

## Democratic Accomplishments in the 111<sup>th</sup> Congress: Honoring the American People's Call for Change

Since the start of the 111<sup>th</sup> Congress, Democrats have worked with the Obama Administration to advance a bold, positive agenda that rebuilds and reinvests in America. For years, Republican leadership in Washington ignored our nation's most critical problems while at the same time creating larger ones: a financial crisis, a severe economic recession, skyrocketing costs for basic needs, cynicism about government, and a loss of respect around the world. Fed up with misplaced priorities and failed policies and ready to get the nation moving in the right direction again, last year the American people went to the polls and called for change. Democrats could not have agreed more and are now working each day to honor that call.

### During the first session, the 111<sup>th</sup> Congress enacted laws\* to:

- ✓ Stabilize the economy and protect millions of jobs
- ✓ Strengthen the housing market and prevent unnecessary foreclosures
- ✓ Protect consumers from abusive credit card practices
- ✓ Boost sales of fuel efficient cars
- ✓ Invest in training programs for unemployed Americans
- ✓ Provide health care for children
- ✓ Protect children and the public from the negative effects of tobacco use
- ✓ Invest in child nutrition, conservation, and rural communities
- ✓ Protect incentives for adoption of children with special needs
- ✓ Expand national service
- ✓ Invest in clean energy and water infrastructure
- ✓ Strengthen our homeland security
- ✓ Provide expanded resources and improved care for troops, veterans, and military families
- ✓ Improve the ability of military personnel and other Americans living overseas to vote
- ✓ Protect workers from pay discrimination
- ✓ Provide enhanced safety net programs for Americans suffering the most
- ✓ Combat mortgage and financial fraud
- ✓ Support the growth of small businesses
- ✓ Provide tax relief for the middle class
- ✓ Reform government contracting to protect taxpayer dollars
- ✓ Respond to the H1N1 flu pandemic
- ✓ Reauthorize a critical program to treat people living with HIV/AIDS
- ✓ Strengthen protections to make children's products safer
- ✓ Invest in health care and education
- ✓ Create over two million acres of wilderness
- ✓ Ensure the continuation of highway projects
- ✓ Train and equip our Armed Forces to meet 21st century threats
- ✓ Expand critical diplomatic operations
- ✓ Strengthen protections against hate-crimes, while protecting first amendment rights
- ✓ Prevent war criminals from finding safe haven in the United States

\*This report does not highlight every measure enacted or passed during the 111<sup>th</sup> Congress. For a full listing, please visit <http://thomas.loc.gov>.

**Congress is poised to pass one of the most important pieces of legislation in generations: health insurance reform.** The House bill, the *Affordable Health Care for America Act*, passed on November 7, 2009 by a vote of 220 to 215. The Senate bill, the *Patient Protection and Affordable Care Act*, is on a path to Senate passage by Christmas. As we work to reconcile these measures and send one bill to the President's desk, the American people can rest assured that Congressional Democrats are committed to ensuring they receive quality, affordable health care by:

- ✓ Reforming the health insurance market
- ✓ providing health insurance choices to cover more than 94 percent of all legal residents under age 65
- ✓ providing coverage while reducing the deficit
- ✓ eliminating gender discrimination in coverage and limiting variations based on age
- ✓ eliminating lifetime coverage limits and restricting use of annual limits
- ✓ extending the solvency of Medicare
- ✓ reducing employee health care costs for small businesses
- ✓ reining in skyrocketing health care costs
- ✓ reducing the number of uninsured by 31 million
- ✓ ending coverage denials due to pre-existing conditions
- ✓ eliminating co-payments and deductibles for preventive care
- ✓ prohibiting coverage rescissions
- ✓ making prescription drugs more affordable for seniors
- ✓ ensuring Americans have a source of trusted information about their health insurance

**Congressional Democrats are also working to jumpstart the nation's jobs recovery.** One year ago, the U.S. economy was on the brink of disaster. Years of misplaced priorities and misguided fiscal policies during the Bush Administration had weakened the economy and threatened the American Dream for nearly all Americans. Moreover, years of regulatory failures contributed to the worst financial crisis in generations, leaving our country in a severe and deep recession. Swift and aggressive efforts by the Democratic Congress, President Obama, responsible actors in the private sector, and average Americans worked to pull the nation back from the brink of disaster and onto the road to recovery. Yet, while another Great Depression was averted and progress is being made to restore economic activity, Senate Democrats know that far too many families are still struggling as job creation, always a "lagging economic indicator," has been slow keep up with the pace of job loss and the needs of new workers.

Senate Democrats are focused on jumpstarting jobs recovery for the American people. As one of our first steps in the New Year, we will work to develop and pass a package of initiatives that will immediately create new jobs, including a focus on expanding access to credit for small businesses, the engine of our economy; saving and creating public service jobs to educate and safeguard our nation; supporting school construction and transportation-related jobs that will rebuild America; and building a new market for clean energy jobs that will modernize our society, protect our environment and prepare us to compete globally throughout the 21st Century.

**Senate Democrats are committed to continuing to advance the priorities of the American people.** As we move forward in the 111<sup>th</sup> Congress to pass health care reform and fully recover from economic recession, the American people can count on Senate Democrats to continue working to advance their priorities, including reforming our financial regulatory system; protecting our environment and promoting clean energy; investing in education; improving our immigration system; and safeguarding our homeland.

## ***Democrats are Working to Strengthen the Economy and Jumpstart Job Creation***

**Senate Democrats passed economic recovery legislation to pull the nation's economy back from the brink of disaster and onto the road to recovery.** During the Bush Administration, life for millions of American families grew less affordable and less secure. Years of misguided fiscal policies and irresponsible regulatory failures contributed to a financial meltdown that nearly crippled the national and global economy and threatened the American Dream for people throughout the country. In January, the 111<sup>th</sup> Congress and the Obama Administration inherited an economy plagued by lower wages, fewer jobs, declining home values, foreclosures, and skyrocketing costs for basic necessities like gas, health care, and college tuition. Not since the Great Depression had the need for a strong economic recovery package been so urgent and clear.

On February 13, 2009, by a supermajority vote of 60, Congress passed the *American Recovery and Reinvestment Act of 2009 (H.R. 1, P.L. 111-5)*. On February 17, 2009, President Obama signed the bill into law. The *Recovery Act* took steps to:

- ✓ Save or create an estimated 3.5 million jobs through investments in transportation, federal, housing, broadband, and environmental infrastructure; investments in state fiscal relief; investments in energy innovation; investments in health-care modernization, and tax incentives for small businesses;
- ✓ Provide the Making Work Pay tax credit for 95 percent of working families; expand the Child Tax Credit and the Earned Income Tax Credit; expand the First Time Homebuyer Tax Credit; and extend tax relief for small businesses;
- ✓ Make long-term investments in our economy to ensure competitiveness in a 21 Century global economy, including investments in science, education, and the development of clean, efficient, alternative, and renewable energy; and
- ✓ And extended a hand of help to those Americans hardest hit by the economic crisis, investing billions in the Supplemental Nutrition Assistance Program (SNAP), extension of federal emergency unemployment benefits, state fiscal relief to ensure continuation of the Temporary Assistance for Needy Families program, subsidies for COBRA Continuation Coverage for unemployed workers, and relief payments for seniors, veterans and other Americans in need.

Moreover, the *Recovery Act*, is providing transparency and accountability to guarantee that all taxpayer money is invested responsibly.

***The Recovery Act is working.*** While it took years to create our current economic mess, the *Recovery Act* has made a difference even though only about half of the investments have been distributed thus far. The measure staved off an even more severe recession, prevented further job loss, generated economic activity, and laid a foundation for sustainable growth.

- Last month, the White House announced that certain recipients of *Recovery Act* funds have reported the creation of 640,329 direct jobs. About 325,000 of these jobs are in education and over 80,000 are in construction. These numbers, however, represent only about 16 percent of expenditures through September 30 and do not reflect the majority of *Recovery Act* funding to date, which has gone directly to individuals and states. Moreover, the reported data does not capture indirect or induced jobs created when prime contractors hire suppliers or other companies to complete projects or when newly employed workers spend their pay checks. It is estimated that, if included, indirect jobs would add another 50 percent or more to the direct jobs numbers and induced jobs would add an additional 36 percent. Taken as a whole, the reported data confirms earlier estimates that the *Recovery Act* would create or save over one million jobs by now, even though less than half of the *Recovery Act* funds have been put to work. [Office of the Vice President, 10/30/09, CBPP, 10/28/09]
- According to Congressional Budget Office (CBO) projections, “an additional 600,000 to 1.6 million people were employed in the United States, and real (inflation-adjusted) gross domestic product (GDP) was 1.2 percent to 3.2 percent higher, than would have been the case in the absence of ARRA.” [CBO, [11/09](#)]
- The Commerce Department reported that the nation’s gross domestic product grew by 2.2 percent in the third quarter of 2009, the first expansion in more than a year. Economists are projecting 4 percent growth in the fourth quarter. [Commerce Department, [11/24/09](#); testimony of Martin Baily before the Senate Democratic Policy Committee, [12/16/09](#)].
- According to economist Mark Zandi, “the stimulus has mainly helped by forestalling bigger job and program cuts by state and local governments. Increased aid to unemployed workers is contributing to the recent firming in consumer confidence (which hit an all-time low in February, just before the stimulus took effect) and helping to stabilize retail sales.” “It may be hard to tell when hundreds of thousands of jobs are vanishing each month, but without the stimulus, job losses would be measurably worse.” [Economy.com, 7/7/09]
- Moreover, federal assistance for Americans in need is not only the right thing to do, it is the smart thing to do in an effort to stimulate the economy. “Starting in April, a family of four on food stamps received an average of \$80 extra. Money from the program – officially known as the Supplemental Nutrition Assistance Program – percolates quickly through the economy. The U.S. Department of Agriculture calculates that for every \$5 of food-stamp spending, there is \$9.20 of total economic activity, as grocers and farmers pay their employees and suppliers, who in turn shop and pay their bills.” [*Wall Street Journal*, 7/7/09]

**Congress passed legislation to stabilize the housing market for homeowners, renters, and lenders.** As Democrats work to get the economy growing again by making long-term investments, creating jobs, providing middle-class tax relief, we have not forgotten the origin of the current recession: the crash of the home mortgage market.

In 2008, more than 2.3 million U.S. properties faced foreclosure, an 81 percent increase from the previous year. This was added to the 1.3 million properties that faced foreclosure in 2007, a 75 percent increase from 2006. And while Democrats believe we can lower this number through aggressive homeowner assistance programs, health care reform, job creation, and economic stimulus measures, early forecasts project that overall foreclosures *could* rise by 2.4 million in 2009 and by 9 million over the next three years.

Moreover, while the result of years of abuse by the mortgage lending industry, excessive risk taking by investors, lax regulation under the Bush Administration, lack of affordable housing, and poor choices by some homeowners, the housing crisis is a concern for every American. It is estimated that by the end of 2009, more than 40 million homeowners will have experienced a decline in their home values due to surrounding foreclosures, at a total cost of \$325 billion. Cities and towns across America have experienced business closings, increased crime, increased costs, and an undermined tax base due to the inability of homeowners to make mortgage payments and the eventual abandonment of homes in their neighborhoods. Thus, *stabilizing the housing market is not an option; it must be a cornerstone of any plan for economic recovery.*

Building upon legislation passed in the 110<sup>th</sup> Congress, the *Omnibus Appropriations Act, 2009*, the *American Recovery and Reinvestment Act of 2009*, and President Obama's "Making Home Affordable" program, on March 19, 2009, the 111<sup>th</sup> Congress passed the *Helping Families Save Their Homes Act (S. 896)* to prevent unnecessary foreclosures, improve access to affordable home loans, increase the availability of credit, protect renters, and prevent homelessness. President Obama signed this legislation into law on May 20, 2009 (**P.L. 111-22**).

The new law:

- Encourages participation in the HOPE for Homeowners program, including by offering new incentives for lenders to negotiate loan modifications with borrowers at risk of foreclosure and reducing fees for homeowners and lenders that have previously discouraged them from participating;
- Gives FHA and USDA's Rural Housing Service (RHS) the flexibility needed to modify loans consistent with the Obama Administration's loan modification program;
- Protects lenders from frivolous lawsuits when they make loan modifications consistent with the President's program or done through the Hope for Homeowners program;
- Increases funding for foreclosure prevention including counseling, additional fair housing employees, and education programs to warn American about foreclosure scams;
- Strengthens tools to ensure that predatory lenders cannot act as lenders or servicers in the FHA programs';

- Establishes the right of a homeowner to know who owns their mortgage;
- Provides renters who live in foreclosed properties with at least a 90-day notice for eviction;
- Protects the bank deposits and savings of consumers with a four-year extension of the increase in deposit insurance to \$250,000;
- Increases the borrowing authority of the Federal Deposit Insurance Corporation (FDIC) to reduce the financial burden on small community banks;
- Provides new resources to respond to the nation's homelessness crisis and prevent additional homelessness; and
- Expands accountability of financial rescue funds.

