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Senate

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

O God, our Father, who in the ancient days led people to Your truth, draw us to the paths that lead to life. Lord, strengthen our lawmakers for today's work. May they place what is good for our Nation above partisan concerns and party loyalty. Give them the faith and courage to seek to build a world that fosters unity and cooperation and eliminates suspicion and distrust. Take from them distracting worries, as You infuse them with greater trust in You. Make them satisfied to serve You with faithfulness, seeking to please You in all that they say and do.

We pray in the Redeemer's name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 23, 2009.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, we expect to extend morning business until 4 o'clock. We only have consent now to do it until 3 o'clock. We will return later for that.

During the time of morning business, we will have 10-minute speeches by Senators. Following morning business, the Senate will resume consideration of the motion to proceed to H.R. 1388, a bill to reauthorize and reform national service laws. At 6 p.m. this evening we will vote on a motion to invoke cloture on a filibuster preventing us from proceeding to H.R. 1388.

MEASURES PLACED ON THE CALENDAR—H.R. 1586 and S. 651

Mr. REID. Mr. President, it is my understanding that two bills are at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients.

A bill (S. 651) to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive bonuses paid by, and received from, companies receiving emergency economic assistance, to limit the amount of nonqualified deferred compensation that employees of such companies may defer from taxation, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, at 4 p.m. today we are going to proceed to the national service legislation. I ask unanimous consent that the period for morning business be extended until 4 p.m., under the condition of the previous order; that the Senate resume consideration of the motion to proceed to H.R. 1388 at 4 p.m., with the time until 6 p.m. equally divided and controlled between Senators MIKULSKI and ENZI, the managers of the bill, or their designees; that the 10 minutes immediately prior to the 6 p.m. vote be controlled equally between the leaders or their designees; that at 6 p.m., the Senate proceed to vote on the motion to invoke cloture on the motion to proceed; further, that if cloture is invoked, then postcloture time continue to run during any period of morning business, recess, or adjournment of the Senate; further, that the remaining provisions of the previous order continue to be in effect.

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

SERVE AMERICA ACT

Mr. REID. Mr. President, this afternoon we are going to begin work on the national service legislation. My message to the Senate today is that we are going to finish this legislation this week. We have to. We must start on the budget next week. This is bipartisan legislation. Senators HATCH, KENNEDY, and others have worked very hard on this legislation. There is no

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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reason we should not finish this very quickly. But we will see.

There has been a lot of work done to get us to this point. We are going to move forward. If it is necessary that we work on Friday and Saturday or even Sunday, it is important that we do that so we can start the budget on Monday. Everybody should be warned about that as far as weekend travel. It all depends on what the minority does regarding this bill. Again, everyone should know it is bipartisan, and we need to complete it before we do the budget.

Last week I spoke to a group of young men and women from around the country who are being honored for their commitment to public service. In recent years, vast numbers of young people have sought private sector fields such as finance and banking. There is nothing wrong with their trying to do well, but in this hour of economic crisis for our country, it was encouraging to meet with a group of young people who have made the choice not to do well but to do good.

Americans may find themselves with less time and money to donate to their causes than in previous years, to charities, but we remain a generous country. It is fitting that the Congress now move to the consideration of the Serve America Act, bipartisan legislation cosponsored by 35 Senators, championed by Senators KENNEDY and HATCH and led this week by Senators MIKULSKI and ENZI.

The Serve America Act will provide better opportunities for Americans of all ages, from all regions and walks of life, to answer the call to service.

This legislation builds on the success of the AmeriCorps program with the goal of increasing the number of volunteers from 75,000 up to 250,000.

This bill also creates several new volunteer corps with specific missions in areas of national need: An education corps to help increase student achievement and graduation rates; a healthy future corps to improve access to health care; a clean energy corps to encourage energy efficiency and conservation measures; a veterans corps to assist our Nation's veterans; and an opportunity corps to assist the economically disadvantaged.

The Serve America Act finally increases the education award for full-time volunteers and links it to increases in the maximum Pell grants.

I urge my colleagues to honor the selfless commitment to a better country that Americans are making in their communities every day by passing this outstanding legislation.

Mr. President, we will also continue meeting to negotiate over President Obama's budget this week. The President's framework sets the right priorities for the country, and Chairman CONRAD continues to work with Democrats and Republicans to strengthen the budget.

We must remember that as deep as our immediate problems may be, the worst mistake we could make is to stop investing in the future. We need a budget that lays the groundwork for an economy that doesn't just recover in the short term but prospers in the long term.

That is why we must invest in education, health care, and renewable energy. These are not optional projects worth saving for better times; we are saving for better times. They are requirements for job creation and long-term economic recovery.

This budget must provide tax relief for working Americans who are struggling under the weight of rising prices and decreasing household incomes.

As we work our way through the budget process, Democrats and Republicans will not agree on everything. But I think we can all agree it is long past time that we get a budget that puts the American people first.

Finally, last week, I followed action from the House of Representatives by offering by unanimous consent legislation that would recoup the outrageous bonuses paid by AIG to its executives. Unfortunately, despite joining Democrats and the American people in their calls for action, there was a Republican objection to my request.

Despite last week's Republican objection to passing the AIG bonus bill, we will continue to work to right this egregious misuse of taxpayer dollars. Republicans have asked for more time to study the legislation, and they are entitled to that. With Republican cooperation, we can quickly and responsibly return these funds to the American people.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Nebraska is recognized.

THE BUDGET

Mr. JOHANNS. Mr. President, I rise today to speak about the President's budget outline.

For too long, Washington has promised way too much, without a plan to pay for it. The result is that we face a financial crisis unlike any other generation.

The lesson is that we must not overpromise and, therefore, we must not overspend. Americans are making very tough decisions in their daily lives that members of their Government still refuse to make.

Unfortunately, the President's budget outline is an example of this continued pattern. The President's budget fails to chart our country on a path toward prosperity. It exercises far too little restraint and does not even attempt to tackle the massive fiscal imbalance facing future generations.

The budget we have before us, regretfully, is a spending frenzy, a taxing spree, and a borrowing nightmare as big as any that our country has ever seen. The President's first budget can, most definitely, be characterized as unprecedented and historic on many levels. However, a budget that breaks the record for spending the most, taxing the most, and borrowing the most of any budget in history is not the kind of record the American people can afford to see broken.

Let's take a look at the massive tax increase. With a pricetag of $1.9 trillion, it winds up being the largest tax increase in history. Incredulously, though, not a single penny goes toward deficit reduction.

Now, one might ask, how is it possible that the budget contains the largest tax increase in history, yet not one cent of that increased revenue goes to pay off our Nation's obligations?

I will tell you why—because the budget gobbles up that tax revenue for more spending. When that revenue isn't enough to fund all of the Government expansion, the President's budget just keeps on spending.

There is so much bloated spending that the CBO released an estimate Friday projecting a deficit of nearly $1 trillion every year for the next 10 years. Our country is faced with an unprecedented deficit. So can anyone answer whether it is sound fiscal policy to tax more just to spend more?

At a time when we must do something to pay off our debt and reduce deficits, the budget simply ignores these problems. It taxes and it spends, inching this great Nation ever closer to bankruptcy.

One of the specific tax increases found in the President's budget is a proposal to enact a cap-and-trade regime. Estimates predict that by enacting this policy, each household will see an increase of $3,100 a year in higher energy costs. But not to worry, the President said he is using the money raised from a cap-and-trade program to make the work opportunity tax credit permanent. That credit would provide families with $800 more a year.

The math is straightforward. Let's do the math: a tax increase of $3,100 offset by $800. This is still a net tax increase of $2,300. Just think, it would take a family of four who makes $50,000 a year 2½ weeks to earn enough to pay for the new tax. That same family with a $100,000 mortgage could make about 3 months of mortgage payments or buy 8 months of groceries with that $2,300.

Beyond the consumer, the cap-and-trade program will have a devastating impact on the farmers in my State. One study found that enacting cap and trade would raise the cost of producing an acre of corn by anywhere from $40

to $80 per acre. Folks in Nebraska produce about 9 million acres of corn each year. So we are looking at $3 billion to $7 billion more a year in higher input costs for that producer. This would be devastating.

The President's budget also contains harmful tax increases on small businesses—the job engine of our economy. According to the latest figures, small businesses create over 74 percent of all new private sector jobs, employ over half the labor force, and contribute about half of the Nation's output. The last thing our country needs when unemployment is projected to be as high as 10 percent is a tax on the very segment of our economy that creates the majority of the new jobs. It goes against all logic to encourage output productivity and job creation in one breath and then penalize that same success with tax increases in the next.

The small businesses located in towns across Nebraska cannot afford another penny in extra taxes. When I talk with folks back home, I hear how they are juggling the electric bill, the health care costs, working to make payroll, while trying not to lay people off. Why would they believe that their Government wants them to succeed if Congress turns around and slaps a crippling tax increase on them during their most trying time?

Beyond the staggering tax increases contained in the budget, the spending is also the most we have ever seen in history. The pricetag is $3.6 trillion for 2010. Let me repeat, $3.6 trillion. To further illustrate the massive spending and subsequent borrowing we would have to undertake, I have a chart regarding public debt that I wish to put up and share.

Last year, the debt held by the public as a percent of gross domestic product was about 40 percent. As my chart depicts, by 2019, this will rise to 82 percent. If you do the math, that is a 100-percent increase. Let's look at the pure dollar amount. The President's budget outline would double the debt held by the public in 5 years and nearly triple it in 10. It goes from $5.8 trillion in 2009 to $17.3 trillion in 2019.

Let's imagine for a second if the average citizen behaved as Government is being suggested it should—to sign up for credit card after credit card after credit card, max them all out without making a single payment on the principal, never once scaling back on their spending, and then send an IOU to the company saying: I will pay you some day.

Even our creditors have come forward with doubts regarding our spending behavior. China within the last few weeks has expressed concern. The chief China economist for JPMorgan, Frank Gong, put it this way:

> Inside China, there has been a lot of debate about whether they should continue to buy treasuries.

China is already the No. 1 foreign holder of United States debt. If they stop financing our spending, what then? Who will be Uncle Sam's banker when the IOUs catch up with us?

I am extremely worried by the result this runaway spending will create—lower standard of living, inflation spiraling out of control, less economic opportunity for future generations. What if future generations do not have the ability to get a home loan for that first house or student loans to go to college? Isn't it our goal to provide a better life for our grandchildren and children?

In conclusion, let me say that none of us has a crystal ball. I realize the President has a difficult job, but I do know that trying to lead the country out of this mess with bigger Government, runaway spending, massive debt, and tax increases is not the way to go. Future generations deserve better. Making tough decisions has to start somewhere, and I am disappointed that this budget outline passes the buck to another day.

I will wrap up with this. I look forward to working with my colleagues as we debate our Nation's budget next week. I sincerely hope there is a genuine commitment to tackling some of the concerns that I have outlined today.

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

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

The legislative clerk proceeded to call the roll.

Mr. KYL. 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.

AIG BONUSES

Mr. KYL. Mr. President, I wish to speak briefly to the issue that has been very much on the minds of the American public over the last several days, and that is the bonuses paid to folks who work with AIG, the insurance company that has been the recipient of taxpayer money under the so-called TARP legislation.

A lot of times when Congress acts in haste, it makes mistakes, and one of the concerns I have about the bill we will be taking up is the question of whether we have adequately thought through the exact remedy we want to impose here in order to get the bonus money back. The House of Representatives acted very quickly and passed a very onerous tax bill that would claw this money back. The Senate has a bill that has been written by the chairman and ranking member of the Finance Committee that would be even broader in the sense that it would both tax the company itself as well as the individuals who receive the bonuses. There are a lot of concerns that have been raised over the weekend about both of these approaches. I have urged a little bit of caution here so we don't do the wrong thing again.

One of the reasons we are in the position we are in is because Congress acted in haste. In fact, when the bill was passed that allowed these bonuses, I don't think very many—if any—of our colleagues knew it was in the legislation. After the fact, we learned that the authorization for the bonuses was in the legislation. But when we act quickly and we don't really know what we are doing, we can make mistakes.

I have suggested there be a hearing in the Senate to answer a lot of the questions the public has been asking. Now, the first question is, Exactly who are these bonuses paid to and why? Is it necessary that these people receive the bonuses in order for the Government to protect its interests in the company it now owns a substantial part of—AIG? Has some of the money been given back? Will more of the money be given back? Is it fair to impose a tax retroactively? In other words, after people have earned the money based upon an expectation that the money will be taxed at regular rates, is there now going to be an extra tax imposed on top of that simply because we don't like what was done? Will it withstand constitutional muster? And perhaps most importantly, how about the Secretary of the Treasury engaging in the authority, which I understand he possesses under the stimulus bill that we passed earlier, to act in the public interest to claw that money back? In other words, is it even necessary for Congress to amend the IRS Code in order for the Secretary of the Treasury to be able to get that money back?

Clearly, this could have all been avoided had the Government asked AIG to renegotiate the contracts when it gave AIG about $30 billion 3 weeks ago. The Government was in a position to say: One of the conditions for receiving this so-called TARP money is that you will renegotiate the contracts that provide bonuses for your employees. We could have done that at that time. But it wasn't done, so now we have to figure out the right way to deal with this.

The other reason I am urging caution was expressed by the President in a ''60 Minutes'' interview that was on television last night. Here is how he answered a question about the constitutionality of this proposed tax law. I am now quoting the President:

> Well, I think that as a general proposition you don't want to be passing laws that are just targeting a handful of individuals. You want to pass laws that have some broad applicability. And as a general proposition, I think you certainly don't want to use the Tax Code to punish people.

I think the President is right about exactly what he said there, and that is one of the reasons there is some doubt about whether this law's constitutionality would be upheld and another reason I think we would be wise to hold hearings. But there is yet another reason, and that has to do with whether the private businesses that have been helped by the so-called TARP legislation will want to continue to receive this money or continue to participate in the public-private partnerships that

have been established by the Government if there is a possibility there is going to be retroactive punitive legislation imposed upon them or their employees.

So one of the things I would like to do is to make sure that in expressing our outrage—and every one of us is outraged about this—we do it in a way that is constructive and not destructive to the very program the President has created to try to help these struggling companies get back on their feet so that they can lend credit to everybody else who needs credit in our country.

There is a significant view that if the folks participating in this program come to believe that the Government—Congress—can at any time come in and impose a new tax on them, they are going to want to get out of these programs rather than participate in them. In fact, there have been strongly expressed views that these banks will try to repay the TARP funds quickly—prematurely, in effect—in order to get out from underneath the Government's potential further involvement in their businesses. Of course, by paying the money back, they reduce their ability to loan money to the rest of us. Obviously, the whole point in giving them the TARP funds in the first place was to give them more liquidity so that they would have the money to lend to businesses, to families, and others throughout America.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a couple of statements that make this point very clearly. One is an editorial that was in the Washington Post on Friday, March 20, and the other is a very interesting article by Ian Bremmer and Sean West that was printed in the Friday Wall Street Journal.

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

(See exhibits 1 and 2.)

Mr. KYL. Mr. President, the ''Washington Gone Wild'' editorial in the Washington Post makes the argument I just made. They use the words ''shortsighted,'' ''opportunistic,'' and ''irresponsible,'' and liken this to the actions of a mob to get even with people rather than stopping to think about what it is going to do to the President's TARP program. And that is what I wish to talk about.

I voted for both the first and second TARP. There were only six Republicans in the Senate who supported that second program, and I did it because I believed it was important for the President and the Secretary of the Treasury to have the necessary funding to help these institutions. We are going to destroy that program if the participants in the program come to believe that, out of spite, Congress, reacting to an angry electorate, will simply come down and pass new tax obligations on the employees of these companies in the future. They are going to be very weary of participating.

As the Washington Post editorial notes:

> Elected officials have a responsibility to lead, not just to pander; to weigh what makes sense for the country, not just what feels good.

The point is, we now own a big share of this company and parts of some of these other companies, and we want to do what is in their best interest for our best interest and not simply punish them because we are angry that some folks got bonuses.

So I am going to urge my colleagues to take a deep breath here and talk to the administration, to hold a hearing and answer the questions that have been asked here and see whether there isn't a better way to achieve the same result. I just happen to believe that if the Secretary of the Treasury called these folks down to his office and said: You know, for the good of the country, you ought to give half or two-thirds of whatever it is back, and if we can save your company, you will be able to make that money back in no time with a healthy company, and if we don't, it is going to be bad for America—I would appeal to their patriotism. He could also talk to the executives at AIG and ask them to sit down with the same people to renegotiate the contracts. There are other ways, in other words, to accomplish the same result without doing violence to our Tax Code, to the concept of contracts, and that do not raise the question about the constitutionality of this action.

Mr. President, I urge my colleagues to hold a hearing on the bill. Do not bring this bill up before the Senate for a vote this week but discuss it with the administration and see if we can come up with a better solution and resolve this problem in a sensible way that will be good for America.

EXHIBIT 1

[From the Washington Post, Mar. 20, 2009]

WASHINGTON GONE WILD

''Shortsighted,'' ''opportunistic'' and ''irresponsible'' aptly describe the actions of those who fueled the debacle on Wall Street. They are also apt descriptors for lawmakers more focused on currying favor with a public outraged at the bonuses handed out by bailed-out companies than on fixing the fundamental and still potentially disastrous cracks in the financial system. By changing the terms of a deal months after it was entered into, Congress will show the government to be an unreliable partner, further draining confidence from the financial system and endangering long-term recovery.

Yesterday, the House had the feel of a mob scene, with lawmaker after furious lawmaker vying for floor time to rail against the $165 million in taxpayer-funded bonuses lavished on employees of American International Group's disgraced Financial Products division. House members rushed through a bill to impose an effective tax rate of 90 percent on bonuses paid to AIG employees and employees of other firms that accepted at least $5 billion from the Troubled Assets Relief Program—though when then-Treasury Secretary Henry M. Paulson Jr. pressed many of those firms to take the funds last fall, government interference in their compensation systems was not part of the deal. The legislation, approved by a vote of 328 to 93, would affect employees who received bonuses on or after Jan. 1 and whose household incomes exceed $250,000. Late yesterday afternoon, lawmakers on the Senate Finance Committee introduced their own, broader version of the bonus clawback that would affect firms that accepted as little as $100 million of government funds.

We understand that legislators are hearing from furious constituents, and we understand why those voters are angry. It is unquestionably galling that some of the employees who crafted and pushed risky derivatives that wreaked financial havoc worldwide should line their pockets with some of the $173 billion in public funds meant to prop up the too-big-to-fail insurance behemoth and its global business partners. The bonus anger resonates, too, because of a larger sense many voters have that the people who helped trigger this whole economic mess are not the people paying the greatest price.

But elected officials have a responsibility to lead, not just to pander; to weigh what makes sense for the country, not just what feels good. The effective confiscation of legally earned and contractually promised payments may well be unconstitutional. It is almost certain to be unhelpful. The bonuses paid at AIG represent less than one-tenth of 1 percent of the bailout provided so far; recouping those funds will have no discernible fiscal effect. But it will help drive away the best talent at the firm, and despite all the glib messages of ''good riddance,'' that is a strange action for an owner—and the American public now owns AIG—to take. But the real damage goes well beyond any effect on AIG. The economy continues to suffer from a shortage of credit. The government needs financial institutions—including relatively healthy ones—to take public funds that will then be lent to responsible businesses and consumers. The Obama administration reportedly intends in the next week or two to announce the details of a ''private-public partnership'' to buy troubled assets from ailing banks. The participation of private hedge funds, investment banks and other firms will be key to the plan's success. But what executive in his right mind will enter into a deal if he or she believes the rules can be changed six months or one year down the road purely on the basis of polls and politicians' fears?

Rather than bringing reason to the debate, President Obama has stoked the anger, and last night, the White House commented favorably on the House action. Perhaps Mr. Obama believes that only by lining up with an angry public now can he persuade it, and Congress, to approve the hundreds of billions more he will need to right the credit system. But he might have expressed his sympathy with public anger over irresponsible behavior in the financial sector while also steering the government in a more constructive direction. The absence of backbone on either end of Pennsylvania Avenue this week could carry a steep price.

EXHIBIT 2

[From the Wall Street Journal, Mar. 20, 2009]

AIG AND ''POLITICAL RISK''

(By Ian Bremmer and Sean West)

After quietly tolerating $170 billion in bailout money for AIG, why have the public, Congress and the administration suddenly blown up about a tiny fraction of that amount that is being paid out in retention payments and bonuses? After all, the AIG bailout channels U.S. taxpayer dollars to foreign banks and even potentially covers hedge-fund profits.

The reason is one of political expediency: The bonuses represent greed in the face of dire circumstances, which resonates with Joe the TARP-funder. The public now has an

Enron-like target on which to unload its collective frustration about the financial meltdown. While public outrage is understandable, pandering to it jeopardizes the administration's credentials in a sloppy attempt to score populist points. This raises the political risk for all investors in the U.S. (both domestic and foreign) significantly.

The financial-sector rescue necessitates unpopular actions that will only be politically worth it if the administration actually solves the crisis. Until recently, the Obama administration had taken pragmatic is slow actions that it deemed necessary to fend off disaster, as opposed to pursuing an ideological agenda in how it implements the bailout.

But this week, under pressure to show a strong hand and positive results, the administration latched onto the AIG bonus flap as an angle for curring populist favor. When it became clear that the bonuses were going to be big news, President Obama led the anti-AIG charge with instructions to ''pursue every legal avenue'' to get the money back. Never mind that the administration was responsible for the TARP provision that (sensibly, from a legal standpoint) exempted preexisting legal agreements from the bill's limits on compensation. Mr. Obama now says he'd like to create a new ''resolution authority'' to deal with ''contracts that may be inappropriate.'' Meanwhile, Congress seems poised to undo the bonuses through special taxes—a move that in other circumstances would clearly be labeled retroactive and unfair.

It was not long ago that Mr. Obama assailed the Bush administration for its dangerous expansion of executive power during a complex crisis. The Obama administration's antics around the AIG bonuses suggest a similar effort to use political power to contort the law. But rather than doing so for reasons of national security, this administration is doing so to pander to an angry public. When the Obama administration and Congress flex this kind of muscle, they attach a new political-risk component to all contracts negotiated in the shadow of the bailout.

That risk may scare potential investors away from bailout recipients because they cannot trust our government's will in the face of public outrage. It destroys our moral high ground the next time Mr. Obama wants to criticize a foreign country for ignoring the rule of law by nationalizing private assets or repudiating international debt. It will certainly make Mr. Obama's task much more difficult when he tries to sell the public on his administration's ability to manage the rest of the bailout, and when he tries to sell private firms on the public-private partnership that will be needed to make the recovery work.

The administration could have let Congress have its week of grandstanding over bonuses, while issuing a public statement acknowledging the bonuses as deplorable, but not important enough to detract from the real work that lies ahead. The tragedy here is the extraordinary amount of time that is being wasted on this issue when the Treasury Department remains understaffed, a detailed toxic-asset plan remains perpetually forthcoming, and the economy continues to shed jobs.

It's predictable that the administration and Congress would rather abuse an easy target over something every voter can get mad about than actually confront the hard issues of managing the financial crisis, including progress on the ''stress test'' of banks and the restoration of normal credit operations, establishing genuine oversight of the use of bailout funds, and coordinating international efforts on global economic stimulus and changes to financial-industry regulations. That type of governing is far more troublesome, as it involves making difficult decisions on complex topics and communicating unpopular news to constituents.

This is a hallmark moment for the administration. Congressional anger over AIG's bonuses foreshadows the battle looming if and when the administration asks for more financial-sector rescue funds. The administration may rightly sense that failing to join hands with Congress and the public in outrage over the bonuses would complicate release of those funds. But Mr. Obama does not need to show solidarity by diminishing confidence in the rule of law. That bit of populism will cost the president far more in future credibility than he stands to gain in present popularity.

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

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

The legislative clerk proceeded to call the roll.

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

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

HONORING GALLAUDET UNIVERSITY

Mr. BROWN. Mr. President, on July 4, 1861, President Lincoln celebrated our Nation's 85th year of independence by declaring to Congress:

> The principal aim of the U.S. Government should be to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all, an unfettered start, and a fair chance in the race of life.

Just a few months prior to enunciating the aim of his Government, President Lincoln signed into Federal law the authorization to confer collegiate degrees to the deaf and the hard of hearing in a campus in Washington, DC, not far from here. For the first time in our Nation's history, and still to this day, Gallaudet University is the only liberal arts university in the world dedicated to pursuit of access to higher education for deaf and hard of hearing students.

Mr. President, 2009 marks the bicentennial, as we know, of President Lincoln's birth. All around our Nation, parents and children, students and teachers are reconnecting the history of Lincoln's life to our world today.

Mr. President, 2009 also marks the 145th anniversary of Gallaudet University's charter, signed by Abraham Lincoln himself. As our country struggles through economic calamity and armed conflict overseas, let us mark the significance of these events by honoring the principal aim that President Lincoln and thousands of Gallaudet students have embarked upon: That every American has an unfettered start and fair chance at the American dream, that it be free of prejudice and ignorance and, instead, full of opportunity and access.

Today, Gallaudet annually enrolls more than 1,600 undergraduate and graduate students who take courses in more than 40 majors. Today, more than 15,000 Gallaudet alumni are leaders in their fields and in their communities, sprinkled all over the United States of America.

Serving on the board of trustees of Gallaudet is one of the great honors of my life. My mother, an English teacher, put such a premium on education. Education has anchored my life as a child in Mansfield, OH, and now as a Senator representing Ohio in Washington. I am reminded each day of this country's rich history, the tapestry of America's diversity—of our language, of our families, of our communities. The tapestry of America's diversity teaches us that wisdom and goodness persist in each of us, despite efforts to marginalize and discriminate by a few of us.

One hundred and forty years ago, the four members of Gallaudet's first graduating class—four people—received degrees signed by President Ulysses S. Grant. To this day, the tradition continues. Every graduate of Gallaudet is conferred a degree signed by the sitting President of the United States. This simple act by a President—President Obama will continue that tradition this year—confers to the students the faith in this country's capacity to elevate the condition of each of us.

I congratulate the students and the faculty, the alumni and the supporters of Gallaudet for teaching all of us the meaning of the values President Lincoln laid before us—that we educate ourselves as part of a community that, full of opportunity and free, as President Lincoln said, free of artificial weight, we educate ourselves as part of a community that works toward the good of our society.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Ms. KLOBUCHAR. I ask to speak for 10 minutes as in morning business.

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

HEALTH CARE REFORM

Ms. KLOBUCHAR. Mr. President, today I am here to talk about health care reform. I would mention, first, that I was just with DEBBIE WASSERMAN SCHULTZ, the Congresswoman who last year battled with breast cancer and today was there, healthy, to introduce a bill. I am proud to be the Senate sponsor, to focus on increasing awareness among younger women about the risks of breast cancer.

