

reliable electricity in the next 20 years is nuclear power. We invented it. We know how to use it. The rest of the world is taking advantage of it. Why don't we? Especially in this economy, when we have nearly 10 percent unemployment, when in Tennessee and Virginia and in the Midwest we are trying to find ways to rebuild the economy, when we know that cheap energy is the key to new jobs and that high-priced energy drives jobs overseas looking for cheap energy, why are we ignoring the cheap energy strategy for dealing with global warming, cheap energy based on nuclear power, No. 1; electric cars and trucks, No. 2; offshore drilling for natural gas and oil which we are still going to need, and pushing ahead with mini Manhattan projects in energy research and development to figure out renewable energy and help make it cost competitive while we move ahead?

This is not only the fastest way to increase American energy independence, clean the air, and reduce global warming, it is the best way to help strained family budgets and a sick economy with 10 percent unemployment.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Mr. NELSON of Nebraska. Mr. President, I ask for the clerk to report the bill.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2918, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Nelson (NE) amendment No. 1365, in the nature of a substitute.

McCain amendment No. 1366 (to amendment No. 1365), to strike the earmark for the Durham Museum in Omaha, NE.

Mr. NELSON of Nebraska. Mr. President, we are returning to the Legislative Branch Committee bill for further consideration today. It is my understanding that my colleague from Oklahoma has an amendment he would like to offer. He was here. Perhaps he will rejoin us shortly.

To recap, this is the legislative branch bill, which has a number of different important issues in it, not the least of which is the fact that when you compare the percentage of increase this year with previous years, it is an effective 2.4-percent increase. We controlled the growing costs associated with the new Visitor Center, which were significant in the last budget.

Let me, at this point, yield to the Senator from Oklahoma.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

AMENDMENT NO. 1369 TO AMENDMENT NO. 1365

Mr. COBURN. Mr. President, I wish to spend a few minutes talking about the legislative branch and us and where we find ourselves. I do have an amendment and I appreciate the consideration of it.

Right now, the average income in this country is down four-tenths of 1 percent this year. Historically, people wonder why Congress cannot control spending. They cannot control spending because they cannot even control their own budget. We are going to see about a 3.2-percent increase in the bill. The House is coming in at 6.1. In conference, we will decide what the legislative branch increase in expenses is on the American public. The reason that spending is out of control and the reason we are shackling our grandchildren with an enormous amount of debt—another \$5 trillion in the next 5 years—is because we don't even do a good job managing our own office budgets.

I am on the floor a lot complaining about wasteful spending, earmarks, and other issues. I don't do that without setting the proper example in my own office. I have been here 4 complete years. I am in my fifth year. During that time, I have turned back, in 2005, \$321,000; in 2006, \$529,000; in 2007, \$516,000; and in 2008, \$491,000—about 16 to 17 percent of my budget.

If I can do that, the question the American people ought to ask is: Why can't everybody up here do that? Why can't we manage our own legislative branch expenses? With the economic environment in which we find ourselves today, the American people ought to be asking what are our elected leaders doing to cut their expenses because we are borrowing a good portion of this money. Why are we not setting an example? If we don't do it, then we are certainly not going to have the various Federal agencies do it.

If you look at spending increases, outside the omnibus and the Recovery Act, Congress increased spending almost 7.2 percent last year. The budget has in it 7.3 percent. That is three times the rate of income growth prior to this recession. Yet we are growing the government three, four times faster, and we are growing our own budgets two and a half or three times faster. This time, it will be five or six times faster than Americans' income is growing.

The question has to be asked: If we are not good stewards with our own of-

fices, how can we be good stewards with the money entrusted to us?

Mr. President, I call up amendment No. 1369 and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1369 to amendment No. 1365.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require expenditures by every Senate office be posted online for the public to review)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. REPORTING REQUIREMENT.

Section 105(a) of the Legislative Branch Appropriations Act 1965 (Public Law 88-454; 2 U.S.C. 104a) is amended—

(1) in the last sentence of paragraph (1), by striking “shall” and inserting “may”; and

(2) by adding at the end the following:

“(6) Beginning with the report covering the first full semiannual period of the 112th Congress, the Secretary of the Senate—

“(1) shall publicly post on-line on the website of the Senate each report in a searchable, itemized format as required under this section;

“(2) shall issue each report required under this section in electronic form; and

“(3) may issue each report required under this section in other forms at the discretion of the Secretary of the Senate.”

Mr. COBURN. Mr. President, this is a very simple amendment. It says we will take the money we spend and make available online to the American people how we spent it. Right now, there are a limited number of books published. We transfer it from computers to a book, but we don't give it to the American people so they can see how we are spending money on our office accounts. Senators NELSON of Nebraska and REID have graciously said they support this amendment. We will have limited debate.

The one way to get this spending under control in our individual offices, as well as in the Federal Government, is to make available to the American people how we spend it. So my hope is this will be a short period of time, and at the end of this year, the American people can go on a Web site and see how TOM COBURN spent his money, in terms of running the office of the junior Senator from Oklahoma. I think they will find I am as frugal with their money in my office as I am trying to be frugal on the floor when it comes to wasteful spending. There is \$350 billion worth of waste that will go through this year, without one stroke of it being eliminated—\$350 billion worth of waste and not one legitimate stroke will be eliminated as we go through the Appropriations Committees and the President's budget—and he is trying to eliminate some. But we won't even do a line-by-line review.

I hope we will accept this amendment and lead by example, and the American people can hold us accountable for how we spend their money.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska is recognized.

Mr. NELSON of Nebraska. I know of no further debate on the amendment.

The ACTING PRESIDENT pro tempore. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1369) was agreed to.

Mr. NELSON of Nebraska. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

#### HEALTH CARE REFORM

Mr. BARRASSO. Madam President, when it comes to health care, Democrats and Republicans all agree that we need and we want health care reform. Having practiced medicine for over two decades in Wyoming, I know that doing nothing is simply not an option. But let me tell you from experience that the devil is always in the details. We must be careful, we must be thoughtful, and we must be deliberate about the changes we make.

Health care is a very complex and intensely personal issue. It deserves a serious, open, and transparent national debate. Any changes Congress makes are going to impact millions and millions of American families. These are people of our Nation; these are not nameless or faceless statistics; these are husbands, mothers, neighbors; these are our wives, our friends, and our coworkers; these Americans are our children—the Nation's most precious resources.

We must act, but still at issue is whether Congress will act without sacrificing our health care system's greatest strengths. And what are those strengths? The freedom to choose your own doctor, the freedom to choose the hospital you want, and the freedom to choose the health care plan that fits you and fits your family's needs.

I travel home to Wyoming every weekend. I was there yesterday. One of the top issues I hear about is health care. The people of Wyoming are concerned about the cost of their health care. Many families worry they will lose the health care coverage they currently have. Still others can't afford health insurance at all. This is what is

wrong with the current health care system. This is what we need to fix. Wyoming families want to purchase health insurance coverage at an affordable price. They do not want to be denied coverage because of preexisting conditions. They do not want to lose coverage if they change jobs. But most of all, these families do not want Washington telling them—do not want Washington telling them—whom they have to see for their medical care. Everyone should have the freedom to choose the doctor, the hospital, and the health care plan they want. No Washington bureaucrat should ever be allowed to deny that right.

Some in Congress continue focusing solely on government solutions. They want Washington, in its enduring wisdom, to take over health care. Some in Congress want to create a government-run health care plan. Their plan creates a government-run insurance model that could limit patient choice, eliminate personal freedoms, and decrease the quality of care. What starts out as one option could quickly lead to being the only option.

We all know how this happens. Unlike regular health insurance, government health plans have unlimited access to taxpayer money. They can use the money to temporarily subsidize the cost of services, but ultimately someone must pay for the care.

According to the Lewin Group, 119 million Americans would lose the private coverage they currently have if we have a government-run system. I know some in the Senate and the administration keep saying: If you like your insurance coverage, you will get to keep it. The Lewin Group's data proves otherwise. Their study shows that businesses will face a situation where it is cheaper for them to insure their employees through the government-run plan, so employers will then transfer their workers from the private insurance that they currently have—and that they may like—to this new Washington-run government plan. So where is the personal choice? At this point, the individual has no option. The government-run plan is their option, it is their plan, unless that person changes jobs to an employer who is willing or can afford to offer private coverage. So what happened to the "If I like my health insurance plan offered by my employer, I will be able to keep it"? Well, that promise is out the window.