**Congress has passed legislation to ensure the continuation of critical safety-net and economic recovery programs.** The Great Recession inherited by the Bush Administration was deeper and more severe than anyone – economists and elected officials alike – could have predicted. Programs that were originally set to expire have been extended to ensure that American families survive these difficult times, the economic recovery gains of the past few months are sustained, and the economy is stable. To this end Congress has taken steps to ensure the continuation of:

- **The Highway Trust Fund, Federal Unemployment Trust Fund, and the Federal Housing Administration (FHA) and Government National Mortgage Association (GNMA).** Economists and industry experts reported earlier this year that, if Congress did not act, these programs would face funding shortfalls resulting in the loss of nearly 240,000 jobs, 4.6 million American losing unemployment insurance benefits, and a tightening of the mortgage-lending market. The Highway Trust Fund reimburses states for critical highway project spending; in the absence of those funds, states would likely scale back their projects and cut jobs. The Unemployment Trust Fund loans money to states to ensure they are able to meet their obligation to provide unemployment insurance Americans out of work due to the current economic crisis. Moreover, FHA and GNMA are playing an increasingly critical role in the effort to stabilize and jumpstart the nation's housing market as the private lending industry has contracted. FHA backed loans have gone from comprising 3 percent of the mortgage market to comprising 25-30 percent of the market, and GNMA, which securitizes FHA and Department of Veterans Affairs loans, has seen its volume increase threefold. Due to increased demand, FHA and GNMA are approaching their loan limits; if reached, the entities would have been unable to provide first-time mortgage and refinancing loans and the mortgage market would constrict further.

In an effort to avoid shortfalls in these areas – all critical to the nation's economic recovery -- Congress enacted *a bill to Restore Sums to the Highway Trust Fund and for Other Purposes (P.L. 111-46)*. The legislation transferred \$7 billion to the Highway Account of the Highway Trust Fund to ensure the continuation of state highway projects; provide funds to the Federal Unemployment Fund for the purposes of repayable advances to states in an effort to

ensure the availability of unemployment benefits for the nation's out-of-work workers; and increase the mortgage commitment authority of the FHA and GNMA to ensure continued mortgage lending and the recovery of the housing market.

- **Unemployment Insurance, the Homebuyer Tax Credit, and Certain Business Tax Credits.** In November, Congress passed the fully-offset *Worker, Homeownership, and Business Assistance Act of 2009 (P.L. 111-92)*. The law:

#### ***Extended unemployment insurance benefits***

- Extended unemployment insurance by up to 14 additional weeks for jobless workers; and extend benefits for six additional weeks for workers in states with unemployment levels over 8.5 percent.
- Ensured the additional \$25 per week in unemployment insurance benefits provided by the *Recovery Act* do not count against a family's eligibility for the Supplemental Nutritional Assistance Program, formerly known as food stamps;
- Updated the Unemployment Insurance Modernization provisions in the *Recovery Act* to provide that victims of sexual assault who have left their jobs have a "compelling family reason" for benefits;
- Specified that railroad workers who face expiring unemployment benefits will be eligible for the extension of benefits; and
- Allowed states to temporarily pay tier three benefits before tier two benefits in order to avoid payment delay and to ease implementation of Emergency Unemployment Compensation benefits, but tier two and tier three benefits must be exhausted before an individual may qualify for tier four benefits.

#### ***Extended and enhanced homebuyer assistance***

- ✓ Extend through April 30, 2010 the tax credit for first-time homebuyers (up to \$8,000 or up to 10 percent of the purchase price of the residence), allowing 60 days to close, provided that the homes are under a binding contract by that date;
- ✓ Provide homebuyer tax credit of up to \$6,500 to owners who have been in the same principal residence for five consecutive years during the previous eight years;
- ✓ Increase the income limitations to \$125,000 for individuals and \$225,000 for joint filers;
- ✓ Phase out the credit for individuals with incomes above \$125,000 for individuals and \$225,000 for joint filers at the same rate as current law (over the next \$20,000);
- ✓ Limit the credit to purchases of principal residences equal to or less than \$800,000;

- ✓ Eliminate the 36-month recapture requirement for military personnel, including members of the Foreign Service and intelligence community, forced to sell as a result of an official extended duty of service;
- ✓ Extend the tax credit for one year for military personnel serving outside the United States for at least 90 days in 2009 or 2010; and
- ✓ Exempt all military Homeowner Assistance Program (HAP) payments.

The law includes anti-fraud language. The tax credit is not extended to taxpayers under the age of 18 on the date of purchase unless that person is married to a taxpayer above the age of 18. The law requires a properly executed copy of the settlement statement to be attached to the tax return. Moreover, the law expands the restriction on a residence acquired from a family member to include a residence acquired from a spouse's family member.

### ***Extended and enhanced business tax relief***

The legislation would expand and extend the five-year carry back period to allow all business (not just those with gross receipts of \$15 million or less) to carry back new operating losses for up to five years for losses incurred in either 2008 or 2009 (not both). Small businesses, however, that have already elected to carry back in 2008 under current law may also elect to carry back losses from 2009. The substitute would permit 100 percent of the business' income to be offset in the first four carry back years, but the offset would be limited to 50 percent of income from the fifth year.

**Congress approved a program to give entrepreneurs the resources they need to grow and innovate.** In December, as part of the *Consolidated Appropriations Act, 2010*, Congress provided appropriations for the Small Business Administration to support the nation's small businesses, which have created 64 percent of new jobs in this country and are crucial to getting the nation's economy back on track. The law provided \$824 million, including \$28 billion in new lending to small businesses — critically important for firms having trouble borrowing funds in the current tight credit market; \$25 million in new microlending and \$22 million in related microloan technical assistance; \$113 million for the Small Business Development Centers located throughout the country; and \$8 million for technical assistance to low-income small business owners.

In October, the Senate passed a bipartisan bill to temporarily extend the Small Business Administration's Small Business Innovation Research (SBIR) program. The legislation was signed into law on October 30, 2009 (**P.L. 111-43**). This temporary reauthorization, which extends SBIR and other programs through April 30, 2010, gives Congress more time to pass a comprehensive bipartisan bill that will strengthen and improve the SBIR program and provide long-term stability for the program.

On July 13, the Senate took a step toward that comprehensive reauthorization by passing **H.R. 2965**, the *SBIR/STTR Reauthorization Act of 2009* (STTR refers to the Small Business Technology Transfer program). SBIR and STTR stimulate technological innovation, allow small

businesses to meet federal research and development needs and provide seed capital for small businesses to develop ideas until they attract outside investment.

Although small firms employ 41 percent of the nation's high-tech workers and generate 13 to 14 times more patents per employee than large firms, they have received a disproportionately low share of federal R&D dollars. The SBIR program was designed in 1982 to harness the innovative capacity of America's small businesses to meet the needs of our federal agencies and to help grow small, high-tech firms that, in turn, grow local economies all across the nation. Since then, the SBIR program has generated more than 84,000 patents and millions of jobs. Eleven federal agencies participate in the SBIR program - including the Department of Defense and National Science Foundation - allocating 2.5 percent of their extramural research and development dollars for the program.

**H.R. 2965** would: 1) reauthorize the programs for eight years, giving small businesses and the government the stability they need to plan for and transition important technologies for our country; 2) amend the eligibility requirements to allow businesses owned and controlled by multiple venture capital firms to compete for a certain percentage of SBIR projects while making sure that there's a fair playing field for the small businesses that are independently owned and operated; 3) adjust the amount of SBIR and STTR awards to reflect inflation costs while taking a measured approach to increasing the allocation dedicated to these important small business research and development programs; and 4) improve the diversity of the programs, geographically and otherwise, by reauthorizing the Federal and State Technology (FAST) program and Rural Outreach Program for five years.

**Democrats enacted and ensured the continuation of the successful “Cash for Clunkers” economic stimulus program.** On August 7, 2009, Congress enacted legislation, entitled *Making Supplemental Appropriations for the Consumer Assistance to Recycle and Save Program*, also known as the Car Allowance Rebate System (CARS) or “Cash for Clunkers” (**P.L. 111-47**). In an effort to boost auto sales and promote higher vehicle fuel economy, the CARS program provided consumers who trade-in an old, less fuel efficient vehicle with a rebate of \$3,500 or \$4,500 toward the purchase of a new, more fuel-efficient vehicle, provided the trade-in is scrapped by the dealer. Sales must have been made before November 1, and the rebate amount determined by fuel economy and fuel savings of the new car relative to the old car, as well as vehicle class.

In June 2009, the program was established in the *Supplemental Appropriations Act, 2009* (**P.L. 111-32**), which is summarized below. The initial appropriation was \$1 billion, enough for between 222,000 and 286,000 rebates. The CARS program was officially launched on July 24, after the Department of Transportation's National Highway Traffic Safety Administration released the final rule for implementing the program and, in conjunction with the final rule, the Environmental Protection Agency reviewed and updated the fuel economy ratings of the nation's vehicle fleet. Due to an overwhelming response from consumers and dealerships, the Obama Administration notified Congress within the first week that the initial appropriation would soon be exhausted.

After deliberating about the effectiveness of the CARS program in helping the nation recover from economic recession and in addressing our environmental challenges, Congress passed **H.R. 3435**, which provided an additional \$2 billion for the program. The amount was taken

from previously appropriated funds in the *American Recovery and Reinvestment Act of 2009* (ARRA), which is summarized above, for loan guarantees that support the rapid deployment of renewable energy systems, electric power transmission systems, and leading-edge biofuel projects.

As we move forward in this Congress and look toward energy reform, the nation can be assured that Senate Democrats are committed to meeting and exceeding the nation's long-term environmental and economic goals *and* in ensuring our nation recovers from the current economic recession.

**The Democrat-led Senate passed legislation to jumpstart economic activity in the tourism industry and encourage tourist travel to the United States.** In September, the Senate passed the *Travel Promotion Act of 2009*, which would create a non-profit corporation led by federal, state, and travel industry representatives to execute a nationally coordinated travel promotion program. A CBO estimate of the Senate Commerce Committee passed version estimates that this legislation would generate revenues by \$135 million over the 2010-2019 period and decrease direct spending by \$290 million over the 2010-2019 period. In total, the legislation would reduce budget deficits by \$425 million over that same period.

Travel and tourism generates approximately \$1.3 trillion in economic activity each year in the United States and supports 8.3 million direct travel-related jobs. Unfortunately, since the attacks on September 11, 2001, overseas travel to the United States has decreased significantly. While worldwide travel has increased, according to the U.S. Travel Association, the nation's share of international tourism has declined 17 percent since 9/11, at a cost of more than 200,000 jobs. The Department of Commerce estimates that since 9/11, the nation has lost \$182 billion in visitor spending and \$27 billion in lost tax receipts. And while it should be noted that until this year travel from Canada and Mexico has shown consistent increases, "overseas" travel has declined. The nation welcomed 633,000 fewer overseas visitors in 2008 than in 2000. The importance of overseas, not just "international," travel cannot be overstated given that the average overseas visitor spends \$4,500 per trip and the average Canadian or Mexican visitor spends \$900 per trip. Nevertheless, in the first quarter of 2009, even international travel decreased by 10 percent.

In 2006, the U.S. Travel and Tourism Advisory Board released a report entitled, *Restoring American's Travel Brand: A National Strategy to Compete for International Visitors*. The report encouraged the United States to remove unnecessary barriers to entry for legitimate travelers, including months-long waiting periods due to inadequate staffing in the Non-immigrant Visa Program. The report also encouraged the creation of a federal office to coordinate governmental and private sector efforts to enhance the nation's standing in the global travel market, something commonly found in other nations.

**S. 1023** would implement many of the USTTAB's recommendations by creating a non-profit corporation led by federal, state, and travel industry representatives to execute a nationally coordinated travel promotion program. The legislation would also create an Office of Travel Promotion to work with the Department of State and the Department of Homeland Security to ensure that international visitors are informed of U.S. entry policies.

## ***Democrats are Working to Responsibly Govern and Invest in Our Nation***

**Congressional Democrats approved a fiscally-responsible budget that addresses the economic crisis that we inherited and lays a new foundation for our nation's economy.** On April 29, the Senate approved the Conference Report to the *Fiscal Year 2010 Budget Resolution (S. Con. Res. 13)*. This budget addresses the fiscal and economic crises that we have inherited and returns the country to a sound fiscal course by cutting the federal budget deficit in half by 2012 and by two-thirds by 2014 – bringing the deficit down to three percent of GDP. The Democratic budget:

- Preserves major priorities in President Obama's budget proposal with strategic investments in energy, education, and health care – investments needed to restore our crumbling economy and put the country in a position to remain globally competitive. The budget:
  - Promotes energy independence, building on the energy initiatives in the economic recovery package (P.L. 111-5) with investments in energy efficiency and clean energy;
  - Makes investments in education and training programs that will help our economic growth and build a highly-skilled workforce to compete in the global marketplace; and
  - Provides for affordable health care by including a deficit-neutral reserve fund for a major health reform initiatives.
- Provides tax relief for the middle class, with \$764 billion in tax cuts for individuals and families over the next five years. These cuts include an extension of 2001 and 2003 income tax directed at individuals and families with incomes under \$250,000; and allows for extension of the Making Work Pay tax cut for 95 percent of American workers; and
- Supports our troops and accounts for war costs, matching President Obama's core defense budget and the President's request for additional war costs. The budget also accurately represents costs like the wars in Iraq and Afghanistan.

**The 111<sup>th</sup> Congress overcame Republican obstructionism to pass all of the 2010 appropriations bills...in 2009.** In an effort to improve the efficiency and continue the uninterrupted running of the federal government, Congressional Democrats worked to pass all of the 2010 appropriations bills,\* while navigating Congressional Republican efforts to slow even bipartisan legislation on the floor.

