

campaigning for this office, said we must be exceptional in the space program, continue with our vision, properly funded, go to the Moon and Mars and planets beyond.

But today the President's budget scraps that plan. We have no plan to get into low-Earth orbit after the Space Shuttle is retired. We are going to rely upon the Russians to take us to the International Space Station—exactly what candidate-Obama said we should be worried about.

So to this end, I have filed an amendment, an amendment to the FAA Reauthorization Act, to prohibit NASA from terminating the Constellation Program. It is the prerogative of this institution, the Congress—that our Founders put forth—it is our prerogative to deem how money is spent, how programs are funded. This Congress twice has said we will fund the Constellation Program, that we will fund these programs for the next generation of spacecraft to take us into low-Earth orbit.

This amendment reiterates the Federal law prohibiting NASA from using funds in fiscal year 2010 to cancel Constellation contracts. Several of my colleagues have joined me in this amendment: Senator WICKER from Mississippi, Senator SHELBY from Alabama, Senator SESSIONS from Alabama, Senator HATCH from Utah, and Senator BENNETT from Utah.

The problem is, NASA is ignoring the will of Congress in already beginning to cancel the Constellation Program. That is not their right. They must follow the law, and this amendment intends to hold them to that. The amendment sends a clear message that there are no loopholes, exclusions, or other routes the agency can use to kill the program.

I say publicly here on the floor of the Senate, whether this amendment passes on this bill, whether this amendment passes in the coming weeks, the law of the land is this: fund the Constellation Program. NASA is on notice that it is their legal requirement to do so, that they should not cancel contracts, they should not tell contractors to stop working. They cannot do that until the Congress makes a change in the law, and to do so would be unlawful.

The ultimate determination on the future of the space program rests with Congress, not a budget proposal submitted by this administration or, in fact, any administration.

As candidate-Obama agreed, without Constellation, the United States will be relying on Russia for any manned space missions. The United States has led the world in space exploration since the early 1960s. We cannot, and we should not, cede this leadership to any other country. We must summon the same vision that guided President Kennedy whose vision put a man on the Moon at the end of the 1960s. He said: Why should we settle for anything less? To quote him:

We choose to go to the moon . . . because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win. . . .

It is my sincere hope we will adopt this amendment, if not on this bill, on another bill soon. I hope my colleagues and our President will also come to say we choose to continue to be the leader in space exploration to the Moon, to Mars, and planets beyond because the challenge is one we are willing to accept, one we are unwilling to postpone, and one we intend to win.

Mr. President, I yield the floor.

SPRING

Mr. BYRD. Mr. President, "From winter, plague and pestilence, good Lord, deliver us!" wrote Thomas Nashe in 1600, in "Summer's Last Will and Testament," to which I add a hearty, "Amen!"

At last, this Saturday, March 20, spring arrives, both by calendar and weather, and we are all happier for it. Blue skies, warming breezes, and the faint blush of buds upon the trees—this year, especially, spring is a sight for sore eyes too long blinded by the glare of Sun upon sparkling snow. The cheerful chorus of springtime frogs is welcome music after the almost silent whisper of falling snowflakes.

This year in particular, spring seemed a long time coming. Rarely have we seen so much snow in West Virginia—storm after storm, flurry upon flurry, until roofs groaned under the weight and plows could find nowhere to push the drifts. Even children home from school day after day edged slowly from delight to cabin fever. And just when it seems we could not stand one more session with the snow shovel, we must now fear the flooding snowmelt, the menacing legacy of this epic winter.

In time to prevent our moods from mirroring, like our yards, in the mud, come the first bright petals of crocus and daffodil to give us hope. Their petals glow among the wet leaves and drab grasses of winter. The American poet, Amy Lowell, knew how daffodils could revive one's flagging spirits:

Thou yellow trumpeter of laggard Spring!
Thou herald of rich Summer's myriad flowers!

The climbing sun with new recovered powers
Does warm thee into being, through the ring
Of rich, brown earth he woos thee, makes
thee fling

Thy green shoots up, inheriting the dowers
Of bending sky and sudden, sweeping showers,

Till ripe and blossoming thou art a thing
To make all nature glad, thou art so gay;
To fill the lonely with a joy untold;
Nodding at every gust of wind to-day,
To-morrow jeweled with raindrops. Always
bold

To stand erect, full in the dazzling play
Of April's sun, for thou hast caught his gold.

