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These are all job killers for small business people.

It doesn't make sense for us to continue to pass bill after bill after bill to laud the efforts of the small business people of this country, to say that without the small businesses—the ones who produce more than 57 percent of all the employees in this country—why is it that they will be the beneficiaries of the lack of capital that is sucked up on \$454 billion worth of new taxes—yes, on those, the third wealthiest, if you want to call it that, that make more than \$250,000 a year?

But instead of paying money in taxes, they would be putting that money back into keeping their businesses going and helping their employees keep their jobs.

I have visited hundreds, hundreds of factories across the district that I represent, several parts of Illinois, talking to the people who own these factories, trying to find out what is it that they need so they can continue to be more productive. And what I hear from them is the fact that they want to be left alone by Washington. They look at what this cap-and-trade will do to them—and this is a valid debate, we're talking about helping small business people—but they look at what cap-and-trade will do to the factories, to the productivity, to push more jobs offshore.

In fact, we got a call from a national company that has employees all over the country that has a call center, a series of call centers. To keep the jobs in this country, they decided to close the physical facilities and to allow the people to work from home part-time to make those phone calls, to keep the call centers here in America as opposed to being exported overseas. The people from one of these call centers says, If this health bill passes mandating health insurance for part-time employees, it's easy for them, they will close their facilities, and 50,000 more jobs will be exported overseas.

This doesn't help the small businesses of this country. What we need is to start retracting these regulations. What we need to do is to start reducing the taxes. What we need to do is to make it easier for people to have the capital.

Ms. VELÁZQUEZ. I continue to reserve, Mr. Speaker.

Mr. SCHOCK. May I inquire as to how much time is remaining.

The SPEAKER pro tempore (Mr. HOLDEN). The gentleman from Illinois has 4½ minutes remaining, and the gentlewoman from New York has 15½ minutes remaining.

Mr. SCHOCK. Mr. Speaker, I yield 4 minutes to my good friend from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Thank you for yielding.

We have been led to believe that the AMA, the doctors, now support this health care bill that is before us today,

and the board of directors was somehow coerced to come out publicly and say they do. But the AMA House of Delegates Conference is convening today in Houston, Texas. It's made up of elected representatives from across the country. These representative doctors represent members of the AMA within their region. They meet to vote on policy issues affecting their doctors. They believe this was an unauthorized vote before the delegates arrived, that the board of directors should not have taken this vote.

Today, the AMA doctors are circulating a petition requesting a vote of "no confidence" against the board of directors of the AMA. I repeat again, the doctors and delegates of the AMA believe this vote of their board was unauthorized, it should not have taken place prior to their convening, and there is a petition being circulated today by doctors who are extremely angry that their board would have taken this position.

There are thousands of delegates meeting today in Houston who never had an opportunity to even voice an opinion or a concern or even have the light of day shine on this issue before they convened, before their board took this decision.

I believe that AARP should be absolutely ashamed of coming out and voting for a bill that is against the interest of their people. I have over 70,000 Medicare-eligible seniors in my district; \$500,000-plus dollars of cuts to Medicare. Now, many individuals in my district love the concept of Medicare Advantage. They say it's a great program, it covers things that they need covered, and there is no other opportunity for them to get this type of coverage. \$170 billion in cuts to Medicare Advantage; that's not waste, fraud and abuse; that's cuts to Medicare Advantage—\$23.9 billion in cuts to skilled nursing facilities, \$143.6 billion in cuts to hospitals, skilled nursing rehabilitation facilities, psychiatric hospitals and hospice cares. Again, \$143.6 billion in cuts to the very hospitals that Medicare recipients need to go to.

They need to look at this bill and say, Is this good for the people of this country? We were told that if we passed this huge stimulus bill, unemployment would not go above 8 percent. We are at 10.2 percent today. In reality, it's about 17.5 percent when you figure the individuals who are discouraged and have given up trying to get a job. The underemployed people who have part-time jobs that would love to have a full-time job, they are not being considered. They need to be taken into consideration. This bill destroys jobs in our Nation.

These are letters from business people within my district that I've received in this last week that say it is going to kill jobs in our communities. The Orange County Department of Education, I received a letter from them today saying many jobs in education will be eliminated. "I firmly be-

lieve that if Congress passes the proposed health care legislation that many jobs in education will be eliminated. Passing this legislation in this form will have a tremendous impact on students, their education, and the workforce in Orange County." Even one franchise dealer with Pizza Hut says it will cost him \$3.5 million each year, on an annual basis, \$3.5 million.

You need to say, what are we doing in this country when doctors who are delegates representing other doctors are livid at this bill saying we are being accused of supporting something we do not support.

Let's see how this vote goes. Let's see if they will even allow this vote to come to fruition tomorrow as it should. But think of the people we're supposed to be helping that we're going to hurt.

Ms. VELÁZQUEZ. Mr. Speaker, I continue to reserve.

The SPEAKER pro tempore. The gentleman from Illinois has 30 seconds remaining.

Mr. SCHOCK. Mr. Speaker, I appreciate the cooperation of our members on this committee on this important piece of legislation. With unemployment at an all-time high, it is now more than ever important for us to invest in our SBDCs, to support our small businesses, to expand their access to credit and capital, thus allowing them to keep their doors open and invest and expand their businesses, employing more Americans.

Now more than ever it is important to pass H.R. 1845, and I urge passage and a "yes" vote by all Members.

Mr. Speaker, I yield back the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 1845, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. VELÁZQUEZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PROVIDING FOR CONCURRENCE WITH AMENDMENT IN SENATE AMENDMENT TO H.R. 1299, UNITED STATES CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2009

Mrs. DAVIS of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 896)

providing for the concurrence by the House in the Senate amendment to H.R. 1299, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 896

*Resolved*, That upon the adoption of this resolution the bill (H.R. 1299) entitled “An Act to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.”, with the Senate amendment thereto, shall be considered to have been taken from the Speaker’s table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “United States Capitol Police Administrative Technical Corrections Act of 2009”.

**SEC. 2. ADMINISTRATIVE AUTHORITIES OF THE CHIEF OF THE CAPITOL POLICE.**

(a) CLARIFICATION OF CERTAIN HIRING AUTHORITIES.—

(1) CHIEF ADMINISTRATIVE OFFICER.—Section 108(a) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903(a)) is amended to read as follows:

“(a) CHIEF ADMINISTRATIVE OFFICER.—

“(1) ESTABLISHMENT.—There shall be within the United States Capitol Police an Office of Administration, to be headed by the Chief Administrative Officer, who shall report to and serve at the pleasure of the Chief of the Capitol Police.

“(2) APPOINTMENT.—The Chief Administrative Officer shall be appointed by the Chief of the United States Capitol Police, after consultation with the Capitol Police Board, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

“(3) COMPENSATION.—The annual rate of pay for the Chief Administrative Officer shall be the amount equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.”.

(2) ADMINISTRATIVE PROVISIONS.—Section 108 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903) is amended by striking subsection (c).

(3) CERTIFYING OFFICERS.—Section 107 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1904) is amended—

(A) in subsection (a), by striking “the Capitol Police Board” and inserting “the Chief of the Capitol Police”; and

(B) in subsection (b)(1), by striking “the Capitol Police Board” and inserting “the Chief of the Capitol Police”.

(4) PERSONNEL ACTIONS OF THE CHIEF OF THE CAPITOL POLICE.—

(A) IN GENERAL.—Section 1018(e) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)) is amended by striking paragraph (1) and inserting the following:

“(1) AUTHORITY.—

“(A) IN GENERAL.—The Chief of the Capitol Police, in carrying out the duties of office, is authorized to appoint, hire, suspend with or without pay, discipline, discharge, and set the terms, conditions, and privileges of employment of employees of the Capitol Police, subject to and in accordance with applicable laws and regulations.

“(B) SPECIAL RULE FOR TERMINATIONS.—The Chief may terminate an officer, member, or employee only after the Chief has provided notice of the termination to the Capitol Police Board (in such manner as the Board may

from time to time require) and the Board has approved the termination, except that if the Board has not disapproved the termination prior to the expiration of the 30-day period which begins on the date the Board receives the notice, the Board shall be deemed to have approved the termination.