- ✓ In December, the Congress sent to the President's desk the *Consolidated Appropriations Act, 2010*, a bill that included investments from the Departments of Transportation, Housing and Urban Development, Commerce, Justice, Labor, Education, Health and Human Services, Veterans Affairs, and State, financial services agencies, and related agencies. (**H.R. 3288**, this legislation was signed into law on December 16, 2009.)
- ✓ In December, Congress passed 2010 appropriations to fund the Department of Defense. (**H.R. 3326**, the bill is on its way to the President's desk.)

- ✓ In October, Congress passed 2010 appropriations to fund the Department of Homeland Security. (P.L. 111-83)
- ✓ In October, Congress passed 2010 appropriations to fund the Department of Agriculture. (P.L. 111-80)
- ✓ In October, Congress passed 2010 appropriations to fund the Departments of Energy and Army, Corps of Engineers and related agencies. (P.L. 111-85)
- ✓ In October, Congress passed 2010 appropriations to fund the Departments of Interior, the Environmental Protection Agency, and related agencies. (P.L. 111-88)

*\*Selected bills are summarized in other sections of this report.*

### **Congress funded critical federal government programs for Fiscal Year 2009.**

On March 11, 2009, the *Omnibus Appropriations Act, 2009* (H.R. 1105) was presented to President Obama for signature into law (P.L. 111-8). House and Senate Democrats were able to complete important work blocked by Republicans last year to provide the resources, guidance, and new initiatives for federal government programs in Fiscal Year 2009, at a time when they are so desperately needed. This appropriations measure contained nine bills that are essential to keeping the federal government working to enhance the health, safety, and economic security of the American people. The *Omnibus* includes critical commitments to:

#### Ensure our economic security with investments in:

- Job-creating highway projects through the *Department of Transportation*;
- Reemployment and retraining services to millions of unemployed and otherwise vulnerable Americans through the *Department of Labor*;
- Help for struggling homeowners through the *Federal Housing Administration, Housing and Counseling Assistance program*, and the *Neighborhood Reinvestment Corporation*;
- Community and economic development grants to help communities weather and recover from the current economic storm through the *Department of Housing and Urban Development*;
- Increased investments in more energy efficient vehicles and buildings as well as solar, wind, geothermal, and biomass energy sources through the *Department of Energy*; and
- Vigorous enforcement of securities laws to help bolster the integrity of the financial markets through the *Securities and Exchange Commission*.

#### Ensure educational excellence and competition in the global economy with investments in:

- The Pell Grant program, which helps seven million low- and middle-income families pay for college and vocational training through the *Department of Education*. The *Omnibus* provides \$17.3 billion for the Pell Grant program, an increase of \$3.1 billion above 2008, with a \$5,350 maximum award amount. These funds will assist seven million students with the costs of higher education and will help 1.4 million students attend school with \$1.9 billion in funding for federal supplemental educational opportunity grants, federal work study, Perkins Loans, and the Leveraging Educational Assistance Partnership program;

- Assistance for Students with Disabilities, providing \$11.5 billion for the *Individuals with Disabilities Education Act (IDEA)*, which helps ensure that all children with disabilities have access to a free, appropriate public education;
- Grants for disadvantaged students, with \$14.5 billion, a \$594 million increase, for Title I of the *Elementary and Secondary Education Act*, which provides resources to local school districts to help disadvantaged students succeed academically. The *Omnibus* also provides \$546 million, an increase of \$54 million, for school improvement grants to help turn around struggling schools;
- Head Start, a highly-successful federal-to-local grant program established in 1965, which provides early childhood education and services, including health, nutrition, and social and behavioral development for low-income preschool children and their families. The *Omnibus* provides \$7.1 billion for this proven program, an increase of \$235 million over 2008, to ensure that 900,000 low-income children have access to high quality preschool services; and
- After school programs, providing \$1.1 billion for 21<sup>st</sup> Century Community Learning Centers to help ensure students have a safe and supervised environment before the school day begins and after it ends. This funding will serve 1.7 million children.

Ensure our health with investments in:

- Lifesaving research into diseases such as Alzheimer's, cancer, and diabetes through the *National Institutes of Health (NIH)*. The *Omnibus* provides \$30.3 billion, \$938 million above Fiscal Year 2008, to the 27 Institutes and Centers at the NIH to fund research into diseases such as cancer, Alzheimer's, and diabetes;
- Health care services to nearly 470,000 uninsured Americans through *Community Health Centers*. The *Omnibus* provides \$2.2 billion for *Community Health Centers*, including migrant health center, and health care centers for the homeless;
- Health Promotion Programs at the *Centers for Disease Control and Prevention (CDC)*. The *Omnibus* provides \$6.7 billion for public health programs that promote health behaviors, prevent disease, investigate health problems and prepare for emerging health threats;
- *High Risk Insurance Pools* to provide affordable health coverage through state-sponsored health insurance plans to those denied coverage, usually because of pre-existing medical conditions. The *Omnibus* includes \$75 million to states for these plans, which insure nearly 200,000 individuals;
- *Outreach to Seniors Eligible for Medicare*, by providing \$45 million, a \$6 million increase above 2008, to help seniors, including the 40 million Americans already enrolled in the program, understand which Medicare benefits are available to them.
- Small, rural hospitals and health care networks for more than 775,000 rural residents in underserved communities through the *Department of Health and Human Services*. The *Omnibus* provides \$289 million to support more than 1,200 small hospitals in rural, underserved communities;
- Training for health professionals, through a \$842 million investment in *Health Professions Training* programs. This funding will help train physicians, nurses, and other medical personnel, to help improve access to critical health care services;
- Cancer screening, with a new \$25 million national program to provide *colorectal cancer screening* and diagnostic follow-up care. The Centers for Disease Control (CDC) estimates that if every American over age 50 were regularly screened, 60 percent of the 55,000 annual deaths from colorectal cancer could be prevented; and

- Combating autism by providing full funding of the *Combating Autism Act* with \$63.4 million for prevention of autism and support for families affected by autism and related disorders.

Ensure our safety with investments in:

- New reforms in place to make children's products safer through the *Consumer Product Safety Commission*;
- Food and medical product safety inspections through the *Food and Drug Administration*.;
- Aviation safety and air traffic organization through the *Federal Aviation Administration*;
- Workplace safety standard enhancements and enforcement through the *Occupational Safety and Health Administration*;
- Quarantine stations at ports of entry around the country through the *Centers for Disease Control and Prevention*;
- Agents to ferret out drug producers and traffickers through the *Drug Enforcement Agency*; and
- Intelligence analysts and other professionals fighting crime and terrorism in the United States through the *Federal Bureau of Investigation*.

Ensure global health and our national security with investments in:

- Critical diplomatic operations, including funding 500 additional positions to fill vacancies in the Foreign and Civil Service at the *Department of State*;
- Worldwide embassy security protection to ensure that U.S. personnel are safe and secure;
- Lifesaving initiatives for international HIV/AIDS prevention, treatment, and care as well as global programs to fight malaria and tuberculosis, and improve maternal and child health;
- Humanitarian assistance to help displaced people around the world, avert famines, and provide critical assistance during natural disasters; and
- Peacekeeping activities around the world, including in Sudan, Liberia, the Democratic Republic of the Congo, Kosovo, and Lebanon.

## ***Democrats are Working to Support Our Troops and Keep America Safe***

**Senate Democrats led passage of a Fiscal Year 2010 defense appropriations bill that puts our troops first.** On December 19, the Senate passed **H.R. 3326**, the *Department of Defense Appropriations Act, 2010*, to provide critical funds in support of our troops and military families; to fund overseas operations in Iraq and Afghanistan; and to make vital investments in the health and readiness of our Armed Forces. The legislation would provide \$636.3 billion in new discretionary spending authority for the Department of Defense (DoD), including \$128.3 billion in funding for overseas contingency operations in Iraq and Afghanistan. The total is \$3.8 billion below the President's budget request and \$1.0 billion above the Fiscal Year 2009 enacted level, including supplemental appropriations. The legislation allocates funding to support critical defense priorities for:

- **Supporting our troops and their families.** The bill provides a 3.4 percent military pay increase, which is 0.5 percent above the requested amount. It includes \$29.2 billion, which

is \$3 billion above the Fiscal Year 2009 level and \$1 billion above the requested amount, for the Defense Health Program to provide quality medical care for service members and their families and funding to address the serious financial challenges facing the Defense Health Program; including fully funding the Department of Defense request of \$372 million for military medical research; and \$120 million for Traumatic Brain Injury and Psychological Health Research. Further, the bill would provide \$472 million for family advocacy programs in support of military families.

- **Improving military equipment and ensuring the readiness of our armed forces.** The legislation includes \$23.36 billion, which is \$1.71 billion above the requested amount, for equipment used by our service members in Iraq and Afghanistan.
- **Funding overseas contingency operations.** The bill would provide \$101.1 billion, which is \$2.3 billion below the requested amount, for operations and maintenance, and military personnel requirements for ongoing military operations in Iraq and Afghanistan, and to support preparations to continue withdrawal from Iraq. It also includes \$23.36 billion, which is \$1.71 billion above the requested amount, for equipment used by our service members in Iraq and Afghanistan, including \$6.3 billion to complete the procurement of over 6,600 new Mine Resistant Ambush Protected (MRAP) all-terrain vehicles to protect our troops.
- **Advancing key policy provisions.** The legislation also includes several key policy provisions prohibiting the establishment of permanent bases in Iraq or Afghanistan; continuing a general provision prohibiting torture of detainees held in U.S. custody; reducing funding for the Commander's Emergency Response Program (CERP) by \$300 million and withholding \$500 million in funding until DoD develops and submits a comprehensive spending plan; and providing no funds for the closure of the detention facility at Guantanamo Naval base.

**Congress advanced a bipartisan defense authorization bill to advance critical national security priorities.** In October, the President signed the *National Defense Authorization Act for Fiscal Year 2010 (P.L. 111-84)*. The bill authorized a total of \$680.2 billion in budget authority for defense programs in Fiscal Year 2010. This amount includes a total of \$550.2 billion in base budget authority for Department of Defense (DoD) programs and Department of Energy (DOE) national security activities, and \$130 billion in funding for overseas contingency operations, primarily in support of U.S. missions in Iraq and Afghanistan.

Funding provided in the bill will support critical national security priorities to:

- Provide fair compensation and first rate health care, address the needs of the wounded, ill and injured, and improve the quality of life of the men and women of the all-volunteer force (active duty, National Guard and Reserves) and their families.
- Provide our servicemen and women with the resources, training, technology, equipment (especially force protection) and authorities they need to succeed in combat and stability operations.

- Enhance the capability of the armed forces to conduct counterinsurgency operations and apply the lessons of Iraq to Afghanistan, as appropriate.
- Improve the ability of the Armed Forces to counter nontraditional threats, including terrorism and the proliferation of weapons of mass destruction and their means of delivery.
- Seek to reduce our nation's strategic risk by taking action aimed at restoring, as soon as possible, the readiness of the military services to conduct the full range of their assigned missions.
- Terminate troubled programs and activities, improve efficiencies, and apply the savings to higher-priority programs.
- Ensure aggressive and thorough oversight of the Department's programs and activities to ensure proper stewardship of taxpayer dollars and compliance with relevant laws and regulations.

The legislation also included *Matthew Shepard Hate Crimes Prevention Act* and the *Military and Overseas Voter Empowerment Act*, which are summarized below.

**Senate Democrats passed a Fiscal Year 2010 appropriations bill to bolster our homeland security.** On October 28, 2009, the President signed into law the *Department of Homeland Security Appropriations Act 2010 (P.L. 111-83)*. The bill would appropriate \$42.78 billion in discretionary budget authority for homeland security programs for Fiscal Year 2010, which is a \$2.65 billion, or 6.6 percent, increase over the amount appropriated for Fiscal Year 2009, excluding emergency appropriations provided in the *American Recovery and Reinvestment Act of 2009* and the *Omnibus Appropriations Act, 2009*.

The legislation allocates funding to support critical homeland security priorities for:

- **Securing our borders and enforcing our immigration laws.** The legislation includes \$10.1 billion, which \$306 million above last year's funding for Customs and Border Protection (CBP). It would provide \$800 million for Southwest Border investments for Border Security Fencing, Infrastructure, and Technology (BSFIT); \$3.5 billion for Border Patrol agents, \$72.6 million for Southwest Border counterdrug initiatives; and \$145 million for security technology and infrastructure at border ports of entry. It also would provide \$5.44 billion for Immigration and Customs Enforcement (ICE) to combat international trade in illicit drugs, weapons smuggling, and crimes associated with violence along the Southwest Border; \$224 million for the United States Citizenship and Immigration Services, including funds for the naturalization of immigrants serving in the U.S. armed services as well as funds to operate and improve the E-Verify system; and also would provide for a permanent extension of the E-Verify program.
- **Protecting the American people from terrorist threats and other vulnerabilities, and ensuring the Department is nimble enough to address future threats.** The bill would provide \$7.7 billion for the Transportation Security Administration (TSA) for explosive detection systems for airports, checkpoint security

technologies, air cargo security programs, and surface transportation security initiatives; \$8.8 billion in discretionary spending for the Coast Guard in support of their homeland security mission, including funds National Security Cutters, Maritime Patrol Aircraft, Fast Response Cutters, response boats, polar ice-breaker sustainment, and Interagency Operations Centers. Further, the legislation would provide funding for the Federal Law Enforcement Training Center, additional funding for science and technology programs for research on homeland security priorities, and increased funding for the Domestic Nuclear Detection Office (DNDO).