Some say we can create safeguards that will ensure a level playing field between private insurance and a government-run plan. Well, as a doctor, I can tell you from personal experience that the government will never, ever compete on a level playing field with private business. Washington will never let its health care plan go bankrupt. Never. It will lose money, it will hide costs, and ultimately taxpayers will pay the difference. Private plans will not enjoy this same kind of support. That is exactly how the heavy hand of government can drive out competition.

So how does government compete with private business? Well, Congressman MIKE PENCE of Indiana summed it up pretty well. He said: "The government competes with private business the way an alligator competes with a duck."

Supporters of the government-run Washington takeover of health care say the plan will keep costs low. How? By paying hospitals, doctors, nurses, home health agencies, hospice providers, and long-term care facilities less than private insurers pay. This should sound familiar. This is what already happens with Medicare and Medicaid. Any participating Medicare or Medicaid provider will tell you that today, right now, doctors and hospitals have to shift costs onto private insurers just to keep their doors open. The cost shift is to make up the difference between what a procedure costs and what the government is willing to pay for it. That is what they call cost shifting. We see it every day.

A government-run plan will not encourage competition; it will take away your access to private health insurance. The private plans millions of Americans have today—the program they like, the one they want to keep—will be gone. The only choice remaining will be the government plan.

So what does this all mean to someone who is listening in—to the patient? Well, it means politicians will be making health care decisions, not patients making those decisions with their doctors. It means Washington bureaucrats will be deciding whether you can have the hip or the knee procedure you need. It means the government will be saying you cannot have lifesaving medical treatment because it is too expensive or because you are too old. It means Washington will be restricting your and your child's access to the most advanced medical testing equipment. It means testing delays, it means diagnosis delays, and it means treatment delays. Delayed care is denied care, and we do not want that in America.

Take a close look at what is going on in Canada right now. Last year, in Calgary, ophthalmologists—eye doctors—had no waiting lists for people needing cataract surgery. Then Alberta's cash-strapped government made a decision to arbitrarily lower the number of cataract operations it would pay for. They arbitrarily said: We are going to pay for 2,000 fewer cataract operations this year in Alberta than we did last year.

So what did that mean for the people there? Well, many patients now have to wait a year for treatment—a year. Why? Well, the cutbacks forced surgeons to cancel all of the operations they had scheduled on people with moderately severe cataract conditions. So now they only book the most severe cases. Ophthalmologists are now concentrating their efforts only on the patients who are about to go blind—not the people who have a hard time seeing, the people about to go blind.

Patients living in Alberta have to almost be going blind to get cataract

surgery. Is that the kind of medical care we want for Americans? Absolutely not. America should strive to offer its citizens the highest quality, most timely health care services in the world. That means Americans should not have to wait weeks at a time for tests and treatments they need. It means no one should be denied health care services because of government limits or government restrictions. It means no government bureaucrat should interfere in the doctor-patient relationship.

Currently, the Senate HELP Committee has been debating a reform plan that has been put forth by Senator KENNEDY and Senator DODD. The non-partisan Congressional Budget Office told us—first, it told us the Kennedy-Dodd plan increases spending by more than \$1.3 trillion in the first 10 years. Once it is fully operational, the 10-year fee would be closer to \$2.6 trillion. The number was staggering. People cried “sticker shock.” What did they do? They tweaked it around a little bit and came out with a new estimate.

They are just guessing. Even more disturbing is the plan is incomplete. The Congressional Budget Office still has additional policies to score to come up with a pricetag. Clearly, this estimate does not reflect the bill’s true cost because they left out Medicaid, something they have been forcing onto the States, and Governors all around the country have been crushed by these Medicaid-increased fees and increased expenses.

Ten years and trillions of dollars later, the Congressional Budget Office also tells us this plan only reduces the number of people who do not have insurance by 17 million. That leaves over 30 million Americans still without health insurance, and they are spending \$1 trillion.

Finally, the Congressional Budget Office indicates that about 15 million people would actually lose the insurance they have now, be forced off of their employer-paid-for insurance under this trillion-dollar plan.

To me, this Kennedy-Dodd plan suffers from what I call the three Cs: it costs too much, it covers too few, and it causes too many people who already have insurance to lose the coverage they have.

Some in Congress believe unless we completely dismantle the current health care system and build it up in the image of big government, then reform, they say, is simply not worth doing. I disagree. Americans do not want the same government bureaucracy that has given us the Department of Motor Vehicles controlling our medical decisions. Americans don’t want increased bureaucratic hassles, we don’t want long waits, and we don’t want restrictions on our medical care.

What we need is a serious, transparent health care debate. That is what Americans want. They want us to listen to their ideas, their concerns, their suggestions. The only way they can

give us their ideas, concerns, and specifically their suggestions about a health care bill is if they actually get to read the bill.

Whether we should reform our health care system is no longer in question. Americans have answered with a resounding yes, and they don’t want to continue to wait. They want simple, practical, affordable changes now: Changes such as prohibiting the use of preexisting condition clauses, changes such as allowing people to take their health insurance with them when they switch jobs. Madam President, you have a young family; I have a young family. Our children are going to have seven or eight jobs over the course of their lifetimes. They will need to take their insurance with them. We need to have changes such as offering premium breaks for making healthy lifestyle choices, changes such as having the same tax breaks for people who buy their own insurance as big companies get when they pay for insurance for their employees—we need families to have those same tax breaks. We need changes such as allowing people to shop across State lines to look for better deals, keeping their costs down.

I want to continue to come forward with commonsense ideas. I want the majority in Congress to work with me and with members of my party on a bipartisan health reform plan. That is the need. That is the need the country is expecting us to address. That is what I would like to do. We cannot simply put government in charge of health care and put bureaucrats in between patients and their doctors.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1370 TO AMENDMENT NO. 1365

Mr. DEMINT. Madam President, I hope everyone had a good break. I can’t say that I am glad to be back, but there are some important things to do. I start by calling up amendment No. 1370, which is at the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 1370 to Amendment No. 1365.

Mr. DEMINT. 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 direct the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of “In God We Trust” in the Capitol Visitor Center)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. ENGRAVING OF THE PLEDGE OF ALLEGIANCE TO THE FLAG AND THE NATIONAL MOTTO IN THE CAPITOL VISITOR CENTER.

(a) ENGRAVING REQUIRED.—The Architect of the Capitol shall engrave the Pledge of Allegiance to the Flag and the National Motto of “In God We Trust” in the Capitol Visitor Center, in accordance with the engraving plan described in subsection (b).

(b) ENGRAVING PLAN.—The engraving plan described in this subsection is a plan setting forth the design and location of the engraving required under subsection (a) which is prepared by the Architect of the Capitol and approved by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

Mr. DEMINT. Madam President, this amendment is about the Capitol Visitor Center. Among other things, we all know the new Capitol Visitor Center, which is very beautiful, welcomes folks from all over the country and the world to the Capitol. It includes interesting and valuable museum-style exhibits about the history of the Capitol and Congress. Unfortunately, the way the Capitol Visitor Center has been built and the way the displays have been set up, it conspicuously ignores America’s unique religious heritage and the role that heritage played in the founding of the Republic. Indeed, the original exhibits now there seem to suggest the Federal Government was the solution to all our problems and the fulfillment of all human aspirations, as if we were a government with a nation instead of the other way around. Even the national motto was misrepresented—as out of many, one.

My unanimous consent agreement will help correct the record as it is displayed at the Capitol Visitor Center. It will authorize the engraving of our true national motto, which is: In God we trust. It will also order the engraving of the Pledge of Allegiance with its reference to one Nation under God in a prominent position in the Capitol Visitor Center. From the beginning many of us were concerned about what looked like a historical whitewash of our Nation’s faith heritage from the Capitol Visitor Center. I thank Senators FEINSTEIN and BENNETT for their support. I have a letter they both signed formalizing our agreement for the historical corrections in my amendment.