“(C) NOTICE OR APPROVAL.—The Chief of the Capitol Police shall provide notice or receive approval, as required by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, as each Committee determines appropriate for—

“(i) the exercise of any authority under subparagraph (A); or

“(ii) the establishment of any new position for officers, members, or employees of the Capitol Police, for reclassification of existing positions, for reorganization plans, or for hiring, termination, or promotion for officers, members, or employees of the Capitol Police.”.

(B) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SUSPENSION AUTHORITY.—Section 1823 of the Revised Statutes of the United States (2 U.S.C. 1928) is repealed.

(ii) PAY OF MEMBERS UNDER SUSPENSION.—The proviso in the Act of Mar. 3, 1875 (ch. 129; 18 Stat. 345), popularly known as the “Legislature, Executive, and Judicial Appropriation Act, fiscal year 1876”, which is codified at section 1929 of title 2, United States Code (2000 Editions, Supp. V), is repealed.

(5) CONFORMING APPLICATION OF CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(A) IN GENERAL.—Section 101(9)(D) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(9)(D)) is amended by striking “the Capitol Police Board,” and inserting “the United States Capitol Police.”.

(B) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by subparagraph (A) may be construed to affect any procedure initiated under title IV of the Congressional Accountability Act of 1995 prior to the date of the enactment of this Act.

(6) NO EFFECT ON CURRENT PERSONNEL.—Nothing in the amendments made by this subsection may be construed to affect the status of any individual serving as an officer or employee of the United States Capitol Police as of the date of the enactment of this Act.

(b) DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Section 2802 of the Supplemental Appropriations Act, 2001 (2 U.S.C. 1905) is amended—

(A) in subsection (a)(1), by striking “Capitol Police Board” each place it appears and inserting “United States Capitol Police”; and

(B) in subsection (a)(2), by striking “Capitol Police Board” and inserting “Chief of the United States Capitol Police”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the enactment of the Supplemental Appropriations Act, 2001.

(c) PRIOR NOTICE TO AUTHORIZING COMMITTEES OF DEPLOYMENT OUTSIDE JURISDICTION.—Section 1007(a)(1) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 1978(a)(1)) is amended by striking “prior notification to” and inserting the following: “prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and”.

(d) ADVANCE PAYMENTS FOR SUBSCRIPTION SERVICES.—

(1) IN GENERAL.—Section 1002 of the Legislative Branch Appropriations Act, 2008 (Public Law 110-161; 2 U.S.C. 1981) is amended by inserting “the Committee on House Adminis-

tration of the House of Representatives, and the Committee on Rules and Administration of the Senate” after “the Senate.”.

(2) EFFECTIVE DATE AND APPLICATION.—The amendment made by this subsection shall take effect 30 days after the date of enactment of this Act and apply to payments made on or after that effective date.

**SEC. 3. GENERAL COUNSEL TO THE CHIEF OF POLICE AND THE UNITED STATES CAPITOL POLICE.**

(a) APPOINTMENT AND SERVICE.—

(1) IN GENERAL.—There shall be within the United States Capitol Police the General Counsel to the Chief of Police and the United States Capitol Police (in this subsection referred to as the “General Counsel”), who shall report to and serve at the pleasure of the Chief of the United States Capitol Police.

(2) APPOINTMENT.—The General Counsel shall be appointed by the Chief of the Capitol Police in accordance with section 1018(e)(1) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)(1)) (as amended by section 2(a)(4)), after consultation with the Capitol Police Board, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

(3) COMPENSATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the annual rate of pay for the General Counsel shall be fixed by the Chief of the Capitol Police.

(B) LIMITATION.—The annual rate of pay for the General Counsel may not exceed an annual rate equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

(4) TECHNICAL AND CONFORMING AMENDMENT.—House Resolution 661, Ninety-fifth Congress, agreed to July 29, 1977, as enacted into permanent law by section 111 of the Legislative Branch Appropriation Act, 1979 (2 U.S.C. 1901 note) is repealed.

(5) NO EFFECT ON CURRENT GENERAL COUNSEL.—Nothing in this subsection or the amendments made by this subsection may be construed to affect the status of the individual serving as the General Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act.

(b) LEGAL REPRESENTATION AUTHORITY.—

(1) IN GENERAL.—Section 1002(a)(2)(A) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1908(a)(2)(A)) is amended by striking “the General Counsel for the United States Capitol Police Board and the Chief of the Capitol Police” and inserting “the General Counsel to the Chief of Police and the United States Capitol Police”.

(2) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by paragraph (1) may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act.

**SEC. 4. EMPLOYMENT COUNSEL TO THE CHIEF OF POLICE AND THE UNITED STATES CAPITOL POLICE.**

(a) LEGAL REPRESENTATION AUTHORITY.—

(1) IN GENERAL.—Section 1002(a)(2)(B) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1908(a)(2)(B)) is amended by striking “the Employment Counsel for the United States Capitol Police Board and the United States Capitol Police” and inserting “the Employment Counsel to the Chief of Police and the United States Capitol Police”.

(2) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by paragraph (1) may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political

subdivision thereof which is initiated prior to the date of the enactment of this Act.

(b) NO EFFECT ON CURRENT EMPLOYMENT COUNSEL.—Nothing in this section or the amendments made by this section may be construed to affect the status of the individual serving as the Employment Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act.

**SEC. 5. CLARIFICATION OF AUTHORITIES REGARDING CERTAIN PERSONNEL BENEFITS.**

(a) NO LUMP-SUM PAYMENT PERMITTED FOR UNUSED COMPENSATORY TIME.—

(1) IN GENERAL.—No officer or employee of the United States Capitol Police whose service with the United States Capitol Police is terminated may receive any lump-sum payment with respect to accrued compensatory time off, except to the extent permitted under section 203(c)(4) of the Congressional Accountability Act of 1995 (2 U.S.C. 1313(c)(4)).

(2) REPEAL OF RELATED OBSOLETE PROVISIONS.—

(A) OVERTIME PAY DISBURSED BY HOUSE.—Section 3 of House Resolution 449, Ninety-second Congress, agreed to June 2, 1971, as enacted into permanent law by chapter IV of the Supplemental Appropriations Act, 1972 (85 Stat. 636) (2 U.S.C. 1924), together with any other provision of law which relates to compensatory time for the Capitol Police which is codified at section 1924 of title 2, United States Code (2000 Editions, Supp. V), is repealed.

(B) OVERTIME PAY DISBURSED BY SENATE.—The last full paragraph under the heading “Administrative Provisions” in the appropriation for the Senate in the Legislative Branch Appropriations Act, 1972 (85 Stat. 130) (2 U.S.C. 1925) is repealed.

(b) OVERTIME COMPENSATION FOR OFFICERS AND EMPLOYEES EXEMPT FROM FAIR LABOR STANDARDS ACT OF 1938.—

(1) CRITERIA UNDER WHICH COMPENSATION PERMITTED.—The Chief of the Capitol Police may provide for the compensation of overtime work of exempt individuals which is performed on or after the date of the enactment of this Act, in the form of additional pay or compensatory time off, only if—

(A) the overtime work is carried out in connection with special circumstances, as determined by the Chief;

(B) the Chief has established a monetary value for the overtime work performed by such individual; and

(C) the sum of the total amount of the compensation paid to the individual for the overtime work (as determined on the basis of the monetary value established under subparagraph (B)) and the total regular compensation paid to the individual with respect to the pay period involved may not exceed an amount equal to the cap on the aggregate amount of annual compensation that may be paid to the individual under applicable law during the year in which the pay period occurs, as allocated on a per pay period basis consistent with premium pay regulations of the Capitol Police Board.

(2) EXEMPT INDIVIDUALS DEFINED.—In this subsection, an “exempt individual” is an officer or employee of the United States Capitol Police—

(A) who is classified under regulations issued pursuant to section 203 of the Congressional Accountability Act of 1995 (2 U.S.C. 1313) as exempt from the application of the rights and protections established by subsections (a)(1) and (d) of section 6, section 7, and section 12(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 (a)(1) and (d), 207, 212(c)); or

(B) whose annual rate of pay is not established specifically under any law.