- **Preparing for, responding to, and recovering from all-hazards and supporting our state, local, tribal, and private sector partners in homeland security with resources and information.** The legislation includes \$903 million for FEMA Management and Administration; \$4.17 billion for grants to first responders and partners in homeland security, including firefighter hiring and firefighter equipment and training grants, Emergency Management Performance Grants, Urban Area Security Initiative grants, State Homeland Security Grants, as well as port security, mass transit and pre-disaster mitigation grants; \$103.4 million to support the coordination and management of regulating high-risk chemical facilities; and \$397 million for cyber security initiatives.
- **Giving the Department resources to strengthen financial, procurement, IT systems, and other management tools that it needs to succeed; eliminating or reducing programs that are ineffective or duplicative.** The bill would provide significant funding for department operations, including funding to increase oversight of major DHS acquisitions; issue new biometrically readable security ID's for DHS employees; hire additional personnel to address the backlog in background investigations; and consolidate 24 data centers across the Department into two secure locations. Further, the bill would prohibit full-scale procurement of Advanced Spectroscopic Portal (ASP) monitors until a significant increase in operational effectiveness is achieved; provide funding for the orderly termination of LORAN-C stations; and eliminate the duplicative truck security grant program.

**Congress passed legislation to support our nation's veterans, service members and their families.** As part of the *Consolidated Appropriations Act, 2010*, Congress provided \$134.6 billion for the Department of Veterans Affairs (VA), for military construction and family housing, and for military construction projects in support of the war in Afghanistan.

For the first time, the bill included advance appropriations to fund medical programs for the Department of Veterans Affairs to ensure a stable and uninterrupted source of funding for medical care for veterans. The bill would provide a total of \$48.2 billion for VA Medical Services, Medical Support and Compliance, and Medical Facilities for Fiscal Year 2011.

**Military Construction and Family Housing.** The bill provided \$23.3 billion to support U.S. military forces and their families at home and overseas, including:

- \$11.8 billion for active components, to fund key construction such as barracks, child care centers, installation chapels, and mission critical operational facilities;

- \$1.6 billion to provide readiness centers and operational facilities for the Guard and reserve forces, including \$200 million in additional funding to address unfunded requirements;
- \$2.259 billion for military family housing, including \$323 million for the Homeowners Assistance Program, to fund the expansion of the mortgage relief program to military families required to relocate, including wounded warriors and surviving spouses of deceased service members, who have suffered losses on home sales due to the mortgage crisis.
- \$496.8 million for Base Realignment and Closure (BRAC) 1990 round and \$7.5 billion for the 2005 BRAC program; and
- \$1.4 billion for overseas contingency operations, to meet additional military construction requirements to support operations and previously scheduled troop deployments to Afghanistan.

**Department of Veterans Affairs.** The bill included \$109.6 billion for the VA, which is \$15.3 billion above the Fiscal Year 2009 level, including \$56.6 billion for mandatory veterans benefit programs and \$53 billion for discretionary funding. Additionally, the bill provided \$48.2 billion in advance appropriations for veterans medical care programs for Fiscal Year 2011.

- **Veterans Health Administration (VHA).** The law included \$45.1 billion for veterans' medical care, which is \$4.1 billion above the Fiscal Year 2009 level. It would provide:
  - \$250 million to continue the Rural Health Initiative and an additional \$30 million to increase the number of Community Based Outpatient Clinics (CBOCs) in rural areas;
  - \$4.6 billion for mental health care to treat the psychological wounds of returning combat veterans, including post-traumatic stress disorder;
  - \$2.1 billion, \$463 million above the Fiscal Year 2009 level, to meet the healthcare needs of veterans who have served in Iraq and Afghanistan;
  - \$183 million to meet the unique needs of women veterans;
  - \$3.2 billion for health care and support services for homeless veterans;
  - \$581 million for medical and prosthetic research, which is \$71 million above the Fiscal Year 2009 level, and including a \$48 million increase to address the critical needs of the veterans of the wars in Iraq and Afghanistan; and
  - \$4.9 billion for medical facilities, including a \$130 million increase for nonrecurring maintenance at existing facilities, \$30 million for additional CBOCs in rural areas, and \$5 million for additional contracting personnel.
- **VA Construction Programs.** The measure included \$1.9 billion for VA construction programs, which is \$232 million above the Fiscal Year 2009 level, including:
  - \$1.2 billion for Major Construction, for VA facilities, including hospitals and clinics, to enable the VA to implement the recommendations made by the Capitol Asset Realignment for Enhanced Services (CARES) Commission; and
  - \$703 million for Minor Construction, including \$50 million for the renovation of vacant buildings on VA campuses to be used as housing with supportive services for homeless veterans.

**Other Key Military Construction and Veterans Affairs, and Related Agencies Appropriations.** The bill also provides:

- \$100 million for State Extended Care Facilities, for grants to states for construction and renovation of extended care veterans' facilities;
- \$3.3 billion for information technology, to develop the next generation of electronic healthcare records, paperless claims systems, and seamless integration of medical and service records with the Department of Defense;
- \$1.7 billion for general operating expenses for the VA, which is \$223 million above the Fiscal Year 2009 level, to enable the Department to hire roughly 1,200 additional claims processors to continue to address the backlog of benefits claims and to reduce the time to process new claims;
- \$109 million for the Inspector General, which is \$21.2 million above the Fiscal Year 2009 level, to provide additional oversight personnel for audit and program views and to expand oversight of the Veterans Benefits Administration regional offices to prevent waste, fraud and abuse;
- \$62.7 million for the American Battle Monuments Commission;
- \$27.1 million for the United States Court of Appeals for Veterans Claims;
- \$39.9 million for cemeterial expenses for Arlington National Cemetery; and
- \$134 million for the Armed Forces Retirement Home.

**Under Democratic leadership, the 111<sup>th</sup> Congress is investing in efforts to protect our national security through effective international diplomacy and development.**

As part of the *Consolidated Appropriations Act, 2010*, Congress made key investments in Department of State and Foreign Operations programs. The bill would provide critical assistance in four priority areas: 1) rebuilding our diplomatic and development capacity at the State Department and U.S. Agency for International Development (USAID) to meet 21<sup>st</sup> Century requirements; 2) assisting key allies in the Middle East as well as Afghanistan, Pakistan and Iraq, combating terrorism and narcotics, and other national security priorities; 3) ensuring effective oversight of assistance programs and diplomatic and development operations; and 4) responding to HIV/AIDS, poverty, food security, education, humanitarian crises, climate change, and other global challenges. In total, the legislation provided \$48.764 billion in Fiscal Year 2010 funding for Department of State operations, embassy security and foreign aid programs, as well as U.S. contributions to international organizations. This amount is \$3.28 billion below the President's budget request and \$1.235 billion below Fiscal Year 2009 enacted levels, including supplemental appropriations. The bill reflects the President's decision to end the past practice of relying on supplemental appropriations for many of these programs.

The legislation provided:

- \$8.227 billion for Diplomatic and Consular Programs to fund diplomatic operations and hire more than 700 new Foreign Service personnel; and \$1.39 billion for Operating Expenses for USAID, to allow the agency to hire 300 additional Foreign Service Officers as part of the Development Leadership Initiative.
- \$2.611 billion in assistance for Afghanistan, \$1.459 billion in assistance for Pakistan, and \$467 million in assistance for Iraq;

- \$2.22 billion in assistance to Israel, \$1.295 billion in economic and security assistance for Egypt, and \$543 million in economic and security assistance for Jordan;
- \$231.6 million in counternarcotics, law enforcement and development assistance programs for Mexico; \$83 million in assistance for Central America; \$37 million for a new Caribbean Basin Security Initiative; and \$522 million in assistance for Colombia;
- \$5.709 billion for international HIV/AIDS prevention, treatment, and care programs, including \$750 million for multilateral programs through the Global Fund to Fight AIDS, Tuberculosis, and Malaria; \$2.42 billion for USAID Global Health and Child Survival programs, which includes increases of nearly \$54 million for maternal and child health programs, \$202.5 million to fight malaria, \$62 million to fight tuberculosis, and \$103 million for international family planning; \$1.730 billion to help displaced people around the world with food, water, shelter, and other basic needs; and \$845 million for Disaster Assistance to avert famines and provide life-saving assistance during natural disasters and for internally displaced people in Africa, Afghanistan, Pakistan, Iraq, and elsewhere around the world;
- \$2.125 billion for Contributions for International Peacekeeping Activities to support U.N. peacekeeping missions around the world, including Darfur, Congo, Liberia, Haiti, and Lebanon; and \$332 million for voluntary multi-national Peacekeeping Operations and stabilization efforts, including support for international missions not supported by the U.N., but of particular interest of the United States;
- 1.257 billion for bilateral and multilateral assistance to support climate change and environment programs worldwide, including for the Global Environmental Facility, the Clean Technology Fund, and the Strategic Climate Fund, and bilateral programs to reduce greenhouse gas emissions, protect forests, wildlife, and water ecosystems, and mitigate and adapt to the impacts of climate change;
- \$2.52 billion for development assistance, which is \$720 million above Fiscal Year 2009, including for agricultural development, climate change, micro-credit, democracy and governance, and education in countries that face development challenges; and \$1.105 billion for the Millennium Challenge Corporation (MCC), which is \$230 million above the Fiscal Year 2009 level;
- \$1.17 billion for agriculture and food security programs, which is \$698 million above the Fiscal Year 2009 level; \$315 million for programs to improve access to safe drinking water, which is \$15 million above the Fiscal Year 2009 level;
- \$149 million for oversight of the State Department and foreign operations, including State Department and USAID Inspectors General, the Special Inspector General for Iraq Reconstruction (SIGIR), the Special Inspector General for Afghanistan Reconstruction (SIGAR), as well as vigorous oversight provisions of assistance to Afghanistan and Pakistan;
- 925 million for basic education and \$200 million for higher education programs; \$635 million for educational, cultural and professional exchange programs worldwide, which is

\$97 million above the Fiscal Year 2009 level; \$746 million for broadcasting programs critical to U.S. public diplomacy efforts, which is \$31 million above the Fiscal Year 2009 level; and

- \$400 million for the Peace Corps, which is \$60 million above the Fiscal Year 2009 level.

**Senate Democrats passed a supplemental appropriations bill to meet critical national security needs.** On June 18, 2009, the Senate passed the conference report to **H.R. 2346**, the *Supplemental Appropriations Act, 2009*, with a bipartisan vote of 91-5. The report provided a total of \$105.9 billion for Fiscal Year 2009 to meet the needs of our troops; fund ongoing operations in Iraq, Afghanistan and Pakistan; address threats to the stability in the international monetary system; enhance security along the Southwest border; and bolster pandemic flu preparedness and response. The legislation was signed by President Obama on June 24 (**P.L. 111-32**). Specifically, the new law provided funding to:

- **Strengthen our military.** The law included \$79.9 billion in funding for Department of Defense (DoD) operations to ensure that our deployed military forces are provided the most effective weaponry, communications, and protective equipment on the battlefield and to ensure that our returning troops, veterans and military families are provided first-rate care and services. It included an additional \$2.8 billion to cover identified shortfalls in military personnel accounts, \$4 billion (for a total of \$25 billion) for equipment used by our troops in Iraq and Afghanistan, \$240 million (for a total of \$1.8 billion) for defense health programs and initiatives to support military families, and \$431 million (for a total of \$2.7 billion) for military construction projects.
- **Begin to end the war in Iraq and transition responsibility to the Iraqis.** The law supported the President's strategy to reduce the U.S. commitment in Iraq; focus on training and counterterrorism missions; and promote the transition of security and governance responsibility to Iraqis. It included \$1 billion for the Iraqi Security Force Fund and allocates \$958 million in funding in support of diplomatic operations, economic development programs, and governance initiatives vital to fostering sustainable security and political reconciliation.
- **Support a comprehensive strategy for addressing terrorist threats in Afghanistan and Pakistan.** The law provided funding to implement a regional strategy for Afghanistan and Pakistan that incorporates diplomacy, counterinsurgency training, economic development, civilian assistance and government capacity-building initiatives to promote long-term security and stability. It included \$3.6 billion to expand and improve capabilities of the Afghan security forces; \$400 million to build the counterinsurgency capabilities of the Pakistani security forces; and \$1.4 billion for Afghanistan and \$2.4 billion for Pakistan for critical diplomatic, economic and civilian assistance programs.
- **Bolster pandemic flu response.** The law provided \$7.7 billion in funding for pandemic flu response, including \$1.5 billion in Fiscal Year 2009 appropriations and \$5.8 billion in contingent emergency appropriations to expand detection efforts, supplement federal stockpiles, and develop, purchase, and administer vaccines.

- **Mitigate grave threats to global economic stability.** The law provided \$5 billion (to a contingency fund) that will be leveraged, along with the contributions of other countries, to enable the International Monetary Fund (the Fund) to increase its lending capacity and respond to grave threats to global economic stability, particularly in developing countries severely impacted by the financial crisis. It also includes provisions to approve needed reforms to the Fund; provide a sound basis for the Fund to pay for its operations; to help ensure that Fund lending conditions do not undermine critical spending for social services in developing countries; and to provide for greater congressional oversight over the Fund.
- **Address the growing violence along the U.S.-Mexico border.** The law included \$420 million, \$354 million above the requested amount, in support of the Government of Mexico's efforts to combat organized crime and drug trafficking along the southwest border of the United States.
- **Ensure oversight and accountability of U.S. efforts in Iraq, Afghanistan and Pakistan.** The law included \$27.5 million, \$20 million above the requested amount, in support of State Department, USAID, and the Special Inspector for Generals for Iraq and Afghanistan (SIGIR and SIGAR) to expand their oversight efforts.
- **Provide vital humanitarian assistance, HIV/AIDs funding, and support for peacekeeping operations.** The law included \$700 million for international food assistance, \$390 million for refugee assistance, and \$270 million for disaster assistance; \$100 million for the Global Fund to fight AIDS, Tuberculosis and Malaria; and \$721 million in support of United Nations peacekeeping operations.