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

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

U.S. SENATE, COMMITTEE ON

RULES AND ADMINISTRATION

Washington, DC, September 26, 2008.

Hon. JIM DEMINT,

Russell Senate Office Building,

Washington, DC.

DEAR JIM: After many years of anticipation the Architect of the Capitol is preparing for the opening of the new Capitol Visitor Center (CVC) on December 2, 2008.

Delaying the opening of the CVC has serious security implications. The CVC was designed so that public visitors will be screened at one secure location, improving security in the U.S. Capitol for constituents, staff and Members.

Delaying the opening of the CVC also has significant financial consequences. As you are aware, the CVC has already cost \$621 million for construction. The Architect is currently paying the cost of salaries and benefits for staff preparing to open and operate the facility for the American public. Every day the CVC is closed to the public, it will cost the taxpayer \$72,040 in unused staff resources.

In response to your letter dated September 25, 2008, we agree in principle to support engraving "In God We Trust" in stone in a prominent location within the CVC; engraving "The Pledge of Allegiance" in stone in a prominent location within the CVC; and removing the words "Our Nation's Motto" from the Unity panel on the Wall of Aspirations of the Exhibition Hall in the CVC, and replacing it with a new panel.

We recognize that one of your suggestions (renaming "Our Nation's Motto") is a correction, and the "Pledge" and "In God We Trust" are additions. The approximate cost of doing all three projects, according to the Architect of the Capitol, is \$150,000.

We are pleased that you have agreed to Senate consideration of the CVC legislation. Sincerely,

DIANNE FEINSTEIN,

*Chairman.*

ROBERT F. BENNETT,

*Ranking Member.*

Mr. DEMINT. I also want to make a point about the unfortunate expense associated with these design corrections. I regret these funds must be spent. That the historical whitewash of the original design contained these inaccuracies was unfortunate, certainly. But the \$150,000 this project will cost is less than 1/10th of 1 percent of the cost of the Capitol Visitor Center. Anyone interested in finding offsets can count on my support in identifying waste in the underlying bill that is funding Congress for next year. When these engravings are completed and when we can welcome God back into the Capitol Visitor Center, visitors to the Capitol will see a fairer and more historically accurate depiction of the all-important relationship between faith and freedom in America.

I understand the majority is prepared to accept the amendment by a voice vote or unanimous consent.

Mr. NELSON of Nebraska. There is no objection.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 1370) was agreed to.

AMENDMENT NO. 1367 TO AMENDMENT NO. 1365

Mr. DEMINT. Madam President, I have another amendment I have been informed the majority plans to block consideration of, which is No. 1367 regarding transparency at the Federal Reserve. I wish nonetheless to take a few moments to discuss it.

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

Mr. DEMINT. The unelected central bank of the United States, the Federal Reserve, enjoys a monopoly over the flow of our money and credit but has never been completely transparent and accountable to Congress since its cre-

ation in 1913. Since 1913, our dollar has lost more than 95 percent of its purchasing power. My amendment is called the Federal Reserve sunshine amendment. It is modeled after legislation sponsored by Representative RON PAUL of Texas in the House and our colleague Senator SANDERS of Vermont in the Senate. This amendment amends section 714 of title 31 of the United States Code to remove existing restrictions on how the Government Accountability Office can audit the Federal Reserve. With these limitations gone, the Fed's discount window operation, funding facilities, open market operations, and agreements with foreign central banks and governments would all be finally open to congressional oversight. The Government Accountability Office would be required to audit the Fed by the end of 2010 and to report its findings to Congress.

Every dollar created by the Fed has an effect on the value of the dollars in our pockets and bank accounts. We need to pay more attention to the effect of Washington decisions, whether fiscal policy made by Congress or monetary policy made by the Fed. They all are ultimately borne by the American people. The Federal Reserve will create and disburse trillions of dollars in response to our current financial crisis. Americans across the Nation, regardless of their opinion on the bailout, want to know where the money has gone, exactly how much has been spent, and what collateral has been taken in return. That is why we see so much bipartisan support in the House, in BERNIE SANDERS and JIM DEMINT being on the same side in the Senate. Inflation is a hidden tax. We, unfortunately, forget about it too often when we are debating spending bills in Congress.

Our fiscal actions, higher deficits, increased long-term debt, and entitlement obligations will necessarily need to be paid for by printing new money or borrowing more money from an increasingly skeptical world. Either option results in higher interest rates for consumers and a devaluing of the dollars they have already earned and saved. Allowing the Fed to operate our Nation's monetary system in almost complete secrecy leads to abuse, inflation, and a lower quality of life for every American. Unfortunately, the majority has decided to use a procedural tactic to block a vote on this amendment by invoking something called rule XVI. This is a rule that prevents policy being added to spending bills. The majority claims we do not legislate on appropriations bills. Of course, that is false. In fact, there are already rule XVI violations in the bill we are trying to amend. We saw this majority airdrop the cash for clunkers program into the recent supplemental appropriations bill.

The majority may claim this amendment is not relevant to the underlying bill, but in fact there are already provisions in this bill related to Government

Accountability Office audits, so this language is quite appropriate on this bill. The legislation has already received the support of more than one-half of the House of Representatives within a few short months of its introduction. It is time for the Senate to show its support.

I ask the majority leader again to allow a vote on amendment 1367 regarding a GAO audit of the Federal Reserve.

I call up amendment 1367.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 1367 to amendment No. 1365.

The amendment is as follows:

(Purpose: To amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking all after "shall audit an agency" and inserting a period.

(b) AUDIT.—Section 714 of title 31, United States Code, is amended by adding at the end the following new subsection:

"(e) AUDIT AND REPORT OF THE FEDERAL RESERVE SYSTEM.—

"(1) IN GENERAL.—The audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) shall be completed before the end of 2010.

"(2) REPORT.—

"(A) REQUIRED.—A report on the audit referred to in paragraph (1) shall be submitted by the Comptroller General to the Congress before the end of the 90-day period beginning on the date on which such audit is completed and made available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests it.

"(B) CONTENTS.—The report under subparagraph (A) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate."

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. NELSON of Nebraska. Madam President, I make a point of order against the DeMint amendment that it is legislation on appropriations.

The PRESIDING OFFICER. The point of order is well taken. The amendment falls.

Mr. DEMINT. Madam President, I regret the objection. Since the other side is arguing that rule XVI applies here, my amendment contains language to an existing GAO audit of the Federal

Reserve. Because it is legislative in nature—in other words, because it actually addresses the audit itself and not just the funds for the General Accountability Office—they say it is out of order. I have a parliamentary inquiry: Is the language in section 1501(b) dealing with an existing GAO audit of the National Transportation Safety Board legislative?

The PRESIDING OFFICER. It is.

Mr. DEMINT. I thank the Chair. Does it violate rule XVI?

The PRESIDING OFFICER. It does.

Mr. DEMINT. So the Democrats are suggesting that it is somehow illegitimate for me to offer an amendment dealing with an existing GAO audit when they themselves have included language dealing with other audits that flatly violates rule XVI.

Further parliamentary inquiry: Is the language in section 1501(c) regarding a GAO audit of local educational agency spending legislative in nature and in violation of rule XVI?

The PRESIDING OFFICER. Yes.

Mr. DEMINT. I thank the Chair. What about section 1501(d) which repeals a GAO audit of the small business participation in the Alaska national pipeline; is that legislative in nature and does it violate rule XVI?

The PRESIDING OFFICER. Yes, it is.

Mr. DEMINT. Madam President, I have a long list here for which I understand from the Parliamentarian the answers will continue to be yes. We have several provisions, obviously, dealing with the GAO and GAO audits in this bill. The other side cannot stand behind a rule they have flagrantly violated themselves.

There is an earmark in this bill for Nebraska. It is the only earmark in the bill.

I would ask the Chair, what about the provision in the Library of Congress section containing a \$200,000 earmark for the Durham Museum in Omaha, NE? Is that a legislative item? And does it violate rule XVI?

The PRESIDING OFFICER. It is legislative, but the Chair is aware of a defense in germaneness.

Mr. DEMINT. Thank you, Madam President. Then, would it be accurate to say the provision contains legislative language that meets the definition of rule XVI, even though it is arguably germane to the House language?

The PRESIDING OFFICER. It is legislative in nature.

