

The six reconciliation bills created with a Democratic majority included:

Fiscal year	Majority	Resultant reconciliation act(s)	Veto?
1987	Democrat	Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509)	None.
1988	Democrat	Omnibus Budget Reconciliation Act of 1987 (P.L. 100-203)	None.
1990	Democrat	Omnibus Budget Reconciliation Act of 1989 (P.L. 101-239)	None.
1991	Democrat	Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508)	None.
1994	Democrat	Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66)	None.
2008	Democrat	College Cost Reduction and Access Act of 2007 (P.L. 110-84)	Vetoed by Clinton.

This could not be further from the truth. The new Reagan administration and Republican majority in 1981 that first used reconciliation to pass major legislation—Reagan's tax cuts—and used it again in 1982 to cut spending and roll back some tax cuts. A Republican-controlled Senate also used reconciliation to pass the 1996 welfare overhaul, the Children's Health Insurance Program, Medicare Advantage and COBRA.

Republicans have used reconciliation many times to pass partisan bills. For example, the 1995 Balanced Budget Act, the 2001 Bush tax cuts, the 2003 Bush tax cuts, the 2005 Deficit Reduction Act, and the 2006 Tax Relief Extension Act were all passed in reconciliation and with small vote margins. Two of these passed only with the tie-breaking intervention of Vice President Dick Cheney, and Democrats got more votes for the health bill than any of these measures received.

Republicans have also complained that reconciliation is not proper for a health care bill. However, over the past 20 years, reconciliation has been used to pass almost all major pieces of health care legislation, including COBRA; the Children's Health Insurance Program; the Emergency Medical Treatment and Active Labor Act, which requires hospitals that take Medicaid and Medicare to treat anyone entering an ER; and welfare reform, which disentangled Medicaid from welfare.

Further, the health care bill has already passed with 60 votes. It is only the amendments that need to pass via reconciliation. The 2009 budget resolution instructed both Houses of Congress to enact health care reform. Again, comprehensive health legislation has already passed both Chambers, garnering a majority in the House and a supermajority in the Senate. Since the House and the Senate versions are slightly different, using reconciliation to implement the budget resolution by reconciling the two bills follows established procedure. Reconciliation will be used only to pass a small package of fixes to the original health bills that are necessary to align the House and Senate versions. This is actually less ambitious than the usual reconciliation process, which usually applies to entire bills, not just small fixes.

#### RADIO SPECTRUM INVENTORY ACT

Mr. CONRAD. Mr. President, I express my support for S. 649, the Radio Spectrum Inventory Act. I am joining as a cosponsor of this legislation be-

cause it is important to complete a comprehensive assessment of how we use our radio spectrum before we make decisions about how we want to use it in the future.

As the FCC submits the Nation's first broadband plan to Congress, we have heard much about the need for allocating additional spectrum for the expansion of mobile broadband service. There is little question that rapidly expanding these networks is of critical importance—especially in rural States like North Dakota, which rely on 21st-century technology like mobile broadband to stay competitive.

However, without a thorough understanding of how our public airwaves are currently being used, making a plan to reallocate spectrum would be putting the cart before the horse. For that reason, I strongly believe that the Congress should pass this legislation and policymakers should wait to review the results of the inventory it requires before decisions are made about how or where spectrum should be distributed for the expansion of mobile broadband services. This will allow us to shape spectrum policy in a more thoughtful manner.

Just as the National Broadband Plan gives us for the first time a comprehensive plan for broadband deployment and use, the Radio Spectrum Inventory Act will provide for the first time a comprehensive map of how the public airwaves are used—for radio broadcasts, over-the-air television, mobile phones, public safety, and mobile broadband. There are too many users involved to move forward in a piecemeal way. Ultimately, spectrum reallocation is too important to rush.

#### TRIBUTE TO GREG KENDALL

Mr. GREGG. Mr. President, I rise today on behalf of myself and my wife Kathy to pay tribute to Officer Greg Kendall of Rye, NH, who retired on January 1, 2010, after 50 years of service as an educator and law enforcement officer. It is important for us to take a moment to recognize and honor Officer Kendall's long career as a dedicated public servant. Citizens like Greg Kendall ensure that our communities remain great places to live, work, and raise a family. The outstanding community service demonstrated by him is what inspires people to leave behind a better society than they found, and contribute to the betterment of their local community.