**Congress enacted a law to ensure fair treatment of military spouses.** On Veterans Day 2009, President Obama signed the *Military Spouses Residency Relief Act (P.L. 111-84)*. The legislation amended the *Servicemembers Civil Relief Act of 1940 (SCRA)* to guarantee the equitable treatment of military spouses for the purposes of property, taxes, voting and residency by allowing them to claim the same state of domicile as their active duty spouse. Previously, military spouses who accompanied their active duty spouse would experience impediments in voting and property ownership as well as deterrents in employment and education because they could not claim residency in their new location.

**The Senate passed a sweeping reform bill to improve the care of wounded veterans.** Overcoming months of Republican obstructionism, the Senate passed nearly unanimously the *Caregivers and Veterans Omnibus Health Services Act of 2009*. The legislation merges two veterans' health bills to establish an unprecedented permanent program to train, support, and assist the caregivers of disabled veterans; improve care for veterans in rural areas, reduce veteran homelessness, improve care for women veterans; and improve VA's ability to recruit and retain a strong workforce and provide quality assurance at its medical facilities.

## ***Democrats are Working to Ensure a Healthy America***

**Congress strongly supported legislation to protect our children and the public from the harmful effects of tobacco use.** Due to the commitment of Senate Democrats and more than ten years of hard work, legislation granting the Food and Drug Administration (FDA) the authority to regulate the manufacture, marketing, and sale of tobacco was signed into law by the President on June 22, 2009 (**P.L. 111-31**). The Senate approved the legislation (H.R. 1256, as amended) on June 11, 2009.

Tobacco use in the United States is killing our citizens, costing us billions of dollars in health care costs, and reducing our economic productivity.

- **More than 43 million Americans are addicted to cigarettes.** Tobacco use kills more than 400,000 Americans each year, and an additional 50,000 non-smokers die prematurely each year due to exposure to secondhand smoke. Americans' health suffers from tobacco use, with 8.6 million Americans currently suffering from a smoking-caused illness.
- **Health care costs for these individuals are staggering,** with \$96 billion in total annual public and private health care expenditures attributable to smoking.
- **Our national economy experiences approximately \$98.6 billion each year in productivity losses** due to cigarette smoking and exposure to tobacco smoke, making the total economic burden of smoking approximately \$192 billion per year.
- **Nearly 90 percent of smokers begin as children** and are addicted by the time they become adults. The tobacco industry refers to our children as "replacement smokers," and each day, more than 3,500 children try smoking for the first time, and more than 1,000 children become regular, daily smokers. The tobacco industry has no economic incentive to reduce smoking by children, because youth smoking generates approximately \$2 billion in revenue for tobacco manufacturers annually, and these child smokers replace the adult smokers who are dying as a result of their addiction. Flavors, like fruit or candy, make cigarettes more attractive to children and easier to smoke.

Now that the *Family Smoking Prevention and Tobacco Control Act* has become law, the FDA has the authority to:

- **Regulate tobacco products** through a new chapter in the *Federal Food, Drug, and Cosmetic Act* (FFDCA).
- **Restrict tobacco advertising** to stop marketing practices that target children and mislead the public, and to regulate the sale, distribution, and advertising of cigarettes and smokeless tobacco "consistent with and to the full extent permitted by the First Amendment."
- **Prevent the sale of tobacco products to youth** by limiting tobacco sales to face-to-face transactions, in which the age of the purchaser is verifiable, eliminating self-service displays and vending machine sales of tobacco, except in adult-only facilities.

- **Require stronger warning labels** for all tobacco packages and advertising, with regular updates to ensure a strong impact, and an unambiguous description of the health problems that may result from tobacco use.
- **Prevent misrepresentation by tobacco manufacturers** of the addictiveness of nicotine in their products.
- **Remove hazardous ingredients** to ensure that the inherent risk of using tobacco products is not unnecessarily increased, to help those who are addicted overcome their addiction, and to make tobacco products less toxic to those who are unable or unwilling to quit.
- **Set standards for so-called “reduced risk” products** by requiring manufacturers to submit the products for FDA analysis before making such a marketing claim.
- **Ensure tobacco companies, not American taxpayers, bear the cost of regulation** through a new user fee on tobacco manufacturers and importers, based on their market share.

Senate Democrats persisted for more than ten years to ensure that tobacco, one of the most dangerous products available in the United States, is subject to the same regulation as all other consumer products. This new law, supported by more than 1,000 public health, faith, and other organizations across the country, gives the FDA the legal authority necessary to reduce youth smoking, prevent the sale of tobacco to minors, help current smokers quit, reduce the toxicity of tobacco products, and stop the tobacco industry from misleading the public with their misleading claims about the dangers of using tobacco products.

**Congress overwhelmingly approved critical legislation to renew and expand the Children’s Health Insurance Program (CHIP).** For the past twelve years, CHIP has played a crucial role in helping to reduce the rate of uninsured children from lower-income families. The program was set to expire in March 2009. Despite overwhelming bipartisan support for similar legislation passed by the Senate and House in the 110<sup>th</sup> Congress, President Bush twice vetoed bills to expand the program. After two years of hard work by Democrats to improve and expand health care for children, in February, the 111<sup>th</sup> Congress passed and the President signed the *Children’s Health Insurance Program Reauthorization Act of 2009 (S. 275)*, a bipartisan bill that authorizes \$32.8 billion in new funding for CHIP to provide quality health care coverage for almost 11 million children. The legislation will allow 6.7 million children to continue to receive health care coverage and extend coverage to 4.1 million children who are currently uninsured. The program has been renewed through Fiscal Year 2013. This legislation provides a new option to states to remove the 5-year waiting period for legal immigrant children and pregnant women, providing those who qualify with immediate access to Medicaid and CHIP.

The CHIP legislation will also:

- Increase and target funding for states facing budget deficits;
- Improve state tools for outreach and enrollment;

- Provide bonus payments to states enrolling the lowest-income children;
- Improve the quality of health care for low-income children;
- Help reduce racial and ethnic disparities in coverage and quality;
- Prioritize children's coverage in CHIP by moving childless adults out of CHIP and prohibiting additional adult coverage in CHIP;
- Improve access to critical benefits such as dental coverage;
- Reduce administrative barriers to enrollment, including the option for states to use an applicant's Social Security Number (SSN) to confirm eligibility for Medicaid or CHIP;
- Improve access to private coverage options through new premium assistance rules; and
- Maintain state flexibility to set eligibility levels for the program based on the cost of living in each state.

On January 29, 2009, the Senate passed the legislation by a vote of 66 to 32. The bill (assigned **H.R. 2**, but with the text of **S. 275**) was agreed to in the House on February 4, 2009. The President signed this legislation into law on February 4, 2009 (**P.L. 111-3**).

**The 111<sup>th</sup> Congress reauthorized the largest federal program for HIV/AIDS care and treatment.** In October, President Obama signed into law the *Ryan White HIV/AIDS Treatment Extension Act (P.L. 111-87)*. The legislation, originally passed in August 1990, was named after Indiana teenager, Ryan White, who died a few months prior from complications due to AIDS. White, who was infected with HIV by a contaminated blood treatment for his hemophilia, became the national poster child for HIV/AIDS at a time when little was known about the disease and discrimination against persons with HIV/AIDS was at its peak. Ryan and his family gained national attention after he challenged his school for expelling him due to his illness. The extension of Ryan's law not only honors him and all those who have died from AIDS, but gives hope, care, and treatment to those living with the disease. The legislation provides funding to heavily impacted metropolitan areas, states, and local community-based organizations to provide life-saving medical care, medications, and support services to more than half a million people each year.

**Even before the passage of health insurance reform, Congressional Democrats made a down payment on improving our nation's health care system by investing in health programs.** As part of the *Consolidated Appropriations Act, 2010*, Congress provided increased funding for programs under the Department of Health and Human Service. The bill provides funding to:

**Expand Access to Quality Health Care.** The bill provides \$2.2 billion for the Community Health Centers program, which includes community health centers, migrant health centers, and health care centers for the homeless.

**Critical Medical Research.** The bill provides \$31 billion for the National Institutes of Health (NIH), which is the primary federal agency for conducting and supporting critical medical research, including research into diseases like cancer, Alzheimer's and diabetes.

**Health Promotion Programs.** The bill provides \$6.8 billion for the Centers for Disease Control and Prevention (CDC), which administers public health programs to prevent the spread

of disease, promote healthy behaviors, investigate outbreaks, and prepare for emerging health threats.

**Training for Health Professionals.** The legislation provides \$498 million to help train and educate health professionals to meet the nation's health care needs, including \$340,000 to address the nursing shortage.

**Mental Health Services.** The bill provides \$1 billion for the Substance Abuse and Mental Health Services Administration (SAMHSA) administers mental health programs.

**Head Start Services.** The bill provides \$7.2 billion for Head Start, a successful federal-to-local grant program that provides early childhood education and services, including health, nutrition, and social and behavioral development for low-income, preschool children and their families.

**Child Care Assistance to Help Parents Keep Working.** The bill builds upon funding provided in the *American Recovery and Reinvestment Act* and provides \$2.1 billion for child care assistance, which is especially needed in these tough economic times.

**Low-Income Home Energy Assistance Program (LIHEAP).** The bill provides \$5.1 billion for the LIHEAP program, which awards funding to states, territories, Indian tribes, and tribal organizations to assist low-income households in meeting their home energy costs.

**Community and Social Services.** The bill builds upon the \$1 billion already provided in the *American Recovery and Reinvestment Act* and provides \$700 million for the Community Services Block Grant (CSBG) program to alleviate the causes and conditions of poverty in communities. The legislation also provides \$1.7 billion for the Social Services Block Grant to help states support their most vulnerable with child care, protective services, services for the disabled, adoption, counseling, transportation, foster care, substance abuse, and congregate meals.

## ***Democrats are Working to Rebuild America and Restore the American Dream***

**Congress invested in the nation's transportation system to keep the nation moving.** As part of the *Consolidated Appropriations Act, 2010*, Congressional Democrats provided funding for the Department of Transportation to support the nation's road construction projects, mass transit, rail, and airports. The bill provided:

- \$15.6 billion for the Federal Aviation Administration, which is \$220.9 million more than was appropriated in Fiscal Year 2009;
- \$650 million for highway investment in addition to the \$41.1 billion supplied by the Federal-Aid Highway program;
- \$1.56 billion for the National Railroad Passenger Corporation (Amtrak);
- \$2.5 billion for grants to support intercity rail service and high speed rail corridors, which is in addition to the \$8 billion already provided in the *American Recovery and Reinvestment*

Act for improved rail service between cities and high speed rail corridors and \$90 million provided for intercity and high speed rail in Fiscal Year 2009; and

- \$10.7 billion for the Federal Transit Administration, including \$2 billion in capital investments grants that would be used for the expansion of public transportation and commuter rail service and \$8.34 billion for formula and bus grants for the on going capital and operating needs of urban and rural transit systems.

**Congress passed critical legislation to rebuild America’s communities, restore the American dream of homeownership, and provide housing assistance to Americans in need.** As part of the *Consolidated Appropriations Act, 2010*, Congressional Democrats provided funding for the Department of Housing and Urban Development. The bill provided:

*Housing Assistance for Americans in Need*

- \$18.18 billion for Section 8 tenant-based rental assistance, including \$16.34 billion of this amount would be for voucher renewals, \$120 million for tenant protection vouchers, \$75 million for Veterans Affairs Housing Vouchers, \$15 million for family unification incremental vouchers, and \$60 million for family self-sufficiency coordinators;
- \$8.55 billion for Project-based Rental Assistance to also provide affordable housing to low-income families and individuals;
- \$2.5 billion to Public Housing Authorities to make critical repairs and improvements to public housing units and improve living conditions for residents;
- \$4.78 billion, \$320 million above the 2009 funding level, for maintenance, crime prevention, and energy costs at public housing units;
- \$200 million for HOPE VI for competitive grants to revitalize neighborhoods with deteriorating public housing projects, including \$65 million is for a demonstration on the Choice Neighborhood’s Initiative, which allows grants to be used on both public and HUD-assisted housing in an effort to transform neighborhoods of poverty into functioning, sustainable mixed income communities;
- \$700 million for these grants Native American Block Grants, which provide an allocation of funds on a formula basis to Indian tribes and their tribally-designated housing entities to help them address the housing needs within their communities;
- \$13 million for Native Hawaiian Housing Block Grants, to the State of Hawaiian Home Lands for housing and related assistance to develop, maintain, and operate affordable housing for low-income Native Hawaiian families;
- \$335 million for Housing Opportunities for Persons with AIDS, which is designed to provide states and localities with resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of persons living with HIV/AIDS, more than 50 percent of whom are homeless, and their families;

- \$1.83 billion to the Home Investment Partnerships Program to provide assistance to state and local governments for the purpose of expanding the supply and affordability of housing to low- and very low-income people;
- \$1.87 billion for Homeless Assistance Grants to break the cycle of homelessness and to move homeless persons and families into permanent housing by providing rental assistance, emergency shelter, transitional and permanent housing, and supportive services to homeless persons and families;
- \$825 million to provide capital grants to eligible entities for the acquisition, rehabilitation, or construction of housing for low-income seniors;
- \$300 million, which is \$50 million above the 2009 funding level, to provide capital grants to eligible entities for the acquisition, rehabilitation, or construction of housing for persons with disabilities; and
- \$50 million for single family and multifamily mortgage pilot programs for energy-efficient housing.