As we all slowly unfurl from our winter burden of coats, scarves, hats, and boots, shedding them like the dark mulch of winter's leaves, we, too, rejoice in the colors of springtime. Our

petals may only be cheerful t-shirts or bright windbreakers, but what a welcome change from fleece and wool.

Warm weather will bring out walkers and gardeners and allow children to play in yards and parks, doing more to improve our outlooks, health, and waistlines than all the fitness reality shows we watch on television during the cold, dark months of winter.

I hope that many Americans will revive their flagging New Year's resolutions and take advantage of spring's surge of energy to spend more time outdoors. I hope that my fellow Senators will note the beauty of the blossoms and the greening of the city as they hurry between hearings and the Senate floor. There is much work that we need to do, to be sure, but a short moment spent in spring sunshine can only warm our hearts, put a smile on our faces, and expand our thinking.

Mr. President, as America celebrates the vernal equinox and return of spring to our winter-weary Nation, let us simply take a moment to heed the words of the ironically named poet, Robert Frost, in his poem, "A Prayer in Spring":

Oh, give us pleasure in the flowers to-day;
And give us not to think so far away
As the uncertain harvest; keep us here
All simply in the springing of the year.

ADDITIONAL STATEMENTS

50TH ANNIVERSARY OF THE PACIFIC UNIVERSITY LUAU

• Mr. INOUE. Mr. President, my colleague, Senator DANIEL K. AKAKA, and I commend the Hawaiian students' club of Pacific University, Na Haumana O Hawaii, for their steadfast commitment to the preservation of the rich cultural heritage of Hawaii. For 50 proud years, its strong membership has championed educational opportunities to ensure the survival of a distinct history, beautiful language, and long-standing traditions. The story of our State is one of a strong native people who have persevered against forces that nearly extinguished their existence, of struggling immigrants whose hope sustained them while they toiled to achieve the American dream, and of a remote chain of islands who overcame obstacles to attain statehood in the 20th century. Hawaii began with a proud people and continues to serve as a home for proud people. Through the efforts of Na Haumana O Hawaii, those ancient stories and values upon which our island home is founded will endure for future generations to come.

The Annual Luau hosted and facilitated through the leadership of Pacific University shares and exemplifies the "aloha spirit." This event allows others to experience the unique qualities of Hawaiian culture in an atmosphere that encourages fellowship. We would like to express our appreciation to faculty, staff and students of Pacific University, Na Haumana O Hawaii, and the

local community for their great efforts in making this event so memorable and for spreading the aloha spirit.

Mr. President, we ask our colleagues to join us in recognition of this momentous occasion.●

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:10 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1147. An act to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 11:35 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 bills, in which it requests the concurrence of the Senate:

H.R. 1769. An act to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes.

H.R. 3509. An act to reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987.

H.R. 3542. An act to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union.

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office".

H.R. 4252. An act to direct the Secretary of the Interior to conduct a study of water resources in the Rialto-Colton Basin in the State of California, and for other purposes.

MEASURES REFERRED

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

H.R. 3509. An act to reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3542. An act to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union; to the Committee on Rules and Administration.

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4252. An act to direct the Secretary of the Interior to conduct a study of water resources in the Rialto-Colton Basin in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3143. A bill to provide that Members of Congress shall not receive a pay increase until the annual Federal budget deficit is eliminated.

H.R. 4851. An act to provide a temporary extension of certain programs, and for other purposes.

H.R. 4853. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1769. An act to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-91. A resolution adopted by the Senate of the Commonwealth of Puerto Rico urging the Federal Deposit Insurance Corporation (FDIC) to show temperance in the application of asset valuation rules to minority-owned banks established in Puerto Rico, to establish effective measures so as to expedite the granting of credit, and to help local banks in their financial recovery and capitalization; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 860

During the last year, the finances of a significant number of banking institutions around the world were severely impacted as a result of the worldwide economic crisis. Puerto Rico was not the exception in this serious and complex financial problem. We see more often news reporting such problems and governments assessing financial proposals and alternatives to provide mechanisms so as to address and stop the loss suffered by this sector, as well as strengthening their economies by promoting and revitalizing banking activities. Certainly, success in the recovery of the global economy lies in achieving the delicate balance between the needs and rules of the different economies, their applicability to consumers, and their implementation by the regulating bodies of such governments.