(3) CONFORMING AMENDMENT.—

(A) IN GENERAL.—Section 1009 of the Legislative Branch Appropriations Act, 2003 (Public Law 108-7; 117 Stat. 359) is repealed.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003, except that the amendment shall not apply with respect to any overtime work performed prior to the date of the enactment of this Act.

**SEC. 6. OTHER MISCELLANEOUS TECHNICAL CORRECTIONS.**

(a) REPEAL OF OBSOLETE PROCEDURES FOR INITIAL APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER.—Section 108 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903) is amended by striking subsections (d) through (g).

(b) REPEAL OF REQUIREMENT THAT OFFICERS PURCHASE OWN UNIFORMS.—Section 1825 of the Revised Statutes of the United States (2 U.S.C. 1943) is repealed.

(c) REPEAL OF REFERENCES TO OFFICERS AND PRIVATES IN AUTHORITIES RELATING TO HOUSE AND SENATE OFFICE BUILDINGS.—

(1) HOUSE OFFICE BUILDINGS.—The item relating to “House of Representatives Office Building” in the Act entitled “An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eight, and for other purposes”, approved March 4, 1907 (34 Stat. 1365; 2 U.S.C. 2001), is amended by striking “other than officers and privates of the Capitol police” each place it appears and inserting “other than the United States Capitol Police”.

(2) SENATE OFFICE BUILDINGS.—The item relating to “Senate Office Building” in the Legislative Branch Appropriation Act, 1943 (56 Stat. 343; 2 U.S.C. 2023) is amended by striking “other than for officers and privates of the Capitol Police” each place it appears and inserting “other than for the United States Capitol Police”.

(d) CLARIFICATION OF APPLICABILITY OF U.S. CAPITOL POLICE AND LIBRARY OF CONGRESS POLICE MERGER IMPLEMENTATION ACT OF 2007.—

(1) REPEAL OF DUPLICATE PROVISIONS.—Effective as if included in the enactment of the Legislative Branch Appropriations Act, 2008 (Public Law 110-161), section 1004 of such Act is repealed, and any provision of law amended or repealed by such section is restored or revived to read as if such section had not been enacted into law.

(2) NO EFFECT ON OTHER ACT.—Nothing in paragraph (1) may be construed to prevent the enactment or implementation of any provision of the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007 (Public Law 110-178), including any provision of such Act that amends or repeals a provision of law which is restored or revived pursuant to paragraph (1).

(e) AUTHORITY OF CHIEF OF POLICE.—

(1) REPEAL OF CERTAIN PROVISIONS CODIFIED IN TITLE 2, UNITED STATES CODE.—The provisions appearing in the first paragraph under the heading “Capitol Police” in the Act of April 28, 1902 (ch. 594; 32 Stat. 124), and the provisions appearing in the first paragraph under the heading “Capitol Police” in title I of the Legislative and Judiciary Appropriation Act, 1944 (ch. 173; 57 Stat. 230), insofar as all of those provisions are related to the sentence “The captain and lieutenants shall be selected jointly by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives; and one-half of the privates shall be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representa-

tives.”, which appears in 2 U.S.C. 1901 (2000 Edition, Supp. V), are repealed.

(2) RESTORATION OF REPEALED PROVISION.—Section 1018(h)(1) of the Legislative Branch Appropriations Act, 2003 (Public Law 108-7, div. H, title I, 117 Stat. 368) is repealed, and the sentence “The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board.”, which was repealed by such section, is restored to appear at the end of section 1821 of the Revised Statutes of the United States (2 U.S.C. 1901).

(3) CONFORMING AMENDMENT.—The first sentence of section 1821 of the Revised Statutes of the United States (2 U.S.C. 1901) is amended by striking “, the members of which shall be appointed by the Sergeants-at-Arms of the two Houses and the Architect of the Capitol Extension”.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003.

**SEC. 7. TREATMENT OF CAPITOL POLICE EMPLOYEES AS CONGRESSIONAL EMPLOYEES.**

(a) DEFINITION OF CONGRESSIONAL EMPLOYEE.—Section 2107(4) of title 5, United States Code, is amended by inserting “or employee” after “member”.

(b) DUAL PAY AND DUAL EMPLOYMENT.—

(1) DEFINITION OF AGENCY IN THE LEGISLATIVE BRANCH.—Section 5531(4) of title 5, United States Code, is amended by striking “and the Congressional Budget Office” and inserting “the Congressional Budget Office, and the United States Capitol Police”.

(2) DUAL PAY.—Section 5533 of title 5, United States Code, is amended—

(A) in subsection (c)—

(i) in paragraph (1), by striking “or the Chief Administrative Officer of the House of Representatives” and inserting “, the Chief Administrative Officer of the House of Representatives, or the Chief of the Capitol Police”; and

(ii) in paragraph (2), by inserting “or the Chief of the Capitol Police” after “House of Representatives”; and

(B) in subsection (d)(5)(A), by striking “or the Chief Administrative Officer of the House of Representatives” and inserting “, the Chief Administrative Officer of the House of Representatives, or the Chief of the Capitol Police”.

(c) FEES FOR JURY AND WITNESS SERVICE.—

(1) CREDITING AMOUNTS RECEIVED.—Section 5515 of title 5, United States Code, is amended by striking “or the Chief Administrative Officer of the House of Representatives” and inserting “, the Chief Administrative Officer of the House of Representatives, or the Chief of the Capitol Police”.

(2) FEES FOR SERVICE.—Section 5537(a) of title 5, United States Code, is amended by striking “or the Chief Administrative Officer of the House of Representatives” and inserting “, the Chief Administrative Officer of the House of Representatives, or the Chief of the Capitol Police”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as though enacted as part of section 1018 of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907).

**SEC. 8. LAW ENFORCEMENT AUTHORITY OF SERGEANT-AT-ARMS AND DOORKEEPER OF THE SENATE.**

(a) IN GENERAL.—The Sergeant-at-Arms and Doorkeeper of the Senate shall have the same law enforcement authority, including the authority to carry firearms, as a member of the Capitol Police. The law enforcement authority under the preceding sentence shall be subject to the requirement that the Sergeant-at-Arms and Doorkeeper of the Senate have the qualifications specified in subsection (b).

(b) QUALIFICATIONS.—The qualifications referred to in subsection (a) are the following:

(1) A minimum of 5 years of experience as a law enforcement officer before beginning service as the Sergeant-at-Arms and Doorkeeper of the Senate.

(2) Current certification in the use of firearms by the appropriate Federal law enforcement entity or an equivalent non-Federal entity.

(3) Any other firearms qualification required for members of the Capitol Police.

(c) REGULATIONS.—The Committee on Rules and Administration of the Senate shall have authority to prescribe regulations to carry out this section.

#### SEC. 9. TRAVEL PROMOTION ACT OF 2009.

(a) SHORT TITLE.—This section may be cited as the “Travel Promotion Act of 2009”.

(b) THE CORPORATION FOR TRAVEL PROMOTION.—

(1) ESTABLISHMENT.—The Corporation for Travel Promotion is established as a nonprofit corporation. The Corporation shall not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29-1001 et seq.), to the extent that such provisions are consistent with this subsection, and shall have the powers conferred upon a nonprofit corporation by that Act to carry out its purposes and activities.

(2) BOARD OF DIRECTORS.—

(A) IN GENERAL.—The Corporation shall have a board of directors of 11 members with knowledge of international travel promotion and marketing, broadly representing various regions of the United States, who are United States citizens. Members of the board shall be appointed by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State), as follows:

(i) 1 shall have appropriate expertise and experience in the hotel accommodations sector;

(ii) 1 shall have appropriate expertise and experience in the restaurant sector;

(iii) 1 shall have appropriate expertise and experience in the small business or retail sector or in associations representing that sector;

(iv) 1 shall have appropriate expertise and experience in the travel distribution services sector;

(v) 1 shall have appropriate expertise and experience in the attractions or recreations sector;

(vi) 1 shall have appropriate expertise and experience as officials of a city convention and visitors’ bureau;

(vii) 2 shall have appropriate expertise and experience as officials of a State tourism office;

(viii) 1 shall have appropriate expertise and experience in the passenger air sector;

(ix) 1 shall have appropriate expertise and experience in immigration law and policy, including visa requirements and United States entry procedures; and

(x) 1 shall have appropriate expertise in the intercity passenger railroad business.