#### *Restoring the American Dream of Homeownership*

- \$87.5 million for Housing Counseling Assistance to continue pre-purchase counseling and foreclosure prevent counseling to homeowners;
- \$400 billion limitation on Federal Housing Administration commitments to guarantee single-family loans during Fiscal Year 2010 within the Mutual Mortgage Insurance Program Account;
- \$500 billion limitation on new Government National Mortgage Association commitments in the Guarantees of Mortgage-back Securities Loan Guarantee Program Account; and
- \$233 million for the Neighborhood Reinvestment Corporation to counsel families in danger of losing their homes to foreclosure.

#### *Community Development*

- \$4.45 billion to fund community and economic development projects in 1,180 localities, including \$150 million for the Sustainable Communities Initiative and \$25 million for the Rural Innovation Fund; and
- \$82 million for the Self-help and Assisted Homeownership Program to assist low-income homebuyers who are willing to contribute to the building of their houses.

## ***Democrats are Working to Educate Our Children and Train Our Workforce***

**Congressional Democrats made a down-payment on educational reform by investing in our nation's most critical education programs.** As part of the *Consolidated Appropriations Act, 2010*, Congress provided increased funding for programs under the Department of Education. The bill:

### ***Makes College More Affordable***

- The bill builds upon the \$15.6 billion provided in the *American Recovery and Reinvestment Act* and provides \$17.495 billion in funding for the Pell Grant program. Pell grants provide need-based financial assistance to more than eight million low- and middle-income undergraduate students and their families pay for the costs of postsecondary education and vocational training. The maximum Pell Grant award established is \$5,550, an increase of \$200 over the 2009 level.
- The bill also invests in federal supplemental educational opportunity grants, federal work study, and the Leveraging Educational Assistance Partnerships program, bringing the total for student financial assistance to \$19.3 billion.

### ***Provides Grants for Disadvantaged Students***

- The bill includes \$14.5 billion for Title I grants to school districts to help 20 million disadvantaged students in nearly 55,000 public schools obtain the education skills they need to compete in the global economy. Title I of the *Elementary and Secondary Education Act* provides resources to local school districts to help disadvantaged students succeed academically.
- The bill includes another \$545 million for school improvements grants that are designated to help save 13,000 struggling schools across the country.
- The bill builds upon the \$11.3 billion included in the *American Recovery and Reinvestment Act* and provides \$11.5 billion for the *Individuals with Disabilities Education Act* (IDEA), which ensures that all children with disabilities have access to a free, appropriate public education.

### ***Supports Afterschool Programs***

- The legislation provides \$1.17 billion to assist 21<sup>st</sup> Century Community Learning Centers provide a safe and supervised environment for students before the school day begins and after it ends.

**Congress invested in labor training programs aimed at helping unemployed workers survive during the economic recession and, ultimately, getting Americans back to work.** As part of the *Consolidated Appropriations Act, 2010*, Congress provided increased funding for programs under the Department of Labor.

**Employment and Training Administration.** The appropriations legislation provides \$3.83 billion for training and employment services. This amount includes \$1.4 billion for dislocated worker employment and training activities, \$861.54 million for adult employment and training state grants, \$924.1 million for youth employment and training state grants, \$45 million for transitional jobs, and \$40 million for green jobs. Additional funds provide support for the YouthBuild program (\$102.5 million), the Career Pathways Innovation Fund (\$125 million), and other employment and training activities.

**Office of Job Corps.** The appropriations legislation provides \$1.71 billion for Job Corps to provide at-risk youth with occupational and employment skills.

**Veterans Employment and Training.** The legislation provides \$256.13 million, which is \$16.7 million above the 2009 funding level, to maximize employment and training opportunities for veterans transitioning to the civilian workforce.

**Community Service Employment for Older Americans.** The appropriations legislation provides \$825 million for this program, which provides work-based training at community service organizations to help lower-income older Americans seeking to remain in or re-enter the workforce.

**State Unemployment Insurance and Employment Service Operations.** The appropriations legislation provides \$3.2 billion, which is \$419 million above the 2009 funding level. These funds support grants to states to administer state unemployment insurance programs and employment services operations, as well as related national activities, all of which have seen an increase in activity due to the current economic crisis.

In addition to these measures, Senate Democrats also invested in workplace safety, including providing \$558.62 million for the Occupational Safety and Health Administration to rebuild the agency's workplace enforcement capacity and increase the pace of its standard setting and \$357.29 million for the Mine Safety and Health Administration (MSHA) to better enable the agency to implement the *MINER Act* and improve workplace health and safety of our nation's miners.

## ***Democrats are Working to Protect American Consumers and Taxpayers***

**Senate Democrats voted to protect millions of Americans from unfair, unjust, and unacceptable credit card industry practices.** On May 19, 2009, the Senate approved the *Credit Card Accountability Responsibility and Disclosure Act of 2009* (**H.R. 627**, as amended) (the "CARD act") by a vote of 90-5. This bipartisan legislation will stop credit card companies from misleading their customers with hidden charges and confusing terms. The legislation was signed into law on May 22, 2009 (**P.L. 111-24**). Specifically, the *CARD Act* will:

- **Establish strong consumer protections** by preventing unfair increases in interest rates and changes in terms, prohibiting exorbitant and unnecessary fees, requiring fairness in

application and timing of card payments, and protecting the rights of financially-responsible credit card users;

- **Enhance consumer disclosures** by requiring disclosures related to payoff timing, late payment deadlines and penalties, card renewal terms, and requiring each credit issuer to post their credit card agreements;
- **Protect young consumers** targeted by aggressive and irresponsible credit card marketing offers;
- **Strengthen oversight of credit card industry practices** by requiring credit card issuers to post the credit card agreements on the Internet and provide those agreements to the Federal Reserve Board, requiring the Federal Reserve Board to review the consumer credit card market, including: terms of credit card agreements, practices of credit card issuers and the cost and availability of consumer credit, and increasing penalties for card companies that violate the *Truth in Lending Act* as it applies to credit card costumers;
- **Protect recipients of gift cards by eliminating declining** values and hidden fees in gift cards and requiring that gift cards have a five-year life span.
- **Protect small businesses** by requiring a study on the use of credit cards by small businesses and establishing a Small Business Information Security Task Force to address the information technology security needs of small businesses and help prevent the loss of credit card data; and
- **Promote financial literacy** by requiring comprehensive summary of existing financial literacy programs and development of strategic plan to improve financial literacy education.

By 2007, 73 percent of American families had a credit card, and 60 percent of those families carry a balance. The average balance on those cards was \$7,300 – a 30 percent rise since 2004. (Federal Reserve, [2/2009](#)) Today, Americans owe more than \$950 billion in revolving credit card debt. (Consumers Union, accessed [5/7/2009](#)) And, in spite of the fact that credit card delinquencies are rising, credit card companies have mailed 4.2 billion credit card solicitations in 2008, and have posted huge profits, many the majority of which come directly from interest payments. (Demos, [2008](#); Consumers Union, accessed [5/7/2009](#))

On top of all the financial difficulties American families are facing, credit card companies should not be allowed to abuse American consumers. The *CARD Act* will level the playing field and keep the rules consistent from beginning to end, saving families thousands of dollars a year. Democrats are committed to restoring confidence in our economy by looking out for consumers and keeping credit card companies honest.

**After years of incompetent regulation during the Bush Administration, Congressional Democrats worked to rebuild the nation's regulatory system.** As part of the *Consolidated Appropriations Act, 2010*, Congress funded the financial regulatory agencies that protect consumers, taxpayers, and investors from the types of abuses that lead to our current economic crisis and endangered public safety. The measure provided funds for the:

**Securities and Exchange Commission (SEC).** The law provided \$1.11 billion for the SEC to strengthen and enforce rules that govern investments and financial markets and to detect and prosecute fraudulent schemes.

**Federal Trade Commission (FTC).** The law provided \$292 million for the FTC to protect consumers and combat anti-competitive behavior. This funding will strengthen the Commission's capacity to investigate and prosecute unfair and deceptive practices in areas such as foreclosure rescue and credit repair services, non-bank mortgage lending, payday loans, and debt collection.

**Consumer Product Safety Commission (CPSC).** The law provided \$118 million for the CPSC to keep unsafe products from the marketplace. Funds will be used to continue implementing the landmark bi-partisan consumer protection legislation enacted in 2008 in response to massive product recalls, including children's toys from China.

**Inspector Generals.** To ensure that we have strong oversight in our agencies, the law provided \$23 million for the Special Inspector General for the Troubled Asset Relief Program; \$30 million for the Treasury Inspector General; \$38 million for the FDIC Inspector General; and \$4 million for the SEC Inspector General (a first time independent appropriations as a safeguard against unwarranted interference).

**H.R. 3288** would provide \$5.504 billion for IRS tax enforcement. This increased appropriation would fund the Administration's initiative to target wealthy individuals and businesses who avoid U.S. taxes by parking money in overseas tax havens. **H.R. 3288** would also provide \$2.270 billion for tax payer services, including \$685 million for pre-filing taxpayer assistance and education and \$206 million to help individuals solve ongoing tax problems with the IRS.

**Senate Democrats passed legislation to curtail waste and inefficiency in the defense acquisition system.** In recent years, cost overruns in the Department of Defense (DoD) acquisition system have placed an enormous burden on the defense budget and imposed an unacceptable cost to American taxpayers. According to the Government Accountability Office (GAO), more than half of DoD's major defense acquisition programs (MDAPs) have reported experiencing critical cost growth in excess of 50 percent over the original estimate since 2006. In its latest annual report published in March, the GAO examined DoD's 96 MDAPs and found \$296 billion in cost overruns in Fiscal Year 2009 dollars and an average delay of 22 months. (GAO-09-326-SP, Defense Acquisitions, March 2009) GAO noted that, "These poor outcomes mean that other critical defense and national priorities may go unfunded and that war fighters may go without the equipment they need to counter the changing threats they face." (GAO-09-543T, Defense Acquisitions, April 2009)

In January testimony, Secretary of Defense Gates identified the acquisition process as "chief" among the institutional challenges facing the Department and called on Congress to help address the "repeated – and unacceptable problems with requirements, schedule, cost, and performance" in the acquisition of defense weapons programs. (Secretary Gates, Testimony

before the Senate Armed Services Committee, 1/27/09) Senate Democrats responded with swift action, successfully advancing bipartisan legislation to address these challenges head on.

On May 20, 2009, the Senate unanimously passed the conference report for **S. 454**, the *Weapon Systems Acquisition Reform Act of 2009*. As Chairman **Levin** stated following Senate passage, “DoD acquisition programs fail because the department continues to rely on unreasonable cost and schedule estimates and continues to establish unrealistic performance expectations. Our bill addresses each of these problems, which we expect would lead to billions of dollars in taxpayer savings.” On May 22, 2009, President Obama signed the bill into law (**P.L. 111-23**).

Specifically, the *Weapon Systems Acquisition Reform Act of 2009* includes provisions that will:

- Make our troops fighting on the front line the first priority by ensuring that the acquisition process is structured to support the war-fighter.
- Place defense acquisition programs on a sound footing at the outset and catch costly design flaws and technology risks in weapon systems before we start to build them. The bill includes provisions that require sound systems engineering, cost-estimating, and developmental testing early in the program cycle.
- Reduce risk, promote competition and prevent conflicts of interest by instituting better management practices at DoD. The bill includes measures requiring periodic reviews and assessments of critical technologies, increased use of prototypes, and directs DoD to reestablish systems engineering organizations and developmental testing capabilities.
- Provide increased oversight and accountability to ensure that programs are properly managed. The bill establishes an independent cost-estimating office to ensure that budget assumptions underlying acquisition programs are sound.
- Provide DoD with additional tools to hold accountable the worst-performing programs. The bill includes a provision that would establish the presumption that any program that exceeds its original baseline by more than 50 percent will be terminated unless it is certified by the Secretary as essential for national security.

**The Senate unanimously approved strengthened supervision of the TARP.** On February 4, 2009, the Senate passed the *Special Inspector General for the Troubled Asset Relief Program Act of 2009 (S. 383)* by unanimous consent. This bipartisan legislation expands the authority of and adds the tools needed by the Special Inspector General overseeing the \$700 billion Troubled Asset Relief Program that was created last fall. The legislation was signed into law on April 24, 2009 (**P.L. 111-15**). The new law will, among other things, add authority for the Inspector General to audit programs, function with the same law enforcement authority granted to the Inspectors General of major federal agencies, and cooperate with other Inspectors General.

**The Senate unanimously approved legislation to make the federal grants application process more transparent.** On March 17, 2009, the Senate unanimously passed the *Federal Financial Assistance Management Improvement Act of 2009 (S. 303)*, a bill to simplify the federal grants process. According to a Government Accountability Office (GAO) study, each year, federal agencies distribute \$400 billion via 1,000 different federal programs, including programs that received funding in the economic recovery package.

Unfortunately, until now, each agency used different application processes and reporting and payment systems. Worse, many agencies failed to provide a complete listing of grants on Grants.gov, the most obvious resource for applicants seeking to learn about federal programs.