But we are here today to talk about something else and that is how to bring costs down in health care. As we look at how to expand health care, as we look at how to improve the quality of health care, there must be work done to contain the costs. I believe, based on what I have seen in my State, you can actually reduce costs and improve quality.

A few weeks ago, President Obama convened a health care summit to bring together industry leaders, providers, and advocacy groups to discuss our opportunity to move forward with serious health care reform. That reform should begin with the Medicare system. Medicare is one of the most valued social welfare programs our country has produced in the last half century. Yet it is also a program in dire need of reform if it is to survive on sound financial footing and continue to provide the fine medical care our seniors have come to expect from it.

Change is needed now. By 2011, the first baby boomers will enter the Medicare system and by 2016 the number of Medicare beneficiaries will increase by almost 5 percent.

This past winter, I convened a health forum in Minnesota to discuss the various challenges affecting the Medicare system. The message is clear: without action, costs will continue to rise and waste will proliferate.

Medicare is the single largest purchaser of health care and its policies directly affect nearly every health care provider. Medicare's payment system, coding, quality reporting, and recordkeeping are the industry standard. Spending for the Medicare Program is projected to increase 114 percent in the next 10 years. Twenty percent of Medicare beneficiaries suffer from one of five chronic diseases. Medicare spends 66 percent of its annual budget to treat this group. Two-thirds of Medicare spending only helps one-fifth of Medicare beneficiaries. If we are going to sustain Medicare as a healthy, high-quality program Americans deserve, we must do something to address these challenges. In short, we need to reform Medicare so it addresses efficient, high-quality care.

As it happens, doctors and hospitals in many regions of the country, including my State of Minnesota, practice exactly this kind of high-quality, low-cost medicine and they should be rewarded for it. But Medicare does not reward them. Instead, it punishes them. In fact, at the health summit last week, President Obama actually asked the gathered group, ''Why should we punish Minnesota because other States are less efficient?''

The problem is, despite periodic efforts at reform, Medicare pays for quantity, not quality. More tests and more surgeries mean more money, even if the extra tests and operations do nothing to improve a patient's condition. States that have historically delivered excessive procedures are still rewarded for the wasteful practices of the past, while efficient States, such as Minnesota, are punished.

If you look at this chart, you will see that the areas in dark blue are the ones that receive the lion's share of Medicare payments. The light blue area States, such as Minnesota, Montana, Iowa—I see Maine is looking good, as I see the Senator from Maine across the way—but a number of States, you can see, are in areas where Medicare spending is low but quality of care is high. It is as if there were a huge transfusion that basically takes taxpayer money from one region, one area of the country, and puts it in another.

It is not to say people are not sick in other parts of the country—they do deserve that help—but looking at the limited resources, we have to figure out what is working and how come areas of the country that tend to have the lowest health care costs also have the highest quality health care?

It is not what you would think. You would think: Well, the highest cost must have the highest quality. That tends to happen sometimes, in clothing and other things. That is not what is going on in this country right now. Regions with more specialists and more hospital beds tend to provide more services and get more of the money.

According to the Dartmouth Institute for Health Policy and Clinical Practice, high-cost regions in Medicare boast 32 percent more hospital beds, 31 percent more doctors, and 66 percent more medical specialists. In other words, supply is driving demand. The result is that Medicare pays much more in some parts of the country than it does in others for medical care that is no better.

Medicare's own report shows that quality of care is higher in many of these low-cost States. In fact, Medicare spends more in places such as Florida and New Jersey than it spends in States such as Minnesota and Oregon. Let me give you one example:

In Miami, FL, Medicare spent roughly $15,000 per patient per year in the year 2005. In Minneapolis, a Medicare patient received about $7,000 worth of care that year. To put it another way, Medicare will spend $50,000 more on a 65-year-old patient in Miami over the course of his or her lifetime than on a comparable patient in Minneapolis. Now, $50,000, that is a lot of money.

At $2.4 trillion per year, health care spending represents close to 17 percent of the American economy, and it will exceed 20 percent by 2018 if the current trends continue. If you look at this internationally, you can see the United States spends far more than any other nation, without getting better care. We can and we must do better. A number of models are out there to provide direction for the future. The Mayo Clinic, based in my home State of Minnesota, is renowned for the effective care it provides at a reasonable cost. Now, think about this. There was a Dartmouth study that came out. It showed this: If the rest of the hospitals in the country used the same kind of high quality, with very high quality efficiency ratings from families, and high efficiency care as the Mayo Clinic now does, in the last 4 years of a patient's life, the country—the taxpayers of this country—would save $50 billion over 5 years. That is $50 billion over 5 years by simply following the protocol of having a more organized, efficient delivery system with one primary doctor, with experts who work together, without duplicate tests.

That is $50 billion every 4 years by following a set protocol with some of the highest quality ratings in the country. The Congressional Budget Office has also studied the problem and found the potential for huge savings. This chart reflects that Medicare spending would fall by 29 percent if spending in medium- and high-spending regions were the same as that in low-spending regions. That is the CBO.

So how do we change the Medicare system in a way that will reduce these disparities and reward our doctors for doing what is right? Real reform will start when the system starts paying for quality. Here are the three priorities I plan to start working on immediately. First, we need to enhance Medicare incentives that reward quality care. For many illnesses and conditions, the medical profession has widely accepted practice guidelines that result in better health care outcomes, such as when to give aspirin to heart patients, and how often to perform cancer screening, but they are not always followed. A recent RAND Corporation study found that adults received recommended care only 55 percent of the time. Medicare needs to reward doctors and hospitals for doing the right thing and achieving improvement in care. These quality guidelines can be the basis for Medicare payments to providers.

Second, we need to rethink the Medicare payment system. Right now, Medicare pays for tests, visits, and other procedures one by one, giving providers an incentive to order more and more services. We need to have better coordination of care, and less incentive to bill Medicare purely by volume. Increasing the bundling of services in Medicare's payment system has the potential to deliver savings and start rewarding value and not volume.

Third, we need to address the shortage of the number of primary care physicians who are currently practicing across our country. Today, effective primary care is severely undervalued in our health care system. Yet, research suggests that improving access to primary care and reducing reliance on speciality care can improve the efficiency and the quality of health care delivery. To accommodate the needs of an aging population, we need to promote primary care and transition away from our specialty-intensive health care workforce.

The health care system we have now needs major improvement. That means

transforming the system to pay doctors for the quality of care they provide and to turn the current disconnected, reactive health care system into one that is integrated and concentrates on delivering the best care for patients.

Again, I want to stress this, when we talk about saving costs, when we look at these studies, those States that are most efficient, those areas that are more efficient, have high quality care.

I leave you with this figure: The Mayo Clinic, in the last 4 years of a patient's life, if those protocols were followed across the country, we would save $50 billion every 5 years in taxpayer money. That is an independent study, $50 billion.

I know we can do better. At the same time as we reduce the cost, we can improve the quality of care that our Nation's seniors deserve. Working together, we can give them the system they deserve.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN.) The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to proceed for 15 minutes as in morning business.

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

(The remarks of Ms. COLLINS pertaining to the introduction of S. 664 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from South Dakota.

THE BUDGET

Mr. THUNE. Madam President, this next week we will be taking up the budget for fiscal year 2010. Anyone who previously had not been concerned about that debate and what it means for the country and its future probably should be concerned, based upon the most recent CBO report that came out on Friday of last week. It was sobering. It reinforces the point that we have been making about the outline we have seen of the President's budget; that is, this budget spends too much, taxes too much, and borrows too much.

We have spoken extensively about the new spending in the budget. We have talked at great length as well about some of the new taxes in the budget and how it will drive up taxes on small businesses, the largest job creator in the economy, the economic engine that creates two-thirds of the jobs in our economy.

We also want to talk about the fact that it borrows too much. The CBO report punctuates that point. I couldn't have put it more clearly than what they came out with last week, which suggests the initial estimates about the President's budget outline, which we received earlier, were dramatically understated and, in fact, it is going to add significantly more to the deficit than what we initially anticipated. In fact, in fiscal year 2009, which is the year in which we find ourselves right now, the CBO has revised its deficit estimate to where it is going to go over $1.8 trillion for fiscal year 2009, which represents 13.1 percent—13.1 percent—of our gross domestic product, which dwarfs anything we have seen at any time in history.

So as we enter this debate next week, I think it really is important for all of us in this Chamber to take a good look at this analysis and to try to digest it and, hopefully, for the American people to be able to take a good look at what these numbers mean as well. It is sometimes difficult to even put it into terms people can understand. When I think about $1 trillion, it is a staggering amount of money. We are throwing around numbers in trillions and trillions and trillions today in the abstract. When you try to put it in terms that everyday Americans can understand, it is almost daunting to try to accomplish that.

So when this new report came out, I think many of us found it even more sobering than what we already knew was going to be a very difficult economic and fiscal climate for the next several years. In fact, the President's budget outline that had been analyzed up to this point suggested the debt was going to double in 5 years and triple in 10 years. That is still the case.

If you can believe this, the publicly held debt, in 2019, is going to be $17.3 trillion under the CBO's new estimate. It is about $5.8 trillion today. It literally does, in a 5-year period, double the debt and in a 10-year period triples the debt. It takes the publicly held debt, as a percentage of gross domestic product, from where it is today—a historical average of about, if you look back, 20, 30, 40 percent, but let's say today we are looking at 40 percent, and that is a very high number relative to anything we have seen in history—it takes it up to over 80 percent by the end of that period. So you are looking at public debt and public deficits that are unparalleled and are unprecedented in American history. I think that is the whole point behind the argument we have made throughout the last several weeks in the lead-up to this budget discussion we are going to have next week: This budget spends too much, taxes too much, and borrows too much.

The taxing component is something many of my colleagues have spoken to already. But if you look at, again, the overall tax increases—which many are imposed. And they talk about that it just applies to high-income taxpayers. But you are talking about small businesses, many of which file or organize as subchapter S's or LLCs. So the income they get from their small business flows to their individual income tax statement, which means when these rates go up—and they are going to go up—the effective rates, to 40 and 42 percent, when today those same businesses would be paying 33 or 35 percent, they will be significant increases in the tax burden we are imposing. That is not to mention the new climate change initiative which is also contemplated in the President's budget, which imposes an entirely new energy tax on the American people, on the American consumers, creating all kinds of new costs for energy, whether it is electricity or fuels. There have been studies that have been done, very credible studies by researchers at MIT, that have suggested it is going to cost the average family in this country over 3,000 additional dollars per year in energy costs by the year 2015.

These are some pretty daunting numbers. But they come on the heels of a stimulus bill that was passed a few weeks back that was about $800 billion. When you add interest in it, it was about $1.2 trillion. That was a huge amount of money. When we try to put that in perspective relative to anytime in our Nation's history, it eclipsed anything we had seen previously. Then we had the Omnibus appropriations bill, which increased spending over the previous year by twice the rate of inflation—about 8.3 percent. Then you add the continuing resolution that was passed last year, which funded Government programs last year through March 6 of this year because that was a stopgap appropriations measure that was put in place because the appropriations bills had not been passed last year. Then we had the stimulus bill, which was, as I said, with interest, $1 trillion. Then we had the Omnibus appropriations bill, and with that a twice-the-rate-of-inflation increase. You add all those numbers together, and we have increased the size of Government this year by 49 percent—49 percent—from fiscal year 2008. I think that points to the fact, again, as to the amount of spending we are doing. It adds up because a lot of that, as I said before, is borrowed money, and it is contributing to these deficit numbers the CBO had just released.

So it would be my hope—and I know others are on the floor who are going to speak to this issue a little bit more in detail. I know the Budget Committee has analyzed the new CBO report. We are awaiting the markup of the budget this week in the Senate. We suspect it is probably going to follow somewhat closely the President's outline, his proposal, although my guess is there will be some differences. But if you take the overall trajectory it creates, it creates a trajectory over the next 10 years that calls for an average deficit—this is the average over the 10-year period—of almost $1 trillion. It is $929 billion, according to the Congressional Budget Office. That is the average.

This year, it is $1.8 trillion. Next year, it is $1.4 trillion. It drops down to $670 or $650 billion, I think, for 1 year. But then it starts spiking and trending back up again, to where, over the course of the 10-year window—the budget analysis and planning that is

done here is done in a 10-year window. If you look at that 10-year window, the average deficit is $929 billion a year.

As I said, these are numbers that are staggering and unlike anything we have ever seen. It is hard to put into perspective what we are talking about relative to anytime in American history.

The other thing I will mention with regard to the stimulus bill as well—because I think there was an assumption that all this borrowing and all this spending would somehow lead to job creation and hopefully getting the economy expanding and growing again—what the CBO found in their analysis, again, was that in the long term the impact would be negligible or negative from the spending that was created in the stimulus bill. So not only were we getting no additive benefit in terms of job creation from the stimulus spending—or in the long term, at least—we are going to see negative, they think, or at least negligible, zero, economic growth as a result of it. We are adding $1 trillion to the amount we have borrowed from future generations, and we are asking our children and grandchildren to have to pay it back, not to mention what I am sure are going to be other types of economic consequences associated with that: higher interest rates, higher inflation. There is already a lot of discussion about that as we continue to borrow more and more money, whether there will be people out there who will want to buy our debt.

I believe those are all legitimate concerns and questions we need to raise in this debate, coupled with the fact that there is nothing done in this budget that would in any way significantly reduce the long-term costs associated with the entitlement programs and what is really driving, in the outyears, these deficits: Social Security, Medicare, and Medicaid. There has been a lot of discussion in the new administration about a willingness to sit down and talk about how to reform and make these programs strong and better and more efficient for the future, but there is nothing in this budget that does that.

In fact, the only serious savings we can point to in the President's budget that they try to achieve come out of defense, come out of the military, come out of our national security, which I would argue: If we do not get national security right, the rest is conversation. But they are assuming savings as a result of drawing down troops in Iraq and places such as that, which I think they are overstating what they are going to be able to achieve in savings.

I would argue some of the other assumptions in the President's outline are optimistic with regard to revenues—and I think the CBO study bears that out—to the point now that even the Washington Post, yesterday, came out with an editorial that I think illustrates exactly how serious this fiscal situation is for our country, and drawing into question the fact that there is very little done in this budget that addresses those long-term fiscal problems I just mentioned in the entitlement programs.

There is nothing to reduce the cost of Government in the outyears, only things that are going to pile on additional costs and add and multiply over a long period of time. The incredible amount of borrowing we are already doing is going to be multiplied many times over into the future.

Madam President, I ask unanimous consent that the editorial from the Washington Post be printed in the RECORD.

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

[From the Washington Post, Mar. 22, 2009]

RED INK RED ALERT

A CONGRESSIONAL REPORT SHOULD GIVE THE PRESIDENT PAUSE

The new estimates by the Congressional Budget Office showing a federal deficit of 13.1 percent of gross domestic product for the current budget year, which began Oct. 1, are neither surprising nor particularly alarming, though it's larger than the 12.3 percent foreseen by the White House. Both are stunning numbers—far and away the largest deficit ratio since World War II. But spending rises in recessions and tax revenue falls, and we're in a big recession. It would be counterproductive to balance the budget in this historic downturn. The huge deficit includes $700 billion for a necessary rescue of the financial sector. Nor is it shocking that the CBO forecasts a deficit of 9.6 percent of GDP in fiscal 2010 if Congress enacts President Obama's $3.6 trillion budget plan—a deficit also much larger than what the president predicted. The difference largely reflects the CBO's economic forecast, which is more up-to-date and, hence, gloomier than the one Mr. Obama relied on.

What is scary, though, is the CBO's depiction of the remaining years of the president's term, and the half-decade after that—'if his budget is enacted. In none of those years would the federal deficit fall below 4.1 percent of GDP—and it would be stuck at 5.7 percent of GDP in 2019. This is in stark contrast to the president's projection: that his plan would get the deficit down to about 3 percent or so of GDP by that time. It's true, as Peter R. Orszag, director of the Office of Management and Budget, told us, that the CBO's forecasts are subject to large margins of error, especially in the out years. And Mr. Orszag is correct to point out that, even under the CBO's scenario, the deficit as a share of GDP would decline by half under Mr. Obama.

Still, it's less significant to meet that target than to keep the deficits within sustainable bounds, and few experts believe that years of deficits above 4 percent of GDP are consistent with long-term economic vitality.

If the CBO's numbers are subject to revision on account of changing circumstances, then so are the administration's; and those were based on very rosy economic assumptions to begin with. Very little of the claimed deficit reduction in the Obama plan comes from policy changes; it results more or less automatically from the assumed end of the recession, as well as by claiming savings in reducing operations in Iraq and Afghanistan from unrealistically high forecasts. Yet both the White House and House Speaker Nancy Pelosi said that the CBO report is no reason to revise the president's ambitious tax and spending blueprint.

Mr. Obama should treat the CBO report as an incentive to fulfill his repeated promises, during and after the campaign, to make hard choices on the budget. Until now he has offered a host of new spending—on health care, middle-class tax cuts, education and alternative energy—without calling for much sacrifice from anyone except the top 5 percent of the income scale. Though his emphasis on controlling health-care costs is welcome, it's not a substitute for reforming the entitlement programs that are the drivers of long-term fiscal crisis, Medicare and Social Security. Yet the president has offered no plan for either and no road map even for achieving a plan. Several members of his own party in the Senate have been expressing doubts about his strategy, and the CBO report will lend credibility to their concerns. He should heed them.

Mr. THUNE. As to the stimulus bill, in and of itself, we are told, if the spending that is included there is not terminated at the end of the 2-year period—when we assume the short-term stimulus spending would terminate—if those programs are continued, the estimate of what they would cost goes from about $1 trillion to over $3 trillion over that 10-year period.

So there will be mountains and mountains and mountains of debt as far as the eye can see, complicated by an unwillingness by the new administration to take on any of the serious decisions that have to be made with regard to entitlement programs and mandatory spending in this budget, with lots of new programs created, as I said, new energy taxes under the guise of climate change, a new health care program that is estimated to cost around $600 billion but which many independent analysts are now saying is going to cost up to $1.5 trillion.

These are all costs that are adding up and continuing to lead to more and more borrowing, higher and higher deficits, to the point that this year 13.1 percent of GDP is the percentage and over $1.8 trillion is the actual number of the deficit. And that goes on now for years and years, and an average of $1 trillion a year just in deficits, to where the public debt, at the end of that 10-year period, will be $17.3 trillion. That is an incredible problem for our country and for future generations.

So it is high time we got it under control. It is why this budget is so wrong for America and for our future.

Madam President, I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank Senator THUNE for his excellent remarks. I will just say that sums it up pretty well. I would like to go into a little more detail about the budget—just some of the matters in it—so we confront honestly the situation with which we are dealing.

This is the budget, which I hold up in my hand. This is the budget the President sent up. It is from the Executive Office of the White House, Office of Management and Budget. The big print on it says, ''A New Era of Responsibility.'' The small print says, ''Renewing America's Promise.'' Well, I am not sure what ''Renewing America's Promise'' means, I guess, but I am pretty sure that ''A New Era of Responsibility'' is not what this budget is. I would like to talk about it because it is breathtaking, really.

Now, some would think: Oh, here we go. This is just another political dustup, just another fight between the Republicans and Democrats, just another partisan spasm. That is what it is all about. They talk about these numbers, and I don't know what these numbers mean: a billion, a trillion, a million. What does all that mean? Well, sometimes numbers do mean something. Sometimes numbers are quite different from one another. Sometimes situations have changed, and sometimes they have not changed much. Sometimes the changes are dramatic, significant, directional in nature, historic in nature. That is what I think we are dealing with today.

I believe the discussion over this budget—I am a member of the Budget Committee—is historic. I believe the decisions we make around this budget will affect the very nature of the economy, the nature of the Government that we have, whether we will continue to have a government of limited powers, and where we are heading. Are we moving toward a ''Francification'' of America, a socialization of America? That was a big issue in the campaign. It turned out to be where, in the last few weeks, you remember Joe the Plumber and the quote ''We are going to spread the wealth around.'' People said: Oh, no, President Obama does not really mean that. Yes, he is going to do some new things and make some changes, but he is not heading toward a European-type of economy for America.

So let's talk about the budget. What does his budget say? What does it mean? A budget is a President's plan for the future. It tells where he will get the money he wants to spend. It tells where he will spend it. It tells how much money he will spend and how much spending will occur, and will there be a surplus or will there be a deficit?

Now, some people think: Well, he can't help it. That is just the way things are. These are things that a President does not have power over.

Not so. These represent Presidential priorities. Most States in this country have a balanced budget constitutional amendment. They have had shortages bigger than we are having, and those States are getting by. They are having to make some reductions in their expenditures. I have had a bunch of cities and counties in to visit with me the last 2 weeks, and all of them are making some kind of reduction in their spending. They are not disappearing from the face of the Earth.

So here we go. This is not a secret document, fundamentally. The numbers I am talking about that he proposes as his budget for the country are here.

Normally, since I have been in the Senate—12 years—and on the Budget Committee most of that time, budgets pass on a party-line vote. There have been some tough, close votes. I remember the budget that had the tax cuts in it was a close vote. Several Democrats voted with the Republicans, and it passed. But this budget is different because we have a very large Democratic majority in the Senate. I think it is a three-vote Democratic majority on the Budget Committee. Under our rules, a budget does not have to be subject to a 60-vote point of order, and it is not subject to filibuster or any kind of 60-vote threshold; it passes on a simple majority. So the Democratic majority—a very large majority now—has the power to pass this budget. That is just the way it is. They have the power. I hope, therefore, they will feel the awesome responsibility they have in discussing this budget because it is so unusual, it is so large, and it is so game-changing, to a degree which I have never seen before, and I don't think any of us have.

One of the things that disturbed me in this whole process is the spectacle of our Secretary of Treasury going to Europe to meet with European leaders and chastising them—and they have had some pretty big stimulus packages—for not having bigger stimulus packages, not spending more money, and not going into more debt. This is so odd because we as Americans have normally been the ones who have criticized the Europeans for their tax and spend and entitlement, socialistic welfare system. So here we are doing that.

Prime Minister Merkel in Germany said it is extraordinarily dangerous that transatlantic conflict is being fanned, and, ''I am grateful to the American President that he has told me this is an artificial debate,'' she told lawmakers on April 2 at the Group of 20 nations. She said:

> The Group of 20 nations need to send ''a positive psychological signal, not a competition over stimulus packages that can't be implemented.''

The European Central Bank president, Mr. Trichet, said this:

> If the additional deficits are costing you both a strong increase of the cost of your own refinancing and a loss of confidence of your people, you are not better off!

He goes on to say:

> If your people have the sentiment that they will not be better off in an endless spiraling of deficits, they will not spend any money that you give them today!

So the Europeans are pushing back. They are warning us that we are going too far.

So let's look at some of the numbers to which Senator THUNE made reference. The first is the title of the budget, the President's budget, which came right out of this book—these numbers the President has submitted to us—what he plans to occur in America over the next 10 years under his budget.

In 2008, last September 30, we had a $455 billion deficit. Since World War II, that is the largest deficit the country has ever had—$455 billion. Do you know what it was the year before? It was $161 billion. Why did it jump that much? Well, 150 billion of the dollars that jumped was the checks that got sent out. President Bush sent out the checks. He was going to stop the recession. He sent everybody a check last spring. It didn't work. I voted against it. It wasn't easy to vote against constituents getting a check, but I didn't think it worked then, and everybody agrees now that it didn't, but that helped jump the deficit to this record amount—$455 billion.

What about this year? Including the stimulus package—or a part of it that we just passed—and the $700 billion Wall Street bailout and the bailout of Fannie and Freddie, scored at about $200 billion according to CBO, it comes out this year, September 30, the deficit will be $1,752 billion, more than three times the highest deficit we have had since the Republic—well, at least since World War II, when we were in a life-and-death struggle with millions of people in arms all over the world, turning out airplanes and ships by the thousands.

Is this just one time? Is it just a one-time expenditure? No, it is not. In 2010, the President's own numbers show the deficit will be $1,171 billion, or about $1.2 trillion.

According to the numbers in the President's budget, which were gimmicked, in my view, we will already be under a recovery in 2010. We will not be in negative growth; we will have I think 1.6 percent economic growth, GDP growth. We are still going to have $1.2 trillion in deficits. It drops down to $912 billion, $581 billion, $533 billion, and then starts growing again, and in the 10th year of his budget, he is projecting a deficit of $712 billion.

Now, within those projections are some rosy scenarios, such as if the economy is growing and unemployment is not too high, then you have more money to spend than if the economy is still slow-sinking and unemployment is high. So the budget assumes an unemployment rate of 8.1 percent, the highest—that is as high as it would ever get during this entire 10-year period. It assumes that next year or later this year, we will have 8.1 percent unemployment. Well, we are at 8.1 percent unemployment now. That is the current figure. The blue chip group, the top economists and the ones most people look at, project unemployment to be over 9 percent. CBO projects 9 percent will be the maximum unemployment rate. If it goes that high, then we are going to have bigger deficits. So there

are some other rosy scenarios in there that the objective economists do not believe will occur.

When you score this budget without using those gimmicks or rosy scenarios, as the Congressional Budget Office is required to do—they are required to make an independent analysis of the President's budget, and they have done so.

Let me just say that we are proud of the independence of the Congressional Budget Office. They are a talented group. They work for us here. The new Director was chosen in a bipartisan way but clearly with the final power in the hands of the substantial Democratic majority in the Senate. They control the ultimate choice of the Congressional Budget Office.

They come out not with a $712 billion deficit for that year—not $912 billion but $1.2 trillion, $500 billion higher when they use numbers they believe are fair and honest and accurate, coming out with $1.2 trillion in deficit, not $700 billion in deficit. There will not be, in this entire 10-year period, taking President Obama's own numbers, and certainly not the Congressional Budget Office's numbers, a single year that is close to as low as the $455 billion deficit of President Bush's last year. Most of them are twice that or will average twice that.

So what I wish to say to my colleagues is that this is not sustainable.

The President had a great meeting with the Republicans one day at lunch in the room right over here. He was very personable, open, and responded to any questions asked. I thought he was very sincere when he said: Look, we are going to have to spend a lot of money now, but when this economy comes back we are all going to have to work together to reduce the systemic threat of out-of-control deficits. He said that more than once. I thought he meant that. But when you propose a budget that has deficits increasing every year over the next 5 years and reaching, in his own numbers, $712 billion in deficit—and according to CBO, $1.2 trillion—then I can't take that very seriously. There is not one act in this budget plan of any significant evaluation of the out-of-control entitlement programs we have or how to bring those under control.