(B) INCORPORATION.—The members of the initial board of directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29-301.01 et seq.).

(C) TERM OF OFFICE.—The term of office of each member of the board appointed by the Secretary shall be 3 years, except that, of the members first appointed—

(i) 3 shall be appointed for terms of 1 year;

(ii) 4 shall be appointed for terms of 2 years; and

(iii) 4 shall be appointed for terms of 3 years.

(D) REMOVAL FOR CAUSE.—The Secretary of Commerce may remove any member of the board for good cause.

(E) VACANCIES.—Any vacancy in the board shall not affect its power, but shall be filled in the manner required by this subsection. Any member whose term has expired may serve until the member’s successor has taken office, or until the end of the calendar year in which the member’s term has expired, whichever is earlier. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which that member’s predecessor was appointed shall be appointed for the remainder of the predecessor’s term. No member of the board shall be eligible to serve more than 2 consecutive full 3-year terms.

(F) ELECTION OF CHAIRMAN AND VICE CHAIRMAN.—Members of the board shall annually elect one of the members to be Chairman and elect 1 or 2 of the members as Vice Chairman or Vice Chairmen.

(G) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding any provision of law to the contrary, no member of the board may be considered to be a Federal employee of the United States by virtue of his or her service as a member of the board.

(H) COMPENSATION; EXPENSES.—No member shall receive any compensation from the Federal government for serving on the Board. Each member of the Board shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5, United States Code.

(3) OFFICERS AND EMPLOYEES.—

(A) IN GENERAL.—The Corporation shall have an executive director and such other officers as may be named and appointed by the board for terms and at rates of compensation fixed by the board. No individual other than a citizen of the United States may be an officer of the Corporation. The Corporation may hire and fix the compensation of such employees as may be necessary to carry out its purposes. No officer or employee of the Corporation may receive any salary or other compensation (except for compensation for services on boards of directors of other organizations that do not receive funds from the Corporation, on committees of such boards, and in similar activities for such organizations) from any sources other than the Corporation for services rendered during the period of his or her employment by the Corporation. Service by any officer on boards of directors of other organizations, on committees of such boards, and in similar activities for such organizations shall be subject to annual advance approval by the board and subject to the provisions of the Corporation’s Statement of Ethical Conduct. All officers and employees shall serve at the pleasure of the board.

(B) NONPOLITICAL NATURE OF APPOINTMENT.—No political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, or employees of the Corporation.

(4) NONPROFIT AND NONPOLITICAL NATURE OF CORPORATION.—

(A) STOCK.—The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

(B) PROFIT.—No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

(C) POLITICS.—The Corporation may not contribute to or otherwise support any polit-

ical party or candidate for elective public office.

(D) SENSE OF CONGRESS REGARDING LOBBYING ACTIVITIES.—It is the sense of Congress that the Corporation should not engage in lobbying activities (as defined in section 3(7) of the Lobbying Disclosure Act of 1995 (5 U.S.C. 1602(7))).

(5) DUTIES AND POWERS.—

(A) IN GENERAL.—The Corporation shall develop and execute a plan—

(i) to provide useful information to foreign tourists, business people, students, scholars, scientists, and others interested in traveling to the United States, including the distribution of material provided by the Federal government concerning entry requirements, required documentation, fees, processes, and information concerning declared public health emergencies, to prospective travelers, travel agents, tour operators, meeting planners, foreign governments, travel media and other international stakeholders;

(ii) to identify, counter, and correct misperceptions regarding United States entry policies around the world;

(iii) to maximize the economic and diplomatic benefits of travel to the United States by promoting the United States of America to world travelers through the use of, but not limited to, all forms of advertising, outreach to trade shows, and other appropriate promotional activities;

(iv) to ensure that international travel benefits all States and the District of Columbia and to identify opportunities and strategies to promote tourism to rural and urban areas equally, including areas not traditionally visited by international travelers; and

(v) to give priority to the Corporation’s efforts with respect to countries and populations most likely to travel to the United States.

(B) SPECIFIC POWERS.—In order to carry out the purposes of this subsection, the Corporation may—

(i) obtain grants from and make contracts with individuals and private companies, State, and Federal agencies, organizations, and institutions;

(ii) hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out its purposes; and

(iii) take such other actions as may be necessary to accomplish the purposes set forth in this subsection.

(C) PUBLIC OUTREACH AND INFORMATION.—The Corporation shall develop and maintain a publicly accessible website.

(6) OPEN MEETINGS.—Meetings of the board of directors of the Corporation, including any committee of the board, shall be open to the public. The board may, by majority vote, close any such meeting only for the time necessary to preserve the confidentiality of commercial or financial information that is privileged or confidential, to discuss personnel matters, or to discuss legal matters affecting the Corporation, including pending or potential litigation.

(7) MAJOR CAMPAIGNS.—The board may not authorize the Corporation to obligate or expend more than \$25,000,000 on any advertising campaign, promotion, or related effort unless—

(A) the obligation or expenditure is approved by an affirmative vote of at least 2/3 of the members of the board present at the meeting;

(B) at least 6 members of the board are present at the meeting at which it is approved; and

(C) each member of the board has been given at least 3 days advance notice of the meeting at which the vote is to be taken and the matters to be voted upon at that meeting.

## (8) FISCAL ACCOUNTABILITY.—

(A) FISCAL YEAR.—The Corporation shall establish as its fiscal year the 12-month period beginning on October 1.

(B) BUDGET.—The Corporation shall adopt a budget for each fiscal year.

(C) ANNUAL AUDITS.—The Corporation shall engage an independent accounting firm to conduct an annual financial audit of the Corporation's operations and shall publish the results of the audit. The Comptroller General of the United States may review any audit of a financial statement conducted under this paragraph by an independent accounting firm and may audit the Corporation's operations at the discretion of the Comptroller General. The Comptroller General and the Congress shall have full and complete access to the books and records of the Corporation.

(D) PROGRAM AUDITS.—Not later than 2 years after the date of enactment of this section, the Comptroller General shall conduct a review of the programmatic activities of the Corporation for Travel Promotion. This report shall be provided to appropriate congressional committees.

## (C) ACCOUNTABILITY MEASURES.—

(1) OBJECTIVES.—The Board shall establish annual objectives for the Corporation for each fiscal year subject to approval by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State). The Corporation shall establish a marketing plan for each fiscal year not less than 60 days before the beginning of that year and provide a copy of the plan, and any revisions thereof, to the Secretary.

(2) BUDGET.—The board shall transmit a copy of the Corporation's budget for the forthcoming fiscal year to the Secretary not less than 60 days before the beginning of each fiscal year, together with an explanation of any expenditure provided for by the budget in excess of \$5,000,000 for the fiscal year. The Corporation shall make a copy of the budget and the explanation available to the public and shall provide public access to the budget and explanation on the Corporation's website.

(3) ANNUAL REPORT TO CONGRESS.—The Corporation shall submit an annual report for the preceding fiscal year to the Secretary of Commerce for transmittal to the Congress on or before the 15th day of May of each year. The report shall include—

(A) a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section;

(B) a comprehensive and detailed inventory of amounts obligated or expended by the Corporation during the preceding fiscal year;

(C) a detailed description of each in-kind contribution, its fair market value, the individual or organization responsible for contributing, its specific use, and a justification for its use within the context of the Corporation's mission;

(D) an objective and quantifiable measurement of its progress, on an objective-by-objective basis, in meeting the objectives established by the board;

(E) an explanation of the reason for any failure to achieve an objective established by the board and any revisions or alterations to the Corporation's objectives under paragraph (1);

(F) a comprehensive and detailed report of the Corporation's operations and activities to promote tourism in rural and urban areas; and

(G) such recommendations as the Corporation deems appropriate.

(4) LIMITATION ON USE OF FUNDS.—Amounts deposited in the Fund may not be used for

any purpose inconsistent with carrying out the objectives, budget, and report described in this subsection.

## (D) MATCHING PUBLIC AND PRIVATE FUNDING.—

(1) ESTABLISHMENT OF TRAVEL PROMOTION FUND.—There is hereby established in the Treasury a fund which shall be known as the Travel Promotion Fund.