**S. 303** would reauthorize and update the *Federal Financial Assistance Management Improvement Act of 1999* (FFAMIA) to streamline the federal grants process by requiring the Director of the Office of Management and Budget to establish and maintain a public website that serves as a central point of information and access for federal grant applicants, including grant: 1) announcements; 2) statements of eligibility; 3) application requirements; 4) purposes; 5) federal agency providers; and 6) deadlines for applying and awarding. The legislation also requires the website to accommodate online applications. The measure requires the OMB director to develop a Strategic Plan to identify those programs suitable for common applications and forms and then devise a plan for agency and program coordination. To ensure implementation across the federal government, the bill also requires each agency, not exempted from FFAMIA, to develop a plan that describes how it will carry out its individual responsibilities under the OMB plan.

## ***Democrats are Working to Advance Justice and Enforce the Laws of the United States***

**The Democratic Congress passed legislation to retool the Department of Justice, protect the public, combat crime, fight terrorism, and curb the transfer of illegal narcotics.** As part of the *Consolidated Appropriations Act, 2010*, Congress provided increased funding for programs under the Department of Justice and related agencies. The legislation provided for:

**State and Local Law Enforcement and Crime Prevention Grants.** The legislation provided \$3.71 billion for state and local law enforcement and crime prevention grants, including the Community Organized Policing Services (COPS), which gives police departments across the country the technology and training tools needed to prevent, detect, and stop traditional street crime. This appropriation is \$480 million above the 2009 funding levels and takes further steps to restore the more than \$2 billion in cuts made to state and local law enforcement programs during the Bush Administration.

- *COPS.* The legislation provided \$791.6 million, including \$298 million for COPS Hiring Grants to hire approximately 1,400 officers.
- *Office on Violence Against Women.* The legislation provided \$418.5 million, \$29.5 million above the 2009 funding level, to prevent and prosecute violent crimes against women and better help victims of domestic violence, sexual assault and stalking. All other *Violence Against Women Act* programs meet 2009 funding levels.
- *Office of Justice Programs.* The legislation provided \$2.28 billion for Byrne Justice Assistance Grants (\$519 million), Byrne Discretionary Grants (\$185.27 million), Byrne Competitive Grants (\$40 million), the State Criminal Alien Assistance Program (\$330 million), Tribal Assistance (\$50 million), drug courts (\$45 million), *Second Chance Act*

(\$100 million), and programs for at risk youth and missing, abused or exploited children (\$494 million).

**Federal Bureau of Investigation.** The legislation provided \$7.9 billion for the FBI to address the nation's criminal law enforcement priorities and national security needs.

**United States Marshals Service (USMS).** The legislation provided \$1.13 billion for USMS to provide judicial security, apprehend federal fugitives, protect federal witness, transport and detain prisoners, manage seized and forfeited assets, and engage in various other missions that respond to the nation's homeland security and emergency needs.

**Drug Enforcement Administration.** The legislation provided \$2.02 billion for programs to fight illegal drug use.

**Bureau of Alcohol, Tobacco and Firearms.** The legislation provided \$1.11 billion to investigate violent crime, arson, firearms trafficking, and crimes involving explosive.

**Southwest Border Initiative.** The legislation provided \$1.5 billion across several Department accounts, \$339 million above the 2009 funding level, to combat violence, illegal weapons transfer, and drug trafficking; capture dangerous criminals; and improve law enforcement at the Southwest Border.

**Federal Bureau of Prisons.** The legislation provided \$6.2 billion to address rising costs and overcrowded prisons.

**Adam Walsh and Child Exploitation.** The legislation provided \$353.5 million, \$63.6 million above the 2009 funding level, to locate missing children, investigate child pornography and prostitution, and begin to track down registered sex offenders whose whereabouts are unknown.

**The legislation also increased funding for the:**

**Equal Employment Opportunity Commission (EEOC).** The legislation provided \$367 million to reduce the 70,000 case backlog of pending EEOC cases.

**Legal Services Corporation.** The legislation provided \$420 million for legal assistance to people who are unable to afford it. The bill would also lift existing restrictions on recovery of attorneys' fees by grantees.

**The 111<sup>th</sup> Congress confirmed the most judicially-qualified nominee in decades to be the 111<sup>th</sup> Justice on the Supreme Court.** On August 7, 2009 Senate Democrats had the unparalleled honor of confirming Second Circuit Court of Appeals Judge Sonia Sotomayor – perhaps the most judicially-qualified nominee in 70 years – to be an Associate Justice of the United States Supreme Court. With 17 distinguished years on the bench at her back, soon-to-be Justice Sotomayor, will be the nation's 111<sup>th</sup> Justice but only the third woman and first Latino to serve on the Court.

On May 26, President Barack Obama nominated Judge Sotomayor to replace retiring Associate Justice David Souter. Judge Sotomayor had already been nominated and confirmed twice by the Senate – in 1991 by Republican President George H.W. Bush to the U.S. District Court for the Southern District of New York and in 1998 by Democratic President Bill Clinton to the Second Circuit Court of Appeals.

After giving Senators months to review Judge Sotomayor’s record, the Senate Judiciary Committee held confirmation hearings on her nomination during the week of July 13. During days of intensive questioning from both sides of the aisle, Judge Sotomayor proved herself to be a fair, impartial, intelligent, eloquent, and thoughtful judge. The judge received the American Bar Association’s highest rating of “Well Qualified,” and received hundreds of other endorsements by the nation’s most prominent legal minds and organizations, spanning the ideological spectrum, including:

- Non-partisan entities, such as the Congressional Research Service, which noted that “perhaps the most consistent characteristic of Judge Sotomayor’s approach as an appellate judge has been an adherence to the doctrine of *stare decisis*.”
- Business organizations, such as the Chamber of Commerce, who noted “[Judge Sotomayor’s] extensive experience both as a commercial litigator and as a trial judge would provide the U.S. Supreme Court with a much needed perspective on the issues that business litigants face. Consistent with her Senate testimony, the Chamber expects Judge Sotomayor to engage in fair and evenhanded application of the laws affecting American businesses;”
- Civil Rights organizations, such as the Leadership Conference on Civil Rights on behalf of dozens of other prominent organizations, which noted that “[Judge Sotomayor] has demonstrated a thorough understanding of a wide range of highly complicated legal issues, and has a strong reputation for deciding cases based upon the careful application of the law to the facts of cases. [Moreover,] her record and her inspiring personal story indicate that she understands the judiciary’s role in protecting the rights of all Americans, in ensuring equal justice, and in respecting our constitutional values – all within the confines of the law;” and
- Law enforcement organizations, such as the National Fraternal Order of Police, which noted that “While her ruling in *Ricci v. Destefano* has been getting most of the media attention, we would like to ... [highlight] ... *Pappas v. The City of New York, et al.* New York City Police Officer Thomas Pappas was fired for distributing through the U.S. mail racially offensive material from his home. While the Second Circuit upheld the termination of Officer Pappas, Judge Sotomayor dissented noting that his First Amendment rights took precedence because he did not occupy a high-level ... role within the department.”

In addition to her professional qualifications, Judge Sotomayor has an extraordinary life story. Born to hard working, dedicated parents and raised in a public housing project in the South Bronx, Judge Sotomayor studied hard to become valedictorian of her high school class, graduate *summa cum laude* from Princeton University, and graduate from Yale Law School, where she was an editor of the *Yale Law Journal*.

For these reasons and more, all Senate Democrats and nine Senate Republicans voted to confirm Judge Sotomayor to the Supreme Court (68-31). While Senate Democrats and much of the nation are disappointed that more Senate Republicans chose partisanship over qualifications in not supporting this outstanding nominee, we are proud the judge received such a strong and well-deserved vote. Her success is an inspiration to all Americans, perhaps especially to women, minorities, and all those who have had to overcome financially meager beginnings; and her confirmation to the United States Supreme Court is a testimony to the greatness of America and the attainability of the American Dream.

**Congress, under the leadership of Democrats, passed legislation to strengthen law enforcement's ability to monitor, investigate, prosecute, and protect Americans from hate crimes.** As part of the *National Defense Authorization Act for Fiscal Year 2010 (P.L. 111-84)*, Congress passed the *Matthew Shepard Hate Crimes Prevention Act of 2009*. Named in honor of Matthew Shepard, a student at the University of Wyoming who was tortured and murdered in 1998 because he was gay, the legislation recognizes that hate crimes pose a serious and widespread national problem, which impact not only the actual victim but the community sharing the targeted traits of the victim, and that existing federal law is inadequate to provide assistance to states and local law enforcement in the investigation and prosecution of these crimes.

*Matthew Shepard Hate Crimes Prevention Act* would strengthen the ability of federal, state, local, and tribal governments to investigate and prosecute hate crimes based on race, color, national origin, religion, sexual orientation, gender, gender identity, or disability. Though already protected by the Constitution, the legislation explicitly protects first amendment rights to speech and expressive conduct. The bill would also authorize grants to meet state, local, and tribal expenses involved in investigating and prosecuting hate crimes. Moreover, the law would increase the federal government's ability to monitor hate crimes by expanding the hate crimes statistics collected by the Federal Bureau of Investigation.

The recent tragedies at the Holocaust museum in Washington, D.C. and in Shenandoah, Pennsylvania – and the Federal Bureau of Investigation's hate crimes statistics – serve as heart-breaking reminders that anti-hate crimes law is needed.

**Senate Democrats passed legislation to improve law enforcement's ability to prosecute financial and mortgage fraud.** After 9/11, the Bush Administration shifted resources and attention away from the investigation of financial fraud, leaving law enforcement under-manned and under-funded and criminal statutes inadequate to deal with modern financial fraud schemes at a time when corporate and mortgage fraud were on the rise due to lax regulation by the Administration and Republican Congress of the housing and banking industries.

As of a result, thousands of fraud allegations went unexamined and many instances of fraud went unchecked. More than 65,000 suspicious activity reports were filed alleging mortgage fraud in 2008, compared with nearly 4,700 in 2001, nearly 13 times as much. This fraud ultimately contributed to the global economic crisis that is threatening the financial health of our nation and the security of American families today. (Senate Judiciary Committee

referencing the U.S. Department of Treasury's Financial Crimes Enforcement Network, available [here](#) and [here](#).)

On May 19, 2009, the Senate passed the *Fraud Enforcement and Recovery Act of 2009 (S. 386)* to enhance, strengthen, and rebuild the government's ability to investigate and prosecute the increasing instances of mortgage and corporate fraud. President Obama signed this legislation into law on May 20, 2009 (**P.L. 111-21**). Specifically, FERA will:

- Authorize more than \$260 million per year in Fiscal Years 2010 and 2011 to hire hundreds of additional prosecutors, agents, and staff to conduct investigations and prosecutions of financial fraud at the Department of Justice, the FBI, the U.S. Postal Inspection Service, the U.S. Secret Service, the Office of Inspector General for the Housing and Urban Development Department, the Securities Exchange Commission (SEC), and the Office of the Inspector General for the SEC;
- Improve and modernize fraud and money laundering statutes to strengthen prosecutors' ability to combat fraud, including mortgage and securities fraud, by:
  - Updating the definition of "financial institution" in federal fraud statutes to include mortgage lending businesses that are not directly regulated or insured by the federal government (these businesses account for nearly half of residential mortgages);
  - Amending the major fraud statute to protect funds expended under the economic recovery package and the bank bailout;
  - Strengthening the *False Claims Act* to reverse recent court decisions that have made it more difficult to recover funds and impose penalties for proven frauds; and
  - Filling key statutory gaps to account for modern types of fraud and correct misinterpretations of the law in recent court decisions; and
- Establish a commission to investigate the origins of the economic crisis so that we can avoid similar crisis in the future.

Besides the obvious benefits of combating financial crime and protecting taxpayer dollars from waste, fraud, and abuse, FERA also will recover billions of dollars in restitution, fines, and penalties for the government and victims. For every \$1 spent in the DOJ's Criminal Division to prosecute fraud, more than \$20 is recovered. For every \$1 spent in the DOJ's Civil Division to recover health care funds under the *False Claims Act*, more than \$15 is returned to the government. (Department of Justice and the Taxpayers Against Fraud.)

**The 111<sup>th</sup> Congress passed a law to ensure fair pay for all Americans.** While the battle for equality and civil rights is far from over, in January 2009, all those who believe in the promise of "equality and justice for all" achieved a major victory when President Obama signed the *Lilly Ledbetter Fair Pay Act of 2009* into law (**P.L. 111-2**). In doing so, Congress and President Obama ended a nearly two-year battle to overturn a Supreme Court decision that made it more difficult for victims of pay discrimination to seek redress and receive justice.

In *Ledbetter v. Goodyear Tire & Rubber Co., Inc.*, the Court ruled that the 180-day statute of limitations on filing a discrimination claim with the Equal Employment Opportunity Commission (EEOC) under Title VII of the *Civil Rights Act of 1964* begins to run when the

original discriminatory decision is made and conveyed to the employee, regardless of whether the pay discrimination continues beyond the 180-day period. This ruling reversed a long-standing interpretation, used by nine federal circuits and the EEOC in both Democratic and Republican Administrations, under which the statute of limitations began to run each time an employee received a pay check or other form of compensation reflecting the discrimination.

The *Lilly Ledbetter Fair Pay Act* restored the “pay-check accrual” interpretation to ensure that employees who can prove pay discrimination based on race, color, religion, sex, national origin, age or disability will not be forever barred from seeking redress because they did not learn they were victims of pay discrimination within six months after the discriminatory decision was first made.

A previous attempt to pass this legislation in the 110<sup>th</sup> Congress was obstructed by Senate Republicans, but in the 111<sup>th</sup> Congress, with a larger majority, Senate Democrats were able to pass the bill on a vote of 61 to 30. The House of Representatives passed the bill on a vote of 250 to 177 and the measure became law on January 29.