So that is not politics; that is reality. It is not acceptable. We have to say no to this budget. I know my Democratic colleagues are uneasy about those numbers. They tell me they are uneasy about them. They want to support their President. They want to pass this budget. But at some point, I think my colleagues are going to have to say no. I hope they will. Certainly, the Republicans can't say no; we don't have enough votes.

Now, Senator THUNE made reference to this number.

Madam President, what is our timeframe?

The PRESIDING OFFICER. Morning business expires at 4 o'clock p.m., in several minutes.

Mr. SESSIONS. Madam President, I would just point out these numbers. The public debt, which I think is probably the clearest definition of what our debt situation is—you can argue about that, but the public debt, I believe, is correct—is now $5.8 trillion. In 5 years, it will be $11.5 trillion, a doubling of the debt; and in 10 years, another 5 years, it will be $15.3 trillion, tripling—that is the debt since the founding of the Republic—$5 trillion right here. In 10 years, we are going to triple the total debt. That is not acceptable. And they are projecting not a recession in the next 10 years after we get out of this one, they are projecting growth, no wars, and it is still like this. The truth is, those of us who observed budgeting before don't stay to the budget totals; we usually go over them through some sort of gimmick or maneuver.

How about another number that is disturbing to me—very disturbing. The White House estimate on interest payments in the budget is $148 billion for 2009. According to CBO, they estimate it higher at $170 billion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Madam President, I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. It shows the interest rate or payments on this tripling debt reaching $694 billion, according to the White House's own estimate, in 2019, to the people who buy our debt—the largest foreign recipient of which is China.

CBO says that is underestimated. They calculate it to be $806 billion. The entire general fund of the State of Alabama, an average-size State, is about $7 billion for the counties, schools, teachers, and roads. The highway budget for the entire United States of America is $40 billion a year, including interstate, all the money we send to the States, and all of the pork money we put on top of it. This is $806 billion in interest alone on a debt that we have run up in previous years. That is why people are worried about it.

I will conclude with that and say, again, I know we all get caught up in politics, that is true. But this year, this budget is not a normal budget. It is not a bigger budget or a lot bigger. It is a gargantuan budget, the likes of which we have not seen before. It results in debt increases that are not sustainable. It has no projection of any containment of spending. It does nothing to deal with the entitlement difficulties that are driving much of the debt, and it cannot be passed in this fashion.

I urge my Democratic colleagues to say: No, Mr. President, you have to go back and look at this some more. We cannot pass this budget and not just take a few hundred billion dollars off, or something like that. We need to have a serious discussion of the financial condition of our country. I think the Republicans will be there trying to work with you on it. But without some leadership from the other side, this budget will go into effect.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL SERVICE REAUTHORIZATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 1388, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to consideration of the bill (H.R. 1388) to reauthorize and reform the national service laws.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the previously scheduled 6 p.m. cloture vote now occur at 5:45 p.m., and that 10 minutes immediately prior to 5:45 p.m. be divided as previously ordered, and that all other provisions of the previous order remain in effect.

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

Ms. MIKULSKI. I thank the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, for the information of Members, a number of Senators wanted us to start the vote earlier tonight, and we are happy to do that. For those who aren't going to arrive until 6 o'clock, we will drag the vote out so they will not miss it.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Madam President, I am proud today to bring the legislation to the floor entitled Serve America Act. This bill is the result of extensive bipartisan work by Senators KENNEDY and HATCH who have worked more than a year on this legislation but who have devoted their lives to this bill. I know in a short time I will be joined by the distinguished Senator from Utah, Mr. HATCH, who was one of the prime sponsors of the bill. Senator ENZI of Wyoming, the ranking member of the Health, Education Committee, was also going to be here. He is in a snowstorm in Wyoming. Senator ENZI will bring his remarks to the floor tomorrow.

Let me just say that I want to, first of all, salute Senators KENNEDY and HATCH for designing this legislation because it expands the opportunity to serve this country. At the same time, Senator ENZI and Senator DODD worked assiduously to strengthen the bill.

Senator ENZI brought very key legislative analysis to the bill, and his background as an accountant gave us

very much needed reforms in the area of greater accountability and stewardship. I want to, on behalf of our side of the aisle, thank him for his insight and know-how. We have adopted every single one of the Enzi stewardship recommendations.

Our colleague, Senator DODD of Connecticut, himself a former Peace Corps volunteer, has also brought additional thinking to the bill to make sure that volunteers are rewarded by making sure we could expand the summer of service and the semester of service.

Madam President, I have been no stranger to this bill, and one of the things I have done was be the appropriator for appropriations from the time of its inception, from 1993 to 2004, when the VA–HUD and Independent Agencies Committee was dissolved by Mr. Delay of Texas in the House, and the Senate followed suit. That is a chatty way of saying that Senator KIT BOND, who chaired that subcommittee as my ranking member, was able to keep national service functioning and also very much needed reforms.

In 2004, Senators HARKIN and SPECTER got the appropriations portfolio for national service, and they have done an outstanding job. I say all this to say that when we bring up this bill, it is not a Democratic bill; it is a bipartisan bill and an American bill. Ever since the framework for the underlying legislation was created more than a decade ago, we have worked on both sides of the aisle, with Presidents of both parties, to give our young people an opportunity to serve.

This has been an outstanding effort. Today, the legislation I bring to the Senate floor on their behalf is the result of considerable experience, lots of lessons learned, and also the recognition and knowledge that there is a new invigorated spirit in the United States of America. Some are calling it the ''Obama effect'' because there are so many people who want to give back to the United States of America, to use their own sweat equity to be involved in our communities to make them a better place to be, for our schools to be able to be more effective, for there to be structured afterschool activities for children, and volunteer efforts to add to more housing for Habitat for Humanity—item after item, we could go on. There is this fantastic spirit, and we want to be able to make use of that energy, that passion, those good intentions, and be able to help them truly to serve America.

Senator KENNEDY and I have worked on this legislation for some time. Way back in 1990, Senator KENNEDY and I introduced the National Community Service Act with then-Senator Nunn, and also with the help of Senator MCCAIN, to establish a corporation for national and community service, and also to create a demonstration project that would then become the AmeriCorps.

When President Bill Clinton came in, we worked to create the National Community Service Act. In 1993, we passed the AmeriCorps legislation. Since then, it has been a profound success. We took that landmark legislation and, working with President Clinton, created a framework for today's national service programs.

Let me be clear, Madam President. We were not in the business of creating another new social program. What we were in the business of was creating a new social invention. What do I mean by that? In our country, we are known for our technological prowess, the great technological inventions. From the rocket ship to the microchip, America has been in the forefront of technology and science.

But also often overlooked, and sometimes undervalued, is our social inventions—those things that the genius of America invents to create an opportunity ladder for our country, to create empowerment opportunities for our constituents.

Let me give a couple of examples, and you can see the American philosophy at work in AmeriCorps. In terms of our social inventions, what are some? Well, you know we are the country that invented night school. At the turn of the old century, with so many immigrants coming from Europe, with Lady Liberty raising her hand saying: Give me your tired, your poor, your yearning to be free—and they also wanted to learn to read English, write English, and learn citizenship. But they were working night and day to be able to do that.

Out of the great settlement houses—primarily the great settlement houses out of New York and Chicago—they said: If you work during the day, we are going to give you an opportunity to learn at night. Out of that settlement house movement came a new social invention called night school. It was never done anywhere else in the world. Look how night school changed the face of America.

Then, while our GIs went overseas and then came back home, we had another social invention that said: We want to thank you not only with words but with deeds. So another empowerment legislation was called the GI bill, which created one great, gigantic opportunity ladder for generations of men who would have never had the opportunity for either education or home ownership to be able to move ahead.

Along the way, they knew they could not go off to 4 years of college. They were adults. They had seen war and they had liberated death camps. They could not come back and go ''bula bula''; they had to go to work. So we invented something else, too, called the junior college, or the community college, which in and of itself was a social invention.

So you see, every generation comes up with a new idea to build and add to that important opportunity ladder where you can do something for yourself and your country. But government is on your side.

What is it we wanted to do? A social invention for the nineties? What did we face? We saw two things: No. 1, students had incredible debt—and they still do. Their first ''mortgage'' was not a home but what they owed in terms of their college debt. Also, we saw a new trend coming to America called the ''me'' generation. Articles and books were being written about it. There were those on both sides of the aisle who wanted to change the ''me'' generation to the ''we'' generation. We also wanted to say: How can we help with student debt? That is when we thought about national community service, where you could give back to your country, learn the habits of the heart that de Tocqueville talked about—neighbor helping neighbor, the signature of America, from barn raising to Habitat for Humanity, and habits of the heart and Habitat for Humanity.

We created national service as a form. We didn't want it to be service only for idealistic, affluent kids who could afford to take 2 years off to find themselves. We wanted them to find opportunity to be of service and also to make an important contribution.

That is how we created the original national service legislation. We wanted to strike a balance between precollege and postcollege to help pay for college, get ready for college or to learn a trade. We also wanted to provide the opportunity for retired people to be of service and also, while being of service, to earn a modest voucher to pay down student debt.

We wanted to make sure we could do this in a way that was sensible, affordable, and also would involve the flexibility and creativity of the local community.

We allow not only full-time volunteers but the opportunity for part-time volunteers. Actually, the part-time volunteer was my idea. Putting on my social work hat again, what I saw in our communities was not everybody can go away and not everybody wants to go away. It could be someone disabled, where their whole support system is in that community. And although they have a physical challenge, they can still give. How about that single mother who graduated from a community college and wants to reduce her debt as she is moving on with her career? This would give her a chance to do that.

There were important lessons learned, and for more than a decade we worked on it. But not all was rosy, not all was smooth. What we then saw in 2003, when I was the ranking member on the appropriations subcommittee funding national service, is they created a debacle. God, did they get sloppy. One of their most colossal errors was that they enrolled over 20,000 volunteers and could not afford to pay for it. That is how sloppy they were in their accounting.

I took to the floor and called them the ''Enron of nonprofits.'' I called for

a new board, a new CEO, and new rules of engagement. President Bush responded, and he gave us the right people to right the ship of national service.

I must say, in those 6 years since then, they have worked to do so. They have righted the ship, they have good financial accounting, and people continue to volunteer.

But all that is history. What about the 21st century now? Wow, people want to volunteer like never before. Do you know that last year 35,000 college seniors applied for Teach America? There were only 4,000 slots. There were 35,000 young people who wanted to do it. The Peace Corps got 13,000 applicants last year for 4,000 slots. People want to serve.

While we saw this new flourishment of desire and passion to serve, Senators KENNEDY and HATCH put their abilities and key minds and passion for this issue together and have come up with the Kennedy-Hatch Serve America Act. It is a great bill. Let me tell you about it.

First of all, it improves the number of national volunteers. Over a 7-year period, it would take the volunteers from 75,000 slots to 250,000 slots. But this bill is more about creating opportunities and for people to serve. It is about meeting compelling human needs.

We are going to also expand this bill with lessons learned on focusing some of our AmeriCorps activity into specialized corps. These are what we found: One, an education corps; another, a health futures corps; another, a veterans corps; and another called opportunity corps. These are not outside of AmeriCorps. They will be subsets because we find this is where compelling human need is and at the same time offers great opportunity for volunteers to do it.

What does the education corps do? It improves student engagement. It works with young people in schools in supplemental services, such as tutoring, field trips, and particularly in these structured school activities. We have found that where they have focused on education, they have improved student academic achievement and graduation rates.

Also, we have something called the clean energy service corps. This is going to work to weatherize more low-income households to be more energy efficient.

We have a health futures corps that will work to increase access to health care among low-income and underserved populations but at the same time work on health promotion and wellness, primarily in schools, to teach our young people the kind of cool, new, edgy ways of doing those healthy habits that will change their lives for a lifetime.

We also are working on a veterans corps to help create housing units for deployed soldiers and to help also with voluntarism to assist military families when a military family is deployed.

I heard of a very innovative approach in Hawaii called Grannies for the Troops. That is grandmothers in the area who want to volunteer to help women whose husbands are deployed with some time off for themselves to go shopping, get other family business done, whatever. You need a volunteer coordinator to make that happen. That is the kind of innovation we are going to have.

We also have in this program help for retirees. We keep all our senior programs and we provide something called an encore fellowship for an older generation to serve. We also provide the opportunity for professionals called volunteers for prosperity to serve overseas. Those two ideas from Senator HATCH were very helpful.

This bill takes AmeriCorps and focuses it in a way that we think offers greater efficiency and provides some other new opportunities to serve, such as the summer of service and the semester of service. It also concentrates on improving the capacity of our nonprofit organizations in some other very innovative ways.

This is just a brief summary of the history that brought us to today and the framework that will take us to tomorrow.

In the last Congress, there was a lot of talk about bridges to nowhere. National Service is a bridge to somewhere. I wish to note in the health corps programs, we already have one that will continue to function under this health umbrella in AmeriCorps. Not only do we help people get connected to the services for which they are eligible, but 85 percent of the young people who work in the National Community Health Corps Program go on themselves to health care jobs. Some decide on a career in medicine. Some think: Wow, although I already have my degree, I think I will go into an accelerated program and go into nursing, where they have the accelerated program for people with degrees. Others are looking at careers in public health or in x-ray technology. They get turned on.

For people who go into education, they say: You know, I was going to do this for a stint. I want it to be my life's work. They then will go into the field of education as teachers and getting extra degrees and doing a good job. They are the reformers of the next generation. What we do in national service serves the community immediately today, but the impact on the volunteers continues for the rest of their lives.

I think this is a great social investment, and it is a public investment in our young people to help our communities that I think will pay dividends long beyond anything we can imagine.

I hope this bill is adopted by late tomorrow. I hope we can keep amendments to a minimum. I do believe we have had excellent help on both sides of the aisle. We talk about changing direction in this country. I think people do want a new direction. They want to rekindle the habits of the heart. There are a lot of people out there, as we talked about bonuses, who might be talking about ''me,'' but there are a lot of young people who want to be part of the ''we'' generation.

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.

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

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

Ms. MIKULSKI. Madam President, I ask unanimous consent that the time during the quorum call be charged equally, and I suggest the absence of a quorum.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Madam President, last May, then-Senator Barack Obama gave a commencement address at Wesleyan University. Senator TED KENNEDY of Massachusetts had been originally scheduled to speak to the graduates, but Senator KENNEDY had taken ill and Senator Obama spoke in his place.

In a tribute to TED KENNEDY's lifetime of service to America, Senator Obama spoke to the graduates about the importance of national service. It was a remarkable speech. In fact, what he told the graduates was his life story, about how Barack Obama, after graduating from an Ivy League college, could have gone to law school or Wall Street with many of his classmates. But, instead, he took a job as a community organizer on the south side of Chicago.

Many people know this story because they have heard Barack tell it. They may have read about it when the President published his autobiography, ''Dreams From My Father,'' of how he ended up with a broken down little car, taking a job that didn't pay very much as a community organizer in a section of Chicago that had been wracked by the closing of steel mills and all the unemployment and hardship that followed. It wasn't easy work for him. He went church to church trying to organize people in the neighborhoods. The pay wasn't very good, but he knew he was making a difference. He made friends and connections. He learned a lot about life, and he learned a lot about himself. He found direction in his life from those moments that he spent volunteering and giving back to his community.

President Obama—then Senator Obama—called on the graduates at

Wesleyan to find their own direction through service to the country. Here is what he said:

> There's no community service requirement in the real world; no one forcing you to care. You can take your diploma, walk off this stage, and chase only after the big house and the nice suits and all the other things that our money culture says you should buy. You can choose to narrow your concerns and live your life in a way that tries to keep your story separate from America's. But I hope you don't. Because thinking only about yourself, fulfilling your immediate wants and needs, betrays a poverty of ambition. Because it's only when you hitch your wagon to something larger than yourself that you realize your true potential and discover the role you will play in writing the next great chapter in America's story.

President Obama repeated this call to service throughout his campaign and now into his Presidency. He has called on all Americans to find a way to serve their neighbors and their community to make this Nation a better place.

Over the last few months, we have heard too many stories about the so-called successful people who have followed their ambitions, and sometimes their greed, and the economy and country have suffered. But there are so many other stories to be told—community organizations across this Nation that are reporting record numbers of volunteers coming through their doors as we face this troubling economy. Many of these new volunteers have recently lost their jobs, but they still want to answer the President's call and give back to their communities.

That is the spirit that truly makes America great. Even in the most troubling times, Americans think of those who are suffering, those who have lost their homes or can't put food on the table, and they want to help. There isn't a community in America where you can't find that spirit, and you can find it on the street corners, in church basements, in afternoon and weekend efforts of people just wanting to give a little bit back and to help those less fortunate.

In my State of Illinois, each year 2.7 million volunteers dedicate over 300 million hours of service. The estimated economic contribution of those hours is $5.9 billion annually. More than 66,000 of these volunteers participate in national service programs through 144 different projects. In Chicago, the City Year program is one of my favorites. It places young volunteers to work full time in some of Chicago's neediest schools. There they serve as tutors, mentors, and role models for Chicago's students.

They usually call me in once a year to meet the new class—and I love them. They are just so bristling with energy and determination and commitment. Many of them are doing something in a communal sense that they have never done in their lives. Some of them are in Chicago for the first time, dazzled by the city but dazzled as well by the people they are working with.

We know we need them. A student drops out of school every 26 seconds in this country. City Year volunteers are helping to keep Chicago students in school and on the road to success.

When asked to share the impact of the City Year corps members on their classroom, teachers recently said:

> All of my students who are being tutored are more interested in reading. They are more confident in themselves as striving learners.

It works and it works in both directions. The students are better off; so are the volunteers.

This week we are considering a bill that will dramatically expand national service programs, giving more Americans the chance to serve their country. I thank Senator MIKULSKI for leading us in this effort, bringing this to the floor. The original cosponsors of the bill, of course, were Senator TED KENNEDY and Senator ORRIN HATCH. I joined a long list of Democrats and Republicans as cosponsors as well. Both Senators KENNEDY and HATCH have a long personal commitment to service, and this bill is a testament to their public legacy. Senator MIKULSKI is bringing this to the floor in Senator KENNEDY's absence. I know she will handle this bill well. She always does.

The Serve America Act will triple the number of national service participants to 250,000 participants within 8 years. Along with this dramatic expansion, the bill will also create new corps within AmeriCorps, focused on areas of national need that include education, the environment, health care, economic opportunity, and helping our veterans.

We are expanding opportunities to serve for Americans in every stage in life. Middle and high school students will be encouraged to participate in service projects during the summer and after school. By serving their communities early in life, these students will be put on a path to a lifetime habit of service.

For working Americans who cannot commit to full-time service, the bill provides funding to community organizations for recruiting and managing part-time volunteers; retirees will be given new opportunities to serve through the Senior Corps, as it exists, and through new initiatives. The bill also increases the education award for the first time since its creation. A lot of the people in the AmeriCorps projects, for example, at the end of their service, earn credits they can use to go on to pursue higher education.

The education award in this bill will be raised to the Pell grant level, which will make it easier for college students with significant student loan debt to consider national service—and the award will be transferable, so that older volunteers can actually transfer the education award to their children or grandchildren. What a great gift to give to your family.

There is a story Senator KENNEDY often tells about national service. On the fifth anniversary of the Peace Corps so many years ago, TED KENNEDY asked a young volunteer why he decided to sign up, and the answer was simple. He said: ''It was the first time someone asked me to do something for my country.''

With the Serve America Act we are asking again. We are asking Americans of all ages to give back to their communities and to America. Each American has the power to make a small difference in the success of a child or the health of the environment or the lives of hungry neighbors. All those small differences, repeated over and over, can add up to something truly powerful.

Passage of this bill is a priority of our new President and should be a priority for every Member of the Senate. I encourage my colleagues to support this bill and I yield the floor.

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. DURBIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. DURBIN. I ask consent the time remaining under the quorum call be equally divided between both sides.

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

Mr. DURBIN. I suggest absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Madam President, today the Senate begins consideration of the Serve America Act, which is the title of what will be the Senate substitute for H.R. 1388. It is my hope this legislation will help strengthen a culture of service, citizenship, and responsibility in America, and I am proud to join a bipartisan group of Senators in support of this bill as it comes to the Senate floor.

I am sure it goes without saying that Senator TED KENNEDY's absence is deeply felt by all of us as we work on this particular piece of legislation. I, personally, continue to pray for his full and speedy recovery.

To begin, I would like to discuss the context in which this legislation has moved forward to give us some perspective as to what is about to happen. After months of discussion, negotiation, debate, and flatout argument, Senator KENNEDY and I introduced the original version of the Serve America Act last September in the middle of what was often a hotly contested campaign season. Despite the overly partisan atmosphere at the time, a bipartisan group of Senators offered their

support for this bill. Even though the differences between the two Presidential candidates were played out on news shows every night, both of them were willing to put their debates aside and become original cosponsors. That pleased me.

I would like, once again, to thank Senator MCCAIN for his continued support, not only for this particular piece of legislation but for volunteer service in general. He has truly been a leader on this issue throughout his life and has rightly won the admiration of those on both sides of the aisle.

In addition to the Kennedy-Hatch legislation, the Serve America Act, the Senate bill also includes legislation that will reauthorize the Corporation of National and Community Service. The reauthorization effort has been led on the Republican side by the distinguished ranking member of the HELP Committee, Senator ENZI, who has worked tirelessly with both Senator KENNEDY and Senator MIKULSKI to reach a bipartisan accord on these much-needed provisions.

In addition to Senators KENNEDY and MCCAIN, I have to extend my thanks, my deep-felt thanks to Senators ENZI and MIKULSKI for their outstanding work on the legislation before us today. Both of them are outstanding legislators. They are both beloved people in this body. I, personally, feel that way toward each of them.

At the same time all this work has been going on in the Senate, we have been working with both Democrats and Republicans in the House of Representatives to ensure that both Chambers reach similar conclusions with their national service legislation. This has all been accomplished during a time when, for the most part, partisan hostilities have done anything but subside. Since the beginning of the new Congress, we have seen debates on legislation such as the SCHIP bill, the stimulus package and the Omnibus appropriations bill that, in many ways, have deepened the divisions between the two parties. Here in a few weeks, as we begin debate on the budget, we are sure to see even greater clashes between the principled beliefs and ideologies between those on both sides of the aisle.

However, the bill we have before us today is the result of a bipartisan and bicameral effort. In our opinion, this is nothing short of remarkable, given the current political climate.

Once again, the Senate effort has been spearheaded by myself, Senator KENNEDY, Senator ENZI, and Senator MIKULSKI. I doubt any other piece of legislation we consider this year will be the product of such a diversity of views. Senator MIKULSKI has carried this matter on behalf of Senator KENNEDY. I have nothing but tremendous respect for her.

I will not be foolish enough to claim the credit for all this good will, but I am certainly grateful to be a beneficiary.

Service has been one of the golden threads of our Democracy, and the roots of our tradition run deep. Ronald Reagan put this powerful tradition of volunteer service in its appropriate context when he said, speaking of the Mayflower Compact:

> The single act—the voluntary binding together of free people to live under the law—set the pattern for what was to come.
>
> A century and a half later, the descendants of those people pledged their lives, their fortunes and their sacred honor to found this nation. Some forfeited their fortunes and their lives; none sacrificed honor. Four score and seven years later, Abraham Lincoln called upon the people of all America to renew their dedication and their commitment to a government of, for and by the people. Isn't it once again time to renew our compact of freedom; to pledge to each other all that is best in our lives; all that gives meaning to them—for the sake of this, our beloved and blessed land?
>
> Together, let us make this a new beginning. Let us make a commitment to care for the needy; to teach our children the values and the virtues handed down to us by our families; to have the courage to defend those values and the willingness to sacrifice for them.
>
> Let us pledge to restore, in our time, the American spirit of voluntary service, of cooperation, of private and community initiative; a spirit that flows like a deep and mighty river through the history of our nation.

President Reagan had a very good way of putting things.

President Reagan was not alone in his call for service. Presidents down the generations, Republicans and Democrats alike—Teddy and Franklin Roosevelt; Eisenhower and Kennedy; Johnson and Nixon; Carter and George Herbert Walker Bush; and Clinton and George W. Bush—have all worked to awaken the national consciousness to their duties and responsibilities as citizens, to light in every individual that spark of voluntary service, the seed of compassion that makes us serve causes larger than ourselves.

They have done so particularly in times of crisis: during the Great Depression, during our world wars, and after 9/11. Times of trial have always summoned the greatness of our people, and we are right now in a time of challenge today.

Service can take many forms in a free country, and we all have choices, not only as to whether we will serve but how we will serve. There is no greater example of service than those who put on the military uniform and go into battle for our country. Many men and women who choose military service make the ultimate sacrifice. They put their lives on the line for our country. Millions have lost their lives so we might be free.

There are more than 26 million Americans alive today who have served in our armed services. They epitomize American values, the values of duty, honor, and country. They also inspire new generations to ask what they can do for their country.

Other Americans may decide to go into public or Government service. This is a choice that is made by State and municipal workers, by teachers and police officers, and, yes, even by Senators and their staffs—to serve the public interest through their public institutions. I have to admit, I left my own law practice, where we had just started it a few years before. I had left Pittsburgh, moved to Utah, formed a law firm. We were going like gangbusters. My partner is worth a lot of money today. I am not. But I made this choice to come and work for our country. It is made by all these good people, to serve the public interests through our public institutions.

Service to country can take other forms. Many Americans want to serve for a full year or part of a year of national service. Others may want to volunteer to serve in countries abroad for short-term or long-term assignments. We had two people come back last night from a mission over in Africa. He served his whole working life as a chaplain in the military. She is a beautiful woman who has been married to him for all these years. They, at their own expense, volunteered and went to Africa to work in Kenya and Nairobi with unfortunate people and to build esteem in the hearts of people over there.

They came back last night and spoke in our church. I was so proud of both of them—terrific people.

Others may want to volunteer to serve in countries abroad for short-term or long-term assignments. Still others, in fact the vast majority of Americans, will perform services as traditional episodic volunteers working in schools, houses of worship, workplaces, nonprofit institutions, and neighborhoods.

America is a generous nation and Americans are compassionate people, and our volunteer spirit knows no bounds. In all these cases, everything is a choice. Service in our military is voluntary as is service in our soup kitchens. Public service is not only a voluntary activity, but for many of us subject to regular elections where the citizens get to exercise their own choice of whether a particular candidate for office will exercise the privilege of serving them.

Consistent with our All-Volunteer Army and volunteer opportunities and individuals' choice in communities, nothing in this legislation is mandatory. This bill simply provides more Americans more choices and opportunities to give back to their neighborhoods and their country all through the means which they freely choose.