Greg, whom Rye Police Chief Kevin Walsh describes as "irreplaceable," is both well known and highly respected

throughout New Hampshire's Seacoast community, where he has served on the Rye police force and as an educator in the Rye and Seabrook school districts. Starting out on summer beach patrol in 1960 as a full-time officer, Greg continued to serve as a police officer on weekends while also beginning his career in education as a full-time sixth grade teacher at Rye Junior High School. Upon finishing graduate studies at the University of New Hampshire and the University of Maine, he became the principal at Rye Junior High School, where he continued to guide and shape the education and character of a generation of young students over the next 16 years. Following that, Greg taught in Seabrook for an additional 13 years, all while serving nights and weekends as a special officer in Rye. Since 2001, Greg has also been animal control officer, performing his duties with the same compassion, calm demeanor, and professionalism that he always brought to his shifts on patrol or lessons in the classroom.

On a personal note, I had the pleasure of serving with Greg when, in the summer of 1968, I worked as a special officer on the Rye Police Force. The town of Rye, the people of the region and the State of New Hampshire are all better off for Greg's wisdom, skills, and experience. He is a friend and someone whose sense of humor, expertise and dedication I have always admired. Kathy and I join Greg's friends and neighbors in Rye in honoring him as an officer of the law, an educator of youth, and a motivator for us all. Thank you, Greg Kendall. We wish you the best in all your future endeavors; may they be as rewarding as those of the last 50 years.

#### MESSAGE FROM THE HOUSE

At 10:54 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2377. An act to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2377. An act to direct the Secretary of Education to establish and administer an

awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2314. An act to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5034. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "The Emergency Food Assistance Program: Amendments to Requirements Regarding the Submission of State Plans and Allowability of Certain Administrative Costs" (RIN0584-AD94) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5035. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (4) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5036. A communication from the Director, Pentagon Renovation and Construction Program Office, Department of Defense, transmitting, pursuant to law, the Office's Annual Report for the year ending March 1, 2010; to the Committee on Armed Services.

EC-5037. A communication from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a biennial report entitled "Implementation of the Deep Sea Coral Research and Technology Program"; to the Committee on Commerce, Science, and Transportation.

EC-5038. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; (Birmingham, Alabama)" (MB Docket No. 10-21) received in the Office of the President of the Senate on March 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5039. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Port Angeles, Washington)" (MB Docket No. 08-228) received in the Office of the President of the Senate on March 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5040. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law,

the report of a rule entitled "Inseason Closure of the Recreational Fishery for Greater Amberjack in Federal Waters of the Gulf of Mexico" (RIN0648-XS50) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5041. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Suspension of Minimum Atlantic Surfclam Size Limit for Fishing Year 2010" (RIN0648-XS18) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5042. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendment 15B to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region" (RIN0648-AW12) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5043. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Correcting Amendment to Implement Recordkeeping and Reporting Revisions" (RIN0648-AY37) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5044. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reopening of the Commercial Fishery for Gulf Group King Mackerel in the Florida East Coast Subzone for the 2009-2010 Fishing Year" (RIN0648-XU38) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5045. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Coast Groundfish; Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-AY40) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5046. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Trade Regulation Rule Relating to Power Output Claims for Amplifiers Utilized in Home Entertainment Products" (RIN3084-AB09) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5047. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU65) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5048. A communication from the Acting Director of the Office of Sustainable Fish-

eries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Jig and Hook-and-Line Vessels, Bering Sea, Bogoslof Area" (RIN0648-XU64) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5049. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Offshore Component, Central Gulf of Alaska, A Season" (RIN0648-XU63) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5050. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Non-American Fisheries Act Crab Vessels, Offshore Component, Western Gulf of Alaska" (RIN0648-XU62) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5051. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Correction" (RIN0648-XU17) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5052. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Public Assistance Eligibility" ((44 CFR Part 206)(Docket No. FEMA-2006-0028)) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5053. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2008-0020)) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5054. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC-5055. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Certain Commercial and Industrial Equipment: Test Procedure for Metal Halide Lamp Ballasts (Active and Standby Modes) and Proposed Information Collection; Comment Request; Certification, Compliance, and Enforcement Requirements for Consumer Products and Certain Commercial and Industrial Equipment; Final Rule and Notice" (RIN1904-AB87) received in the Office of the President of the Senate on March 12, 2010; to the Committee on Energy and Natural Resources.