private organizations which assist people with disabilities, but perhaps none as impressive as the Special Olympics.

Special Olympics is a nonprofit organization dedicated to helping this population become physically fit and productive by participating in sports training and competition. For over 40 years, Special Olympics has used sports to help bring people together and provide a venue for athletes with disabilities to compete with each other as equals.

But as anyone who has been involved with Special Olympics can tell you, it is much more than just the competition. The camaraderie and the sense of accomplishment felt by these very special citizens and athletes gives them self-confidence in every aspect of their lives. This is critically important work.

Special Olympics and similar organizations are vital to our fundamental national principles of human equality and our basic common dignity. It takes many volunteers to drive the success of an organization such as Special Olympics. In fact, when the National Games come to Nebraska next year, they are going to need 8,000 volunteers to serve

3,000 athletes, 15,000 family and friends, and 30,000 fans who will attend.

I am very proud our home State is taking on the challenges associated with this sporting event. Special Olympics has raised \$1.5 million in private local funding for the 2010 National Games, which should indicate the State's level of enthusiasm for the event. To encourage the American volunteer spirit and help Special Olympics reach its goal of 8,000 volunteers for the 2010 games, I am very pleased to introduce an amendment which would increase the funding authorization for service programs assisting people with disabilities. I can think of no more worthwhile endeavor.

My amendment would double the amount of funding authorized under the National and Community Service Act that is set aside for such purposes and double the limit of such funding to \$20 million. It must be the task of all of us to care for those most at risk. Helping people with developmental disabilities lead productive and fulfilling lives benefits our entire Nation and should thus be a national priority. I hope the Senate will agree with me on this and vote to pass my amendment.

Thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, first of all, I say to the Senator from Nebraska, I wish to thank him for his compassion. This side of the aisle, and I know the other cosponsors of the Serve America Act, are very much interested in working with him to accomplish the goal he so eloquently stated in his very compassionate statement. I would ask respectfully if we could—before I make a request—lay the amendment aside, and the staff on both sides of the aisle would like to work with the Senator to achieve these objectives. We want to be sure we don't inadvertently negatively impact either senior programs or some other programs for the disabled. Would the Senator be agreeable to that?

Mr. JOHANNS. Mr. President, may I inquire as to whether the esteemed Senator from Maryland would be willing to guarantee a determination on the amendment so we get a resolution of the issue?

Ms. MIKULSKI. Absolutely. The Senator will get a determination on his amendment. I give him my word. Is that agreeable?

Mr. JOHANNS. Mr. President, that is agreeable. We will work together and make sure we are not displacing another program and work toward a determination.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Johanns amendment on the Special Olympics be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Oklahoma is recognized.

Mr. INHOFE. I thank the Chair.

(The remarks of Mr. INHOFE pertaining to the introduction of S. 680 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, it is my great honor and privilege to speak in support of the Serve America Act. I want to thank my dear friend and colleague Senator KENNEDY, as well as Senators HATCH, MIKULSKI, and ENZI, for their commitment and dedication to this legislation, which celebrates our national legacy of service and volunteerism—a legacy which has made this country great.

In my home State of Hawaii, children are taught from an early age the importance of nurturing and strengthening bonds between people. Each member of an 'Ohana—or extended family—is expected to make a contribution—no matter how great or small—and to use their unique talents to benefit the community. Through this legislation we can increase this same sense of community responsibility throughout the Nation.

In my role as chairman of the Homeland Security Subcommittee on the Oversight of Government Management, the Federal Workforce, and the District of Columbia, I have advocated for programs and policies that encourage talented young people to join the Federal workforce. As we work to increase opportunities for national and community service, it is worth emphasizing that Federal Government service is a valuable way to contribute.

I am pleased that this bill includes language that encourages post-secondary students to pursue careers in public service through the Campuses of Service program. By supporting efforts to develop and implement models of service-learning, the Campuses of Service programs will help us build a new generation of public servants in the Federal workforce. This will help us prevent a future leadership gap as more of our Nation's long-serving, dedicated Federal employees become retirement eligible.

As chairman of the Veterans Affairs Committee, I am supportive of the provision in this Serve America Act that creates a Veterans Corps. This program will help our nation's veterans—members of our Armed Services—and their families through the creation of community-based programs designed to address their unique needs. This is a great way to give back to the community: to assist the men and women who have bravely risked their lives in defense of our Nation, by providing comfort to their families while their loved ones are deployed, or by helping disabled veterans back home. I am also pleased that the Veterans Corps will encourage our veterans to become volunteers themselves. As former members of our military, these dedicated men and women have gained experience and skills that can be used to ben-

efit our Nation through community service.