Mr. DEMINT. Thank you, Madam President.

I think I have made my point, and I will not take this any further. Clearly, there is a double standard.

One of the most sought after amendments we have probably brought up in the House and the Senate since I have been here is an audit of the Federal Reserve. Everywhere I went last week people were thanking me for finally looking at what the Federal Reserve was doing and trying to let the American people know what is happening.

This is an audit that has broad support, and I would encourage my col-

leagues on the Democratic side to allow this amendment to be voted on. But, apparently, the other side has decided to challenge it with rule XVI, which they do not apply to their own language.

But as I said, Madam President, I have probably said enough and I thank you for your indulgence.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1366

Under the previous order, there will now be 10 minutes of debate, equally divided and controlled between the Senator from Arizona, Mr. MCCAIN, and the Senator from Nebraska, Mr. NELSON.

The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I hope my colleagues will vote to strike this earmark for the Durham Museum in Omaha, NE. Strangely enough, this amount has been inserted by the Senator from Nebraska—this \$200,000 for the Durham Museum in Omaha, NE.

Lest there be any confusion about this, in the last tax return of the Durham Museum in Omaha, NE, they had \$10,917,319. So the museum is fairly well off. They have assets of about \$11 million. Apparently, the Senator from Nebraska thinks they need a couple hundred grand extra—on the Legislative Branch Appropriations bill.

Again, I am interested in hearing the Legislative Branch Appropriations connection to the Durham Museum in Omaha, NE. I am sure it is a fine museum, a wonderful museum, and it gets many visitors from all over the great State of Nebraska. I just came from the great State of Arizona, and do you know what. Storefronts are closing, people are losing their jobs, and unemployment is up. So what are we doing here in Washington, our Nation's capital? Business as usual. But what is an earmark of just \$200,000? What is \$200,000 in the trillions we are spending? The legislation says that amount “shall remain available until expended for the purpose of preserving, digitizing, and making available historically and culturally significant materials related to the development of Nebraska and the American West.”

What makes this museum so needy of the taxpayers' dollars? What is it about the Durham Museum in Omaha, NE, that says we need \$200,000? Well, they don't, obviously. They had nearly \$11 million in net assets at the end of 2007. Why are we earmarking \$200,000 of taxpayer funds for this museum?

We should not be earmarking these kinds of funds. This is a Legislative Branch Appropriations bill to fund the

functioning of Congress, the legislative branch, not a museum in Omaha, NE, which I am sure is a wonderful place.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. NELSON of Nebraska. My colleague from Arizona is right. It is a wonderful, an outstanding museum.

As a quick refresher for my colleagues, this is a project that was requested by the Durham Museum in Omaha, NE. This is a well-respected, not-for-profit organization with a long-standing and close relationship with the Library of Congress.

The \$200,000 requested in this bill for the Durham Museum to begin the preservation and digitization of the museum's photo archive collection will preserve our history and improve access to these priceless treasures.

The museum will provide a public service of Federal interest making it appropriate to promote a public-private partnership. This truly is a public-private partnership—the funding for the project in this bill is only 10 percent of the total cost. The Durham Museum will privately raise the remaining 90 percent and incur all ongoing operating costs.

The Library of Congress is an expert in the area of digitization and preservation of fragile photos and images. Taking that into consideration with the fact that the library enjoys “a remarkable long-term relationship with the Durham Museum,” to use the words of the Librarian of Congress, Dr. James Billington, it makes this partnership worthy of support and further makes this funding appropriate in this legislation.

To reiterate some of the points I made prior to the recess, this project is more than just a “photo exhibit.” In addition to making these images available to the public, the Durham will work with and assist the Library of Congress to establish conservation and preservation training programs, and on incorporating digitized primary source materials into school curricula.

While I understand my colleague and I may disagree on the larger philosophical issue about the role of Congress to set spending priorities, I note that this project relates explicitly to the goals and purposes of the Library to expand access to our Nation's most treasured documents and artifacts. It will, through this partnership, make these historical images accessible nationally. It is funded here for that reason.

Lastly, not all treasures are located inside the beltway. The Durham Museum seeks to preserve a significant collection of images and photos that document the western expansion of this great Nation. These images will include, among others, a number of wonderful images of Presidents Roosevelt, Kennedy, and others; growth and development of the transcontinental railroad—the Union Pacific is headquartered in Omaha, NE—

Native American tribes from across the country dating back to the 1880s; photographs taken by prominent early photographer William Henry Jackson, who lived and worked briefly in Omaha; stockyards and meatpacking industries, which brought many immigrants and settlers to that part of the country in the early and mid-20th century; early transportation, including steamboats, streetcars, and cityscapes.

Again quoting Dr. Billington:

Digitization of the Durham Museum's nationally significant collection of more than 500,000 images in prints, negatives, and glass plate negatives will greatly enhance citizens' access to these treasures and preserve them for future generations.

The project will be moved significantly forward by the able assistance of the Library of Congress, and I thank Dr. Billington for his willingness to assist with this important project. I ask my colleagues to support its inclusion in this bill.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. McCAIN. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. Two minutes 14 seconds.

Mr. McCAIN. Madam President, let me get this straight. We now have an unauthorized earmark, and there has never been a hearing or a request from the administration for this vital project in Omaha, NE. There has never been a hearing of any kind or a request from the administration, nor, to my knowledge, scheduling of any kind of hearing on it.

Of course, this is one of the classic examples of an earmark being put in because of the judgment of a Member of Congress who believes this project is important to his or her State or locality, and there has never been any competition for it. I am sure there are libraries all over America—including in Arizona—that would love to have a couple hundred grand to digitize and preserve materials related to the development of the West.

Let's get this straight. This is a Legislative Branch Appropriations bill intended to fund the legislative activities of the Congress of the United States, which has some connection to the Library of Congress, which I imagine that hundreds, if not thousands, of libraries throughout the country do, and then we connect it now as a rationale for \$200,000 for the Durham Museum.

Again, all I say to my colleague from Nebraska is that Americans are tired of earmarking and projects that are not authorized, that there is no competition for, but are directly related to the influence of Members of Congress. It is wrong. We should remove this, and we should use this as an example of the kind of fiscal discipline that maybe we ought to start exercising, and I intend to go to the floor on earmark after earmark, and the American people are going to have tea parties all over America in direct objection to the kind of conduct we are exercising in Con-

gress. I hope that sooner or later we will listen.

I yield back the remainder of my time.

Mr. NELSON of Nebraska. Madam President, I respectfully urge my colleagues to vote "no" on this amendment.

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. NELSON of Nebraska. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

All time has expired. The question is on agreeing to amendment No. 1366. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mrs. MURRAY), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Georgia (Mr. ISAKSON), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 31, nays 61, as follows:

[Rollcall Vote No. 215 Leg.]

YEAS—31

Alexander	Ensign	Martinez
Barrasso	Enzi	McCain
Bayh	Feingold	McCaskill
Bunning	Graham	McConnell
Burr	Grassley	Risch
Chambliss	Hagan	Roberts
Coburn	Hutchison	Sessions
Corker	Inhofe	Thune
Cornyn	Johanns	Vitter
Crapo	Kyl	
DeMint	Lugar	

NAYS—61

Akaka	Gillibrand	Nelson (FL)
Baucus	Gregg	Pryor
Begich	Harkin	Reed
Bennet	Hatch	
Bennett	Inouye	Rockefeller
Bingaman	Johnson	Sanders
Bond	Kaufman	Schumer
Boxer	Kerry	Shaheen
Brown	Klobuchar	Shelby
Burris	Kohl	Snowe
Cantwell	Landrieu	Specter
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Cochran	Lieberman	Voinovich
Collins	Lincoln	Warner
Conrad	Menendez	Whitehouse
Dodd	Merkley	Wicker
Dorgan	Mikulski	Wyden
Durbin	Murkowski	
Feinstein	Nelson (NE)	

that the earmark for the Durham Museum in Omaha, NE, as contained on page 21, line 15, after the word "mission" through line 20, violates article I, section 8 of the Constitution, and also violates the 10th amendment of the Constitution of the United States.

The PRESIDING OFFICER. The Chair submits the constitutional point of order to the Senate. Is it in order to offer such an amendment to the bill?