## (2) FUNDING.—

(A) START-UP EXPENSES.—For fiscal year 2010, the Secretary of the Treasury shall make available to the Corporation such sums as may be necessary, but not to exceed \$10,000,000, from amounts deposited in the general fund of the Treasury from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) to cover the Corporation's initial expenses and activities under this section. Transfers shall be made at least quarterly, beginning on January 1, 2010, on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

(B) SUBSEQUENT YEARS.—For each of fiscal years 2011 through 2014, from amounts deposited in the general fund of the Treasury during the preceding fiscal year from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)), the Secretary of the Treasury shall transfer not more than \$100,000,000 to the Fund, which shall be made available to the Corporation, subject to paragraph (3) of this subsection, to carry out its functions under this section. Transfers shall be made at least quarterly on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

## (3) MATCHING REQUIREMENT.—

(A) IN GENERAL.—No amounts may be made available to the Corporation under this subsection after fiscal year 2010, except to the extent that—

(i) for fiscal year 2011, the Corporation provides matching amounts from non-Federal sources equal in the aggregate to 50 percent or more of the amount transferred to the Fund under paragraph (2); and

(ii) for any fiscal year after fiscal year 2011, the Corporation provides matching amounts from non-Federal sources equal in the aggregate to 100 percent of the amount transferred to the Fund under paragraph (2) for the fiscal year.

(B) GOODS AND SERVICES.—For the purpose of determining the amount received from non-Federal sources by the Corporation, other than money—

(i) the fair market value of goods and services (including advertising) contributed to the Corporation for use under this section may be included in the determination; but

(ii) the fair market value of such goods and services may not account for more than 80 percent of the matching requirement under subparagraph (A) for the Corporation in any fiscal year.

(C) RIGHT OF REFUSAL.—The Corporation may decline to accept any contribution in-kind that it determines to be inappropriate, not useful, or commercially worthless.

(D) LIMITATION.—The Corporation may not obligate or expend funds in excess of the total amount received by the Corporation for a fiscal year from Federal and non-Federal sources.

## (4) CARRYFORWARD.—

(A) FEDERAL FUNDS.—Amounts transferred to the Fund under paragraph (2)(B) shall remain available until expended.

(B) MATCHING FUNDS.—Any amount received by the Corporation from non-Federal sources in fiscal year 2010, 2011, 2012, 2013, or 2014 that cannot be used to meet the matching requirement under paragraph (3)(A) for the fiscal year in which amount was collected may be carried forward and treated as having been received in the succeeding fiscal year for purposes of meeting the matching requirement of paragraph (3)(A) in such succeeding fiscal year.

(e) TRAVEL PROMOTION FUND FEES.—Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended to read as follows:

## “(B) FEES.—

“(i) IN GENERAL.—No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the Secretary of Homeland Security shall establish a fee for the use of the System and begin assessment and collection of that fee. The initial fee shall be the sum of—

“(I) \$10 per travel authorization; and

“(II) an amount that will at least ensure recovery of the full costs of providing and administering the System, as determined by the Secretary.

“(ii) DISPOSITION OF AMOUNTS COLLECTED.—Amounts collected under clause (i)(I) shall be credited to the Travel Promotion Fund established by subsection (d) of section 11 of the Travel Promotion Act of 2009. Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

“(iii) SUNSET OF TRAVEL PROMOTION FUND FEE.—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.”.

## (f) ASSESSMENT AUTHORITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in subsection (b)(2)(A)(iii) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for verifying, implementing, and collecting the assessment authorized by this subsection.

(2) INITIAL ASSESSMENT LIMITED.—The Corporation may establish the initial assessment after the date of enactment of this section at no greater, in the aggregate, than \$20,000,000.

## (3) REFERENDA.—

(A) IN GENERAL.—The Corporation may not impose an annual assessment unless—

(i) the Corporation submits the proposed annual assessment to members of the industry in a referendum; and

(ii) the assessment is approved by a majority of those voting in the referendum.

(B) PROCEDURAL REQUIREMENTS.—In conducting a referendum under this paragraph, the Corporation shall—

(i) provide written or electronic notice not less than 60 days before the date of the referendum;

(ii) describe the proposed assessment or increase and explain the reasons for the referendum in the notice; and

(iii) determine the results of the referendum on the basis of weighted voting apportioned according to each business entity's relative share of the aggregate annual United States international travel and tourism revenue for the industry per business entity, treating all related entities as a single entity.

## (4) COLLECTION.—

(A) IN GENERAL.—The Corporation shall establish a means of collecting the assessment that it finds to be efficient and effective. The

Corporation may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Corporation any amount assessed by the Corporation under this section.

(B) ENFORCEMENT.—The Corporation may bring suit in Federal court to compel compliance with an assessment levied by the Corporation under this section.

(5) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds collected through assessments, and any other funds received by the Corporation, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

(g) OFFICE OF TRAVEL PROMOTION.—Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.) is amended by inserting after section 201 the following:

**“SEC. 202. OFFICE OF TRAVEL PROMOTION.**

“(a) OFFICE ESTABLISHED.—There is established within the Department of Commerce an office to be known as the Office of Travel Promotion.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The Office shall be headed by a Director who shall be appointed by the Secretary.

“(2) QUALIFICATIONS.—The Director shall be a citizen of the United States and have experience in a field directly related to the promotion of travel to and within the United States.

“(3) DUTIES.—The Director shall be responsible for ensuring the office is carrying out its functions effectively and shall report to the Secretary.

“(c) FUNCTIONS.—The Office shall—

“(1) serve as liaison to the Corporation for Travel Promotion established by subsection (b) of section 11 of the Travel Promotion Act of 2009 and support and encourage the development of programs to increase the number of international visitors to the United States for business, leisure, educational, medical, exchange, and other purposes;

“(2) work with the Corporation, the Secretary of State and the Secretary of Homeland Security—

“(A) to disseminate information more effectively to potential international visitors about documentation and procedures required for admission to the United States as a visitor;

“(B) to ensure that arriving international visitors are generally welcomed with accurate information and in an inviting manner;

“(C) to collect accurate data on the total number of international visitors that visit each State; and

“(D) enhance the entry and departure experience for international visitors through the use of advertising, signage, and customer service; and

“(3) support State, regional, and private sector initiatives to promote travel to and within the United States.

“(d) REPORTS TO CONGRESS.—Within a year after the date of enactment of the Travel Promotion Act of 2009, and periodically thereafter as appropriate, the Secretary shall transmit a report to the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on Homeland Security and Governmental Affairs, the Senate Committee on Foreign Relations, the House of Representatives Committee on Energy and Commerce, the House of Representatives Committee on Homeland Security, and the House of Representatives Committee

on Foreign Affairs describing the Office’s work with the Corporation, the Secretary of State and the Secretary of Homeland Security to carry out subsection (c)(2).”.

(h) RESEARCH PROGRAM.—Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.), as amended by subsection (g), is further amended by inserting after section 202 the following:

**“SEC. 203. RESEARCH PROGRAM.**

“(a) IN GENERAL.—The Office of Travel and Tourism Industries shall expand and continue its research and development activities in connection with the promotion of international travel to the United States, including—

“(1) expanding access to the official Mexican travel surveys data to provide the States with traveler characteristics and visitation estimates for targeted marketing programs;

“(2) expanding the number of inbound air travelers sampled by the Commerce Department’s Survey of International Travelers to reach a 1 percent sample size and revising the design and format of questionnaires to accommodate a new survey instrument, improve response rates to at least double the number of States and cities with reliable international visitor estimates and improve market coverage;

“(3) developing estimates of international travel exports (expenditures) on a State-by-State basis to enable each State to compare its comparative position to national totals and other States;

“(4) evaluate the success of the Corporation in achieving its objectives and carrying out the purposes of the Travel Promotion Act of 2009; and

“(5) research to support the annual reports required by section 202(d) of this Act.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce for fiscal years 2010 through 2014 such sums as may be necessary to carry out this section.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the measure now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DAVIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on March 31, the House passed H.R. 1299, to make technical corrections to laws governing administration of the Capitol Police. In the weeks since, the Senate Rules Committee has worked with us to improve the bill even further. The results of our joint effort are incorporated into the motion before the House.