**Congress passed legislation to improve access to ballot for military and overseas voters.** As part of the *National Defense Authorization Act for Fiscal Year 2010 (P.L. 111-84)*, Congress passed *Military and Overseas Voter Empowerment Act (MOVE Act)*. The legislation makes it easier for absentee military troops and other overseas voters to register, vote, and have their ballots counted on time. Currently, military and overseas voters have one of the lowest turnout rates because it’s so difficult for them to register and vote. A study of 2008 election results in seven key states found that one in four military ballots went uncounted last year. This legislation would require the use of electronic transmission methods to help voters obtain voting material more quickly; requires states to send out ballots to these voters not less than 45 days before an election; and facilitate cooperation among governmental entities to allow military and overseas citizens to successfully have their ballots cast and counted.

**Congress passed bipartisan legislation to enhance the Justice Department’s ability to hold human rights violators accountable.** In December 2009, the Senate enacted final passage of the **S. 1472**, the *Human Rights Enforcement Act*. The legislation, expected to be signed by the President in the coming days, merges two offices in the Department of Justice to create one, stronger, more efficient human rights section. Currently, the federal government has over 1,000 open cases involving suspected perpetrators of serious human rights abuses from approximately 95 countries who are now in the United States. While no one knows the total number of human rights abusers living in the United States, the number of open cases likely represents only a small portion of the total number of such perpetrators. This new section will improve the Justice Department’s ability to locate, investigate, prosecute, and/or denaturalize these perpetrators, ensuring that they do not find safe haven in the United States.

**The Senate passed landmark voting rights legislation for the District of Columbia.** Since 1801, the year after DC was established as the seat of the national government, its residents have been seeking representation in the House and Senate. On February 26, 2009 the Senate passed **S. 160**, the *District of Columbia House Voting Rights Act of 2009*, a landmark measure to provide the District of Columbia with one voting seat in the House of Representatives and Utah -- the next state in line to receive an additional representative based

on the 2000 census -- a fourth seat in the House, which would bring membership in the House from 435 to 437. The bipartisan bill was passed by a margin of 61 to 37. The House of Representatives passed a similar measure earlier this year.

As Congress charts a path to enact this legislation, it is important to remember that the bill reflects Democrats' efforts to ensure democracy for all Americans, including those in the nation's capital, who, at present, do not enjoy the most basic right of citizenship: to choose who governs them.

**The Senate, under the leadership of Democrats, took the historic step of formally apologizing for the enslavement and racial segregation of African Americans.** In June 2009, the Senate passed a bipartisan, bicameral resolution to apologize for slavery and the Jim Crow Era (**S.Con.Res 26**). Recognizing that a collective apology on behalf of the United States for a collective wrong was appropriate, necessary, and long-overdue, the Senate formally:

- “Acknowledged the fundamental injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow laws;
- Apologized to African-Americans on behalf of the people of the United States, for the wrongs committed against them and their ancestors who suffered under slavery and Jim Crow laws; and
- Expressed its recommitment to the principle that all people are created equal and endowed with inalienable rights to life, liberty, and the pursuit of happiness, and calls on all people of the United States to work toward eliminating racial prejudices, injustices, and discrimination from our society.”

While historic and important, this apology is not unprecedented. For example, in 1988, Congress offered a formal apology for the internment of Japanese Americans held during World War II. Moreover, several states and private corporations have issued apologies for their role in the enslavement and oppression of African Americans, and, in the 110<sup>th</sup> Congress, the House of Representatives passed a similar slavery apology.

The Senate sponsors of this resolution are currently working with the House to see that this resolution is passed and that the nation can continue on the path toward reconciliation, healing, and putting these dark periods of American history behind us.

**The Democratic-led Senate is working to combat illicit methamphetamine production.** Continuing work begun in the 110<sup>th</sup> Congress to curtail methamphetamine abuse, on June 9, 2009, the Senate passed unanimously **S. 256**, the *Combat Methamphetamine Enhancement Act of 2009*, which will enhance regulation requirements for sellers and persons dealing in certain listed chemicals used to produce meth. The bill will require all retail sellers of these products to submit self-certifications of compliance with the *Controlled Substances Act* and create a civil penalty for the negligent failure to do so. The Attorney General will be required to develop and make public a list of all self-certified individuals on the Drug Enforcement Administration's website. The bill will then prohibit distributors from selling meth-producing products to persons not listed.

## ***Democrats are Working to Protect Our Nation's Environment and Natural Resources***

**The Democratic Congress made critical water infrastructure and clean energy investments.** On October 28, 2009, President Obama signed *the Energy and Water Development and Related Agencies Appropriations Act, 2010 (P.L. 111-85)*. The legislation provides \$34.27 billion to help the Army Corps of Engineers manage many of the nation's water resources and help allow the Department of Energy (DOE) to make clean energy investments. Specifically, the legislation:

- **Invests in renewable energy and energy efficiency.** The bill provides \$2.23 billion for the DOE's Office of Energy Efficiency and Renewable Energy, which manages the nation's investment in research, development and deployment of renewable energy resources and energy conservation technologies. The \$2.24 billion provided supports \$255 million in solar research, \$220 million for biomass and biorefinery programs, \$210 million in weatherization assistance, \$96 million for industrial energy efficiency improvements, and \$80 million for wind energy research and development.
- **Invests in science.** The bill provides \$4.899 billion to support the DOE's investments in the nation's science research. The \$4.9 billion provided supports \$1.636 billion for basic energy sciences, \$810.4 million for high energy physics, \$604.2 for biological and environmental research, and \$535 million for nuclear physics.
- **Invests in fossil energy research.** The bill provides \$672.3 million for fossil energy research and development which helps supports improvements in turbines and allows for the more effective, next generation oil and gas advancement.
- **Supports the Army Corps of Engineers.** The bill provides \$5.45 billion for the Army Corps of Engineers to support its management of the nation's water resources like flood control projects and coastal protection.

**Congress passed landmark legislation to protect the American wilderness.** On March 30, 2009, President Obama signed into law the *Omnibus Public Land Management Act of 2009 (P.L. 111-11)*. The legislation represents the most significant conservation legislation passed by Congress in 15 years. The legislation designated over two million acres of wilderness; adds over 1,000 miles of Wild and Scenic Rivers; 2,800 miles of National Trails; 330,000 acres of National Conservation Areas; codifies the National Landscape Conservation System; and authorizes the Forest Landscape Conservation Service and measures to improve our oceans, coasts, Great Lakes, and water resources. The following describes some of the provisions in the legislation:

- **Wilderness.** The *Omnibus Public Land Management Act of 2009* designated over two million acres of wilderness surpassing the combined wilderness acreage designated by the 108th, 109th, and 110th Congresses (Congressional Research Service). The designation of the two million plus acres of new wilderness areas spans nine states (West Virginia, Virginia,

Oregon, Idaho, New Mexico, Colorado, Michigan, Utah, and California). The designation of wilderness allows Congress to protect our nation's most pristine lands and best wildlife habitats for the current and future generations.

- **Wild and Scenic Rivers.** The *Omnibus Public Land Management Act of 2009* added over 1,000 miles to the National Wild and Scenic Rivers System in seven states (Oregon, Idaho, California, Utah, Arizona, Wyoming, and Massachusetts). Wild and Scenic Rivers are designated by Congress to preserve free flowing rivers that possess outstandingly remarkable environmental, scenic, and recreational features.
- **National Trails System.** The *Omnibus Public Land Management Act of 2009* added more than 2,800 miles into the National Trails System through the creation of new national trails in New England, the Mid-Atlantic, the Pacific Northwest and the Southwest. The National Trails System is designed to preserve public access to trails so that they can continue to be valuable resources for our country.
- **National Conservation Areas.** The *Omnibus Public Land Management Act of 2009* created more than 330,000 acres of new National Conservation Areas in Utah, New Mexico and Colorado. National Conservation Areas provide important protections from development while also improving those areas recreational opportunities.
- **National Landscape Conservation System.** The *Omnibus Public Land Management Act of 2009* codified the National Landscape Conservation System currently operating administratively within the Department of Interior. In 2000, the Department of Interior administratively established the National Landscape Conservation System so that public awareness of the various natural areas managed by the Department of Interior might be increased. The codification of the National Landscape Conservation System will help ensure that sustained funding will be available for the Department of Interior to protect its most exceptional areas while also keeping environmental protection a high priority at the Department of Interior for years to come.
- **Oceans.** The *Omnibus Public Land Management Act of 2009* will improve our nation's understanding of the oceans, coasts, and the Great Lakes by authorizing coordinated federal research programs that will:
  - Increase our understanding of ocean acidification, a process by which seawater becomes more acidic as the oceans absorb atmospheric carbon dioxide emissions. The acidity of surface seawater has increased by 30 percent since the beginning of the Industrial Revolution-the most dramatic change in ocean chemistry in at least 650,000 years (Discover Magazine);
  - Expand our understanding of oceans, which cover two-thirds of the earth's surface. Only approximately five percent of the ocean floor has been explored, and the potential for identifying new and beneficial scientific information, new drugs, and resources in the oceans remains significant; and

- Advance the knowledge of coastal and ocean resources and ecosystems that today lack real-time, standardized, and accessible data on key environmental variables like temperature, salinity, sea level, surface currents, and pH. The lack of this data significantly impairs data on the impacts that climate change could have on coastal and ocean ecosystems.

The *Omnibus Public Land Management Act of 2009* also authorizes funding for coastal and estuarine land protection. The pressures from increasing urbanization and pollution threaten these habitats. Conserving these areas will help meet diverse priorities, such as promoting tourism and recreation and supporting fisheries and wildlife that substantially contribute to coastal economies.

## ***Democrats are Working to Invest in Agriculture and Rural America***

**Senate Democrats made critical investments in child nutrition, conservation, and rural investments.** On October 16, 2009, President Obama signed the *Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80)*. The legislation provides \$121.1 billion to help fund domestic food programs like the Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition Program for Women, Infants, and Children, as well as rural development and conservation investments. Specifically, the law:

- **Invests in child nutrition programs.** The bill provides \$16.85 billion for child nutrition programs like the National School Lunch and School Breakfast Program, Summer Food Service Program, and Child and Adult Care Food programs. These programs serve nutritious lunches and breakfasts to children attending school and help to improve the health and well-being of the nation's children.
- **Invests in conservation.** The bill provides over \$1 billion for conservation operations that fund activities like erosion control, improving and conserving water resources, and fish and wildlife habitat enhancement.
- **Invests in rural housing.** The bill provides funding for the rural housing service which promotes economic development by helping to develop affordable and adequate housing throughout the nation's rural communities. The budget authority provided by the bill includes \$980 million for rental assistance through the Rural Housing Service and \$711.3 million the rural housing insurance fund.

## ***Democrats Are Working to Improve Opportunities for Service***

**Congress under the leadership of Democrats passed landmark national service legislation.** As Americans face the numerous challenges created by the economic crisis, the need for service to our communities is greater than ever. On March 26, 2009, the Senate approved the *Edward M. Kennedy Serve America Act (H.R. 1388)*. This legislation reauthorizes the *National and Community Service Act of 1990* and the *Domestic Volunteer*

*Service Act of 1973*, and authorizes nearly \$6 billion over five years to expand opportunities for Americans to engage in service throughout their lives. The bill was signed into law on April 21, 2009 (P.L. 111-13).

Currently, programs such as Senior Corps, AmeriCorps, and Learn and Serve America, support almost four million Americans in service to more than 70,000 community organizations. These services have had the empowering and inspiring effect of mobilizing an additional 2.2 million volunteers. This army of volunteers has the power to transform and inspire communities across America.

The new law will expand the mission of the Corporation for National and Community Service (the Corporation) and increase the number of national service participants in the AmeriCorps program from 75,000 current members to 250,000 over the next eight years. An analysis of AmeriCorps shows that every \$1 invested produced returns up to nearly \$4 in direct, measurable benefits. By creating the ServeAmerica Corps, the Corporation will be able to target service in four areas in need of increased assistance in low-income communities, including: Clean Energy, Education, Health Futures, and an Opportunity Corps to boost financial literacy.

The *Edward M. Kennedy Serve America Act* renews a spirit of national service and encourages volunteerism in all age groups. An Encore program will also be developed to engage the retiring baby boom generation, which has a multitude of talents to share. A Veterans Service Corps will also be established to support the service of veterans.

Two new programs will be created under the *National and Community Service Act of 1990*, including a Youth Engagement Zone to Strengthen Communities program and a Campus of Service program. The Youth Engagement Zones aim to engage high school students and out-of-school youth in the transformative experience of service through partnerships between community organizations and schools in low-income communities. The Campus of Service program will support and recognize institutions of higher learning with outstanding service-learning programs and provide funding to support students' pursuit of careers in public service.

The *Edward M. Kennedy Serve America Act* will create a Summer of Service program to enlist middle and high school students in volunteer services at home, including a \$500 education award to be directed to the cost of college. The law will also increase the education award in AmeriCorps to match the Pell Grant award.

As part of the *Consolidated Appropriations Act, 2010*, Congress provided \$1.15 billion for national service programs, including AmeriCorps. This amount is \$260 million more than the 2009 funding level and would support 85,000 AmeriCorps members. The bill includes several new programs authorized in the *SERVE America Act* including: \$50 million for the Social Innovation Fund, \$4 million for the Volunteer Generation Fund and \$1 million for the Non-Profit Capacity Building program.