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

Is there further debate? If not, the clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mrs. MURRAY), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK) and the Senator from Georgia (Mr. ISAKSON).

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

The result was announced—yeas 70, nays 23, as follows:

[Rollcall Vote No. 216 Leg.]

YEAS—70

Akaka	Gillibrand	Murkowski
Baucus	Grassley	Nelson (NE)
Bayh	Gregg	Nelson (FL)
Begich	Hagan	Pryor
Bennet	Harkin	Reed
Bennett	Hatch	
Bingaman	Hutchison	Rockefeller
Bond	Inouye	Sanders
Boxer	Johnson	Schumer
Brown	Kaufman	Shaheen
Burris	Kerry	Shelby
Cantwell	Klobuchar	Snowe
Cardin	Cardin	Specter
Carper	Kohl	Stabenow
Casey	Landrieu	Tester
Cochran	Lautenberg	Udall (CO)
Collins	Leahy	Voinovich
Conrad	Lieberman	Warner
Dodd	Lincoln	Whitehouse
Dorgan	Menendez	Wicker
Durbin	Merkley	Wyden
Feinstein	Mikulski	

NAYS—23

Akaka	Gillibrand	Martinez
Baucus	Grassley	McCain
Bayh	Gregg	Risch
Begich	Hagan	Roberts
Bennet	Harkin	Sessions
Bennett	Hatch	Thune
Bingaman	Hutchison	Vitter
Bond	Inouye	
Boxer	Johnson	
Brown	Kaufman	
Burris	Kerry	
Cantwell	Klobuchar	
Cardin	Landrieu	
Carper	Lautenberg	
Casey	Leahy	
Cochran	Lieberman	
Collins	Lincoln	
Conrad	Menendez	
Dodd	Merkley	
Dorgan	Mikulski	
Durbin	Murkowski	
Feinstein	Nelson (NE)	

NOT VOTING—6

Brownback	Kennedy	Murkowski
Byrd	Murray	Udall (NM)

The PRESIDING OFFICER. The point of order is not sustained. The substitute amendment is in order.

Under the previous order, the substitute amendment (No. 1365), as amended, is agreed to and the motion to reconsider is considered made and laid upon the table.

Mr. CONRAD. Mr. President, I rise to offer for the record, the Budget Committee's official scoring of S. 1294, the

The amendment (No. 1366) was rejected.

AMENDMENT NO. 1365

Mr. COBURN. Madam President, I make a constitutional point of order

Legislative Branch Appropriations Act for fiscal year 2010.

The bill, as reported by the Senate Committee on Appropriations, provides \$3.1 billion in discretionary budget authority for fiscal year 2010, which will result in new outlays of \$2.6 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total \$3.3 billion.

The Senate-reported bill is below its section 302(b) allocation for budget authority by \$1.5 billion and below its allocation for outlays by \$1.3 billion. The Senate-reported bill does not include funding for House-only items. Funding for these items will be included in the conference agreement. No points of order lie against the committee-reported bill.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

**S. 1294, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010**

[Spending comparisons—Senate-Reported Bill (in millions of dollars)]

	General purpose
Senate-Reported Bill:	
Budget Authority	3,136
Outlays	3,275
Senate 302(b) Allocation:	
Budget Authority	4,622
Outlays	4,615
House-Passed Bill:	
Budget Authority	3,675
Outlays	3,810
President's Request:	
Budget Authority	5,154
Outlays	4,912
Senate-Reported Bill Compared To:	
Senate 302(b) allocation:	
Budget Authority	-1,486
Outlays	-1,340
House-Passed Bill:	
Budget Authority	-539
Outlays	-535
President's Request:	
Budget Authority	-2,018
Outlays	-1,637

Note: The Senate-reported bill does not include funding for House-only items.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

Mr. NELSON of Nebraska. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Washington (Mrs. MURRAY), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK) and the Senator from Georgia (Mr. ISAKSON).

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

The result was announced—yeas 67, nays 25, as follows:

[Rollcall Vote No. 217 Leg.]

YEAS—67

Akaka	Gillibrand	Murkowski
Alexander	Gregg	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Bayh	Harkin	Pryor
Begich	Hatch	Reed
Bennett	Hutchison	Reid
Bingaman	Inouye	Rockefeller
Bond	Johanns	Sanders
Boxer	Johnson	Schumer
Brown	Kaufman	Shaheen
Burris	Kerry	Shelby
Cantwell	Klobuchar	Snowe
Cardin	Kohl	Specter
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Cochran	Levin	Voinovich
Collins	Lieberman	Warner
Corker	Lincoln	Webb
Dodd	Lugar	Whitehouse
Dorgan	McConnell	Wicker
Durbin	Menendez	Merkley
Feingold	McCain	Wyden
Feinstein	Mikulski	

NAYS—25

Barrasso	DeMint	McCaskill
Bennet	Ensign	Risch
Bunning	Enzi	Roberts
Burr	Graham	Sessions
Chambliss	Grassley	Thune
Coburn	Inhofe	Udall (CO)
Conrad	Kyl	Vitter
Cornyn	Martinez	
Crapo	McCain	

NOT VOTING—7

Brownback	Kennedy	Udall (NM)
Byrd	Landrieu	
Isakson	Murray	

The bill (H.R. 2918), as amended, was passed, as follows:

H.R. 2918

*Resolved*, That the bill from the House of Representatives (H.R. 2918) entitled “An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes.”, do pass with the following amendment:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the legislative branch for the fiscal year ending September 30, 2010, and for other purposes, namely:*

TITLE I

LEGISLATIVE BRANCH

SENATE

EXPENSE ALLOWANCES

*For expense allowances of the Vice President, \$20,000; the President Pro Tempore of the Senate, \$40,000; Majority Leader of the Senate, \$40,000; Minority Leader of the Senate, \$40,000; Majority Whip of the Senate, \$10,000; Minority Whip of the Senate, \$10,000; Chairmen of the Majority and Minority Conference Committees, \$5,000 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, \$5,000 for each Chairman; in all, \$180,000.*

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

*For representation allowances of the Majority and Minority Leaders of the Senate, \$15,000 for each such Leader; in all, \$30,000.*

SALARIES, OFFICERS AND EMPLOYEES

*For compensation of officers, employees, and others as authorized by law, including agency*

*contributions, \$178,982,000, which shall be paid from this appropriation without regard to the following limitations:*

OFFICE OF THE VICE PRESIDENT

*For the Office of the Vice President, \$2,517,000.*

OFFICE OF THE PRESIDENT PRO TEMPORE

*For the Office of the President Pro Tempore, \$752,000.*

OFFICES OF THE MAJORITY AND MINORITY LEADERS

*For Offices of the Majority and Minority Leaders, \$5,212,000.*

OFFICES OF THE MAJORITY AND MINORITY WHIPS

*For Offices of the Majority and Minority Whips, \$3,288,000.*

COMMITTEE ON APPROPRIATIONS

*For salaries of the Committee on Appropriations, \$15,844,000.*

CONFERENCE COMMITTEES

*For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, \$1,726,000 for each such committee; in all, \$3,452,000.*

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

*For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, \$850,000.*

POLICY COMMITTEES

*For salaries of the Majority Policy Committee and the Minority Policy Committee, \$1,763,000 for each such committee; in all, \$3,526,000.*

OFFICE OF THE CHAPLAIN

*For Office of the Chaplain, \$415,000.*

OFFICE OF THE SECRETARY

*For Office of the Secretary, \$25,790,000.*

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

*For Office of the Sergeant at Arms and Doorkeeper, \$70,000,000.*

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

*For Offices of the Secretary for the Majority and the Secretary for the Minority, \$1,836,000.*

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

*For agency contributions for employee benefits, as authorized by law, and related expenses, \$45,500,000.*

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

*For salaries and expenses of the Office of the Legislative Counsel of the Senate, \$7,154,000.*

OFFICE OF SENATE LEGAL COUNSEL

*For salaries and expenses of the Office of Senate Legal Counsel, \$1,544,000.*

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

*For expense allowances of the Secretary of the Senate, \$7,500; Sergeant at Arms and Doorkeeper of the Senate, \$7,500; Secretary for the Majority of the Senate, \$7,500; Secretary for the Minority of the Senate, \$7,500; in all, \$30,000.*

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

*For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96-304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, \$145,500,000.*

EXPENSES OF THE UNITED STATES SENATE CAUCUS  
ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, \$520,000.

## SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, \$2,000,000.

## SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, \$153,601,000, which shall remain available until September 30, 2014.

## MISCELLANEOUS ITEMS

For miscellaneous items, \$19,145,000, of which up to \$500,000 shall be made available for a pilot program for mailings of postal patron postcards by Senators for the purpose of providing notice of a town meeting by a Senator in a county (or equivalent unit of local government) at which the Senator will personally attend: Provided, That any amount allocated to a Senator for such mailing shall not exceed 50 percent of the cost of the mailing and the remaining cost shall be paid by the Senator from other funds available to the Senator.

## SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, \$425,000,000.

## OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, \$300,000.

## ADMINISTRATIVE PROVISION

## GROSS RATE OF COMPENSATION IN OFFICES OF SENATORS

SECTION 1. Effective on and after October 1, 2009, each of the dollar amounts contained in the table under section 105(d)(1)(A) of the Legislative Branch Appropriations Act, 1968 (2 U.S.C. 61-1(d)(1)(A)) shall be deemed to be the dollar amounts in that table, as adjusted by law and in effect on September 30, 2009, increased by an additional \$50,000 each.

## REPORTING REQUIREMENT

SEC. 2. Section 105(a) of the Legislative Branch Appropriations Act 1965 (Public Law 88-454; 2 U.S.C. 104a) is amended—

(1) in the last sentence of paragraph (1), by striking “shall” and inserting “may”; and

(2) by adding at the end the following:

“(6) Beginning with the report covering the first full semiannual period of the 112th Congress, the Secretary of the Senate—

“(1) shall publicly post on-line on the website of the Senate each report in a searchable, itemized format as required under this section;

“(2) shall issue each report required under this section in electronic form; and

“(3) may issue each report required under this section in other forms at the discretion of the Secretary of the Senate.”.

## HOUSE OF REPRESENTATIVES

## SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$1,375,200,000, as follows:

## HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$25,881,000, including: Office of the Speaker, \$5,077,000, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$2,530,000, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$4,565,000, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$2,194,000, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$1,690,000, including \$5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, \$517,000; Republican Steering

Committee, \$981,000; Republican Conference, \$1,748,000; Republican Policy Committee, \$362,000; Democratic Steering and Policy Committee, \$1,366,000; Democratic Caucus, \$1,725,000; nine minority employees, \$1,552,000; training and program development—majority, \$290,000; training and program development—minority, \$290,000; Cloakroom Personnel—majority, \$497,000; and Cloakroom Personnel—minority, \$497,000.

## MEMBERS' REPRESENTATIONAL ALLOWANCES

## INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, \$660,000,000.

## COMMITTEE EMPLOYEES

## STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$139,878,000: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2010, except that \$1,000,000 of such amount shall remain available until expended for committee room upgrading.

## COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, \$31,300,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2010.

## SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, \$200,301,000, including: for salaries and expenses of the Office of the Clerk, including not more than \$23,000, of which not more than \$20,000 is for the Family Room, for official representation and reception expenses, \$32,089,000 of which \$4,600,000 shall remain available until expended; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than \$3,000 for official representation and reception expenses, \$9,509,000; for salaries and expenses of the Office of the Chief Administrative Officer including not more than \$3,000 for official representation and reception expenses, \$130,782,000, of which \$3,937,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, \$5,045,000; for salaries and expenses of the Office of Emergency Planning, Preparedness and Operations, \$4,445,000, to remain available until expended; for salaries and expenses of the Office of General Counsel, \$1,415,000; for the Office of the Chaplain, \$179,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, \$2,000 for preparing the Digest of Rules, and not more than \$1,000 for official representation and reception expenses, \$2,060,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$3,258,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$8,814,000; for salaries and expenses of the Office of Interparliamentary Affairs, \$859,000; for other authorized employees, \$1,249,000; and for salaries and expenses of the Office of the Historian, including the cost of the House Fellows Program (including lodging and related expenses for visiting Program participants), \$597,000.

## ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$317,840,000, including: supplies, materials, administrative costs and Federal tort claims, \$3,948,000; official mail for committees, leadership offices, and administra-

tive offices of the House, \$201,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$278,278,000, including employee tuition assistance benefit payments, \$3,500,000, if authorized, and employee child care benefit payments, \$1,000,000, if authorized; Business Continuity and Disaster Recovery, \$27,698,000, of which \$9,000,000 shall remain available until expended; transition activities for new members and staff, \$2,907,000; Wounded Warrior Program, \$2,500,000, to be derived from funding provided for this purpose in Division G of Public Law 111-8; Office of Congressional Ethics, \$1,548,000; Energy Demonstration Projects, \$2,500,000, if authorized, to remain available until expended; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, \$760,000.

## CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (2 U.S.C. 2062), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

## ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for “House of Representatives—Salaries and Expenses—Members' Representative Allowances” shall be available only for fiscal year 2010. Any amount remaining after all payments are made under such allowances for fiscal year 2010 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

SEC. 102. Effective with respect to fiscal year 2010 and each succeeding fiscal year, the aggregate amount otherwise authorized to be appropriated for a fiscal year for the lump-sum allowance for each of the following offices is increased as follows:

(1) The allowance for the office of the Majority Whip is increased by \$96,000.

(2) The allowance for the office of the Minority Whip is increased by \$96,000.

## JOINT ITEMS

For Joint Committees, as follows:

## JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,814,000, to be disbursed by the Secretary of the Senate.

## JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$11,327,000, to be disbursed by the Chief Administrative Officer of the House of Representatives. For other joint items, as follows:

## OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of \$2,175 per month to the Attending Physician; (2) an allowance of \$1,300 per month to the Senior Medical Officer; (3) an allowance of \$725 per month each to three

medical officers while on duty in the Office of the Attending Physician; (4) an allowance of \$725 per month to two assistants and \$580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (5) \$2,366,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$3,805,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

#### OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

##### SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, \$1,377,000, to be disbursed by the Secretary of the Senate.

##### STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the first session of the 111th Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, \$30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

#### CAPITOL POLICE

##### SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay differential, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, \$267,203,000, to be disbursed by the Chief of the Capitol Police or his designee.

##### GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than \$5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, \$64,354,000, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2010 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

#### ADMINISTRATIVE PROVISION

##### TRANSFER AUTHORITY

SEC. 1001. Amounts appropriated for fiscal year 2010 for the Capitol Police may be transferred between the headings "Salaries" and "General expenses" upon the approval of the Committees on Appropriations of the House of Representatives and the Senate.

#### OFFICE OF COMPLIANCE

##### SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$4,418,000, of which \$883,990 shall remain available until September 30, 2011: Provided, That not more than \$500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

#### ADMINISTRATIVE PROVISION DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY

SEC. 1101. (a) IN GENERAL.—Title III of the Congressional Accountability Act of 1995 (2 U.S.C. 1381 et seq.) is amended by inserting after section 305 the following:

#### "SEC. 306. DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY.

"The Executive Director may, within the limits of available appropriations, dispose of surplus or obsolete personal property by inter-agency transfer, donation, or discarding."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) is amended by inserting after section 305 the following:

"Sec. 306. Disposition of surplus or obsolete personal property."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2010, and each fiscal year thereafter.

#### CONGRESSIONAL BUDGET OFFICE

##### SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than \$6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$45,165,000.

#### ADMINISTRATIVE PROVISION

##### EXECUTIVE EXCHANGE PROGRAM FOR THE CONGRESSIONAL BUDGET OFFICE

SEC. 1201. Section 1201 of the Legislative Branch Appropriations Act, 2008 (2 U.S.C. 611 note; Public law 110-161; 121 Stat. 2238) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "3" and inserting "5"; and

(B) in paragraph (2), by striking "3" and inserting "5";

(2) by striking subsection (d), and redesignating subsection (e) as subsection (d); and

(3) in subsection (d) (as redesignated by this section), by striking "Subject to subsection (d), this" and inserting "This".