With a backdrop of this rich history of citizen service in America, Senator KENNEDY and I began discussions more than a year ago about what we might do together to build on the tradition of service in America. I know part of this is because both of us love his sister, Eunice Kennedy Shriver. We have watched this woman year after year after year give service to this country and to children all over the world; not just through the Special Olympics—but especially through the Special Olympics—but in so many other ways. I admire her about as much as any woman

in our society today for what she has been able to do with her life. She is a 90-pound dynamo who just keeps going. I think—well, I will not say it because I know it can be embarrassing to her. But the fact is, she is a terrific human being.

I have chatted with all kinds of other people who are giving tremendous service to their fellow human beings, men and women, children, throughout our society. You know, Senator KENNEDY and I and others drew on ideas from Republicans such as my friend Senator JOHN MCCAIN, who introduced his own bill almost a decade ago and, as I mentioned, endorsed the Serve America Act in the midst of his Presidential campaign.

We drew on ideas from Democrats, such as the godmother of national and community service, that is Senator BARBARA MIKULSKI. We hear of godfathers; she is the godmother, a great woman who has a great heart, and who worked as a social worker for many years, and for whom I have deep affection, no question about it.

From the outset, Senator KENNEDY and I talked about marrying two formerly competing visions of service: first, by supporting traditional volunteering, in the tradition of President Reagan's Private Sector Initiative; George H. W. Bush's Points of Light; and George W. Bush's USA Freedom Corps; and, second, by supporting full-time national and international service in the tradition of Presidents Kennedy, Nixon, for senior service, Clinton and again George W. Bush for both domestic and international service.

We have the attention of our new President. He has talked to me about this. I know he has talked to Senator KENNEDY about this. He completely supports this. He knows how important it is. I have respect for him for jumping right in and helping us with this.

We decided we wanted to create more opportunities for Americans to serve over their lifetimes, so schoolchildren can learn the importance of giving back at a young age, for tapping into the talents of the longest living, healthiest, best educated, and most highly skilled generations of older Americans in our history.

We wanted to tap the ingenuity of our people working through schools, faith-based institutions, workplaces, and communities in America and across the world to tackle challenges large and small.

So today I am very pleased to be here as this legislation makes it over what I hope will be the final few obstacles before becoming law. With this bill, our efforts to expand service will begin early in our schools all across America, and where we can marry learning in classrooms with service in our communities, for those who choose such service learning.

We have a high school dropout epidemic in America, with almost one-third of all students, and nearly 50 percent of African Americans, Hispanic, and Native Americans, failing to graduate with their class. For each of these kids a decision to drop out is a million dollar mistake, since they will earn that much less over a lifetime than their college graduate friends.

For our country, this is a multibillion dollar mistake in increased welfare, prison, and health care costs, and lost revenues from the lack of productive workers. Service learning has been shown to keep students engaged in school, and to boost student academic achievement. So we will offer competitive grants to local and State partnerships to carry out these efforts in our schools.

Again, all of this will be voluntary activity, and it holds the promise of keeping so many of our young people engaged in school. In addition to elementary and secondary schools, colleges and universities can play a critical role in the culture of service, so we will authorize the Corporation for National Community Service to recognize and provide additional funding to ''campuses of service'' that do an outstanding job in engaging their students in important community work.

The U.S. Census Bureau tells us that nearly 61 million Americans volunteered through or for an organization last year. Most Americans did so through religious organizations, followed by nonprofits, related to education and youth. While many charities believe volunteers are essential to meeting their missions, only a small percentage of them actually invest in recruiting, training, and utilizing volunteers to meet those missions.

There are always waiting lists of volunteers who want to use their time and talents, but too often they are turned away or they do not come back after a bad experience. So we will invest in a new volunteer generation fund, which will include matching funds by the private sector to increase the capacity of organizations to use volunteers to meet local needs, especially among the poor and disadvantaged.

America is known for its innovation in business and the power of its markets. This bill will fuel the spirit of entrepreneurship in America's nonprofit sector by creating a social innovations fund to foster and support the next generation of great ideas in the social marketplace, such as Teach for America, City Year, Habitat for Humanity, and the U.S. Dream Academy, which are some of the many innovative ideas of our day.

Having mentioned the U.S. Dream Academy, that was started by a wonderful African-American man named Wintley Phipps. Wintley is a Seventh Day Adventist minister. But he decided there were too many of our young African-American kids and others who were children of prisoners, children of people who had been sent to prison, and that a high percentage of them would wind up in prison themselves unless we did something about it. So he has brought computers into the inner cities. He has brought wonderful teachers and others who could be making themselves wealthy outside of this program, who are teaching these kids how to live in a modern world. He has had an amazing transformational change in so many children.

These are the types of things we have to encourage. The idea behind service clearly has always been about transforming the person who serves. I saw how it changed my own life when I served a 2-year mission for my church in the Great Lakes mission. That was Ohio, Indiana, and Michigan. A lot of our young missionaries serve all over the world, such as the young couple I mentioned last night. They came back from Kenya and Nairobi, where they served I think about a year and a half. Their main job was humanitarian, to help people to be able to know there is a better way; to find water for people, to help them with food, to help them with so many of their problems, to help them to know there is a future. They did that voluntarily, at their own expense. Think about it, at their own expense.

I did my voluntary 2-year service at my own expense. I actually presided over congregations, and I helped out thousands and thousands of people who had problems, and in the process, the one who was helped the most was myself. It was a great blessing in my life. I would not change it for being a Senator, as a matter of fact. It was 2 years out of my life, but the most important 2 years, outside of marriage to Elaine and raising a family with 6 kids, now 23 grandchildren, and 3 great-grandchildren. That was an important time in my life. My folks were poor. They were not wealthy. They helped me and assisted me on my mission. We paid for it all ourselves, and I gave 2 solid years every day, 18 hours a day. I was very dedicated.

But service is also about solving problems in our Nation, and bringing real hope and impact on the ground in our communities with real accountability for results. Some people have written off this bill as promoting ''paid volunteerism.'' This mistaken view is as a result of a fundamental misunderstanding about these programs. National service programs give Americans opportunities for us to serve for a full year or more to tackle tough problems, and that they, in turn, can leverage Federal investment in them to mobilize more traditional volunteers to help.

When you look at the numbers, you can see it is a very smart return on investment. Let me illustrate how this works. Today about 75,000 people participate in national Federal service programs every year. I am not counting the State programs at this point, although I know some of these work in the States as well. But on AmericaCorps and programs such as this, Peace Corps, et cetera, the currently existing programs, there are about 75,000 volunteers who participate

in national service programs every year.

Now, as a result of their efforts, 2.2 million traditional persons every year come out to work on the same projects without pay. That is nearly 30 volunteers who get nothing from Government, for every 1 participant in a national service program, who receive a below-poverty stipend and a small education award to defray the cost of higher education.

Let's do the math. If we assume that as we expand national service, as this bill does, the same ratio of participants to leveraged volunteers holds, we will eventually be seeing roughly 7.5 million new unpaid volunteers every year serving throughout our great Nation.

My gosh, that is something worthwhile doing. Personally, I think it would be more than that. Because with the bill we are also improving the efficiency and the accountability of these programs. Far from promoting paid volunteerism, this bill is all about encouraging traditional volunteerism. We find that people, once they get into this, will love it and want to continue.

We will be targeting national service opportunities to build upon this multiplying effect in order to tap the power of our Nation's greatest asset, our people, to take on some of these large challenges.

Now, some have argued that the priorities outlined in this bill are specifically designed to advance the President's domestic agenda or his priorities with the recent stimulus bill. Well, quite honestly, these people must ascribe to Senator KENNEDY and me abilities that neither of us would claim to have, including psychic powers and precognition. It was more than 2 years ago that I began a dialogue with former officials from the George Herbert Walker Bush and George W. Bush administrations and other leaders of the national and community service field regarding this proposal.

At that time, we agreed we wanted to harness the power of our citizens to solve urgent national problems. It was then, 2 years ago, that we identified five specific areas in which citizens could make a significant difference in addressing needs. We looked at education, and particularly the high school dropout crisis, in the aftermath of the 2006 report, ''The Silent Epidemic.''

We identified clean energy, opportunity, health and disaster response as key areas in which citizens could make a significant difference and we discussed specific indicators of progress that would bring new accountability for results.

These five areas were identified long before there was even discussion of an economic stimulus and well before the Presidential campaign got in full swing. Since that time, we have added veterans assistance as a key area of national need for the bill. But that is hardly an issue on which President Obama has cornered the market. I hope this clarifies the record on this point.

Having said all that, I am pleased that President Obama sees the value of this bill and wants to support it and will support it and has supported it. It has been a matter of great uplift to me.

So it is with these particular challenges in mind that we drafted the Serve America Act. Gone are the days when national service participants will be able to go about their work without direction or accountability. Under our bill, their efforts will be directed at these specific areas of national need. In all of these efforts, State and local organizations will lead the way. Volunteers will be leveraged and urgent needs will be met not by distant Government bureaucracies or Government programs but by people working on the front lines of our communities and neighborhoods.

Americans can also spread American compassion around the world. There have been good efforts over the last 7 years and good bills in the Congress to fulfill the promise of President Kennedy's Peace Corps and expand its numbers. It has been a bipartisan effort. Two former Republican Presidents, Ronald Reagan and George W. Bush, grew the Peace Corps during their 8 years in office. As a complement to the growth in the Peace Corps, the Serve America Act will authorize and fund Volunteers for Prosperity, which last year alone mobilized 43,000 doctors, nurses, engineers, and other skilled Americans to meet urgent needs abroad, such as HIV/AIDS and malaria, such as medical procedures to help children who have cleft palates or helping kids to see again.

I could go on and on about what is being done by volunteers all over the world. This cost-effective program puts skilled Americans in the field for flexible term assignments often ranging from a few months to more than 1 year and at extremely low cost to the Federal Government.

President Kennedy said that his Peace Corps would be truly serious when 100,000 Americans were working abroad every year. Well, Volunteers for Prosperity, working together with the Peace Corps, could help fulfill that dream and would show the world the compassion of our people and lead to a more informed foreign policy.

Having mentioned the Peace Corps, why don't I mention Eunice Shriver's great husband. Sargent Shriver, when he fought for the Peace Corps, it wasn't an easy job. By gosh, he had to take on his own administration and everybody else. But he did. What a wonderful, decent, honorable leader and human being that man really is. If you want to read a great biography, read his, how ebullient he always was and how he kept being positive about life and what he was trying to do. I feel fortunate that I have become very good friends of the Shrivers and their children who now are giving volunteer service, and so many others.

I don't mean to center on this one family because there are so many. In our church alone, we have some 55,000 serving all over the world. That is just missionaries. If we go beyond that to humanitarian service, there are a lot of people serving in those areas. Almost every major national disaster in the world, the first two churches in there with food, clothing, pharmaceuticals, et cetera, happen to be the Mormon Church and the Catholic Church. They work together. We have worked together all these years to do this type of work.

Volunteers for Prosperity, working together with the Peace Corps, could help fulfill the dreams of so many and would show the world the compassion of our people, leading to a more informed foreign policy. In all cases, we must promote accountability for results and be mindful—very mindful—of cost.

As investments are made in service efforts, programs that are achieving real results should continue, and those that are not working should be defunded.

We also need to do a better job collecting data on the results of these programs and our civic health as a nation. The Nation collects good data about its economy, but it can do a better job collecting information about our country's civic health. This bill will address those needs by establishing a civic health index, building on the good work of the National Conference on Citizenship and the Corporation for National and Community Service, to collect regular data on volunteering, charitable giving, and other indicators of our civic life, so Americans can work to strengthen these platoons of civil society that have always been the backbone of our democracy. I truly think that this data collected for this index will inform our decisionmaking throughout the policy spectrum.

Those of us supporting this bill—Republicans and Democrats alike—believe an investment in the ingenuity and entrepreneurial spirit of our people is one of the best investments our country can make. At a time wroth with economic uncertainty, we should be all too willing to tap the greatest resource at our nation's disposal—the American people. Our citizens are the most generous, energetic, and innovative people in the world. I believe this bill will inspire them to do much of the heavy lifting in their own communities. At a time when many people would argue that what we need is more Federal Government bureaucrats going into neighborhoods to fix things up, this bill will help private groups and individuals to continue their good work and to inspire other people to join in their efforts.

The Serve America Act has strong bipartisan support because it advances a good American idea that has echoed down the ages. You see, when Americans want to solve problems, they don't first look to government or the State—they look to themselves and their communities. The innovation and

enterprise of the American people will always have a comparative advantage over big government solutions. I know this from my own personal experience, serving as a Mormon missionary when I was only 20 years old, 20 to 22. I am proud to be associated with this effort to remind Americans of their duties to their country, to provide them more opportunities to serve it, and to fulfill the promise of the American experiment, which is truly based on their participation in making it all work. I have faith in the American people that they will make this work, and we will all be very happy when they do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, let me begin by thanking the Senator from Utah, whose leadership on this effort has been absolutely spectacular and who obviously, from the words he just spoke, has a deeply personal and historical understanding of the importance of this kind of service. We are all very grateful to him for his partnership with my colleague, Senator KENNEDY, and for the leadership he has offered along the way. I would concur with every word he has spoken about it, all of the good things he said it would do. I couldn't agree more. It will do all those things and more. This is one of the better moments and better bills for which we get an opportunity as Senators to vote.

May I also thank Senator MIKULSKI. She has been tenacious and unbelievably engaged and enthusiastic and wonderful in her commitment to help bring us to this moment. I know how much Senator KENNEDY and Senator HATCH both value the contribution she has made. We all value it. We are grateful to her for stepping in. She has been a tiger. Perish the thought for anybody who has wanted to run counter to her intent to get this done.

I want to speak for a couple moments. I yield myself perhaps 5 minutes. I think we have about 7½ remaining.

This effort we will vote on is going to generate the largest expansion in national service since President Kennedy inspired the creation of VISTA and the Peace Corps. For many of us in public life today, that was the formative moment. That was the demarcation point that excited many of us about public service and brought a lot of us into this arena.

It is particularly fitting that this legislation comes at a time when a new President is inspiring a whole new era of volunteerism, much as President Kennedy did nearly half a century ago. It is equally fitting and appropriate that this legislation bears the name of our friend and beloved colleague, my senior Senator from Massachusetts, TED KENNEDY. As President Obama observed in his first address to Congress, Senator KENNEDY is ''an American who has never stopped asking what he can do for his country.'' It was under Senator KENNEDY's leadership as chairman of the Senate Health, Education, Labor, and Pensions Committee that this bill was crafted.

This is nothing new for Senator KENNEDY. In 1990, Senator KENNEDY worked with the first President Bush to pass the original National Community Service Act, the Thousand Points of Light Foundation. President Bush called that particular effort, helped by Senator KENNEDY, the hallmark of his Presidency. When President Clinton needed a champion for the proposed Corporation for National Community Service, he didn't have to look any further than TED KENNEDY.

As Senator KENNEDY notes, ''Service is a bipartisan goal.'' Indeed, Members of Congress from across the political spectrum have pledged their support for this measure, which is a clear indication that the ethic of service is spawned not by faithfulness to party but by devotion to country and community.

The Serve America Act is also the work of our colleague from Utah, Senator ORRIN HATCH. Senator HATCH has on many occasions been TED KENNEDY's partner in these kinds of bipartisan efforts. Senator HATCH points out that volunteer service is the lifeblood of our Nation and that it benefits the volunteer as much, if not more, than the country the volunteer is serving. We just heard those words a moment ago from Senator HATCH when he talked about his own experience as a young person, about the mission for faith that he called the greatest of his life. Service is what has always made America, America.

Many times in 2004, when I was running for President, I talked about de Tocqueville's visit to our country and how he found something special here. He wrote about it. He wrote that ''America is great because Americans are good.'' What he meant by that was he had observed this extraordinary spirit of voluntarism, a kind of patriotism that was defined by Americans who would voluntarily give back to their community or help other people or do something openly on behalf of their country and that community. He clearly had not seen or witnessed that kind of giving in his experience in Europe.

Just as it was in de Tocqueville's day, Americans in many ways, big and small, are looking for opportunities to do more for their country. Last year, 62 million Americans gave 8 billion hours of service to the country. Last month, AmeriCorps had tripled the number of applications over the same month as a year ago. I note that my own kids who graduated recently from college commented to me how so many of their classmates in college were all engaged in some kind of local activity, not necessarily fighting on the national stage, but they were involved mentoring kids or helping in a homeless shelter. Indeed, many of our colleges and universities across the country boast unbelievably high percentages of voluntarism.

They are sending us a signal, telling us why this is a good moment to create a new corps of 175,000 volunteers who are going to be organized and assist in their efforts to do the things we need to do in America. That means that in addition to the other volunteer programs, we will have as many as a quarter of a million Americans serving full time or part time working to meet some of our most pressing challenges: modernizing schools, building homes, serving as mentors or tutors in schools, helping with the sick in hospitals and clinics. And with the Serve America Act, it is going to be a lot easier for professionals and retirees, the baby boomers, the people who were first challenged by President Kennedy's call to service in 1961, it is going to be much easier for them to get involved once again.

So we face great challenges. We should have no illusion about the magnitude of those challenges. But we also have extraordinary opportunities staring us in the face. With the Serve America Act, with more Americans involved, with Americans pulling together, I am confident that is going to be the definition of America's future, and it will be a definition we will all be proud of.

So I urge my colleagues on both sides of the aisle to support this important piece of legislation. I pay tribute, again, to my colleague, TED KENNEDY, and his partners in this effort, Senator MIKULSKI and Senator HATCH, who have brought us to this time. Thank you.

I yield the floor and reserve the remainder of our time.

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.

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

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

Ms. MIKULSKI. Madam President, we are only minutes away from voting on the cloture motion to proceed to the bill. I really urge all of my colleagues to vote yes on this motion so we can proceed to this excellent, dynamic, bipartisan bill called the Serve America Act.

Madam President, in November, people voted for us to change the tone in this country and change the direction and to work on a bipartisan basis to find that sensible center that Colin Powell has so often talked about, to meet America's compelling needs and challenges.

Now, we are not going to turn the economy around quickly, and we are not going to solve some of our great foreign policy challenges immediately. But we can embark upon a major initiative to be able to meet compelling human needs in our society.

We have a bipartisan effort, crafted by Senators KENNEDY and HATCH, to do

exactly that. It is a bipartisan measure to strengthen service and volunteer opportunities. It expands opportunities for individuals of all ages to serve. Its passage is important now, when so many communities are struggling with so many pressing problems and so many people want to serve.

This act invites many more Americans to give a year of service to solve specific challenges in the areas of education, healthy futures, clean energy, even helping our veterans. When they come back from overseas, they are going to have somebody to be with them to get connected to the services and to help those military families while they are serving abroad.

We can do this by passing this legislation. It expands the number of national service corps participants to 250,000 a year. But we do that over a 7-year period. We will be able, through prudent pacing of both recruitment and funding, to do it over a 7-year period.

It also increased the Eli Segal Education Award from $4,725 to $5,350, pegging it to Pell grants, helping those who want to serve be able to reduce their student debt or to get a voucher to be able to pursue higher education.

It supports increased service opportunities for students, particularly very young people in the Learn and Serve Program, and middle and high school students through a summer of service and a semester of service.

It also recruits retirees. Many retirees are ready, able, and willing to be involved through Senior Corps programs—RSVP, Senior Companions, and Foster Grandparents.

We have a program called Encore Fellowships to help retirees participate in longer term public service. It also supports international service opportunities. Senator HATCH is too modest to talk about his own fine hand in this bill, but he has offered an excellent suggestion that has been incorporated. It strengthens the current Volunteers for Prosperity Program, which enables people who are retired, who have skills in business, public works, engineering, et cetera, to provide short-term international service opportunities in developing nations.

This is what America is all about. De Tocqueville, when he studied our Nation, said: What is unique about this new country called America? Well, he called it the ''habits of the heart,'' where neighbor helps neighbor, whether it was the barn raising of another era, to also building Habitat for Humanity here.

We need to harvest all of that goodwill and good intention to help turn our country around. I believe the Serve America Act does this. We will be debating this legislation further tomorrow. I encourage people to vote yes on the cloture motion to proceed. I encourage all who have amendments to come forward tonight and tomorrow morning so we can move it and get the job done. That is what the people want us to do.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I thank the distinguished Senator from Maryland. She has played such a pivotal role on this bill, she and Senator ENZI in particular. And, of course, Senator KENNEDY and I both feel very deeply toward her and Senator ENZI.

I also want to thank Pastor Rick Warren. A little over a year ago, he came to see me in my office. He heard I was interested in doing a service in America bill, and he came and went over it with me and was very interested and has done a great deal to inspire a number of us on both sides of the floor to be able to do some things in this area.

I also want to thank JOHN MCCAIN. I have mentioned President Obama and Senator MCCAIN, both of whom are supporters of this bill. And you talk about bipartisanship—I think it shows the great character of Senator MCCAIN that he would come and support this type of legislation and, as he is want to do, in so many ways. I have such respect for him and for the President himself. He has been nothing but a great help to us in this matter.

Like I say, this is an opportunity for all of us to vote for a program that will get people involved from teenage years through senior citizen years, the vast majority of whom will not be paid a dime, the vast majority of whom will be leveraged into working because they want to serve the communities. They want to serve these organizations. They want to be part of doing good.

Like I say, with 75,000 for AmeriCorps, and some of the others we have mentioned, we estimate there are 2.2 million people, extrapolated out, who basically are leveraged out, to where they want to get involved, and not one of them is paid for doing it.

If we figure it out mathematically, in just real terms, with this bill, calling for 175,000 new workers, at low pay, stipends for school, we believe we will have upwards of 7 million-plus people who will be giving voluntary service to their fellow human beings, fellow women and men, in their communities and children in their communities. It will do so much good for our society.

Madam President, I have worked on a lot of legislation in my 33 years here, a number of which happen to be landmark pieces of legislation. We should pass this, and I hope we can with a large majority. Should we pass this? I don't know anything that will do more good in a general way for our society than this particular bill.

I hope everybody will vote for cloture tonight. I also hope we can pass this bill in a relatively short period of time, and I hope we can make it truly bipartisan in every way. We have endeavored to do that. I think we have done a good job on it.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 35, H.R. 1388, a bill to reauthorize and reform the national service laws.

Harry Reid, Barbara A. Mikulski, Barbara Boxer, Tom Harkin, Daniel K. Akaka, Tom Udall, Patty Murray, Patrick J. Leahy, Bernard Sanders, Sheldon Whitehouse, Christopher J. Dodd, Jon Tester, Mark R. Warner, Robert P. Casey, Jr., Benjamin L. Cardin, Blanche L. Lincoln, Kent Conrad.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 1388, a bill to reauthorize and reform the national service laws, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from California (Mrs. BOXER), the Senator from Iowa (Mr. HARKIN), the Senator from Hawaii (Mr. INOUYE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Florida (Mr. NELSON), the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Wyoming (Mr. ENZI), the Senator from Florida (Mr. MARTINEZ), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''nay.''

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

The yeas and nays resulted—yeas 74, nays 14, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—74

Akaka	Dorgan	Lincoln
Alexander	Durbin	Lugar
Barrasso	Feingold	McCain
Baucus	Feinstein	McCaskill
Bayh	Gillibrand	Menendez
Bennet	Graham	Merkley
Bennett	Grassley	Mikulski
Bingaman	Gregg	Murkowski
Bond	Hagan	Murray
Brown	Hatch	Nelson (NE)
Burr	Hutchison	Reed
Burris	Isakson	Reid
Byrd	Johanns	Rockefeller
Cantwell	Johnson	Sanders
Cardin	Kaufman	Schumer
Carper	Kennedy	Shaheen
Casey	Kerry	Snowe
Chambliss	Klobuchar	Specter
Cochran	Kohl	Stabenow
Collins	Lautenberg	Tester
Conrad	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Dodd	Lieberman	

Voinovich	Webb	Wicker
Warner	Whitehouse	Wyden

NAYS—14

Brownback	Ensign	Roberts
Bunning	Inhofe	Sessions
Coburn	Kyl	Shelby
Crapo	McConnell	Thune
DeMint	Risch	

NOT VOTING—11

Begich	Harkin	Nelson (FL)
Boxer	Inouye	Pryor
Cornyn	Landrieu	Vitter
Enzi	Martinez	

The PRESIDING OFFICER (Mr. WARNER). On this vote, the yeas are 74, the nays are 14. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. REED. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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

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

GREEN JOBS

Mr. GRASSLEY. Mr. President, in recent weeks and months, a new phrase has been born that has gained in popularity and support. The new phrase that is so in vogue in the Halls of Congress and at the other end of Pennsylvania Avenue is ''green jobs.''

I have no fault with the term. Everyone wants to create green-collar jobs. Green jobs are believed to be a critical component of getting us out of the economic doldrums in which we find ourselves. A new White House middle-class task force recently focused on the creation of green jobs as a means of fueling our economy and creating jobs for the middle class. Vice President BIDEN has defined a green job as one that provides products and services that use renewable energy resources, reduces pollution, and conserves energy and natural resources.

I don't disagree that the creation of these types of jobs is a very worthy ambition. This newfound desire for so-called green jobs has led me to remind my colleagues of an existing industry that is making great strides to reduce pollution, conserve natural resources, and contribute significantly to our economy.

The U.S. renewable fuels industry has been creating good paying jobs in rural America for years. It has been 30 years since a tax incentive for ethanol was passed and 17 years since I fathered the wind energy tax credit. These alternative energies have been producing a renewable resource right here at home that is reducing our dependence on foreign oil and fossil fuels, and it has contributed to a cleaner environment.

U.S. domestic renewable fuels have been doing all these things long before it was cool or in vogue. So don't be surprised that this is the nature of America's farmers, ranchers, and entrepreneurs. They do things because of the intrinsic value to our country and to our economy, whether it is a fad on the east coast or not.

I happen to think it is great that there is a newfound zeal for creating renewable resources here at home. I have been supporting our domestic renewable fuels industry for nearly 30 years as a means to reduce our dependence on volatile nations for our energy, mostly for petroleum. I have been promoting clean wind energy since I fathered the wind energy tax credit back in 1992. I am pleased to see the success and the support wind energy now receives because of my tax incentive.

I hope my colleagues who tout the benefits today of the so-called green jobs fully realize the contribution the domestic ethanol and biodiesel industries have been making for years in this area. Farmers across this country produced more than 9 billion gallons of homegrown renewable fuels last year. Ethanol production displaced 321 million barrels of oil last year. That is the equivalent of our imports from Venezuela for 10 months. The use of 9 billion gallons of ethanol saved American consumers $32 billion last year.