In Hawaii, we have a saying, 'a'oe hana nui ke alu 'ia, which means that no task is too big when done together by all. This bill helps create opportunities for all of us to work together now and to teach the value of collaboration to younger generations. Please join me in voting in favor of passage of the Serve America Act. mahalo—Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, in a few moments, I will ask that an amendment be pending. First, I will speak on the amendment.

Mr. President, I rise today to offer an amendment that will strengthen small charities around our country, especially in places where resources are scarce.

My amendment will create a "Nonprofit Capacity Building Program." I am pleased to have worked with my colleague Senator GRASSLEY to develop this program. I have worked with Senator GRASSLEY for several years on oversight of tax-exempt organizations and efforts to strengthen the nonprofit sector.

Our amendment will connect Government funds with private-sector funds to provide education and training to small and midsize charities.

Small charities around our country serve people in need of food or clothing, run afterschool programs, provide housing counseling, and other services that are vital to our communities. But in many cases, these small charities lack access to education opportunities where they might learn how to manage the charity's finances, fundraise effectively, accurately file tax forms, adopt new computer programs or plan a long-term budget.

In nonprofit circles, folks would say these small nonprofits lack "capacity," and training in these areas is called "capacity-building."

Our amendment will add \$5 million per year over 5 years to the budget of the Corporation for National and Community Service to make matching grants to larger organizations so they will, in turn, provide training to small and midsize charities throughout their State or region.

These kinds of training opportunities are especially rare for charities located in rural areas. Folks running a charity in a rural area may never have the chance to attend a grant-writing training or a class on nonprofit budget management.

That is why our amendment states that nonprofit training opportunities should be targeted at charities in areas with these resource challenges.

The amendment also requires the grants to be dollar-for-dollar matching grants. The match must come from non-Federal sources, such as private foundations or corporate giving programs. It is important that both the

Federal Government and the private sector pitch in to provide this support.

Government and private giving must coordinate better in support of people and communities. The underlying bill, the Serve America Act, supports the development of public-private solutions to problems facing our country. Some of my colleagues believe that the private sector must solve every problem facing our communities. Many others believe that Government is essential to solve the same problems. I believe that we need a combination of the best ideas from both. That is the spirit behind this amendment.

I hear from folks in my home State of Montana on a weekly basis in support of this idea.

The National Council of Nonprofits, Independent Sector, and the Alliance for Children and Families have voiced their strong support for this amendment.

I urge my colleagues to vote in favor of the Baucus-Grassley nonprofit capacity building amendment.

AMENDMENT NO. 692 TO AMENDMENT NO. 687

Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside so I may call up my amendment No. 692.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BAUCUS], for himself and Mr. GRASSLEY, proposes an amendment numbered 692 to amendment No. 687.

Mr. BAUCUS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To establish a Nonprofit Capacity Building Program)

On page 297, between lines 16 and 17, insert the following:

SEC. _____. NONPROFIT CAPACITY BUILDING PROGRAM.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is amended by adding at the end the following:

PART V—NONPROFIT CAPACITY BUILDING PROGRAM

SEC. 198S. NONPROFIT CAPACITY BUILDING.

"(a) DEFINITIONS.—In this section:

"(1) INTERMEDIARY NONPROFIT GRANTEE.—The term 'intermediary nonprofit grantee' means an intermediary nonprofit organization that receives a grant under subsection (b).

"(2) INTERMEDIARY NONPROFIT ORGANIZATION.—The term 'intermediary nonprofit organization' means an experienced and capable nonprofit entity with meaningful prior experience in providing organizational development assistance, or capacity building assistance, focused on small and midsize nonprofit organizations.

"(3) NONPROFIT.—The term 'nonprofit', used with respect to an entity or organization, means—

"(A) an entity or organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

“(B) an entity or organization described in paragraph (1) or (2) of section 170(c) of such Code.

“(4) STATE.—The term ‘State’ means each of the several States, and the District of Columbia.

“(b) GRANTS.—The Corporation shall establish a Nonprofit Capacity Building Program to make grants to intermediary nonprofit organizations to serve as intermediary nonprofit grantees. The Corporation shall make the grants to enable the intermediary nonprofit grantees to pay for the Federal share of the cost of delivering organizational development assistance, including training on best practices, financial planning, grantwriting, and compliance with the applicable tax laws, for small and midsize nonprofit organizations, especially those nonprofit organizations facing resource hardship challenges. Each of the grantees shall match the grant funds by providing a non-Federal share as described in subsection (f).

“(c) AMOUNT.—To the extent practicable, the Corporation shall make such a grant to an intermediary nonprofit organization in each State, and shall make such grant in an amount of not less than \$200,000.

“(d) APPLICATION.—To be eligible to receive a grant under this section, an intermediary nonprofit organization shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require. The intermediary nonprofit organization shall submit in the application information demonstrating that the organization has secured sufficient resources to meet the requirements of subsection (f).