#### ARCHITECT OF THE CAPITOL

##### GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than \$5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, \$106,587,000, of which \$5,400,000 shall remain available until September 30, 2014.

#### CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, \$33,305,000, of which \$6,499,000 shall remain available until September 30, 2014.

#### CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$10,974,000, of which \$1,410,000 shall remain available until September 30, 2014.

#### SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office

buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, \$74,392,000, of which \$15,390,000 shall remain available until September 30, 2014.

#### HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, \$100,466,000, of which \$53,360,000 shall remain available until September 30, 2014.

#### CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$118,597,000, of which \$25,074,000 shall remain available until September 30, 2014: Provided, That not more than \$8,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2010.

#### LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$40,754,000, of which \$14,470,000 shall remain available until September 30, 2014.

#### CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, \$26,160,000, of which \$7,050,000 shall remain available until September 30, 2014.

#### BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$11,898,000, of which \$1,280,000 shall remain available until September 30, 2014: Provided, That of the amount made available under this heading, the Architect may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect or a duly authorized designee.

#### CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, \$22,756,000.

#### ENGRAVING OF THE PLEDGE OF ALLEGIANCE TO THE FLAG AND THE NATIONAL MOTTO IN THE CAPITOL VISITOR CENTER

SEC. 1202. (a) ENGRAVING REQUIRED.—The Architect of the Capitol shall engrave the Pledge of Allegiance to the Flag and the National Motto of "In God We Trust" in the Capitol Visitor Center, in accordance with the engraving plan described in subsection (b).

(b) ENGRAVING PLAN.—The engraving plan described in this subsection is a plan setting forth the design and location of the engraving required under subsection (a) which is prepared

by the Architect of the Capitol and approved by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

**ADMINISTRATIVE PROVISIONS**

**DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY**

**SEC. 1301. (a) IN GENERAL.**—The Architect of the Capitol shall have the authority, within the limits of available appropriations, to dispose of surplus or obsolete personal property by inter-agency transfer, donation, sale, trade-in, or discarding. Amounts received for the sale or trade-in of personal property shall be credited to funds available for the operations of the Architect of the Capitol and be available for the costs of acquiring the same or similar property. Such funds shall be available for such purposes during the fiscal year received and the following fiscal year.

**(b) EFFECTIVE DATE.**—This section shall apply with respect to fiscal year 2010, and each fiscal year thereafter.

**FLEXIBLE AND COMPRESSED WORK SCHEDULES**

**SEC. 1302. Chapter 61 of title 5, United States Code, is amended—**

(1) in section 6121(1) by striking “and the Library of Congress” and inserting “the Library of Congress, the Architect of the Capitol, and the Botanic Garden”; and

(2) in section 6133(c) by adding at the end the following:

“(3) With respect to employees of the Architect of the Capitol and the Botanic Garden, the authority granted to the Office of Personnel Management under this subchapter shall be exercised by the Architect of the Capitol.”.

**DISABLED VETERANS; NONCOMPETITIVE APPOINTMENT**

**SEC. 1303. Section 3112 of title 5, United States Code, is amended—**

(1) by inserting “(a)” before “Under”; and

(2) by adding at the end the following:

“(b) For purposes of this section, the term ‘agency’ shall include the Architect of the Capitol and the Botanic Garden. With respect to the Architect of the Capitol and the Botanic Garden, the authority granted to the Office of Personnel Management under this section shall be exercised by the Architect of the Capitol.”.

**ACCEPTANCE OF VOLUNTARY STUDENT SERVICES**

**SEC. 1304. (a) Section 3111 of title 5, United States Code, is amended by adding at the end the following:**

“(e) For purposes of this section the term ‘agency’ shall include the Architect of the Capitol. With respect to the Architect of the Capitol, the authority granted to the Office of Personnel Management under this section shall be exercised by the Architect of the Capitol.”.

**BOTANIC GARDEN VENDOR CONTRACTS**

**SEC. 1305. Section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146) is amended—**

(1) in subsection (b)(1), by striking “an account entitled ‘Botanic Garden, Gifts and Donations’.” and inserting “an account entitled ‘Botanic Garden, Operations and Maintenance’.”;

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

**“(d) CONTRACTS WITH VENDORS.—**

**(1) IN GENERAL.**—The Architect of the Capitol may enter into a commission-based service contract with a vendor who, notwithstanding section 5104(c) of title 40, United States Code, may sell refreshments at the Botanic Garden and National Garden.

**(2) DEPOSIT AND USE OF COMMISSIONS.**—Any amounts paid to the Architect of the Capitol as a commission under paragraph (1) shall be—

“(A) deposited in the account described under subsection (b); and

“(B) available for operation and maintenance in the same manner as provided under subsection (b).”.

**LIBRARY OF CONGRESS**

**SALARIES AND EXPENSES**

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library’s catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$441,033,000, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2010, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000 shall be derived from collections during fiscal year 2010 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$6,350,000: Provided further, That of the total amount appropriated, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: Provided further, That of the total amount appropriated, \$7,315,000 shall remain available until expended for the digital collections and educational curricula program: Provided further, That of the total amount appropriated, \$750,000 shall remain available until expended, and shall be transferred to the Abraham Lincoln Bicentennial Commission for carrying out the purposes of Public Law 106-173, of which \$10,000 may be used for official representation and reception expenses of the Abraham Lincoln Bicentennial Commission: Provided further, That, \$200,000 shall remain available until expended for the purpose of preserving, digitizing and making available historically and culturally significant materials related to the development of Nebraska and the American West, which amount shall be transferred to the Durham Museum in Omaha, Nebraska.

**COPYRIGHT OFFICE**

**SALARIES AND EXPENSES**

For necessary expenses of the Copyright Office, \$55,476,000, of which not more than \$28,751,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2010 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than \$5,861,000 shall be derived from collections during fiscal year 2010 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$34,612,000: Provided further, That not more than \$100,000 of the amount appropriated is available for the maintenance of an “International Copyright Institute” in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than \$4,250 may be ex-

pended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: Provided further, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

**CONGRESSIONAL RESEARCH SERVICE**

**SALARIES AND EXPENSES**

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$112,836,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

**BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED**

**SALARIES AND EXPENSES**

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$70,182,000, of which \$30,577,000 shall remain available until expended: Provided, That of the total amount appropriated, \$650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

**ADMINISTRATIVE PROVISIONS**

**REIMBURSABLE AND REVOLVING FUND ACTIVITIES**

**SEC. 1401. (a) IN GENERAL.**—For fiscal year 2010, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$123,328,000.

**(b) ACTIVITIES.**—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

**(c) TRANSFER OF FUNDS.**—During fiscal year 2010, the Librarian of Congress may temporarily transfer funds appropriated in this Act, under the heading “Library of Congress”, under the subheading “Salaries and Expenses”, to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106-481; 2 U.S.C. 182c): Provided, That the total amount of such transfers may not exceed \$1,900,000: Provided further, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

**TRANSFER AUTHORITY**

**SEC. 1402. (a) IN GENERAL.**—Amounts appropriated for fiscal year 2010 for the Library of Congress may be transferred during fiscal year 2010 between any of the headings under the heading “Library of Congress” upon the approval of the Committees on Appropriations of the Senate and the House of Representatives.

**(b) LIMITATION.**—Not more than 10 percent of the total amount of funds appropriated to the account under any heading under the heading “Library of Congress” for fiscal year 2009 may be transferred from that account by all transfers made under subsection (a).

## CLASSIFICATION OF LIBRARY OF CONGRESS POSITIONS ABOVE GS-15

SEC. 1403. Section 5108 of title 5, United States Code, is amended by adding at the end the following:

“(c) The Librarian of Congress may classify positions in the Library of Congress above GS-15 under standards established by the Office in subsection (a)(2).”.

## LEAVE CARRYOVER FOR CERTAIN LIBRARY OF CONGRESS EXECUTIVE POSITIONS

SEC. 1404. Section 6304(f)(1) of title 5, United States Code, is amended—

(1) in subparagraph (F), by striking “or” at the end;

(2) in subparagraph (G), by striking the period and inserting “; or” and

(3) by adding after subparagraph (G) the following:

“(H) a position in the Library of Congress the compensation for which is set at a rate equal to the annual rate of basic pay payable for positions at level III of the Executive Schedule under section 5314.”.