Yet even with this success, our farmers and the biofuel industry have been under constant attack—at least constant attack over the last 2 years. In a high-priced public relations smear campaign, the food manufacturers and the Grocery Manufacturers Association have tried tirelessly to denigrate the efforts of our farmers. In a baseless campaign, they tried to blame the ethanol industry for raising food prices, even though corn makes up about a nickel of the cost of a box of Corn Flakes. The grocery manufacturers thought they found a weak link in the food chain that they could target and scapegoat as a culprit behind the rising cost of food. It was clearly proven that the cost of energy had a significantly greater impact on food prices than did other commodity costs.

The fact is, the ones responsible for the high cost of food are the companies whose names stare back at us as we go through the grocery stores and supermarkets, and they have never hidden their motive during this smear campaign. It was stated clearly at the time the smear campaign was started that it was about ''protecting our bottom line.''

Consumers are still seeing the impact of that pocket lining by big food companies while commodity prices have dropped by half since their highs last summer. But food prices are still at record highs. Even the price of oil has dropped more than $100 a barrel. Yet food companies continue to keep prices high.

You don't need to take my word for it because we have the grocery store chains themselves fighting back now. SuperValu, Safeway, and Wegmans are just a few chains that are speaking publicly against the price increases pushed on them by Kellogg's, General Mills, Kraft, Nestle, and others. An article in the Los Angeles Times as recently as March 2 stated:

> Our large grocery companies operating in Southern California have seen the wholesale price for a carton of Kellogg's Corn Pops rise about 17 percent since June, despite a 52 percent plunge in corn prices from their peak this month.

The chief executive for Safeway was quoted as saying:

> It is disingenuous to consumers that all commodity costs are coming down, interest rates coming down, everything is coming down, and the national brands are taking their prices up.

The chief executive of SuperValu described the situation as a ''battleground'' with manufacturers right now over prices.

I am pleased to see others in the food chain call on these food producers to lower prices in light of the large drop in commodity prices, but this isn't the reason I came to speak today. I would like to take just a few more minutes to share with my colleagues another assault that is taking place on biofuels.

In the 2007 Energy Independence and Security Act, Congress enacted and expanded a renewable fuels standard to greatly increase the production and use of biofuels. A component of that renewable fuels standard was a requirement that various biofuels meet specified life cycle greenhouse gas emission reduction targets. The law specified that life cycle greenhouse gas emissions are to include direct emissions and significantly indirect emissions from indirect land use changes. This means that the emissions from planting, growing, and harvesting the feedstock to the production of biofuels must be included in the calculation. It also means that the Environmental Protection Agency must determine and must measure the greenhouse gas impacts if there is a significant conversion of forest or prairie-to-tillable land because of our biofuel policies.

For the past few months, the Environmental Protection Agency has been working on what we call a rulemaking—notice of proposed rulemaking—to implement the updated renewable fuels standard. While it hasn't been finalized or made public, there are great concerns about this rule within the biofuels industry surrounding the science behind indirect land use changes. And, of course, when you think of the Environmental Protection Agency, isn't science what EPA is all about?

President Obama, during his Presidential campaign and as President

now, has stated that his administration will return to decisions and actions based on ''sound science.'' In January, he said:

> Rigid ideology has overruled sound science. Special interests have overshadowed common sense.

Well, I would encourage President Obama and his staff to take a close look at what the EPA is doing in this rulemaking process called a notice of proposed rulemaking on renewable fuels standards. There are a couple of people in the EPA's Office of Air and Radiation who firmly believe—do you believe this?—they can quantify the indirect land use changes that result from our biofuels policies. I am afraid that the bureaucrats at the Environmental Protection Agency are going down a path of blaming our biofuel producers for land use changes around the globe, and specifically even outside of the United States.

The fact is, measuring indirect emissions of greenhouse gas reduction is far from a perfect science, and dozens of credible scientists agree. There is a great deal of complexity and uncertainty surrounding this issue. One study last year claimed that biofuels, as a result of these indirect impacts, actually led to greater emissions and greenhouse gas emissions than did gasoline. This conclusion defies common sense. Under careful scrutiny, credible scientists on the other side disproved these conclusions, and I want to quote some.

Dr. Wang of the Department of Energy's Argonne National Laboratory replied to these assertions by stating:

> There has also been no indication that the United States corn ethanol production has so far caused indirect land use changes in other countries, because U.S. corn exports have been maintained at about 2 billion bushels a year, and because U.S. distillers' grain exports have steadily increased in the past 10 years.

May I add that really what EPA—through indirect land use—is talking about here, in the most common denominator, is they figure that because Iowa or Missouri or Minnesota or Illinois corn producers are growing corn, and some of it is going into ethanol, that someplace down in Brazil, farmers are just sitting around trying to calculate and are going to plow up acre for acre the amount of land that is maybe being used for production of ethanol at this point. Well, I think the practical matter is that just isn't happening, and that is exactly what Dr. Wang is saying here. And if that were the case, what can the farmers of our country do about it? Are we going to be at the point where something that happens in some other country is going to affect our policy here in the United States as to what we can grow and what we can use that crop for? I don't think that is a credible position to take.

Now, I quoted one study, but there are a number of credible studies that have demonstrated that our biofuel policies will have little, if any, impact on international land use. A recent study by Air Improvement Resource found that the production of 15 billion gallons of corn ethanol by the year 2015 should not result in new forests or grassland conversion in the United States or abroad. Let's look at the University of Nebraska. A peer-review study conducted there and published in the Yale Journal of Industrial Ecology found similar conclusions. They concluded that corn ethanol emits 51 percent less greenhouse gases than gasoline. A third study, conducted by Global Insight, found that it is virtually impossible to accurately ascribe greenhouse gas impacts on indirect land use changes to biofuels.

There are a number of assumptions that can affect the conclusion about indirect land use changes. With any model, if you put garbage in, you will get garbage out, and I want to make sure the EPA isn't putting garbage in. I want to make sure they know yields per acre for corn have doubled between 1970 and today. I want EPA to know that nitrogen fertilizer used per acre has been declining since 1985. The Environmental Protection Agency also needs to know that the ethanol industry today is vastly more efficient than it was just a few years ago. Ethanol producers use one-fifth less energy today than they did just 8 years ago. More fuel is being produced from the same amount or even less land.

The California Air Resource Board is also trying to grasp this issue. They are developing a low carbon fuel standard which is penalizing biofuels with an indirect land use change. On March 2, 2009, to counteract this, 111 scientists sent a letter to California Governor Schwarzenegger on this very matter. The scientists are from leading research labs such as Sandia, Lawrence Berkeley, and the National Academy of Sciences, as well as leading educational institutions, including MIT, UCLA, Michigan State, and Iowa State. Scientists criticized the California Air Resource Board for proposing a regulation that alleges an indirect price-induced land conversion effect around the globe caused by a demand for agricultural production and biofuels.

In other words, they said in this official report what I just said: There isn't some Brazilian farmer just sitting around nervously awaiting whether he can plow up another acre of grassland in Brazil just because some more ethanol is being used out of products we grow here.

The letter of these 111 scientists sent to Governor Schwarzenegger stated:

> The ability to predict this alleged effect depends on using an economic model to predict worldwide carbon effects, and the outcomes are unusually sensitive to the assumptions made by the researchers conducting the model run. In addition, this field of science is in its nascent stage, is controversial in much of the scientific community, and is only being enforced against biofuels.

The two primary conclusions of these scientists are that science surrounding indirect land use changes is far too limited and uncertain for regulatory enforcement. Second, indirect effects are often misunderstood and should not be enforced selectively.

Several of us in the Senate are trying to get the Environmental Protection Agency to wake up and reconsider some of their thoughts. Last week I had the opportunity to join my Iowa colleague, Senator HARKIN, as well as 10 other Senators, in appealing to EPA Administrator Lisa Jackson to be cautious on this issue and as doctors would say about medicine: First do no harm.

Because of the incomplete and limited science, we urge in our letter against any premature and, of course, inaccurate conclusions on indirect land use changes. Instead, the EPA should move forward by allowing for public review and refinement of the methodology that they have developed. I am afraid the climate folks at EPA are heading in the wrong direction on this issue. I do not think they are bad people, but I am afraid they do not understand much about American agriculture. I do not think they are aware of the significant crop yield improvements we have seen in recent years or the great potential for the next 20 years.

I will just give my own farming operation as an example. In 1959, when I started farming, we were raising, on average, about 60 bushels of corn per acre. It happened that the first year I farmed I produced considerably less than that amount, but eventually, within 15 years, this farmer, as well as the Iowa average, had gone to about 90 bushels of corn per acre.

Last year, in my county, we raised 175 bushels of corn per acre. During that period of time, we went from tilling the field probably six or seven times over to produce a crop to now a point where we are only tilling the field once or twice before harvest. In each of these processes, we are producing more corn, we are producing it more efficiently, and at the same time we have an abundance.

When I started farming, farmers were producing about enough food for 44 other people. A family farmer today produces enough food for 140 other people.

I think we have made great progress, but I am not sure EPA understands the efficiency of the American farmer today and for sure they do not understand that people in Brazil are not just sitting around, seeing how they can take advantage of the fact that American farmers might be producing some of their crop for sustainable energy production in this country as opposed to importing more oil.

I also do not think these people fully understand the benefits of valuable ethanol byproducts, which further reduce the effective land used for fuel production.

Along this line, do they understand that when you take a bushel of corn to make 3 gallons of ethanol that corn is

not gone forever, that 18 pounds of the 56 pounds that is in a bushel of corn is left over for animal feed? So it is not all going to production of energy.

To me, it defies common sense that the EPA would publish a proposed rulemaking with harmful conclusions about biofuels based on incomplete science and inaccurate assumptions and especially in light of President Obama's commitment to use sound science in decisionmaking by the bureaucracy carrying out the laws we pass. The Environmental Protection Agency's action, if based on erroneous land-use assumptions, could hinder biofuel development and extend America's dependence upon dirtier fossil fuels from parts of the world that are not very stable.

Agricultural practices and land-use decisions in other countries are not driven by U.S. biofuel policies. In other words, there is no Brazilian farmer sitting around in Brazil, waiting to see what Iowa farmers are going to do with their corn—for food or export or for fuel. Even if they were, we have no accurate way to measure it scientifically and we need to ensure that in that measurement, biofuels get credit for these increased efficiencies of production—of the basic commodity as well as the increase in efficiency producing the ethanol.

President Obama was, and as far as I know is still, a strong proponent of our domestic biofuels industry and he especially was during his time in the Senate. I know he recognizes the benefit of producing homegrown renewable fuels, and I doubt he would agree with the conclusion that biofuels emit the same or more lifecycle greenhouse gas emissions as does gasoline.

I hope the EPA will reconsider its conclusions on this or not hastily draw conclusions.

WHISTLEBLOWER PROTECTIONS

Mr. GRASSLEY. Mr. President, during the height of the Presidential campaign, President Obama made a number of high profile statements and promises about what actions he would take once he was elected and sworn in. These promises outlined a number of important issues such as closing the revolving door for lobbyists in the executive branch, ending the use of no-bid contracts, and curbing the influence of special interests, to name just a few.

Over the years, I have been an outspoken supporter of legislation that would make the Government more transparent and open. I have authored and supported a number of bills that would open the Government up and make it more accountable to the citizens. In particular I have been strong advocate for whistleblowers. Most importantly, I have always pushed the Government to be accountable by conducting vigorous oversight of the Federal bureaucracy regardless of which party controls Congress or the White House. I have been an equal opportunity overseer and have given my Republican colleagues as many headaches as I have given Democrats.

Given my background on oversight, I was supportive of some of the statements President Obama made as a candidate with respect to transparency and openness in Government. A document on the Obama campaign Web site titled, ''Restoring Trust in Government and Improving Transparency,'' outlined ethics and contracting reform, and included a statement that:

> Obama will sign legislation in the light of day without attaching signing statements that undermine legislative intent.

Candidate Obama further discussed signing statements during a campaign speech where he said that his administration was ''not going to use signing statements as a way of doing an end run around Congress.'' A video of that speech is available online for all to see.

I was also encouraged by candidate Obama's promises to protect employees in the Federal Government who blow the whistle on fraud, waste, and abuse. In yet another campaign document, candidate Obama stated that he would ''strengthen whistleblower laws to protect Federal workers who expose waste, fraud, and abuse of authority in government.'' That statement was posted on the Change.gov Web site of the Obama Transition Team for all to see. It was a welcome message to the employees of the executive branch that risk their careers and stick their necks out to alert Congress, inspectors General, and the public about fraud, waste, and abuse in Government agencies and programs.

These employees, also known as whistleblowers, often do nothing more than ''commit truth,'' and for it they are shunned by their agencies, coworkers, friends, and government. My colleagues have all heard me say time and again that whistleblowers are as welcome as a skunk at a Sunday picnic. These patriot individuals believe that Government can do better for its citizens. They risk everything to make sure that laws are faithfully executed as they were intended and let Congress know when something is not working and needs fixing. Some of the most important reforms to our laws have come from whistleblowers, be it reforming our national security and law enforcement coordination following the tragic events of 9/11, or ensuring we have clean water to drink.

Given Candidate Obama's promise to not use signing statements to circumvent the legislative intent of Congress and his pledge to support whistleblowers, I was shocked to read the signing statement he issued on the Omnibus apprropriations bill that was signed into law on March 11. Not only did President Obama's action run contrary to his promise not to use signing statements to circumvent the intent of Congress, he also appears to have broken his promise to strengthen whistleblower laws by singling out an important whistleblower protection provision that Congres has included in every appropriations bill for the last decade.

Sections 714(1) and (2) of the omnibus bill contains an appropriations rider that states that no appropriation shall be available to pay the salary of any officer or employee of the Federal Government:

> Attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress.

This rider was first included in appropriations bills in 1997 and has been included in appropriations bills since. It is a strong signal to all agencies that efforts to block federal employees from coming to Congress won't be tolerated.

However, the applicability of this rider is now in question given the signing statement issued by President Obama. His signing statement, in pertinent part, stated that this provision does not:

> detract from [his] authority to direct the heads of executive departments to supervise, control, and correct employees' communications with Congress.

This statement is shocking. It acknowledges that President Obama envisions a scenario where he would order a Cabinet Secretary to supervise, control, and correct statements made by employees to Congress.

Worse yet, the signing statement goes further to add that this authority would be used when employee communications would be ''unlawful or would reveal information that is properly privileged or otherwise confidential.''

I want to emphasize that word ''confidential,'' because you will hear about that in just a minute.

While other Presidents have objected to this appropriations rider in the past, President Obama's signing statement is even more problematic than those because it states that he has the authority to not only restrict privileged material, but also ''confidential'' information.

By failing to define ''confidential,'' President Obama has given a blank check to executive branch agencies to block communications with Congress related to an undefined, broad category of information.

Understand, it is a constitutional power and responsibility of this Congress to oversee, as part of our checks and balances of our Constitution, the agencies of Government to make sure laws are faithfully executed, as the Constitution requires, and as money is spent according to Congress.

Even the New York Times noted President Obama's signing statement includes ''one somewhat unclear objection'' that ''could be read as bumping up against the rights of executive branch whistle-blowers.'' Because, in our constitutional responsibility, we have to rely upon people in the executive branch to tell us when the job isn't being done according to the Constitution or according to law.

So I want to go further than what the New York Times said and say: It does

more than bump up against the rights of whistleblowers. It, in fact, is going to be a chill. It will chill executive branch employees from sharing information with Congress in our congressional obligation of oversight.

It could also be construed to be an attempt to limit Members of Congress from conducting this constitutional duty. I wrote to President Obama last Friday raising my concerns with his signing statement, and, most importantly, the chilling effect that it will have on whistleblower communication with Congress.

Today, I have not received a response. However, I read in the New York Times on March 16 that an unnamed administration official stated that President Obama is ''committed to whistleblower protections,'' and that the administration ''had no intention of going further than did Presidents Bill Clinton and George Bush in signing statements concerning similar provisions.''

Then, what is that word ''confidential'' doing in there? However, that same official did not provide any detail on that additional term ''confidential.'' I would like President Obama to answer my letter soon and clarify exactly what he meant in this signing statement. Absent a more detailed response from President Obama, I cannot see how his signing statement can be reconciled with the pledges and promises made by Candidate Obama, nor can I reconcile the criticism issued by Candidate Obama about President Bush's use of signing statements with the statements made by that unnamed administration source in the New York Times.

The unnamed source said President Obama ''had no intention of going further than did President Clinton or George Bush in signing statements.'' Candidate Obama stated he would not use signing statements in a manner similar to President Bush to circumvent the will of Congress. Now a member of the administration is telling the New York Times that President Obama means to do exactly the same thing as President Bush in issuing signing statements.

It seems to me, if this is the case, Candidate Obama would have a problem with President Obama's use of signing statements to underline the intent of this appropriations rider on whistleblowers.

Now, a number of my colleagues were quick to object to signing statements issued by President Bush but somehow have so far remained silent regarding President Obama's use of signing statements. Well, to those who had concerns in the past, I encourage you to take a close look at this signing statement and the potential harm it will cause for Members of Congress doing our constitutional responsibility of oversight to see that the laws are faithfully executed.

Those who may believe my acts are motivated by partisan politics, I want you to look at my record and see that I have repeatedly objected to signing statements that hindered the rights of whistleblowers. Just one example: I objected to a signing statement issued by President Bush back in 2002 that restricted the application of whistleblower protection provisions included in Sarbanes-Oxley.

I also, as another example, objected when a signing statement was issued by President Bush impacting specific reforms contained in the Inspector General Reform Act of 2008.

In closing, I call upon President Obama to revisit the March 11 signing statement and implement sections 714(1) and (2) in a manner consistent with the spirit and intent of this legislation.

As a former Senator, he must recognize the good that whistleblowers do by speaking out and by shedding light on fraud, waste, and abuse in Government agencies and programs.

Candidate Obama supported whistleblowers, but based upon his recent signing statements, these campaign promises now ring hollow. I hope I have interpreted him wrongly and will give him an opportunity to set the record right because I hope he comes out the same way he did in the campaign: strictly in support of whistleblowers, who are an essential element of the process of our checks and balances of government as Congress does its constitutional job of oversight.

We do not know where all of the skeletons are in the closet. We do not know all of the abuses of law. We do not know of all of the fraudulent things that are going on in government. We need that information from whistleblowers, and the best evidence I can give you of that is the $22 billion that has been brought back into the Federal Treasury since I got the False Claims Act of 1986 passed.

Most of that information would not have been available without the information from whistleblowers.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

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

OMNIBUS PUBLIC LANDS MANAGEMENT ACT

Mr. UDALL of Colorado. Mr. President, I express my strong support for the bipartisan omnibus lands package, HR 146, which the Senate passed overwhelmingly in a floor vote. I thank Energy and Natural Resources Chairman BINGAMAN and Ranking Member MURKOWSKI for working across the aisle to put together this major piece of natural resources legislation. As many of our colleagues have noted, this legislation represents the largest public lands package in decades. Most importantly, this lands package represents a major victory for the people—and the lands—of Colorado.

There is much in this bill to highlight. All of the areas that are slated for protection under this legislation are deserving of such designation.

I have personally visited many of these places that we took action to preserve—places like Longs Peak, a mountain over 14,000 feet that looms over the great plains above Denver; the dramatic red rock canyons where water plunges to the Gunnison River from the Dominguez Canyons; and trails that climb up the steep rocky slopes of Colorado's northern Front Range looking out over the expanse of prairie that reaches to the eastern horizon.

These lands represent a variety of landscapes and natural attributes. They typify the diversity of our Nation, and their dramatic environments inspire visitors and give them a sense that anything is possible.

The connection we have to our natural landscapes and other equally important provisions—such as providing a funding mechanism for a water conduit that will help provide clean water to help enhance the productivity of farms and ranches along the lower Arkansas River—underscore why this bill is so important and worthy of our support. The areas and vital resources that are protected in this bill will help ensure a vibrant and healthy environment and thereby provide a solid foundation for a healthy and vibrant economy. This bill is not just about the special places it encompasses it is about us and our values. It deserves our support.

Specifically for Coloradans, this package will help preserve and protect majestic public landscapes in Colorado and help provide needed water supplies to communities and farmers on Colorado's productive Eastern Plains. These are issues on which I have worked for many years in the U.S. House of Representatives and now in the Senate. On behalf of the people of Colorado, I am proud that the following provisions will likely become law in the coming days.

First, the bill includes the Arkansas Valley Conduit Act of 2009. This legislation will help protect the water supply for the Arkansas River Valley's communities and productive agricultural lands by advancing the construction of the long-planned Arkansas Valley Conduit. The depressed economic status of southeastern Colorado made it a difficult financial undertaking for the region, a challenge that continues

today. This bill will help see this facility become a reality and help the farming and ranching communities in the valley continue to produce needed food for the state and Nation.

Second, the Colorado Northern Front Range Study Act included in the package will help Coloradans protect the scenic Front Range mountain backdrop in the northern Denver-metro area and the region just west of Rocky Flats.

Rising from the Great Plains, the Front Range of the Rocky Mountains provides a scenic mountain backdrop to many communities in the Denver metropolitan area and elsewhere in Colorado. This mountain backdrop, which includes much of the Arapaho-Roosevelt National Forest, is an important aesthetic and economic asset for adjoining communities. It is also part of our unique culture, having beckoned settlers westward before exposing them to the harshness and humbling majesty of the Rocky Mountain West that helped define the region. The pioneers' independent spirit and respect for nature still lives with us to this day.

Yet rapid population growth is increasing recreational use of the Arapaho-Roosevelt National Forest and adding pressure to develop other lands within and adjacent to that national forest. The bill directs the U.S. Forest Service to study the ownership patterns of the lands comprising the Front Range mountain backdrop and identify areas that are open and may be at risk of development. Additionally, it directs the Forest Service to recommend to Congress how these lands might be protected and how the Federal Government could help local communities and residents to achieve that goal.

Third, the bill includes the National Trails System Willing Seller Authority Act. This act will change the current law prohibiting people who own land associated with several units of the trail system from selling those lands to the Federal Government. Because of this act, people who want to sell land for inclusion in certain units of the National Trails System will be able to do so.

Our national trails are a national treasure, and I have enjoyed them for my whole life. We should allow property owners to sell their land along these trails to the Federal Government to be part of our public lands legacy. But we must make clear that these land sales are from willing sellers.

Finally, this legislation includes the Rocky Mountain National Park Wilderness and Indian Peaks Wilderness Expansion Act. This provision will designate nearly 250,000 acres of Rocky Mountain National Park as wilderness. The provision will guarantee the backcountry of Rocky Mountain National Park will be managed so that future generations will experience the park as we know it today. The legislation will also allow the National Park Service to continue its important efforts to battle the devastating bark beetle infestation and to engage in necessary wildfire mitigation efforts and emergency response actions.

The wilderness designation in this bill will cover some 94 percent of the park including Longs Peak and other major mountains along the Great Continental Divide, glacial cirques and snow fields, broad expanses of alpine tundra and wet meadows, old-growth forests, and hundreds of lakes and streams.

Examples of all the natural ecosystems that make up the splendor of Rocky Mountain National Park are included in the wilderness that will be designated by this bill. At the same time, the wilderness boundaries have been drawn so as to allow continued access for the use of existing roadways, buildings and developed areas, and privately owned land.

In conclusion, the passage of this bill in the Senate and House will mark the culmination of many years of work by a number of Coloradans, and I look forward to it becoming law.

FALMOUTH VOLUNTEER WEEK

Mr. KERRY. Mr. President, this week marks the Celebrate Volunteers Week at the Falmouth Volunteers in Public Schools Program, VIPS, in Falmouth, MA. I would like to take this opportunity to commend and thank those that participate in the VIPS Program which fosters interaction between the citizens of Falmouth and their public schools. Through this connection the schools are empowered to enrich their curriculum and the community at large benefits from a greater participation in their children's future.

The volunteers in this nonprofit organization log about 40,000 hours each year in support of the students, faculty, administration, and the community. This incredible effort is also supported by the business community in Falmouth that not only invests in VIPS events but also supports employee participation.

By comprehensively involving all facets of the Falmouth community VIPS enriches the lives of all involved. They provide mentoring and tutoring programs aimed at raising children's self esteem and teaching English as a second language. They have made school to business partnerships that enhance the educational experience of students by sharing resources with local businesses and bringing in guest speakers. Their innovative Cross Age Science Teaching Program matches junior high school volunteers to help elementary school students learn about electricity.

VIPS has grown from its inception in 1982, when they only had a handful of volunteers, to a robust program with over 1,100 volunteers in all 7 schools in Falmouth. When we think about improving our education system, what we need to remember is that community involvement can make a world of difference. When you get folks in the community to volunteer and become a part of the educational process, they become invested in the success of the students. That is what is happening in Falmouth. I congratulate all of the people who have helped make the Falmouth Volunteers in Public Service a success, and I commend the work that they do.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.

VOTE EXPLANATION

• Mrs. BOXER. Mr. President, due to an illness, I was forced to miss the previous two rollcall votes.

The first vote was on the nomination of Elena Kagan to be the Solicitor General of the United States. The second vote was on cloture on the motion to proceed to national service bill. Had I been present for these two rollcall votes, I would have voted aye.

Elena Kagan has the qualifications and intellect to be an outstanding Solicitor General. I am proud that she is the first woman to hold this important position.

I also support the motion to proceed to the national service bill and am disappointed that it is necessary to invoke cloture to break the filibuster against this bipartisan legislation. It is important that we act to expand opportunities for Americans who volunteer their time and talents in service to their communities.•

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

REMEMBERING FALLEN POLICE OFFICERS

• Mrs. BOXER. Mr. President, it is with deep sadness that I discuss one of the deadliest attacks against California law enforcement in my State's history—an attack that took the lives of four Oakland, CA, police officers, and has left our community reeling from the shock of this terrible and senseless loss.

Every day, our law enforcement officers selflessly and bravely put their lives on the line to protect our families and our communities. If anyone, anywhere, needed a reminder of that, this tragedy puts a spotlight on the risk our police officers face every day.

On Saturday, March 21, what should have been a routine midday traffic stop for Oakland PD officers Mark Dunakin and John Hege quickly turned into a murder scene.

After fatally wounding both officers, the suspect fled the scene, leading to a frantic manhunt that involved more than 200 officers from Oakland PD, Alameda County Sheriff's Office, BART Police and the California Highway Patrol. The suspect was quickly tracked down to an apartment. But when the SWAT team entered the apartment, he fired a series of shots from inside of a closet, fatally wounding officers Daniel

Sakai and Ervin Romans, and injuring a third, before he was shot and killed.

In the days and weeks ahead, we will have important debates about the problems with our justice system that allowed a violent offender to be on the streets in clear violation of his parole. And we will debate the issue of powerful weapons in the hands of dangerous criminals.

As these debates move forward, I will work to give our law enforcement officers more support and more resources to adequately protect our communities and protect themselves.