I especially want to thank the gentleman from California (Mr. DANIEL E. LUNGREN) and his able staff for their invaluable assistance on this important bill, and I urge an “aye” vote.

Mr. Speaker, I now want to yield to the gentlewoman from Florida (Ms. CASTOR) such time as she may consume.

Ms. CASTOR of Florida. I thank my good friend, the gentlewoman from California (Mrs. DAVIS), for yielding me time.

I rise in support of the United States Capitol Police Administrative Technical Corrections Act of 2009. As part of the act, Mr. Speaker, the House will consider Senate bill 1023, the Travel Promotion Act, which is similar to H.R. 2935 by Representative DELAHUNT of Massachusetts, a bill of which I am pleased to be a cosponsor. I would like to thank Congressman DELAHUNT, who is on the floor here this morning, for fighting for jobs for Americans because the Travel Promotion Act is a jobs bill. It’s a vital economic development initiative to combat the economic downturn that we’ve been battling since the spring of 2008.

The Travel Promotion Act establishes a nonprofit corporation for travel promotion to promote tourism in the United States and to provide travel information to people around the world. It is very similar to an initiative in my home State of Florida, and we all know that tourism is especially important to the State of Florida.

Florida is a top travel destination from across the globe. The millions and millions of tourists who travel to warm and sunny Florida support a \$57 billion tourism industry and our economy. People come from every nation to visit our beautiful beaches, Bush Gardens, Disney World, Universal Studios, the Everglades, and more. The Florida economy thrives, just like many other States across the Nation, and families have good jobs and a clean industry because of tourism.

Having beaches and attractions often is not enough, however. Florida also communicates to the world about Florida vacations through the Visit Florida tourism advertising campaign. We have a Web site and many outreach efforts, but there is no similar initiative for the United States as a whole internationally. So the intent of the Travel Promotion Act is to create new jobs through growing tourism nationwide.

Unfortunately, there are many misconceptions that the United States is not a friendly place for international tourists. Other nations actively promote international tourism through advertising campaigns and outreach, but some say that we have allowed our image to become an unwelcome one. Nations that project a welcoming image are reaping economic benefits while we run the risk of being left behind.

Overseas travel in the United States has declined by 10 percent in the first quarter of 2009. But we are going to turn that around through this Travel Promotion Act. Our travel bill would let world travelers know that we want them to visit America’s great cities and natural wonders. We want the

world to come and share our culture and experience the richness that is the United States of America. Therefore, I urge adoption of the Travel Promotion Act to get our economy moving and create jobs.

Hats off again to Congressman DELAHUNT and the other sponsors of this legislation in the Energy and Commerce Committee. This is an important bipartisan effort.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this resolution, which includes the United States Capitol Police Technical Corrections Act. I am pleased to rise in support of the bill which will enable the Chief of the Capitol Police to exercise the necessary authority to improve operations of the Capitol Police. The bill is an effort to resolve conflicting provisions in existing law and eliminate unnecessary regulations.

This bill is the result of the cooperative effort between the chairman of the full committee as well as the Subcommittee on Capitol Security to facilitate the most efficient framework in which the Capitol Police may operate. I am confident this collaborative approach will continue, resulting in a safer and more effectively managed Capitol complex, and I urge the support of my colleagues.

As was mentioned, this is combined with a bill on travel. And some might say, What do these two separate bills have to do with one another? Absolutely nothing.

□ 1115

Yet what is allowed on this floor, because we adopted yesterday a rule, is martial law. What's martial law? It means that the majority at any time may bring up any subject whatever, and we suspend all rules. "Suspending all rules" means that you can change every word in a bill and can present that on the floor, and we vote on that.

The only reason I bring this to the attention of my colleagues is that some colleagues may not be aware that, sometimes when we bring a bill to the floor which has the same name of a bill they passed in subcommittee and committee, it may be an entirely different bill. We normally have around here a rule of germaneness, but we have a suspension of the rules so we can put completely separate, non-germane bills together, and that's what we have. It's an interesting comment on how we do things here.

With that, I reserve the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I yield once again to the gentleman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank my colleague from California for yielding time.

Mr. Speaker, at this time, I would like to reference the CONGRESSIONAL RECORD of October 7, 2009. On that date, I entered into a colloquy with Con-

gresswoman LORETTA SANCHEZ of the Homeland Security Committee during the House's earlier consideration of S. 1023 as attached to House Resolution 806. That colloquy and its commitments are still valid today as we work again to pass the Tourism Promotion Act.

I would like to enter into the RECORD the letters that were cross-referenced in that colloquy. I would also like to add for the RECORD that we intend to work with Congressman DOYLE of Pennsylvania regarding nonprofit cultural destinations as part of the bill.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, October 7, 2009.

Hon. JOHN D. ROCKEFELLER IV,  
Chairman, Senate Committee on Commerce,  
Science, and Transportation.

Hon. AMY KLOBUCHAR,  
Chairman, Subcommittee on Competitiveness,  
Innovation, and Export Promotion.

Hon. BYRON L. DORGAN,  
U.S. Senator.

DEAR SENATORS ROCKEFELLER, KLOBUCHAR, AND DORGAN: As the House may consider S. 1023, the Travel Promotion Act of 2009, shortly, we write to clarify your intent with regard to several provisions in the bill.

#### CREATION OF THE CORPORATION

It is our understanding that the intent of the legislation is for the Department of Commerce to administer grants to the newly created nonprofit, "Corporation for Travel Promotion." It will be left to the judgment of the Secretary of Commerce to transfer sums necessary for the operations of the nonprofit and the administration of the grants. We understand further that the Department of Treasury will hold the separate "Travel Promotion Fund," but will have no substantive role with regard to the Corporation. By having the Department of Commerce issue grants to the Corporation, we can assure the application of Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. A-110 imposes a number of requirements on non-profit entities spending federal dollars, including the requirement that contracts target small businesses owned by women and minorities.

In addition, we appreciate that you share our commitment to diversity on the Corporation Board of Directors. We want to stress that the Secretary of Commerce should make every effort to ensure that the homeland security and small business communities are adequately represented on the Corporation's Board, and that the Board has a balance of gender, ethnicity, and economic status, as well as representatives from both urban and rural areas.

Also, we understand the importance of a functioning Corporation and the decision to allow expenditures to be made when six Board members are present. We would suggest that for expenditures over \$25 million, the Board strive to have more than four members support approval of such an expenditure.

Moreover, we would expect the Corporation's campaigns to target travelers from a diverse set of regions of the world and to advertise a wide range of destinations across the United States and its territories.

#### II. COORDINATION WITH THE FEDERAL GOVERNMENT

Although the legislation creates a requirement that the Corporation consult with the Department of Commerce, we believe that the Corporation should consult regularly

with the Departments of State and Homeland Security which also have key responsibilities relating to travel and tourism. For example, it is imperative that the Corporation coordinate on any information it may disseminate regarding entry requirements, required documentation, fees, processes, and information concerning declared public health emergencies and requirements for entering the United States. This coordination is necessary in order to avoid the risk that prospective travelers to the United States could receive conflicting or confusing information regarding entry requirements and processes.

#### III. TRAVEL PROMOTION FUND FEES

Under the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 100-53), the Secretary of Homeland Security already has authority to charge a fee to cover the cost of administering the Electronic System for Travel Authorization (ESTA), but also has discretion to pay for ESTA with other funds. Similarly, the legislation before us should maintain the Secretary's discretion to determine the most appropriate manner to fund ESTA administration.

The legislation does not specify how funds collected in excess of \$100 million or greater than the needs of the Corporation for Travel Promotion should be used. We believe that these funds should be transferred to the Department of Homeland Security to: 1) reinvest in ESTA to support changes necessary to collect the new fee, and 2) enhance critical border security programs such as US-VISIT and Global Entry. Under the Implementing Recommendations of the 9/11 Commission Act of 2007, full implementation of the US-VISIT air exit capability is required for increased flexibility to expand the Visa Waiver Program, which would help increase tourism to the United States.