## GOVERNMENT PRINTING OFFICE CONGRESSIONAL PRINTING AND BINDING (INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$93,296,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

## OFFICE OF SUPERINTENDENT OF DOCUMENTS SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$40,911,000: Provided, That amounts of not more than \$2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2008 and 2009 to depository and other

designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

## GOVERNMENT PRINTING OFFICE REVOLVING FUND

For payment to the Government Printing Office Revolving Fund, \$12,782,000 for information technology development and facilities repair: Provided, That the Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: Provided further, That not more than \$7,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That activities financed through the revolving fund may provide information in any format: Provided further, That the revolving fund and the funds provided under the headings “Office of Superintendent of Documents” and “Salaries and Expenses” may not be used for contracted security services at GPO’s passport facility in the District of Columbia.

## GOVERNMENT ACCOUNTABILITY OFFICE

## SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than \$12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, \$553,658,000: Provided, That not more than \$5,449,000 of payments received under section 782 of title 31, United States Code, shall be available for use in fiscal year 2010: Provided further, That not more than \$2,350,000 of reimbursements received under section 9105 of title 31, United States Code, shall be available for use in fiscal year 2010: Provided further, That not more than \$7,423,000 of reimbursements received under section 3521 of title 31, United States Code, shall be available for use in fiscal year 2010: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental

Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum’s costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

## ADMINISTRATIVE PROVISION

## REPEAL OF CERTAIN AUDITS, STUDIES, AND REVIEWS OF THE GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 1501. (a) USE OF FUNDS IN PROJECTS CONSTRUCTED UNDER PROJECTED COST.—Section 211 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151) is amended by striking subsection (d).

(b) EVALUATION AND AUDIT OF NATIONAL TRANSPORTATION SAFETY BOARD.—Section 1138 of title 49, United States Code, is repealed.

(c) LOCAL EDUCATIONAL AGENCY SPENDING AUDITS.—Section 1904 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6574) is repealed.

(d) AUDITS OF SMALL BUSINESS PARTICIPATION IN CONSTRUCTION OF THE ALASKA NATURAL GAS PIPELINE.—Section 112 of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720j) is amended by striking subsection (c).

(e) AUDITS OF ASSISTANCE UNDER COMPACTS OF FREE ASSOCIATION.—Section 104(h) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921c(h)) is amended by striking paragraph (3).

(f) SEMIANNUAL AUDITS OF INDEPENDENT COUNSEL EXPENDITURES.—The matter under the heading “Salaries and Expenses, General Legal Activities” under the heading “Legal Activities” under title II of the Department of Justice Appropriation Act of 1988, (28 U.S.C. 591 note; Public Law 100-202; 101 Stat. 1329, 1329-9) is amended by striking “Provided further, That the Comptroller General shall perform semiannual financial reviews of expenditures from the Independent Counsel permanent indefinite appropriation, and report their findings to the Committees on Appropriations of the House and Senate.”.

(g) REPORTS ON AMBULANCE SERVICE COSTS.—Section 414 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173) is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

## OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), \$14,456,000.

## ADMINISTRATIVE PROVISION

## OPEN WORLD LEADERSHIP CENTER

SEC. 1601. (a) BOARD MEMBERSHIP.—Section 313(a)(2) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151(a)(2)) is amended—

(1) in subparagraph (A), by striking “members” and inserting “Members of the House of Representatives”; and

(2) in subparagraph (B), by striking “members” and inserting “Senators”.

(b) EXECUTIVE DIRECTOR.—Section 313(d) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151(d)) is amended in the first sentence by striking “The Board shall appoint” and inserting “On behalf of the Board, the Librarian of Congress shall appoint”.

(c) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to—

(1) appointments made on and after the date of enactment of this Act; and

(2) the remainder of the fiscal year in which enacted, and each fiscal year thereafter.

**JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT**

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), \$430,000.

**TITLE II  
GENERAL PROVISIONS****MAINTENANCE AND CARE OF PRIVATE VEHICLES**

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

**FISCAL YEAR LIMITATION**

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2010 unless expressly so provided in this Act.

**RATES OF COMPENSATION AND DESIGNATION**

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

**CONSULTING SERVICES**

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

**AWARDS AND SETTLEMENTS**

SEC. 205. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) to pay awards and settlements as authorized under such subsection.

**COSTS OF LBFMC**

SEC. 206. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed \$2,000.

**LIMITATION ON TRANSFERS**

SEC. 207. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

**GUIDED TOURS OF THE CAPITOL**

SEC. 208. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

**COMPLIANCE DATE RELATING TO CERTAIN VIOLATIONS OF OSHA WITHIN THE LEGISLATIVE BRANCH**

SEC. 209. Section 215(c) of the Congressional Accountability Act of 1995 (2 U.S.C. 1341(c)) is amended by striking paragraph (6).

This Act may be cited as the "Legislative Branch Appropriations Act, 2010".

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Alaska, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment and requests a conference with the House, and the Chair is authorized to appoint the following conferees.

The Presiding Officer appointed Mr. NELSON of Nebraska, Mr. INOUYE, Mr. PRYOR, Mr. TESTER, Ms. MURKOWSKI, and Mr. COCHRAN conferees on the part of the Senate.

Mr. COCHRAN. 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.

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

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

**HONDURAS**

Mr. COBURN. Mr. President, I want to spend a few minutes tonight talking about what is going on in Honduras. I have a lot of friends in Honduras, and I have this peculiar worry that we find ourselves on the wrong side of freedom in the situation that is happening in Honduras.

As you read the press clips, what we have heard is there was a coup. That, in fact, is not true. The Supreme Court of Honduras, under the direction of the Congress, asked the military to intercede because the President of Honduras had violated their own laws. Yet our State Department and our foreign policy sided with Hugo Chavez, Raoul Castro, and the former President.

There is no question that improvements have been made in the past in Central and South America, but tonight we find ourselves supporting an unconstitutional President of Honduras when, in fact, the Congress of Honduras and the Supreme Court of Honduras have said he is violating their laws. So rather than look at the

whole picture, we have decided we will intervene in our diplomacy on the side of a Chavez-type, would-be dictator because what was happening in Honduras was an effort to change so you could have a President for life in Honduras. That is what was going on. That is why the Congress and that is why the Supreme Court of Honduras acted. We now are siding against the people of Honduras.

What is little known is 800 to 1,000 Venezuelan thugs were admitted into Honduras, in the week prior to this, with Honduran passports to create chaos or a systematic attempt to create upheaval and discord and rioting by Chavez's thugs. So now we find ourselves, the free United States, siding with somebody who wants to make sure the Honduran people are not free, to create another petro czar dictator in South Central America.

It is tremendously important we get this right. I think we are heading in the wrong direction right now. I think we are heading in the direction where we are going to make sure Honduras falls into the fold of Hugo Chavez, the last thing any of us should want. He has become the dictator in charge of Venezuela. He has nationalized American assets. He has corrupted the free Democratic process, and he seeks to do that in all the other areas where he can maintain influence. In fact, he was doing it.

The other thing that is important that is not well published is that the President of Honduras was totally associated with drug cartels, cash, the distribution and transmission of drugs into this country, and the moneys associated with that were used to buy people to support his pursuit of permanent power. Now we find ourselves out there on a limb with our foreign policy without looking at the whole story.

My main concern is about all those people who do want freedom in Honduras, who do believe we model in this country what they aspire to, and now the country they aspire to is siding against the vast majority of the people in Honduras. No illegal acts took place under the orders of the supreme court by the military—no illegal acts. Yet we didn't look at it close enough, and we have made now foreign policy decisions I fear are going to be irreversible.

There is no question things could be done better in Honduras, but there is also no question things could be done better here. For us to decide to side with the factors that are going to force Honduras into a situation similar to Cuba and Venezuela makes my blood boil, because not only are we going to eliminate and limit the freedom of those great people, we are going to help perpetuate the loss of freedom in that hemisphere.

So I call out to the President and the Secretary to do a reassessment. Let's relook at the facts. Let's talk to the people on the ground. Let's make sure we have the facts and the knowledge about what the vast majority of people