Now I want to pay tribute to these four fallen officers.

Sergeant Mark Dunakin, age 40, was an 18-year veteran of Oakland PD. He was no stranger to violent crime, having worked homicide cases in the criminal investigation division. But he later transferred to the motorcycle traffic division where his days focused on patrolling our streets on his beloved Harley Davidson, cracking down on drunk drivers and trying to always enforce our State's seatbelt laws. Sergeant Dunakin is survived by his wife Angela Schwab and their three children.

Officer John Hege, age 41, had been with the Oakland PD for 10 years and had only recently started his dream assignment of becoming part of the motorcycle traffic division. Respected by his colleagues and well liked by his neighbors, Officer Hege was often known to lend a helping hand, and even found time to umpire high school baseball in his free time. After being gunned down this weekend, Officer Hege was declared brain dead. And true to the heroism he exhibited in his life, his organs are being donated to help save other lives. Officer Hege is survived by his father and his beloved dog.

Sergeant Ervin Romans, age 43, had been with the Oakland PD since 1996. As a member of the elite SWAT team, Romans was in charge of entering the most dangerous situations to confront and arrest barricaded suspects. Known as just ''Erv'' to his friends and colleagues, he was among a group of officers awarded the department's prestigious Medal of Valor in 1999 for helping to evacuate residents during a fire. His captain, Ed Tracey said he ''had an exterior image of being the tough, rugged guy, but everyone knows he has a soft heart.'' Sergeant Romans is survived by his three children.

Sergeant Daniel Sakai, age 35, had recently been named a leader of the entry SWAT team, and was known to all as a rising star. Before joining the SWAT team, Sergeant Sakai worked in the K–9 division, responding to calls with his dog, Doc. He studied forestry at UC Berkeley, where he was a member of the Alpha Sigma Phi fraternity. He also worked as a community service officer at Berkeley, escorting students around campus at night. He is survived by his wife Jennifer, a UC Berkeley police officer, and their daughter.

My thoughts and prayers are with the families, friends, and colleagues of these fallen officers in this tragic time.

We must come together to support those suffering, and in the coming days we must come together, firmly resolved to end the violence that has for too long eaten away at the fabric of our communities.●

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

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

I certainly feel the impact of huge and unpredictable increases in all the necessities: gas/fuel, household energy costs, food, clothing, travel, etc. All of these have risen rather dramatically, sort of like dominoes. I am spending a lot more for a lot less. As I am deciding not to go do something or go buy something, I think of all the merchants and businesses that will, if they are not already, suffer from this (all of us not going places, and buying so much less). I have almost totally quit eating out. Movies are out of the question. I have greatly cut down on my driving. I will just not visit places that I do not absolutely have to (and, truth be told, there are not really that many places one absolutely has to go). I go to the closest grocery store, as they are all expensive. I go to the closest gas station. There is no public transportation between my place of work and my home, which is a real hardship. In fact, our bus service is not bad in Boise, but it is cumbersome and limited. I find this to be a problem. I will not be doing the traveling and vacationing this year that I usually do. I will not be able to visit family members that do not live in Boise. This is not good for business, or morale and attitude (mine). Because I have much less disposable income now, my charitable donations will be, and already are, less. It is so expensive to drive to any of the organizations where I like to help out (''volunteering'') that it has had to be cut out. Driving to attend the civic and fun groups that I am a member of and the activities that I like to participate in is now too costly to continue attending. Shopping? Out of the question, with the exceptions listed above. By the way, did you know that the average fuel usage in Ford's (last, I believe) cars—in his day—was 25 mpg. Do you know what it is in this country today? 21 mpg. We all know that this is ridiculous. Clearly, the only entity that benefits from this is fuel companies, and automakers that have not had to retool their factories for decades. And even with that ''savings'', they're hurting, too, now.

My suggestions, wishes, and hopes?

More public transportation, more types of public transportation, more coverage, more frequent times that public transport goes by, at a minimal cost to riders. And we could use the money that we would save on highways to fund it! Trains are wonderful, both for passengers and goods.

Laws that insist that all parts of the automobile industry quickly get cars ready for market that are lighter, safer, and much more fuel efficient; that include speedily implementing the roll-out of vehicles (all vehicles, including commercial and military) that some of them are already developing, that are outstanding in design and are environmentally responsible. I should say, that are already in development, although perhaps not by the mainstream auto makers. The use of fossil fuels should be seriously lessened. Oil and gas companies should pay their rightful taxes, and should not be subsidized. New ''green'' fuel sources should be subsidized at the rate that oil and gas companies currently are, and should get breaks on their taxes for the early years. These should include, but be not limited to: wind, solar, geothermal; and research into new, unknown possible energy sources (with low environmental impact) should also be encouraged with subsidies and whatever helps, within limits. And the whole ''alternate fuel'' scenario should have some honesty, reality, and integrity infused into it. Specifically: ethanol is in no way environmentally responsible or viable. It is just a give-away for the corporate farm industry. Nuclear fission energy should be banned. There is no way to ensure safe use now, or of the spent fuel in the future, and it misuses precious water resources. I am okay with working towards trying to make nuclear fusion work.

No new drilling—anywhere! Americans can come up with better ideas—let us go back to that ''good old American ingenuity and know-how.'' We used to be on the cutting edge for creativity, inventiveness, and new ideas—and the development of them. Let us ''Be The Best We Can Be.''

And, lastly, and strongly related to the energy problems we are experiencing: land and soil should be nourished and protected. It should be used in an honest and responsible way. That means, for example, that corn should actually have nutritional value, should have lowered sugar levels, not continue to be genetically and artificially altered so as to be useless for actually providing nutrition for people, because it is nothing but sugar that makes the creation of corn syrup, which is destroying the health of our kids, among other unhealthy products, easy and cheap to produce for greedy and/or corporate ''farmers.'' The land should be cherished, not over-used, misused, and abused. It should be mindfully used to produce food for people—good, nourishing, healthy food to nourish healthy children, mothers, and all of us.

The health, safety, and financial benefits of changing our practices and policies are so extensive that it would take too much space to enumerate here. We could be at the world leaders of industry, development, inventiveness, and productivity if we, as a country, were willing to look at things in a fresh way, rather than stubbornly clutching at ''doing things the same old way.''

We are supposed to be conservatives—let us actually practice conserving.

SUSAN.

Our family of 5 spends more than $500 a month now on gasoline (for 3 vehicles—our 3 kids can all drive now), not to mention the higher food prices that are a result of higher fuel costs to truckers and the foolish ethanol policy of the government. We are needing to work additional jobs just to try to make basic ends meet and avoid going deep into debt. If prices go up further, we will still be going into debt just to cover the basics of food, clothing, transportation and shelter.

We are an average family (financially we make about 60,000 a year from 3 jobs between all of us, with 2 now in college—1 just starting, but living at home), but face above average costs when compared to the averages mentioned in the media and by politicians. For example, Barack Obama makes light of a temporary lifting of the gas tax, saying it would be 30 cents a day. We would be at least twice that much, and many truckers would save even more if diesel tax was lifted. And we are an average family, so I do not believe his numbers for a minute.

We cannot afford to buy an expensive high gas mileage small car to offset the higher gas prices. We must continue to nurse along our two more than 10-year old vehicles that get 19 miles per gallon. Most poor and lower-middle class are in the same situation as us. The upper middle-class and wealthy may be able to handle it to some better degree, although I am not a participant in class envy and they should be considered too. But it is interesting how the [liberals] claim to care about the poor and middle class, yet their do-nothing policy on energy contradicts their claims.

If they think taxing oil companies and redistributing the tax to poor and middle class with rebate checks will solve the problem, they are wrong. The tax will be passed on in ever-higher gas prices and/or the oil companies could limit production to stay just below the windfall tax threshold, thus causing shortages and even higher prices. It did not work when Jimmy Carter tried it, and tweaking it a little to allow oil companies to trade the tax for alternative energy production would likely not help much, in my opinion. We need to get the price down, not give each person a small piece of the large wealth redistribution that helps them for only a few months.

The government needs to remove the restrictions and regulations that hinder progress in tapping our domestic energy sources of all types. Many claim that tapping into our domestic oil and natural gas resources would not do any good for many years. They are wrong. And even if they were right, do you avoid planting a tree just because you will not get a full crop of fruit or sufficient shade for several years? This ''tree'' of increased domestic oil supply should have been planted over 10 years ago.

But here is why they are wrong: if speculators are part of the cause of increased oil prices whenever there is something in the Mideast that brings concern about possible reduced supply, then they would logically be part of the cause of reduced oil prices if they received good news that our government was finally serious about allowing increased domestic supply. There would be an almost immediate drop in oil prices which would soon show lower prices at the pump. On top of that, the foreign nations that have control over us now would not want to see us quit buying from them in the future, so they would likely increase production to try to get us to not increase our production. Increasing their production would cause an additional price decrease within a short amount of time.

Increasing our domestic drilling and exploration would create additional jobs, as oil companies would hire people to do the additional exploration and drilling. And additional revenues would be created for the states that participated, by leasing land, taxes paid through the additional employment, etc. This would help our national economy as well, as it became a positive ripple effect.

Increasing other types of energy sources, such as wind, solar, coal, shale, nuclear, natural gas, etc. are all good. Even ethanol is good where it can be produced regionally and help regionally without being forced on us at a certain level by the government, causing a shortage of corn and higher food prices.

A final thought: we need fewer lawsuits by environmentalists, which bog things down way too long. We need to reform the laws to keep them from preventing us from solving this problem. If the government okays further drilling, etc, but allows the radical environmentalists to bring up lawsuit after lawsuit, we'll still be in trouble. Allow a basic environmental process to ensure we are doing this in a reasonable manner, and then have them get out of the way so we can start making use of our resources.

Thanks for allowing me to give my input.

DAVID, *Boise*.

I am a 15-year Idaho resident, and I commute about 55 miles a day to work. The cost of gasoline/diesel is having a profound effect on the local economy-not to mention my own finances. Idaho, and most other inland states, are feeling the effects directly in higher prices across the board. I know several small business owners, in different markets, who have related to me the disastrous impact this is having on them. I cannot stress enough that we need to increase the supply side of this equation. But, of course, everyone in Washington knows this and the situation is being exploited by those on the left to increase dependence on government.

It is obvious to me that the liberals in Congress see high fuel prices as vehicle to provide them greater control over the lives of the citizens of the United States. The more low income people have to spend on fuel, the more likely they are to require government support in other areas of their lives. This is intended to cement the liberal base as permanent government serfs with no choice in for whom they vote. Ultimately, this is an attack on our liberty from within that, if left unchecked, will result in less freedom, and more and bigger government.

There are a number of facets to this problem: environmental regulation, government regulation, and political demagoguery that is unparalleled in our history. The oil companies are not the problem. Most people I know realize this and are fed up with environmental bullshit reasons for not exploring for more oil. The notion that there is a shortage of oil or, that we are running out of oil, is simply not born out by the facts. But facts do not matter when there is an agenda. As Goebels said, the bigger the lie, the easier it is to sell.

I would love to discuss this at length with you, but I am losing faith in the process. However, I appreciate that you are fighting the good fight. Please keep it up.

MIKE.

I am not sure if I have any faith in our Congress changing anything but I feel some satisfaction with at least voicing my thoughts and if I may say so my feelings about these soaring energy costs.

Yes, the soaring energy costs have had a huge impact on me. I am a single women working as a Physical Therapist Assistant. I live 30 miles from my place of employment. I own horses so I own a pick-up truck. Up until recently I only drove my truck. It was not great on fuel economy, but as a person with only one income, a house payment, a vehicle payment, plus other bills. It was not feasible to buy another vehicle. As a single women that is not mechanically inclined (nor do I have the time), I need vehicles that are safe and reliable. Well, now, I have a small vehicle. So now I have two vehicle payments, plus full coverage insurance on two vehicles, plus a house payment, plus fuel, plus all the other costs to get buy! Fuel for my truck, just to go back and forth to work for one week was costing me between $80 & 100 reg. gas, the ''cheap'' stuff! That is not counting doing anything on the weekends, or any ''extra'' driving. That is simply working 4–5 days a week. I usually work (4) 10s and sometimes a few extra hours on day 5. So yes, now my grocery bill has been reduced, my credit cards are being used more, and it scares the hell out of me!

My home energy bill also nearly doubled. I have not doubled my use. I am away from home most of the time. I rarely watch television, except to turn the news on from 4:30 A.M. to 6 A.M. when I am getting ready for work. I turn my computer on for a few minutes several days a week. I go to bed early so my lights are not even on much, yet my power bill doubled! No, I do not use much air conditioning either! I have a small house less than 1100 square feet. I have had it for sale for over a year and I have not been able to sell it. I replaced the roof last summer. The windows could stand to be replaced, yet I cannot afford to replace those old aluminum windows with vinyl.

Oh, I know most people would say to give up my animals and move to town, but then what is all of this about? What pray tell am I working for? My animals bring me joy and peace from a crazy world. I have raised/owned Arabian horses since 1985, and I have owned horses in general most of my 50 years. So the thought of going to work just to pay taxes, lay on a couch and watch TV after work and on weekends does not sound like much of a life to me. So if we cannot have a few things that bring us joy and comfort why are we working?

Yes, the out-of-control energy costs is slowly wiping all of ''working'' people out. If everything is taken away and all that is left is work, who wants to live that life? Think about it! Better yet, maybe those [who enjoy privileges and expensive lifestyles] should come live with us that really have to work and live on a budget. Let us take away those expense accounts and all the other freebies! Do you know how many people think like me? There are a lot.

Thank you for giving me the time to get this off my chest.

JUDY, *Wendell*.

I do not wish to join the whining masses about how energy prices have affected us all. Instead, I wish that Congress would act to pass a national energy policy that would encompass all areas of energy development. We did not win World War II by building only ships or tanks or airplanes, etc. We conquered the global threat at that time by building all assets necessary to win and developed new technologies for the future. The liberals' bumper sticker mantra that we cannot drill our way out of this mess refuses to acknowledge that the way out of this ''mess'' is to get out of our ''boxes'' and look at the wider picture. Back in the 1970s, I learned that C-ration California peanut butter burned right out of the can whereas Georgia stuff would not. Why limit our research to corn, chicken parts, et.al. as potential fuels? We should not keep subsidizing our farmers to not plant if corn and other foods/fuels are now in such demand. We obviously need greater oil production and refining capacity as a significant part of overcoming those

forces in OPEC that continue to enslave us to their output. We should work on developing Hydrogen fuel cell technology and put real delivery ability on the ground because who is going to buy a car he cannot refuel? We absolutely must develop nuclear reactor improvements and capacity which is being developed right now in Idaho. Limit individual financial incentives for energy savings because their cost savings should be incentive enough and any rewards beyond that are too open to fraudulent claims and wasting taxpayer money. Congress is too good at wasting our money already. Buying ''conservation credits'' like Al Gore does for his estate is a sham for the wealthy. It is akin to buying indulgences centuries ago that was the final ''straw'' that began Martin Luther's Reformation. The [conservatives] in Congress lazily missed an opportunity to make a worthwhile energy policy that ''thinks outside the box'' in the last several years and, I fear, that if the [liberals] win control of either house in November that we are doomed to suffer the consequences laid out over a thousand years ago by a Greek philosopher that all democracies are doomed to failure that as the people vote more liberties and indulgences to themselves their governments will be more unable to pay for them and they will lapse into anarchy. I believe we are in the third of his four stages right now.

I hope this has not been too boring or offensive. We, as a nation, must act to avoid an energy demand catastrophe, and our Congress is that body that our forefathers have ordained as the ones to do that task. I appreciate your time if you have really read this,

BILL, *Idaho Falls.*

ADDITIONAL STATEMENTS

TRIBUTE TO WOODFORD COUNTY HIGH SCHOOL STUDENTS

• Mr. BUNNING. Mr. President, today I invite my colleagues to join me in congratulating Jane Brannen and Adam Horn from Woodford County High School, Versailles, KY, for receiving the Achievement Award in writing. This year only 525 students around the country were recipients of this award.

The Achievement Award in writing is given to students who show excellence in English and writing. To be eligible for the award, students must submit a previously written paper and then be invited to participate in a timed essay.

Jane Brannen and Adam Horn both have shown great analytical and writing skills in their submitted papers. I am impressed by the excellence these two students have displayed, and I am confident that they will have success in greater challenges in the future.

Mr. President, I would like to thank Jane Brannen and Adam Horn for their contributions to the Commonwealth of Kentucky and wish them the best of luck in their future endeavors.•

TRIBUTE TO KYLE DARPEL

• Mr. BUNNING. Mr. President, today I invite my colleagues to join me in congratulating Kyle Darpel from Covington Catholic High School, Park Hills, KY, for receiving the Achievement Award in writing. This year only 525 students around the country were recipients of this award.

The Achievement Award in writing is given to students who show excellence in English and writing. To be eligible for the award, students must submit a previously written paper and then be invited to participate in a timed essay.

Kyle Darpel has shown great analytical and writing skills in his submitted paper. I am impressed by the excellence Kyle has displayed, and I am confident that he will have success in greater challenges in the future.

Mr. President, I would like to thank Kyle Darpel for his contribution to the Commonwealth of Kentucky and wish him the best of luck in their future endeavors.•

TRIBUTE TO J. MARI LYNN THOMPSON

• Mr. BUNNING. Mr. President, today I invite my colleagues to join me in congratulating J. Mari Lynn Thompson from Sacred Heart Academy, Louisville, KY, for receiving the Achievement Award in writing. This year only 525 students around the country were recipients of this award.

The Achievement Award in writing is given to students who show excellence in English and writing. To be eligible for the award, students must submit a previously written paper and then be invited to participate in a timed essay.

J. Mari Lynn Thompson has shown great analytical and writing skills in her submitted paper. I am impressed by the excellence she has displayed, and I am confident that she will have success in greater challenges in the future.

Mr. President, I would like to thank J. Mari Lynn Thompson for her contribution to the Commonwealth of Kentucky and wish her the best of luck in her future endeavors.•

TRIBUTE TO CHRISTOPHER G. CAINE

• Mr. LIEBERMAN. Mr. President, I wish today to honor Christopher G. Caine, who will be leaving International Business Machines, IBM, Corporation after 25 years.

For the past 13 years, Chris has served as IBM's vice president for governmental programs. At this position, Chris has had responsibility for all global public policy issues that impact the IBM Corporation. He represented IBM at a number of policy and economic forums that addressed critical issues in the emerging global economy, including the 2004 National Intelligence Council Conference convened by the Center for Strategic and International Studies; the 2003 World Knowledge Forum in Seoul, Korea; the 2003 World Economic Forum; and events put on by the Shanghai International Forum and the Congressional Black Caucus.

Before taking his current position, Chris served as IBM's director of Human Resources and Environmental Policy, where he worked on a variety of domestic policy issues including health-care reform, labor, personnel, health and safety, environment, and energy. Prior to that, he worked in a variety of government relations capacities for IBM has well as Coca Cola, the Eaton Corporation, and the Electronic Industries Association.

In addition to his professional success, Chris has taken the time to use his skills and expertise for public service. He currently serves on the State Department's Advisory Committees on International Economic Policy and International Communication and Information Policy, where he shares his expertise on global economic issues with our country's top foreign policymakers. He was appointed by then-Governor MARK WARNER to the Virginia Information Technology Investment Board, which works to provide the Commonwealth's government with information technology that will improve efficiency, safeguard important information, and enable the government to better serve the public. He also serves on the advisory boards of the Global Strategy Institute, Ford's Theatre, the Constitution Project, and Brainfood.

Last year, Chris established the Caine's Scholar Award for Global Leadership, Business and Policy at Lafayette College, where he earned his bachelor's degree. This award provides recipients, who are enrolled in Lafayette's policy studies program, a stipend for a summer internship experience. Chris has stated that he created this award with the hope that it will help develop a new generation of leaders that have an appreciation for public policy and business in a global environment.

Looking forward, Chris plans to start his own professional service firm, which will help its clients engage and succeed in our increasingly global economy. If Chris can provide his new clients with the same level of service he gave to IBM and his previous employers, I am confident that his new venture will be a resounding success.

I offer my congratulations and sincere best wishes to Christopher Caine, his wife Betsy, and their two children as he prepares for this exciting new phase in his life.•

REMEMBERING CHIEF MASTER SERGEANT PAUL WESLEY AIREY

• Mr. NELSON of Florida. Mr. President, on March 11, 2009, our Nation lost a true American hero, the Air Force's first chief master sergeant, Paul Wesley Airey.

During his 27 years of service, Chief Airey served during both World War II and Korea and earned numerous awards and decorations: the Meritorious Service Medal, the Air Medal with oak leaf cluster, the Air Force Commendation Medal, the POW medal, and the Legion of Merit with oak leaf cluster.

During World War II, Chief Airey served as an aerial gunner on B–24 bombers and became a prisoner of war from July 1944 to May 1945.

After serving during Korea, Chief Airey became first sergeant for the Air Defense Command's 4756th Civil Engineering Squadron at Tyndall Air Force Base, FL, where he retired on August 1, 1970.

Grace and I would like to extend our most sincere condolences to the family of this American hero, including retired CMSgt Dale Airey, who followed in his father's footsteps.

Chief Airey is among the most respected and iconic figures in the Air Force. He dedicated his life to the protection of this country, and for that we honor his memory.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL PRESENTED

At 2:03 p.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:

H.R. 1512. 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 enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

MEASURES REFERRED ON MARCH 19, 2009

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

H.R. 1216. An act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

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

S. 651. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive bonuses paid by, and received from, companies receiving Federal emergency economic assistance, to limit the amount of nonqualified deferred compensation that employees of such companies may defer from taxation, and for other purposes.

H.R. 1586. An act to impose an additional tax on bonuses received from certain TARP recipients.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 386, a bill to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes (Rept. No. 111–10).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 256. A bill to enhance the ability to combat methamphetamine.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. COLLINS:

S. 664. A bill to create a systemic risk monitor for the financial system of the United States, to oversee financial regulatory activities of the Federal Government, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD:

S. 665. A bill to allow modified bloc voting by cooperative associations of milk producers in connection with a referendum on Federal milk marketing order reform; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD:

S. 666. A bill to prohibit products that contain dry ultra-filtered milk products, milk protein concentrate, or casein from being labeled as domestic natural cheese, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD:

S. 667. A bill to amend the Agricultural Adjustment Act to prohibit the Secretary of Agriculture from basing minimum prices for Class I milk on the distance or transportation costs from any location that is not within a marketing area, except under certain circumstances, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 668. A bill to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself, Mr. WEBB, Mr. GRAHAM, Mr. WICKER, Mr. COBURN, Mr. DEMINT, Mr. ROBERTS, Mr. GRASSLEY, Mr. VITTER, Mr. ENZI, Mr. INHOFE, Mr. ENSIGN, Mr. CRAPO, Mr. COCHRAN, Ms. MURKOWSKI, and Mr. THUNE):

S. 669. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes; to the Committee on Veterans' Affairs.

By Mr. HARKIN (for himself, Mr. LAUTENBERG, Mr. LEAHY, and Mr. DURBIN):

S. 670. A bill to amend title XIX of the Social Security Act to encourage States to provide pregnant women enrolled in the Medicaid program with access to comprehensive tobacco cessation services; to the Committee on Finance.

By Mrs. LINCOLN (for herself, Mr. BARRASSO, Mr. DURBIN, Mr. INOUYE, and Mr. WYDEN):

S. 671. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. COLLINS (for herself and Mr. KERRY):

S. Res. 81. A resolution supporting the goals and ideals of World Water Day; to the Committee on Foreign Relations.

By Mr. SPECTER (for himself, Mr. DURBIN, Mr. KERRY, Mr. LIEBERMAN, Mr. CASEY, Mr. LAUTENBERG, Mr. CARDIN, Ms. SNOWE, Mr. BINGAMAN, Mr. WHITEHOUSE, Mr. REED, Mr. VOINOVICH, Mr. MENENDEZ, Mr. BEGICH, Mr. MARTINEZ, Mr. LEVIN, Mr. CHAMBLISS, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. FEINGOLD, Ms. MIKULSKI, Mr. KENNEDY, Ms. LANDRIEU, Mr. DODD, Mr. GREGG, Mr. BENNETT, Mr. CARPER, Ms. STABENOW, Mr. GRASSLEY, Mr. KOHL, Mr. RISCH, Mr. INOUYE, Mr. ROCKEFELLER, Mr. ISAKSON, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. LUGAR, Mr. NELSON of Florida, and Mr. JOHNSON):

S. Res. 82. A resolution recognizing the 188th anniversary of the independence of Greece and celebrating Greek and American democracy; considered and agreed to.

By Mr. BROWN:

S. Con. Res. 12. A concurrent resolution recognizing and honoring the signing by President Abraham Lincoln of the legislation authorizing the establishment of collegiate programs at Gallaudet University; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. SCHUMER, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 27, a bill to establish the Daniel Webster Congressional Clerkship Program.

S. 244

At the request of Mrs. MURRAY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 244, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 254

At the request of Mrs. LINCOLN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 254, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 257

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 257, a bill to amend title 11, United States Code, to disallow certain claims resulting from high cost credit debts, and for other purposes.

S. 277

At the request of Mrs. HAGAN, her name was added as a cosponsor of S. 277, a bill to amend the National and Community Service Act of 1990 to expand and improve opportunities for service, and for other purposes.

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 277, supra.

S. 301

At the request of Mr. GRASSLEY, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from New York (Mr. SCHUMER), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 301, a bill to amend title XI of the Social Security Act to provide for transparency in the relationship between physicians and manufacturers of drugs, devices, biologicals, or medical supplies for which payment is made under Medicare, Medicaid, or SCHIP.

S. 307

At the request of Mr. WYDEN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 307, a bill to amend title XVIII of the Social Security Act to provide flexibility in the manner in which beds are counted for purposes of determining whether a hospital may be designated as a critical access hospital under the Medicare program and to exempt from the critical access hospital inpatient bed limitation the number of beds provided for certain veterans.

S. 343

At the request of Mrs. LINCOLN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 343, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage services of qualified respiratory therapists performed under the general supervision of a physician.

S. 353

At the request of Mr. BROWN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 353, a bill to amend title IV of the Public Health Service Act to provide for the establishment of pediatric research consortia.

S. 384

At the request of Mr. LUGAR, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 384, a bill to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, and for other purposes.

S. 424

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 424, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 448

At the request of Mr. SPECTER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 448, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 450

At the request of Mr. BAUCUS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 450, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 451

At the request of Ms. COLLINS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 454

At the request of Mr. LEVIN, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 454, a bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

S. 464

At the request of Mr. DODD, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 464, a bill to amend the National and Community Service Act of 1990 to improve the educational awards provided for national service, and for other purposes.