“(e) PREFERENCE AND CONSIDERATIONS.—

“(1) PREFERENCE.—In making such grants, the Corporation shall give preference to intermediary nonprofit organizations seeking to become intermediary nonprofit grantees in areas where nonprofit organizations face significant resource hardship challenges.

“(2) CONSIDERATIONS.—In determining whether to make a grant the Corporation shall consider—

“(A) the number of small and midsize nonprofit organizations that will be served by the grant;

“(B) the degree to which the activities proposed to be provided through the grant will assist a wide number of nonprofit organizations within a State, relative to the proposed amount of the grant; and

“(C) the quality of the organizational development assistance to be delivered by the intermediary nonprofit grantee, including the qualifications of its administrators and representatives, and its record in providing services to small and midsize nonprofit organizations.

“(f) FEDERAL SHARE.—

“(1) IN GENERAL.—The Federal share of the cost as referenced in subsection (b) shall be 50 percent.

“(2) NON-FEDERAL SHARE.—

“(A) IN GENERAL.—The non-Federal share of the cost as referenced in subsection (b) shall be 50 percent and shall be provided in cash.

“(B) THIRD PARTY CONTRIBUTIONS.—

“(i) IN GENERAL.—Except as provided in clause (ii), an intermediary nonprofit grantee shall provide the non-Federal share of the cost through contributions from third parties. The third parties may include charitable grantmaking entities and grantmaking vehicles within existing organizations, entities of corporate philanthropy, corporations, individual donors, and regional, State, or local government agencies, or other non-Federal sources.

“(ii) EXCEPTION.—If the intermediary nonprofit grantee is a private foundation (as de-

fined in section 509(a) of the Internal Revenue Code of 1986), a donor advised fund (as defined in section 4966(d)(2) of such Code), an organization which is described in section 4966(d)(4)(A)(i) of such Code, or an organization which is described in section 4966(d)(4)(B) of such Code, the grantee shall provide the non-Federal share from within that grantee’s own funds.

“(iii) MAINTENANCE OF EFFORT, PRIOR YEAR THIRD-PARTY FUNDING LEVELS.—For purposes of maintaining private sector support levels for the activities specified by this program, a non-Federal share that includes donations by third parties shall be composed in a way that does not decrease prior levels of funding from the same third parties granted to the nonprofit intermediary grantee in the preceding year.

“(g) RESERVATION.—Of the amount authorized to provide financial assistance under this subtitle, there shall be made available to carry out this section \$5,000,000 for each of fiscal years 2010 through 2014.”

Mr. BAUCUS. Mr. President, I hope Senators will support this at the appropriate time. Pending that moment, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I compliment the Senator from Montana on his amendment. I understand his amendment is also a bipartisan amendment; is that correct?

Mr. BAUCUS. Yes, that is correct.

Ms. MIKULSKI. Both he and the Senator from Iowa, Mr. GRASSLEY, are co-sponsors. I believe the Senator’s amendment has identified a very specific need, particularly for the small, primarily rural organizations that sometimes are not looked at when we do a big national framework. I want to be as supportive as I can of the Senator’s amendment. I want to examine it more closely. In order to follow the framework, I need to discuss it with my colleague, Senator HATCH, and also Senator ENZI of Wyoming. As many know, Senator ENZI has been trapped in a snowstorm. He will be here tomorrow. We will have a chance to review this and determine our ability to work with the Senator from Montana and the Senator from Iowa to see whether we can find some comity to adopt the amendment. I thank them for their spirit of bipartisanship. We will continue to follow that same framework.

Mr. BAUCUS. I deeply thank the Senator from Maryland, who is a strong advocate for Serve America, a wonderful program. I think this will make it a little better. It is bipartisan, as she said. This helps more people. I thank the Senator.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Ms. MIKULSKI. Madam President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

Ms. MIKULSKI. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. LAUTENBERG pertaining to the introduction of S. 685 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. LAUTENBERG. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

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

NATIONAL SERVICE

Mr. NELSON of Florida. Mr. President, we can all be proud that we live in a country where citizens volunteer to serve their Nation. We can see this especially after any tragedy, be it national, be it local, how our citizenry responds.

I am heartened to see the number of young people responding to serve. There is quite a contrast I have seen in the young people today and what we have seen over the last several decades. If we go back as far as my generation, four decades ago, we were very interested in public service. We wanted to be public servants. We wanted to contribute something to our country. It was very attractive, as a young person growing up, to want to go into government and serve the public that way. We were inspired by a young President, President Kennedy.

Then along came those events that so soured so many of our young people—first of all, the split in the Nation over an unpopular war, Vietnam. We had three major assassinations over a short period, including two brothers of one family. Then this Nation went through the process of the resignation of a President. That was about the time of a lot of the protests and the drug culture. It was a tough time. There was a lot of cynicism bred out of that time. A lot of young people got turned off to public service.