#### IV. LIMITATIONS AND ACCOUNTABILITY

Furthermore, we believe it is essential to ensure that the Corporation's funds are invested only in low risk vehicles and that none of the funds provided to the Corporation be used to directly promote or advertise a specific corporation. Finally, we understand that under this bill, Congress has full and complete access to the books and records of the Corporation. We would suggest that the Corporation proactively send its marketing plan to Congress.

#### V. SUMMARY

While there is strong support in the House for passage of S. 1023, the Travel Promotion Act of 2009, we remain concerned about some aspects of the bill. We look forward to working with you to conduct vigorous oversight of the Travel Promotion Act once it is law and to make any changes to the legislation that may become necessary. Thank you in advance for clarifying your thoughts on the matters discussed in this letter.

Sincerely,

HENRY WAXMAN,

*Chairman.*

JOHN D. DINGELL,

*Chairman Emeritus.*

U.S. SENATE, COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,

Washington, DC, October 7, 2009.

Hon. HENRY A. WAXMAN,  
Chairman, House Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

Hon. JOHN D. DINGELL,  
Chairman Emeritus, House Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN WAXMAN AND CHAIRMAN EMERITUS DINGELL: Thank you for your letter regarding S. 1023, the Travel Promotion

Act of 2009. We appreciate your significant interest in and contributions to this important piece of economic development legislation.

Many members of the Senate have praised this legislation for two main reasons. First, the legislation would stimulate the economy at a time when our country is facing record level job losses and deficits. A study by Oxford Economics showed that a coordinated international travel promotion campaign, such as the type that would be created by S. 1023, could drive as much as \$8 billion in new spending and create nearly \$1 billion in tax revenues annually. Additionally, the Congressional Budget Office found that enacting S. 1023 would have the added benefit of reducing budget deficits by \$425 million over fiscal years 2010–2019. This is the rare bill that stimulates economic growth while reducing the deficit at the same time.

Second, S. 1023 is a broadly bipartisan piece of legislation. Authored by Senators Dorgan and Ensign, 53 senators signed on as co-sponsors to the measure. The Travel Promotion Act of 2009 passed the Senate on September 9, 2009 by a vote of 79–19. While bipartisanship has been difficult to achieve on many issues, the solidarity of support across the aisle shows the Senate's strong commitment to enacting this legislation. The travel industry is crucial to every state and region, and we are excited to join together with you and the members of the House to aid in sending this important bill to President Obama's desk.

Presuming House passage of the Travel Promotion Act of 2009 on Wednesday, October 7, 2009 and the President's signature thereafter, we agree that the efficient and proper implementation of the Act is the cornerstone of a successful and equitable program. As Chairman of the Senate Committee on Commerce, Science, and Transportation, joined by the Chairman of the Subcommittee on Competitiveness, Innovation, and Export Promotion and the author of S. 1023, please find the following statements of intent regarding the Travel Promotion Act of 2009.

*Consultation with the Department of Homeland Security and the Department of State:* One of the central purposes of the Travel Promotion Act of 2009 is to assist in disseminating information to foreign travelers about documents and procedures required for admission to the United States. While the Office of Travel Promotion and the Corporation would have the mandated responsibility to serve as an outlet for this information, in no way does the Act change the primary responsibilities of the Departments of State and Homeland Security for this function. The Department of Homeland Security has authority over the entry portals to the United States, and the Department of State is responsible for the execution of the visa policy. The Act does not create an express or implied ability for the Department of Commerce to supersede either agency's responsibilities. The purpose of the Office of Travel Promotion is to educate potential foreign tourists regarding the visa and entry policies set by those agencies—not to change visa and entry policies.

It is our expectation that the consultation requirements established in Sections 3 and 7 of the Act will establish an open, ongoing and vigorous line of communication between the Departments of Commerce, Homeland Security and State. The goal is for the Commerce Department and the Office of Travel Promotion to work closely with the other agencies to clearly and accurately communicate visa and entry policies and to improve the entry experience for international arrivals. In that vein, we expect the Departments of Homeland Security and State to work with the Department of Commerce to

achieve the goals of the Act, and we would insist that the Department of Commerce, the Office of Travel Promotion, or the Corporation for Travel Promotion not go forward with any communication regarding the entry or visa process without prior consultation with the Departments of State and Homeland Security.

*Board of Directors Composition and Guidance:* The Secretary of Commerce has the responsibility of appointing the Board of Directors for the Corporation for Travel Promotion, after consultation with the Secretaries of Homeland Security and State. In addition to the mandates regarding the Board expressed in Section 2(a), (b), (c) and (d), we strongly encourage the Secretary of Commerce to select board members that are reflective of the diversity of our country. As with any governmental posting, we would expect the Board to reflect a balance of gender, racial and ethnic diversity.

Section 2(g) limits the Board's ability to obligate or expend more than \$25 million without at least 6 members of the Board present. We would strongly suggest that as part of the Board's procedures and rules of corporate governance that at least 5 members be present before the authorization, obligation or expenditure of any funds for campaigns, promotions or related efforts.

*Small Business Representation and Diversity of Contractors:* Approximately 90 percent of all employers that are part of the travel industry are small businesses. One of the primary purposes of the Act is to craft campaigns to encourage overseas travelers to come to America so these small businesses generate new revenue and create new jobs. Because small businesses play a vital role in the travel industry, we strongly encourage the Secretary of Commerce to select board members who have knowledge and expertise of small businesses. We expect the Board and the Executive Director to strive to make certain that promotional efforts benefit small businesses in every region. In the planning and execution of campaigns, the Corporation should make special efforts in the bidding and contract process to target small businesses and businesses owned by women and minorities.

*Considerations for Promotion Campaigns:* The Corporation and the Office for Travel Promotion shall plan and execute the promotion campaigns to maximize the return of investment for each advertising dollar expended. The campaigns should be comprehensive in scope and should advertise in all regions of the world to encourage overseas arrivals to the United States.

Per the mandate in Section 2(e)1(D), the Corporation shall develop and execute a plan to generate international tourism benefits for all states and the District of Columbia and to identify opportunities and strategies to encourage tourism to underserved rural and urban areas equally, including areas not traditionally visited by international travelers. It is our intention that U.S. territories are included in the promotional plan along with the states and District of Columbia. We expect the Corporation and the Office of Travel Promotion to vigorously implement and execute this mandate.

*Accountability and Oversight:* Section 3(c) of the Act mandates that the Secretary of Commerce transmit an annual report to Congress, which shall include a comprehensive and detailed report of the operations, activities, financial condition and accomplishments of the Corporation. To aid in the oversight of the Corporation and the Office of Travel Promotion, we strongly suggest the Corporation submit its marketing plan to the Senate Committee on Commerce, Science, and Transportation and the House Committee on Energy and Commerce.

*Corporation for Travel Promotion Funding:* The Corporation has the fiduciary duty to collect and ascertain the quality of the private sector contributions, protect the corpus of the fund from undue and unnecessary risks, and to make certain that the funds are not used in a discriminatory fashion.

*In-Kind Goods and Services:* The Act allows for up to 80 percent of the private sector contribution to be fulfilled with in-kind contributions of goods and services that are appropriate to carry out the dictates of the Act. The Corporation shall be very conservative in its acceptance of these goods and services. The contributions must be directly useable for the campaigns, their value assessed at current fair market rates, and they must have true commercial value. In making that evaluation, we suggest that the good or service be able to be sold on the open market and garner the assessed fair market return. As example, but not for the purposes of limiting the discretion of the Corporation, we would consider television air-time or print advertising space to be examples of goods and services that would be appropriate for acceptance and usage.

*Protecting the Corpus of the Fund:* As part of its fiduciary duties to protect the Fund, the Board of Directors must invest the fund in conservative investment vehicles, such as United States Government Treasury Bills. While the Corporation should invest a \$200 million dollar corpus to take advantage of the fund's size to benefit American travel businesses and taxpayers, the Fund should not be exposed to undue risk.

*Prohibition on Discriminatory Fund Distribution and Campaign Focus:* As mandated in Section 2(e), the international travel advertising campaign must benefit all states and the District of Columbia. We read this mandate as strictly forbidding the Corporation from expending funds to promote one specific company. The campaign should promote travel to the United States to provide benefits to multiple regions and businesses. A campaign singling out specific travel related companies would violate Section 3(d) of the Act.