S. 466

At the request of Mr. DODD, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 466, a bill to amend the National and Community Service Act of 1990 to establish a Summer of Service State grant program, a Summer of Service national direct grant program, and related national activities, and for other purposes.

S. 468

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 468, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 491

At the request of Mr. WEBB, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 500

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 500, a bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions.

S. 525

At the request of Mr. DORGAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 525, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 535

At the request of Mr. NELSON of Florida, the names of the Senator from Illinois (Mr. BURRIS), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 541

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 541, a bill to increase the borrowing authority of the Federal Deposit Insurance Corporation, and for other purposes.

S. 543

At the request of Mr. DURBIN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Delaware (Mr. KAUFMAN) were added as

cosponsors of S. 543, a bill to require a pilot program on training, certification, and support for family caregivers of seriously disabled veterans and members of the Armed Forces to provide caregiver services to such veterans and members, and for other purposes.

S. 546

At the request of Mr. REID, the names of the Senator from Montana (Mr. TESTER) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 556

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 556, a bill to amend chapter 44 of title 18, United States Code, to modernize the process by which interstate firearms transactions are conducted by Federal firearms licensees.

S. 567

At the request of Mr. CRAPO, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 567, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gains rates.

S. 574

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 574, a bill to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

S. 582

At the request of Mr. SANDERS, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Iowa (Mr. HARKIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 582, a bill to amend the Truth in Lending Act to protect consumers from usury, and for other purposes.

S. 605

At the request of Mr. KAUFMAN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 605, a bill to require the Securities and Exchange Commission to reinstate the uptick rule and effectively regulate abusive short selling activities.

S. 614

At the request of Mrs. HUTCHISON, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Delaware (Mr. KAUFMAN) were added as cosponsors of S. 614, a bill to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

S. 622

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 622, a bill to ensure parity between the temporary duty imposed on ethanol and tax credits provided on ethanol.

S. 631

At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 631, a bill to provide for nationwide expansion of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers.

S. 645

At the request of Mrs. LINCOLN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 645, a bill to amend title 32, United States Code, to modify the Department of Defense share of expenses under the National Guard Youth Challenge Program.

S. 656

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents.

S. 659

At the request of Mr. ALEXANDER, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 659, a bill to improve the teaching and learning of American history and civics.

S. 661

At the request of Mr. BINGAMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 661, a bill to strengthen American manufacturing through improved industrial energy efficiency, and for other purposes.

S. RES. 11

At the request of Mr. REID, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Delaware (Mr. KAUFMAN) were added as cosponsors of S. Res. 11, a resolution to authorize production of documents to the Department of Defense Inspector General.

S. RES. 72

At the request of Mr. MENENDEZ, the names of the Senator from Florida (Mr. NELSON) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Res. 72, a resolution expressing the sense of the Senate regarding drug trafficking in Mexico.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS:

S. 664. A bill to create a systemic risk monitor for the financial system of the United States, to oversee financial regulatory activities of the Federal Government, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. COLLINS. Mr. President, at the heart of the deep recession is a crisis in our financial system that has choked off credit upon which the health of our economy depends. With their jobs disappearing and their life savings evaporating, the American people rightly ask why the Federal Government failed to protect them from Wall Street's greed, unwise decisions, and manipulations that have caused so much harm.

As a former Maine financial regulator, I am convinced regulatory reform is essential to restoring public confidence in our financial markets. America's main street small businesses, homeowners, employees, savers, and investors deserve the protection of a new regulatory system that modernizes regulatory agencies, sets safety and soundness requirements for financial institutions to prevent excessive risk-taking, and improves oversight, accountability, and transparency.

To achieve those goals, I am introducing the Financial System Stabilization and Reform Act of 2009. This legislation will fundamentally restructure our financial regulatory system. It will strengthen oversight and accountability in our financial markets, and it would help rebuild the confidence of our citizens in our economy and help restore stability to our financial markets.

Mr. President, as financial institutions speculated in increasingly risky products and practices, not one of the hundreds of Federal and State agencies involved in financial regulation was responsible for detecting and assessing the risk to the system as a whole. The financial sector was gambling on the rise of the housing market, yet no single regulator could see that everyone, from mortgage brokers to credit default swap traders, was betting on a bubble that was about to burst. Instead, each agency viewed its regulated market through a narrow lens, missing the total risk that permeated our financial markets.

In order to prevent this problem from recurring, a single financial regulator must be tasked with understanding the full range of risks our financial system faces. This regulator also must have the authority to take proactive steps to prevent or minimize systemic risk.

This is an urgent need. Unemployment reached 7.8 percent in my home State in January. Last month, the national unemployment rate hit 8.1 percent, the highest in 25 years. Earlier this month, the Federal Reserve reported that the net worth of American households plummeted by more than $11 trillion in 2008, a staggering drop of nearly 20 percent, the most in 63 years. And, at the same time, court proceedings and congressional hearings on the Bernie Madoff case revealed that this multibillion-dollar Ponzi scheme of nonexistent transactions and fraudulent statements was perpetrated for

years under the very noses of the Federal agencies that should have stopped it.

The American people need more than words of optimism or promises of a turnaround. With their jobs lost or in jeopardy, with their financial plans in ruin, and now with their hard-earned tax dollars on the line to clean up the mess, they need reforms. They need action.

The American people are angry, and rightfully so. They are angry because the current crisis was not created from their own bad investments or decisions, but by those on Wall Street who concocted complicated financial instruments that ended up backfiring. Investment firms borrowed to the hilt when they did not have the resources to do so.

When the average American decides to purchase a security on credit, margin requirements dictate that he or she put up at least 50 percent of its value in cash. But investment banks did not have to play by the same rules when they bought for their own accounts. And they took advantage of this system.

Indicative of the extent of the borrowing, Bear Stearns had a leverage ratio of 35 to 1, which means the firm borrowed $35 for every dollar of its own money. For example, suppose your net worth is a dollar and you combine that dollar with $35 in borrowed money to buy an asset worth $36. If the value of that asset declines by only $2, to $34, you are now bankrupt. This is exactly what happened to Bear Stearns and other investment banks.

Since last spring, the Homeland Security and Governmental Affairs Committee, on which I serve as ranking member, has held a series of hearings on the roots of the present crisis. We began by looking at the derivatives and commodity markets and more recently looked at the steps that can be taken to protect our Nation's financial system as a whole by creating a systemic-risk regulator. The many expert witnesses who have appeared before us have described how our financial system was destabilized by a combination of reckless lending, complex new instruments, securitization of assets, poor disclosure and understanding of risks, excessive leverage, and inadequate regulation.

Our witnesses were in wide agreement that the mounting risk went virtually undetected by the vast network of Federal and State regulatory agencies. As the Government Accountability Office put it in a recent report to the committee, ''it has become apparent that the regulatory system is ill-suited to meet the nation's needs in the 21st century.'' To meet this challenge, Federal Reserve Chairman Bernanke said recently:

> We must have a strategy that regulates the financial system as a whole, in a holistic way, not just its individual components.

This statement confirms a view that I find inescapable, our current system suffers from regulatory gaps that pose enormous risks to our entire economy. The holistic approach recommended by Chairman Bernanke is the guiding principle of the comprehensive legislation I introduce today. Like legislation I introduced last fall, this bill would also regulate Wall Street investment banks for safety and soundness and close the gap that has allowed credit default swaps and other financial instruments to escape regulation by both Federal and State regulators.

To ensure a systemic approach to Federal financial regulation, this legislation calls for the creation of an independent financial stability council to serve as a ''systemic-risk regulator.'' The council would maintain comprehensive oversight of all potential risks to the financial system, and would have the power to act to prevent or mitigate those risks. The financial stability council would be composed of representatives from existing Federal agencies which now have the responsibility to oversee segments of the financial system—the Federal Reserve; the Treasury Department; the Securities and Exchange Commission; the Commodity Futures Trading Commission; the Federal Deposit Insurance Corporation; and the National Credit Union Administration.

The council would be led by a chairman nominated by the President and confirmed by the Senate, with the responsibility for the day-to-day operations of the council. The chairman would be required to appear before Congress twice a year to report on the state of the country's financial system, areas in which systemic risk are anticipated, and whether any legislation is needed for the council to carry out its mission of preventing systemic risks.

Witnesses who have appeared before our committee have stressed the need to ensure that the systemic-risk regulator has the responsibility and the authority to ensure that risks to our financial system are identified and addressed. If it is not clear who has that responsibility, then agencies will dig in their heels and resist changes they do not agree with, and engage in finger-pointing when things go bad. At the same time, other witnesses have stressed the dangers of consolidating too much power in the hands of a single regulator and the need to maintain the level of oversight Congress has historically exercised with respect to financial market regulation.

The financial stability council created by this legislation balances these concerns. As Damon Silvers, the AFL–CIO representative on the TARP congressional oversight panel, testified before our committee earlier this month:

> [T]he best approach is a body made up of the key regulators. . . . It is unlikely a systemic risk regulator would develop deep enough expertise on its own. . . . To be effective it would need to cooperate. . . . with all the routine regulators where the relevant expertise would be resident. . . .

Former Senator John Sununu, another member of the congressional oversight panel, recognized that ''systemic risk can materialize in a broad range of areas within our financial system. . . . Thus, it is impractical, and perhaps a dangerous concentration of power, to give one single regulator the power to set or modify any and all standards relating to such risk. Systemic risk oversight and management must be a collaborative effort. . . .''

The financial stability council will be the primary entity responsible for detecting systemic risk and implementing the steps necessary to protect against that risk. The key to such a structure, I believe, is to ensure that the council is headed by a chairman confirmed by the Senate and subject to oversight by Congress, who is dedicated entirely to the mission of the council, and who does not carry a bias in favor of any particular agency on the council.

Some have suggested that the Federal Reserve play the role of systemic-risk regulator. That is not what my bill contemplates. The chairman of the Federal Reserve will be a member of the council, and of course, the Nation's top banker will play a critical role in how the council discharges its responsibilities. But in my view, the Federal Reserve already has enough on its plate, and does not need additional, heavy responsibilities. I should add that nothing in my bill alters the Federal Reserve's role with respect to monetary policy in any way.

This bill, however, would apply safety and soundness regulation to investment bank holding companies by assigning the Federal Reserve this responsibility. Although the five big firms have left the field, this is a necessary step. Any new investment bank would fall into the same regulatory void as its predecessors. The SEC would be able to regulate its broker-dealer operations, but no agency would have the explicit authority to examine its operations for safety and soundness or for systemic risk. The collapses at Bear Stearns and Lehman Brothers illustrate the tremendous costs that can be inflicted if these investment banks are not regulated for safety and soundness. Under this legislation, the council's role as the systemic-risk regulator will support the critical importance of the Federal Reserve's safety and soundness duties.

Under my bill, whenever the financial stability council believes that a risk to the financial system is present due to a lack of proper regulation, or by the appearance of new and unregulated financial products or services, it would have the power to propose changes to regulatory policy, using the statutory authority provided to our existing Federal financial regulatory agencies.

The financial stability council will have the power to obtain information directly from any regulated provider of financial products and, in limited form, from State regulators regarding the solvency of State-regulated insurers.

The council will also be able to propose regulations of financial instruments which are designed to look like insurance products, but that in reality are financial products which could present a systemic risk. But—and I want to stress this point—my bill does not preempt State law governing traditional insurance products.

In keeping with the recommendations of the experts who testified before our committee, the bill provides the council with the power to adopt rules designed to address the ''too big to fail'' problem. How often we have heard that term lately. We hear financial experts and Federal officials telling us we have to continue to bail out large institutions like AIG because they are ''too big to fail.'' We need to remedy this problem so we don't find ourselves in the same situation a decade from now. This bill provides the council with the power to adopt rules designed to discourage financial institutions from becoming ''too big to fail'' or to regulate them appropriately if they become what we call ''systemically important financial institutions.'' The need to regulate how these systemically important financial institutions, or ''SIFIs,'' invest their own capital was not previously recognized. Indeed, the prevailing attitude was that if firms failed because of bad investments, possibly bringing some of their creditors down with them, that was how the market was supposed to work. In true Darwinian fashion, eliminating firms with less investment acumen would only serve to strengthen American capitalism. We now know the fallacy of that reasoning, and it has been a very painful lesson, for it is not just the large investment houses that are hurt, but average Americans from Maine to California also suffer.

Under this legislation the council would help make sure financial institutions do not become ''too big to fail'' by imposing different capital requirements on them as they grow in size, raising their risk premiums, or requiring them to hold a larger percentage of their debt as long-term debt. The TARP congressional oversight panel adopted this position, explaining:

> We should not identify specific institutions in advance as too big to fail, but rather have a regulatory framework in which institutions have higher capital requirements and pay more on insurance funds on a percentage basis than smaller institutions which are less likely to be rescued as being too systemic to fail.

I want to make clear, though, that the power this bill provides to the council is not meant to restrict financial institutions from growing in size, but rather from becoming risks to the system as a whole.

The bill also provides the council with authority to address so-called regulatory ''black holes,'' created by new and imaginative financial instruments that do not fall within the jurisdictional authority of any Federal financial regulatory agency. Credit default swaps are a perfect example of this problem. Prior to 2000, credit default swaps existed in a regulatory limbo. Neither the SEC nor the CFTC were willing to exert authority over the credit default swap market. As a result, they fell through the jurisdictional cracks. Congress then compounded the problem by explicitly exempting credit default swaps from regulation under the Commodity Futures Modernization Act of 2000.

As was the case with AIG, serious problems can arise when a major ''credit event'' suddenly reveals that massive claims for collateral posting or payment are converging on credit default swap parties who cannot meet their obligations. But because the market was bilateral and over-the-counter, it was often impossible for regulators—and even market participants—to know in advance how all the tangled webs of contract commitments overlapped and affected any particular party. Under the current system which lacks a systemic-risk regulator, regulators at times lack the authority to take action against excessive debt, inadequate reserves, and other threats, even when they see them occurring.

This legislation specifically addresses the credit default swap problem by repealing the exemption from regulation that Congress created for these instruments in 2000, and by setting up a government-regulated clearinghouse.

But beyond credit default swaps, risky new financial instruments could still avoid the reach of our regulatory system. For that reason, my legislation provides the council with the power to propose regulations and legislation governing the sale or marketing of any financial instrument which would fall into a ''black hole,'' and would otherwise present a systemic risk to the financial systems of the United States if left unmonitored.

Professor Howell Jackson, the acting dean of Harvard Law School, discussed this ''black hole'' problem in his testimony to our committee early this year. He stated that the underlying issue is that ''well-advised financial services firms are capable of exploiting the legalistic boundaries of jurisdictional authority that characterize our system of financial regulation. Without broad jurisdictional mandates, our financial regulators will remain at a serious disadvantage in setting policy for new financial products and risks.''

Finally, my bill will merge the Office of Thrift Supervision, OTS, into the Office of the Comptroller of the Currency, OCC. Secretary Paulson recommended this merger in the plan he released last year, and 2 years ago, John Dugan, the U.S. Comptroller, said that such a merger would be ''appropriate and healthy.'' There are currently at least four agencies involved in bank regulation, including the FDIC, the Federal Reserve, and the OCC and OTC. Consolidating and reducing the number of banking regulators would improve the efficiency and effectiveness of this system.

OTS is the best candidate for several reasons, including that many of its largest regulated entities, thrifts, have either collapsed or been acquired in the midst of the financial crisis—such as Washington Mutual and Indy Mac. And in the last 4 months, the inspector general for Treasury has raised serious questions about the objectivity and effectiveness of OTS's supervision of the largest thrifts.

Mr. President, the regulatory reforms in this legislation are absolutely essential to restoring public confidence in our financial markets. We have relied too long on a patchwork of regulatory agencies that is incapable of understanding or controlling risks to the system as a whole. The overarching purpose of this legislation is to ensure that, as the financial-services industry becomes ever more global and complex, those in government, responsible for overseeing the system's stability, can see the whole picture. We are in this crisis precisely because firms, whether for good or bad, exploited legal boundaries, risky financial instruments fell beyond the reach of regulators, and institutions doomed to fail grew too big to fail.

Honest savers, borrowers, investors, Main Street businesses, and responsible financial institutions deserve a regulatory system suited to demands of modern times, where dangerous gaps are closed, and where risky transactions are indentified and controlled before they pose a threat to the markets as a whole. These reforms must be made to restore the confidence necessary to stabilize our financial markets. That is what this legislation aims to do, and I urge my colleagues to support it.

By Mr. FEINGOLD:

S. 665. A bill to allow modified bloc voting by cooperative associations of milk producers in connection with a referendum on Federal milk marketing order reform; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, the first day of spring is appropriately also National Agriculture Day and a time to recognize the important contribution made by farmers, ranchers and the agriculture industry that is largely responsible for putting food on the table and clothes on our backs. Agriculture is critically important to both our Nation and Wisconsin. Over 22 million Americans and 420,000 Wisconsinites are employed by farms or agriculture related businesses. Approximately a fifth of U.S. gross domestic product is linked to agriculture and Wisconsin's farms and farm-related businesses create $51.5 billion in economic activity each year.

Unfortunately, Agriculture Day this year comes at an unusually stressful time for the farm community. Even for an industry used to ups and downs from

a variety of sources, the recent problems associated with the global economic troubles are taxing farmers and agriculture in general more than usual. Dairy farmers have been particularly hard hit recently, with the price they receive for their milk having fallen by 50 percent or more since last year. While I was glad that the dairy safety net or Milk Income Loss Contract program was reauthorized and improved during the farm bill, the dramatic drop in prices combined with relatively high input costs will mean that many dairy farmers are not coming close to covering their expenses even with the safety net.

Given these serious challenges facing dairy farmers, on January 30, 2009, I sent a letter with Senator KOHL and 33 other Senators to U.S. Department of Agriculture, USDA, Secretary Tom Vilsack that calls on the USDA to take a series of actions to protect the industry from instability. This geographically diverse group of senators is asking the USDA to more fully utilize existing programs like the Dairy Product Price Support Program, DPPSP, and the Dairy Export Incentive Program, to reverse the outgoing administration's recent decision to halt purchases of value-added dairy products by the DPPSP, and to help more low-income individuals, food banks and schools gain access to nutritious dairy products.

As Americans and businesses are feeling the impact of the current economic troubles and sometimes falling behind on payments, farmers across the country are increasingly facing the same prospect as well. This is one reason I supported $193 million for Farm Service Agency farm loans and loan restructuring as part of the American Recovery and Reinvestment Act, P.L. 111–5, also known as the stimulus bill—to ensure that credit for farmers is available during these difficult times. Also along these lines, on March 5, 2009, I sent a letter with Senators BROWN, KOHL, GILLIBRAND and 15 other Senators urging the Obama administration to help reduce farm foreclosures related to the troubled economy. The letter to Agriculture Secretary Tom Vilsack and Treasury Secretary Tim Geithner called for additional requirements for banks and other financial institutions that have taken Federal bailout funds to work with farmers to restructure farm loans to help keep them in their homes and businesses. These conditions would mirror requirements that are already in place on farm loans supported by the USDA Farm Service Agency and the requirements being developed for home loans held by these same lenders that have taken bailout funds. While I did not support the flawed bailout bill, I believe it is essential that bailout funds be used as much as possible to help consumers, farmers, home-owners and others feeling the pain of the economic crisis we are in.

In addition to focusing resources to help farmers and others in agriculture ride out the current economic storm, it is still important to seek solutions to long term inequities in agriculture. I have been particularly concerned about the increasing concentration in agriculture sectors and the potential for this market power to be used unduly against farmers and small independent businesses. During a Senate Judiciary Committee hearing on March 10, 2009, I discussed the grave concerns of Wisconsin farmers about slumping dairy prices and the Bush administration's failure to take action against anticompetitive behavior in the agriculture industry. Under my questioning, Christine Anne Varney, the nominee to be Assistant Attorney General of the Antitrust Division in the Department of Justice, committed, if she is confirmed, to make agriculture a priority of the Antitrust Division. She indicated that she will examine questionable antitrust decisions of the Bush administration and order a thorough review of slumping farm-level dairy prices, which do not appear to be reflected in retail prices paid by consumers.

Even with the troubles currently facing agriculture, farmers, and agriculture are resilient and entrepreneurial. I am certain that these individuals and businesses will bounce back and continue to push for more opportunities for farmers, agriculture and the rural communities that depend on them. Wisconsin's diverse agricultural producers—from ginseng growers to cheese makers to cranberry growers and everything in between—are rightly proud of their work and look for ways to differentiate themselves and add value whether it is through country-of-origin or other labeling, converting to organic production or other measures. During debate on the farm bill, I was glad to support federal programs such as organic programs, Value-Added Producer Grants and the Rural Microentrepreneur Assistance Program as ways that the federal government can support important new opportunities for farmers to improve their livelihood without drastically changing the size and methods of their production.

Of more general importance to all rural residents is closing the digital divide and providing affordable broadband Internet access to all Americans. I was glad the farm bill made improvements to the USDA broadband programs and that the American Recovery and Reinvestment Act followed this up with a commitment to spend $7.2 billion. On March, 9, 2009, I cosigned a series of letters to the administrators of the Federal broadband programs highlighting the need to ensure that these funds are targeted toward bringing broadband and the opportunities that come with this connectivity to rural areas without service.

Finally, the first day of spring also seems like an opportune time to reintroduce some legislation related to agriculture. While I was able to include several of my proposals in the farm bill last year including a tax provision to allow farmers to remain eligible for Social Security benefits in lean years, country-of-origin labeling for ginseng, a new higher profile office at USDA for small farms, and a provision similar to a bill I had with Senator Grassley to give farmers an option to opt out of mandatory binding arbitration in contracts, I have three bills to reintroduce: The Quality Cheese Act, The Democracy for Dairy Farmers Act and the Federal Milk Marketing Reform Act.

The import of milk protein concentrates and casein, which can substitute for domestic milk in many food products, continues to put pressure on our farmers and can threaten the integrity of our dairy products. For example, concerns about the safety of imported dairy products such as the recent Chinese melamine adulteration have the potential to threaten consumer confidence even for U.S. dairy products. The Quality Cheese Act will preserve the integrity of our natural cheeses by preventing milk protein concentrates and other imported milk substitutes from ever entering cheese vats.

Under the Federal Milk Marketing Order system, the deck has been stacked against Wisconsin's dairy farmers for some time. The legacy of transportation costs being calculated for the base milk price based on the distance from Eau Claire, WI, remains a problem to this day. This rule unfairly keeps Wisconsin's milk price disproportionately low, and bears no relation to the actual costs of transportation. While I hope that the commission provided for by the farm bill can address this problem also, my Federal Milk Market Reform Act would even the playing field for Wisconsin's producers and remove this longstanding inequity.

If a dairy cooperative decides to vote on behalf of all of its members or ''bloc vote,'' individual members have no opportunity to voice opinions separately. That seems unfair when you consider what significant issues may be at stake. The Democracy for Dairy Producers Act of 2007 is simple and fair. It provides that a cooperative cannot deny any of its members a ballot to opt to vote separately from the cooperative. It also contains safeguards to make sure that farmers have information about each vote and is structured in such a way that it will not slow down the process, and the implementation of any rule or regulation would proceed on schedule.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 668. A bill to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

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

S. 668

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Northwest Straits Marine Conservation Initiative Reauthorization Act of 2009''.

SEC. 2. REAUTHORIZATION OF NORTHWEST STRAITS MARINE CONSERVATION INITIATIVE ACT.

The Northwest Straits Marine Conservation Initiative Act (title IV of Public Law 105–384; 112 Stat. 3458) is amended—

(1) in section 402, by striking ''(in this title referred to as the 'Commission')''; and

(2) by striking sections 403, 404, and 405 and inserting the following:

''SEC. 403. FINDINGS.

''Congress makes the following findings:

''(1) The marine waters and ecosystem of the Northwest Straits in Puget Sound in the State of Washington represent a unique resource of enormous environmental and economic value to the people of the United States.

''(2) During the 20th century, the environmental health of the Northwest Straits declined dramatically as indicated by impaired water quality, declines in marine wildlife, collapse of harvestable marine species, loss of critical marine habitats, ocean acidification, and sea level rise.

''(3) At the start of the 21st century, the Northwest Straits have been threatened by sea level rise, ocean acidification, and other effects of climate change.

''(4) In 1998, the Northwest Straits Marine Conservation Initiative Act (title IV of Public Law 105–384) was enacted to tap the unprecedented level of citizen stewardship demonstrated in the Northwest Straits and create a mechanism to mobilize public support and raise capacity for local efforts to protect and restore the ecosystem of the Northwest Straits.

''(5) The Northwest Straits Marine Conservation Initiative helps the National Oceanic and Atmospheric Administration and other Federal agencies with their marine missions by fostering local interest in marine issues and involving diverse groups of citizens.

''(6) The Northwest Straits Marine Conservation Initiative shares many of the same goals with the National Oceanic and Atmospheric Administration, including fostering citizen stewardship of marine resources, general ecosystem management, and protecting Federally managed marine species.

''(7) Ocean literacy and identification and removal of marine debris projects are examples of on-going partnerships between the Northwest Straits Marine Conservation Initiative and the National Oceanic and Atmospheric Administration.

''SEC. 404. DEFINITIONS.

''In this title:

''(1) COMMISSION.—The term 'Commission' means the Northwest Straits Advisory Commission established by section 402.

''(2) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''(3) NORTHWEST STRAITS.—The term 'Northwest Straits' means the marine waters of the Strait of Juan de Fuca and of Puget Sound from the Canadian border to the south end of Snohomish County.

''SEC. 405. MEMBERSHIP OF THE COMMISSION.

''(a) COMPOSITION.—The Commission shall be composed of up to 14 members who shall be appointed as follows:

''(1) One member appointed by a consensus of the members of a marine resources committee established under section 408 for each of the following counties of the State of Washington:

''(A) San Juan County.

''(B) Island County.

''(C) Skagit County.

''(D) Whatcom County.

''(E) Snohomish County.

''(F) Clallam County.

''(G) Jefferson County.

''(2) Two members appointed by the Secretary of the Interior in trust capacity and in consultation with the Northwest Indian Fisheries Commission or the Indian tribes affected by this title collectively, as the Secretary of the Interior considers appropriate, to represent the interests of such tribes.

''(3) One member appointed by the Governor of the State of Washington to represent the interests of the Puget Sound Partnership.

''(4) Four members appointed by the Governor of the State of Washington who—

''(A) are residents of the State of Washington; and

''(B) are not employed by a Federal, State, or local government.

''(b) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

''(c) CHAIRPERSON.—The Commission shall select a Chairperson from among its members.

''(d) MEETING.—The Commission shall meet at the call of the Chairperson, but not less frequently than quarterly.