The press in Puerto Rico recently published data furnished by the Federal Deposit Insurance Corporation, known as the FDIC, reporting that as of September 30, 2009, local banks maintained a diminishing trend by reporting a reduction in their total assets equal to 9%, and a net loss, as of such date, of approximately \$147 million. They also reported on the efforts made by the Administration of Governor Luis Fortuño to reach financing agreements that would allow the Government of Puerto Rico to purchase assets from domestic banks through the "Troubled Asset Relief Program" (TARP) in order for them to lower their loan-in-default reserves and grant new loans.

The importance of the Banking Industry in the economy of Puerto Rico is unquestionable. Banks in Puerto Rico generate over 15,000 direct jobs and countless indirect jobs by financing the business activity in Puerto Rico. Furthermore, in the beginning of this decade, banks were major taxpayers into the treasury of Puerto Rico, with taxes over \$200 million. In light of the difficult financial sit-

uation faced by banks, the FDIC has decided to establish stringent regulatory examinations that contravene the public policy of President Barack Obama and Governor Luis Fortuño of reactivating and making regional and national economies feasible. Specifically, in times requiring that temperance be shown in the valuation of assets, the FDIC, through its examiners, is suggesting proposals whose effect would be detrimental to the value of assets used as collateral for loans in the banks of Puerto Rico. This could entail significant increases in the loan reserve of financial institutions in Puerto Rico and a potential reduction on the net worth of domestic banks. Therefore, this would cause a reduction in the lending and economic activity in Puerto Rico.

It is necessary to mention that, according to FDIC data, most banks in Puerto Rico are among the top twenty largest minority-owned banks of the Nation. For example, Banco Popular of Puerto Rico holds the first position; First Bank of Puerto Rico holds the second position; Westernbank of Puerto Rico holds the third position; R-G Premier Bank of Puerto Rico holds the eighth position; and Eurobank holds the thirteenth position, respectively.

As in Puerto Rico, this issue has been experienced at the national level, as recently stated by Congressman Barney Frank, Representative for the 4th congressional district of the State of Massachusetts and Chairman of the House Financial Services Committee, in a letter addressed to the members of the Federal Reserve System, the Office of the Comptroller of the Currency, the Office of the Thrift Supervision, the Federal Deposit Insurance Corporation, and the National Credit Union Administration. In said letter, Congressman Frank calls on them to show temperance in the application of the rules that govern national banks and urges federal regulating entities to take into account safety and soundness standards established by them.

Said official also recognized that one of the challenges currently faced by national banks is how to respond to the call from the United States Congress to stimulate the national economy by establishing measures so as to promote lending activities and to work with troubled borrowers facing foreclosure proceedings, while dealing with the directives from federal government regulators. It has been proven on different occasions that the construction and execution of these regulatory standards do not allow for the expected market stimulus, since the same are counter to the message of Congress. Such has been the case when regulatory agencies representatives have intervened with community banks, such as those of Puerto Rico, requiring compliance with even more stringent directives in the banking industry, which preclude banks from recovering their assets promptly and efficiently.

On the other hand, on October 30, 2009, federal regulators established a new policy on commercial loan restructuring. The new policy establishes, among other things, temperance and prudence in the decision-making process regarding loan restructuring, the timely identification of losses, and the proper classification of loans. The new policy establishes that the classification of a loan should not be based solely on the fact that the value of the collateral has declined, in absence of other adverse factors. Loan restructurings are generally in the best interest of both the banking institutions and the borrowers. Furthermore, the new policy establishes that examiners should give a reasonable amount of deference to collateral valuation assumptions when these are made by qualified appraisers or banking institutions. This practice by the FDIC is not consistent with the principles of this new policy.