''(e) LIAISON.—The Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere and in consultation with the Director of the Commission appointed under section 407(a), appoint an employee of the National Oceanic and Atmospheric Administration—

''(1) to serve as a liaison among the Commission and the Department of Commerce; and

''(2) to attend meetings and other events of the Commission as a nonvoting participant.

''SEC. 406. GOAL AND DUTIES OF THE COMMISSION.

''(a) GOAL.—The goal of the Commission is to protect and restore the marine waters, habitats, and species of the Northwest Straits region to achieve ecosystem health and sustainable resource use by—

''(1) designing and initiating projects that are driven by sound science, local priorities, community-based decisions, and the ability to measure results;

''(2) building awareness and stewardship and making recommendations to improve the health of the Northwest Straits marine resources;

''(3) maintaining and expanding diverse membership and partner organizations;

''(4) expanding partnerships with governments of Indian tribes and continuing to foster respect for tribal cultures and treaties; and

''(5) recognizing the importance of economic and social benefits that are dependent on marine environments and sustainable marine resources.

''(b) DUTIES.—The duties of the Commission are the following:

''(1) To provide resources and technical support for marine resources committees established under section 408.

''(2) To work with such marine resources committees and appropriate entities of Federal and State governments and Indian tribes to develop programs to monitor the overall health of the marine ecosystem of the Northwest Straits.

''(3) To identify factors adversely affecting or preventing the restoration of the health of the marine ecosystem and coastal economies of the Northwest Straits.

''(4) To develop scientifically sound restoration and protection recommendations, informed by local priorities, that address such factors.

''(5) To assist in facilitating the successful implementation of such recommendations by developing broad support among appropriate authorities, stakeholder groups, and local communities.

''(6) To develop and implement regional projects based on such recommendations to protect and restore the Northwest Straits ecosystem.

''(7) To serve as a public forum for the discussion of policies and actions of Federal, State, or local government, an Indian tribe, or the Government of Canada with respect to the marine ecosystem of the Northwest Straits.

''(8) To inform appropriate authorities and local communities about the marine ecosystem of the Northwest Straits and about issues relating to the marine ecosystem of the Northwest Straits.

''(9) To consult with all affected Indian tribes in the region of the Northwest Straits to ensure that the work of the Commission does not violate tribal treaty rights.

''(c) BENCHMARKS.—The Commission shall carry out its duties in a manner that promotes the achieving of the benchmarks described in subsection (f)(2).

''(d) COORDINATION AND COLLABORATION.—The Commission shall carry out the duties described in subsection (b) in coordination and collaboration, when appropriate, with Federal, State, and local governments and Indian tribes.

''(e) REGULATORY AUTHORITY.—The Commission shall have no power to issue regulations.

''(f) ANNUAL REPORT.—

''(1) IN GENERAL.—Each year, the Commission shall prepare, submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Under Secretary for Oceans and Atmosphere, and make available to the public an annual report describing—

''(A) the activities carried out by the Commission during the preceding year; and

''(B) the progress of the Commission in achieving the benchmarks described in paragraph (2).

''(2) BENCHMARKS.—The benchmarks described in this paragraph are the following:

''(A) Protection and restoration of marine, coastal, and nearshore habitats.

''(B) Prevention of loss and achievement of a net gain of healthy habitat areas.

''(C) Protection and restoration of marine populations to healthy, sustainable levels.

''(D) Protection of the marine water quality of the Northwest Straits region and restoration of the health of marine waters.

''(E) Collection of high-quality data and promotion of the use and dissemination of such data.

''(F) Promotion of stewardship and understanding of Northwest Straits marine resources through education and outreach.

''SEC. 407. COMMISSION PERSONNEL AND ADMINISTRATIVE MATTERS.

''(a) DIRECTOR.—The Manager of the Shorelands and Environmental Assistance Program of the Department of Ecology of the State of Washington may, upon the recommendation of the Commission and the Director of the Padilla Bay National Estuarine Research Reserve, appoint and terminate a

Director of the Commission. The employment of the Director shall be subject to confirmation by the Commission.

''(b) STAFF.—The Director may hire such other personnel as may be appropriate to enable the Commission to perform its duties. Such personnel shall be hired through the personnel system of the Department of Ecology of the State of Washington.

''(c) ADMINISTRATIVE SERVICES.—If the Governor of the State of Washington makes available to the Commission the administrative services of the State of Washington Department of Ecology and Padilla Bay National Estuarine Research Reserve, the Commission shall use such services for employment, procurement, grant and fiscal management, and support services necessary to carry out the duties of the Commission.

''SEC. 408. MARINE RESOURCES COMMITTEES.

''(a) IN GENERAL.—The government of each of the counties referred to in subparagraphs (A) through (G) of section 405(a)(1) may establish a marine resources committee that—

''(1) complies with the requirements of this section; and

''(2) receives from such government the mission, direction, expert assistance, and financial resources necessary—

''(A) to address issues affecting the marine ecosystems within its county; and

''(B) to work to achieve the benchmarks described in section 406(f)(2).

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—Each marine resources committee established pursuant to this section shall be composed of—

''(A) members with relevant scientific expertise; and

''(B) members that represent balanced representation, including representation of—

''(i) local governments, including planning staff from counties and cities with marine shorelines;

''(ii) affected economic interests, such as ports and commercial fishers;

''(iii) affected recreational interests, such as sport fishers; and

''(iv) conservation and environmental interests.

''(2) TRIBAL MEMBERS.—With respect to a county referred to in subparagraph (A) through (G) of section 405(a)(1), each Indian tribe with usual and accustomed fishing rights in the waters of such county and each Indian tribe with reservation lands in such county, may appoint one member to the marine resources committee for such county. Such member may be appointed by the respective tribal authority.

''(3) CHAIRPERSON.—

''(A) IN GENERAL.—Each marine resources committee established pursuant to this section shall select a chairperson from among members by a majority vote of the members of the committee.

''(B) ROTATING POSITION.—Each marine resources committee established pursuant to this section shall select a new chairperson at a frequency determined by the county charter of the marine resources committee to create a diversity of representation in the leadership of the marine resources committee.

''(c) DUTIES.—The duties of a marine resources committee established pursuant to this section are the following:

''(1) To assist in assessing marine resource problems in concert with governmental agencies, tribes, and other entities.

''(2) To assist in identifying local implications, needs, and strategies associated with the recovery of Puget Sound salmon and other species in the region of the Northwest Straits listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in coordination with Federal, State, and local governments, Indian tribes, and other entities.

''(3) To work with other entities to enhance the scientific baseline and monitoring program for the marine environment of the Northwest Straits.

''(4) To identify local priorities for marine resource conservation and develop new projects to address those needs.

''(5) To work closely with county leadership to implement local marine conservation and restoration initiatives.

''(6) To coordinate with the Commission on marine ecosystem objectives.

''(7) To educate the public and key constituencies regarding the relationship between healthy marine habitats, harvestable resources, and human activities.

''SEC. 409. NORTHWEST STRAITS MARINE CONSERVATION FOUNDATION.

''(a) ESTABLISHMENT.—The Director of the Commission and the Director of the Padilla Bay National Estuarine Research Reserve may enter into an agreement with an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 to establish a nonprofit foundation to support the Commission and the marine resources committees established under section 408 in carrying out their duties under this Act.

''(b) DESIGNATION.—The foundation authorized by subsection (a) shall be known as the 'Northwest Straits Marine Conservation Foundation'.

''(c) RECEIPT OF GRANTS.—The Northwest Straits Marine Conservation Foundation may, if eligible, apply for, accept, and use grants awarded by Federal agencies, States, local governments, regional agencies, interstate agencies, corporations, foundations, or other persons to assist the Commission and the marine resources committees in carrying out their duties under this Act.

''(d) TRANSFER OF FUNDS.—The Northwest Straits Marine Conservation Foundation may transfer funds to the Commission or the marine resources committees to assist them in carrying out their duties under this Act.''.

By Mr. BURR (for himself, Mr. WEBB, Mr. GRAHAM, Mr. WICKER, Mr. COBURN, Mr. DEMINT, Mr. ROBERTS, Mr. GRASSLEY, Mr. VITTER, Mr. ENZI, Mr. INHOFE, Mr. ENSIGN, Mr. CRAPO, Mr. COCHRAN, Ms. MURKOWSKI, and Mr. THUNE):

S. 669. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes; to the Committee on Veterans' Affairs.

Mr. BURR. Mr. President, I rise today to again introduce bipartisan legislation that would end an arbitrary process through which our own government takes away the 2nd Amendment rights of veterans.

I am pleased to be joined by three of my fellow Veterans' Affairs Committee Members on this legislation—Senators WEBB, GRAHAM, and WICKER—and 12 other members of the Senate, all as original cosponsors.

The legislation is nearly identical to the bill I introduced last Congress under the same title. Unfortunately, after it was approved as an amendment at a Committee markup and reported to the full Senate, no further action was taken. I am hopeful that things will be different this Congress.

As most of my colleagues know, the Federal Gun Control Act prohibits the sale of firearms to certain individuals, including convicted felons, fugitives, drug users, illegal aliens, and individuals who have been ''adjudicated as a mental defective.''

The Brady Handgun Violence Prevention Act requires the government to maintain a database on these individuals called the National Instant Criminal Background Check System, or ''NICS''. The Brady Law and the NICS database aim to prevent those who may pose a danger to society or themselves from purchasing a firearm.

Gun shop owners reference the NICS to screen customers. Needless to say, it is a serious matter to have one's name on the NICS. Every American should expect a rigorous and fair process before their right to bear arms is taken away.

Unfortunately, when it comes to certain veterans, spouses, dependent children, and dependent parents, the process is neither rigorous nor fair.

Since 1999, VA has sent the names of 116,000 of its beneficiaries to the FBI for inclusion on the NICS.

None of these names were sent to the FBI because they were determined to be a danger to themselves or others. They were listed in NICS because they could not manage their financial affairs. We should not take away a Constitutional right because someone can't balance a checkbook or pay their bills on time.

VA's review process for assigning a fiduciary is meant to determine one's financial responsibility in managing VA-provided cash assistance such as disability compensation, pension, and other benefits.

For example, a veteran may be assigned a fiduciary if they have credit problems.

VA focuses on whether or not benefits paid by VA will be spent in the manner for which they were intended. Nothing involved with VA's appointment of a fiduciary even gets at the question of whether an individual is a danger to themselves or others, or whether the person should own a firearm.

Yet that is exactly what happens if VA appoints a fiduciary. Over 116,000 individuals have been listed in NICS since 1999 because they were appointed a fiduciary.

Again, this includes veterans, surviving spouses and, strangely enough, dependent children. That's right, a child entitled to receive survivor's compensation because their mother or father died as a result of service has their name sent to a government database filled with criminals. Even worse, the child's name stays on this list permanently unless he or she petitions to have it taken off.

This makes no sense. States have age restrictions preventing kids from purchasing firearms. VA sending the names of innocent children to Government database of criminals just because their parent died as a result of service to their country simply makes no sense, and it is downright insulting.

This process is not only arbitrary, it is unfair. Taking away a Constitutional right is a serious action and veterans should be afforded due process under the law. At the very least we should expect such decisions to be made by a competent judicial authority and not by civilian government employees.

The current process is also a double standard. Only VA beneficiaries fall under these guidelines. The Social Security Administration assigns fiduciaries to help beneficiaries, yet it does not send their names to the NICS.

Why are we singling out those who fought for this country and those who sacrificed while their spouse or parent served?

My legislation would end this arbitrary and unfair practice that strips the finest men and women of this country of their right to bear arms. This legislation would require a judicial authority to determine that an individual is a danger to themselves or others before their 2nd Amendment rights are taken away.

I am not here to ask that we put guns in the hands of dangerous people. I am here to ask that we treat our veterans fairly and that we take their rights seriously. Many of our veterans' organizations and other groups agree.

The Veterans 2nd Amendment Protection Act has the support of the The American Legion, the Veterans of Foreign Wars of the United States, AMVETS, the Military Order of the Purple Heart, the National Alliance on Mental Illness, the National Rifle Association, and Gun Owners of America.

No matter where my colleagues fall on the gun issue, I hope we can all agree that we need a process that is consistent and fair. Our veterans took an oath to uphold the Constitution. They deserve to enjoy the rights they fought so hard to protect.

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

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

S. 669

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans 2nd Amendment Protection Act''.

SEC. 2. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

''5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 81—SUPPORTING THE GOALS AND IDEALS OF WORLD WATER DAY

Ms. COLLINS (for herself and Mr. KERRY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 81

Whereas the United Nations General Assembly, by resolution, has designated March 22 of each year as ''World Water Day'';

Whereas a person needs 4 to 5 liters of water per day to survive;

Whereas a person can live weeks without food, but only days without water;

Whereas every 15 seconds a child dies from a water-borne disease;

Whereas, for children under age 5, water-borne diseases are the leading cause of death;

Whereas millions of women and children already spend several hours a day collecting water from distant, often polluted sources;

Whereas every dollar spent on water and sanitation saves an average of $9 in costs averted and productivity gained;

Whereas, at any given time, ½ of the hospital beds in the world are occupied by patients suffering from a water-borne disease;

Whereas 88 percent of all diseases are caused by unsafe drinking water, inadequate sanitation, and poor hygiene;

Whereas 1,100,000,000 (1 in 6) people lack access to an improved water supply;

Whereas 2,600,000,000 people in the world lack access to improved sanitation;

Whereas the 263 transboundary lake and river basins in the world are part of the territory of 145 countries and cover nearly ½ of the land surface of the Earth;

Whereas climate change may cause more extreme floods and droughts, increasing political tension and the potential for clashes over transboundary fresh water resources;

Whereas the global celebration of World Water Day is an initiative that grew out of the 1992 United Nations Conference on Environment and Development in Rio de Janeiro;

Whereas the participants in the 2002 World Summit on Sustainable Development in Johannesburg, including the United States, agreed to the Plan of Implementation which included an agreement to work to reduce by ½ from the baseline year 1990 ''the proportion of people who are unable to reach or to afford safe drinking water'', ''and the proportion of people without access to basic sanitation'' by 2015; and

Whereas Congress passed and the President signed into law the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121), which was intended to ''elevate the role of water and sanitation policy in the development of U.S. foreign policy and improve the effectiveness of U.S. official programs'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Water Day;

(2) urges an increased effort and the investment of greater resources by the Department of State, the United States Agency for International Development, and all relevant Federal departments and agencies toward providing sustainable and equitable access to safe drinking water and sanitation for the poor and the very poor; and

(3) encourages the people of the United States to observe the week of World Water Day with appropriate activities that promote awareness of the importance of—

(A) access to clean water; and

(B) cooperation between stakeholders in transboundary water management.

Ms. COLLINS. Mr. President, I rise today to submit a resolution supporting the ideals and goals of World Water Day. I am pleased to have my colleague Senator JOHN KERRY joining me as the cosponsor of this resolution.

March 22 was established as World Water Day by the United Nations General Assembly to promote awareness of the importance of access to clean water and improved sanitation. More than one billion people lack access to an improved water supply and 2.6 billion people lack access to improved sanitation.

This year's theme, ''Shared Water—Shared Opportunities,'' highlights opportunities to build trust among countries as they manage their common water resources in ways that promote sustainable economic growth. In the U.S. half of the States border shared waters, and there are growing pressures on the environmental quality and use of these waters.

To recognize World Water Day, activities are planned internationally and here in the U.S. Many cities are sponsoring World Water Day benefit walks, runs and musical celebrations. I urge citizens to participate in these activities and recognize this important day.

In 2000, the United Nations adopted a goal to reduce by half the proportion of people without sustainable access to safe drinking water and basic sanitation by 2015. We have made some progress toward that goal, but more needs to be done. Each day millions of women and girls still spend hours traveling miles to transport water to their homes. In many cases, the source is polluted, leading to disease for them and other members of their families.

The Senator Paul Simon Water for the Poor Act of 2005 provided for U.S. assistance in developing countries to provide equal and affordable access to clean and safe water and sanitation. This access is important to U.S. foreign policy interests, and, more important, is a basic human right.

SENATE RESOLUTION 82—RECOGNIZING THE 188TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING GREEK AND AMERICAN DEMOCRACY

Mr. SPECTER (for himself, Mr. DURBIN, Mr. KERRY, Mr. LIEBERMAN, Mr. CASEY, Mr. LAUTENBERG, Mr. CARDIN, Ms. SNOWE, Mr. BINGAMAN, Mr.

WHITEHOUSE, Mr. REED, Mr. VOINOVICH, Mr. MENENDEZ, Mr. BEGICH, Mr. MARTINEZ, Mr. LEVIN, Mr. CHAMBLISS, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. FEINGOLD, Ms. MIKULSKI, Mr. KENNEDY, Ms. LANDRIEU, Mr. DODD, Mr. GREGG, Mr. BENNETT, Mr. CARPER, Ms. STABENOW, Mr. GRASSLEY, Mr. KOHL, Mr. RISCH, Mr. INOUYE, Mr. ROCKEFELLER, Mr. ISAKSON, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. LUGAR, Mr. NELSON of Florida, and Mr. JOHNSON) submitted the following resolution; which was considered and agreed to:

S. RES. 82

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the Founding Fathers of the United States, many of whom read Greek political philosophy in the original Greek, drew heavily on the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas Greek Commander in Chief Petros Mavromichalis, a founder of the modern Greek state, said to the citizens of the United States in 1821 that ''it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you'';

Whereas the Greek national anthem, the ''Hymn to Liberty'', includes the words, ''Most heartily was gladdened George Washington's brave land'';

Whereas the people of the United States generously offered humanitarian assistance to the Greek people during their struggle for independence;

Whereas Greece played a major role in the World War II struggle to protect freedom and democracy through such bravery as was shown in the historic Battle of Crete, which provided the Axis land war with its first major setback, setting off a chain of events that significantly affected the outcome of World War II;

Whereas hundreds of thousands of Greek civilians were killed in Greece during World War II in defense of the values of the Allies;

Whereas, throughout the 20th century, Greece was one of a few countries that allied with the United States in every major international conflict;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested more than $20,000,000,000 in the countries of the region, thereby helping to create more than 200,000 new jobs, and having contributed more than $750,000,000 in development aid for the region;

Whereas Greece actively participates in peacekeeping and peace-building operations conducted by international organizations including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim nations and Israel;

Whereas the Government of Greece has taken important steps in recent years in furthering cross-cultural understanding and rapprochement with Turkey, as seen with the January 2008 visit to Turkey by the Prime Minister of Greece, Kostas Karamanlis, the first official visit by a Greek Prime Minister in 49 years;

Whereas Greece and the United States are at the forefront of the effort for freedom, democracy, peace, stability, and human rights;

Whereas those and similar ideals have forged a close bond between Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2009, Greek Independence Day, with the Greek people and to reaffirm the democratic principles from which these two great nations were born: Now, therefore, be it

Resolved, That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 188th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 188 years ago.

SENATE CONCURRENT RESOLUTION 12—RECOGNIZING AND HONORING THE SIGNING BY PRESIDENT ABRAHAM LINCOLN OF THE LEGISLATION AUTHORIZING THE ESTABLISHMENT OF COLLEGIATE PROGRAMS AT GALLAUDET UNIVERSITY

Mr. BROWN submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 12

Whereas in 2009, the United States honored the 200th anniversary of the birth of President Abraham Lincoln;

Whereas on July 4, 1861, President Lincoln stated in a message to Congress that a principal aim of the United States government should be ''to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all, an unfettered start, and a fair chance, in the race of life'';

Whereas on April 8, 1864, President Lincoln signed into law the legislation (Act of April 8, 1864, ch. 52, 13 Stat. 45) authorizing the conferring of collegiate degrees by the Columbia Institution for Instruction of the Deaf and Dumb and the Blind, which is now called Gallaudet University;

Whereas that law led for the first time in history to higher education for deaf students in an environment designed to meet their communication needs;

Whereas Gallaudet University was the first, and is still the only, institution in the world that focuses on educational programs for deaf and hard-of-hearing students from the pre-school through the doctoral level;

Whereas Gallaudet University has been a world leader in the fields of education and research for more than a century; and

Whereas since 1869, graduates of Gallaudet University have pursued distinguished careers of leadership in the United States and throughout the world: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) congratulates and honors Gallaudet University on the 145th anniversary of President Abraham Lincoln's signing of the legislation authorizing the establishment of collegiate programs at Gallaudet University; and

(2) congratulates Gallaudet University for 145 years of unique and exceptional service to the deaf people of the United States and the world deaf community.

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Samantha Harvell, a fellow in Senator BINGAMAN's office, be granted the privilege of the floor during the pendency of H.R. 1388.

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

CONGRATULATING THE COLUMBUS CREW FOR WINNING THE 2008 MAJOR LEAGUE SOCCER CUP

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration, and the Senate now proceed to S. Res. 61.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 61) commending the Columbus Crew Major League Soccer Team for winning the 2008 Major League Soccer Cup.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 61) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 61

Whereas, on Sunday, November 23, 2008, the Columbus Crew defeated the New York Red Bulls by a score of 3–1 to win the 2008 Major League Soccer (MLS) Cup;

Whereas the Columbus Crew led the league with a record of 17 wins, 7 losses, and 6 draws and scored 50 regular season goals and 8 playoff goals;

Whereas Columbus Crew head coach Sigi Schmid was named the 2008 MLS Coach of the Year and became the first MLS Coach to win an MLS Cup with two different teams;

Whereas Columbus Crew forward Guillermo Barros Schelotto was named the 2008 MLS Most Valuable Player and led the league with 19 regular season assists and 6 playoff assists;

Whereas Columbus Crew defender Chad Marshall was named the 2008 MLS Defender of the Year;

Whereas Columbus Crew forward Alejandro Moreno led the team in scoring with 9 regular season goals and 1 playoff goal;

Whereas Columbus Crew goalkeeper Will Hesmer had 17 wins, 97 saves, and 10 shutouts in 29 regular season games;

Whereas Alejandro Moreno, Chad Marshall, and Frankie Hejduk all scored goals in the MLS Cup Championship game;

Whereas the Columbus Crew was the winner of the 2008 MLS Supporters' Shield for being the team with the best regular season record;

Whereas Columbus Crew Captain Frankie Hejduk led the team to its first MLS Cup since the team's creation in 1994; and

Whereas the Columbus Crew, along with its supporters, has energized Columbus and brought great pride to the State of Ohio: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Columbus Crew on winning the 2008 Major League Soccer Cup;

(2) recognizes the achievements of Sigi Schmid, Chad Marshall, Guillermo Barros Schelotto, and the other members of the Columbus Crew for their tireless work ethic and championship form;

(3) salutes the support of the Columbus Crew fan groups, including the Hudson Street Hooligans, the Crew Union, La Turbina Amarilla, and the rest of the Nordecke for unwavering dedication to the Columbus Crew; and

(4) expresses the hope that the Columbus Crew and Major League Soccer will continue to inspire soccer fans and players throughout Ohio, the United States, and the world.

188TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE

Mr. REID. I ask unanimous consent that the Senate proceed to S. Res. 82.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 82) recognizing the 188th anniversary of the independence of Greece and celebrating the Greek and American democracy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 82) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 82

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the Founding Fathers of the United States, many of whom read Greek political philosophy in the original Greek, drew heavily on the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas Greek Commander in Chief Petros Mavromichalis, a founder of the modern Greek state, said to the citizens of the United States in 1821 that "it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you";

Whereas the Greek national anthem, the "Hymn to Liberty", includes the words, "Most heartily was gladdened George Washington's brave land";

Whereas the people of the United States generously offered humanitarian assistance to the Greek people during their struggle for independence;

Whereas Greece played a major role in the World War II struggle to protect freedom and democracy through such bravery as was shown in the historic Battle of Crete, which provided the Axis land war with its first major setback, setting off a chain of events that significantly affected the outcome of World War II;

Whereas hundreds of thousands of Greek civilians were killed in Greece during World War II in defense of the values of the Allies;

Whereas, throughout the 20th century, Greece was one of a few countries that allied with the United States in every major international conflict;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested more than $20,000,000,000 in the countries of the region, thereby helping to create more than 200,000 new jobs, and having contributed more than $750,000,000 in development aid for the region;

Whereas Greece actively participates in peacekeeping and peace-building operations conducted by international organizations including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim nations and Israel;

Whereas the Government of Greece has taken important steps in recent years in furthering cross-cultural understanding and rapprochement with Turkey, as seen with the January 2008 visit to Turkey by the Prime Minister of Greece, Kostas Karamanlis, the first official visit by a Greek Prime Minister in 49 years;

Whereas Greece and the United States are at the forefront of the effort for freedom, democracy, peace, stability, and human rights;

Whereas those and similar ideals have forged a close bond between Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2009, Greek Independence Day, with the Greek people and to reaffirm the democratic principles from which these two great nations were born: Now, therefore, be it

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(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 188 years ago.

APPOINTMENTS

The PRESIDEING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 111–5, appoints the following individual to the Health Information Technology Policy Committee: Dr. Frank Nemec of Nevada.

The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 110–509, the appointment of Sheryl B. Vogt, of Georgia, to the Advisory Committee on the Records of Congress.

ORDERS FOR TUESDAY, MARCH 23, 2009

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow morning, Tuesday, March 24; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business for up to 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half, and with Senators permitted to speak for up to 10 minutes each; further, that following morning business, the Senate resume consideration of the motion to proceed to H.R. 1388, a bill to reauthorize and reform the national service laws, with the time running postcloture as provided under the previous order; finally, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus luncheons.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:10 p.m., adjourned until Tuesday, March 24, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL COMMUNICATIONS COMMISSION

JULIUS GENACHOWSKI, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2008, VICE JONATHAN STEVEN ADELSTEIN, TERM EXPIRED.

DEPARTMENT OF AGRICULTURE

JOE LEONARD, JR., OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE MARGO M. MCKAY, RESIGNED.

DEPARTMENT OF ENERGY

KRISTINA M. JOHNSON, OF MARYLAND, TO BE UNDER SECRETARY OF ENERGY, VICE CLARENCE H. ALBRIGHT, RESIGNED.

ENVIRONMENTAL PROTECTION AGENCY

CYNTHIA J. GILES, OF RHODE ISLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE GRANTA Y. NAKAYAMA, RESIGNED.

DEPARTMENT OF THE TREASURY

LAEL BRAINARD, OF THE DISTRICT OF COLUMBIA, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE DAVID H. MCCORMICK, RESIGNED.

DEPARTMENT OF STATE

HAROLD HONGJU KOH, OF CONNECTICUT, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE, VICE JOHN B. BELLINGER III, RESIGNED.

JOHNNIE CARSON, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), VICE JENDAYI ELIZABETH FRAZER, RESIGNED.