*Governmental Responsibilities for Collecting and Distributing Funds:* We expect the Departments of Commerce, Homeland Security and Treasury to work together collaboratively to execute the collection and distribution of monies to the Travel Promotion Fund.

*Department of Homeland Security and Electronic System for Travel Authorization (ESTA) Funding Discretion:* The Travel Promotion Act of 2009 mandates that the Secretary of Homeland Security establish and collect a fee from visa waiver travelers to use the ESTA for the Travel Promotion Fund and an amount to ensure the costs of providing and administering the system. This mandate does not supersede or limit any additional authority or discretion for the Department of Homeland Security to pay for ESTA administration with other funds. The need for this additional ESTA fee is at the determination of the Secretary. If the ESTA system is funded by other means, the Secretary of Homeland Security shall collect the minimum \$10 for the Travel Promotion Fund as mandated by the Travel Promotion Act of 2009.

*Usage of Fees after seeding the Travel Promotion Fund:* The Travel Promotion Fund Fee as established in Section 5 of the Act is to provide the funding level mandated by the year of collection. After the Federal contribution level for the Fund has reached its annual cap, we strongly suggest that any funds collected beyond that level may be used to complete visa waiver system improvements to the ESTA.

The Department of Commerce is the Primary Agency: The Department of Commerce

is responsible for administering the Travel Promotion Fund. As part of the Secretary's duties, which include selecting the Board of Directors of the Corporation, overseeing the Office of Travel Promotion within the Department, and executing the accountability measures mandated by the Act, the Secretary also is responsible for administering the Fund. The Department of the Treasury is not responsible for administering the Travel Promotion Fund; its responsibilities are limited to holding and distributing the funds to the Corporation of Travel Promotion.

Again, we thank you for your consideration and assistance in bringing the Travel Promotion Act of 2009 before the House for a vote. The Senate Committee on Commerce, Science and Transportation will stand with you to execute aggressive and exacting oversight of the implementation and execution of S. 1023. As always, we look forward to working with you on this and other matters before our Committees.

Sincerely,

JOHN D. ROCKEFELLER IV,  
*Chairman.*

AMY KLOBUCHAR,  
*Chairman, Subcommittee on Competitiveness, Innovation and Export Promotion.*

BYRON DORGAN,  
*U.S. Senator.*

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of both the Capitol Police Administrative Technical Corrections Act, which is an important bill which is appropriately championed by Mr. BRADY, by Mr. LUNGREN, and by others, and I also hope that whatever the rules are today that they allow us to finally pass the Travel Promotion Act.

I, along with Ms. CASTOR, would refer my colleagues to the comments made on October 7, the colloquies entered into on October 7, which was when the Travel Promotion Act was last considered. My good friend Mr. DELAHUNT and I worked on an act highly similar to this in the last Congress. The House passed it in the last Congress. The House has passed it in this Congress. I look forward to the House's passing it again today.

Again, I want to particularly thank Mr. DELAHUNT for his efforts on this bill. SAM FARR, who is the cochairman, along with me, of the Travel and Tourism Caucus, has been a leader in this as well.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DANIEL E. LUNGREN of California. I yield the gentleman 1 additional minute.

Mr. BLUNT. There are 17 million jobs in the travel and tourism industry, and 200,000 of those jobs have been lost this year already. This bill is a step in the right direction of encouraging foreign travelers to stay longer, as I'm sure I must have said on October 7. They spend more money in their travel than do domestic travelers. Their trips are, on average, longer. Frankly, in vir-

tually every instance, they leave the United States of America understanding us better and liking us better. This is an important diplomatic tool as well as an important economic tool.

Mr. Speaker, I look forward to seeing this bill pass the House and the Senate, and hopefully this year. Mr. DELAHUNT and I, if we're not with the President when he signs the bill, we'll at least know that the President has finally signed this bill into law.

Mrs. DAVIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. I thank the gentleman.

I just want to take the time to convey my thanks and my gratitude to the gentleman from Missouri. This has been an arduous trip on occasion, but I can't imagine this bill coming at a more propitious time given the news on unemployment.

As Mr. BLUNT said and as Ms. CASTOR said—and let me, too, acknowledge her tremendous leadership in terms of enhancing and promoting tourism, not just in the State of Florida but in this country. This bill will provide a stimulus to an important segment of our economy that has seen, over the course of time, a declining market share of international visitors.

The gentleman from Missouri is correct. This, too, is a diplomatic tool as far as how the United States is perceived by people from abroad and by nations whom we will need in terms of securing our objectives in terms of foreign policy.

Again, thank you, Mr. BLUNT, and thank you, Ms. CASTOR.

Mr. DANIEL E. LUNGREN of California. I yield myself such time as I may consume.

Mr. Speaker, my friend, the gentleman from Massachusetts, said that this is a propitious time for the Travel Promotion bill to be considered on the floor because of the discouraging news we received today about unemployment—10.2 percent. That is the highest unemployment rate experienced in this country in 26 years—10.2 percent.

In my home State of California, we haven't received the most up-to-date figures, but the figures as of last month were 12.2 percent—over 10 percent for the Nation, over 12 percent for my State. My district is even higher than that, I believe. A propitious time to consider this bill since we have lost, by some estimates, as much as 200,000 jobs in the travel industry.

But is this a propitious time for us to be considering a health care bill which, by objective analysis by a number of different observers, will cause us to lose millions of jobs?

I've been home to my district. I realize that, by the Gregorian calendar, we have 12 months out of the year, but by the Pelosian calendar, we only have 11 months out of the year because we have been told to ignore August—it didn't exist—just as we are to ignore those thousands of everyday Americans

who showed up yesterday, just as, presumably, the leaders in the AMA are ignoring their rank-and-file doctors who are today bringing forward a vote of "no confidence" against their board of directors for supporting the health care bill that is going to be presented to us sometime this week.

That's the bill that we were going to vote on in June, July, August, September, October, November, yesterday, today, tomorrow, maybe the next day. The President of the United States was going to come up here and, we understand, speak to our colleagues on the majority side yesterday, then today. We understand now it's going to be tomorrow.

The reason I bring this up is that, when I speak to my folks back home—and I was on a tele-town hall meeting last night and spoke with thousands of them—the first thing on their minds are jobs. The first thing on their minds is the economy. The first thing on their minds is whether or not they can take care of their families. At this time, at this propitious time, at this time when we have received with a thud the report that the unemployment rate is 10.2 percent, we have decided that we must consider a bill with very few, if any, amendments allowed, creating a new government takeover of health care that's going to cost trillions of dollars.

Someone on my tele-town hall last night said, Congressman, can you explain to me why in the bill that you're going to vote on this week the so-called benefits in it are not going to take place for several years?

I had to explain it's because you want to bring the costs down when you explain it to the public, so you're going to start the taxes in year one, but you're not going to start the benefits from the program until year four or five, so at the end of 10 years, the net costs will be less than they would be if it were fully implemented.

Now, maybe I take this a little personally because part of what they have in here is a 2.5 percent tax on medical instruments, on medical equipment, including, by the way, new hips. So now, in this country, if you have a new hip, as I did a year ago, you will be taxed for the privilege of having that operation done in the United States, 2.5 percent. I thought we were concerned about bringing costs down. For a wheelchair, you're going to have an extra tax on that. I don't understand why we are doing this. Oh, yes. We're going to have taxes of huge amounts on business. Small businesses and medium-sized businesses are going to have taxes imposed on them in the hundreds of millions of dollars.

So, as the gentleman from Massachusetts said, this is a propitious moment. We are being confronted with the magnitude of the economic downturn that affects each and every one of our constituents. So what are we giving them in return?

We have a bill that is going to create 111 new programs, boards, bureaucracies, and commissions. I have had town hall after town hall, tele-town hall after tele-town hall. Not a single member of my constituency, not a single, average, everyday American has said, Please create 111 new programs. Please create 111 new boards, bureaucracies, and commissions. Please put another \$1 trillion or \$2 trillion on our backs. Please add new taxes. By the way, that doesn't include the \$200 billion doc fix that's going to be put in another bill so that we pretend it is not there.

A 2.5 percent tax on individuals who fail to purchase health insurance. A 2.5 percent excise tax on medical devices. A 5.4 percent surtax on "high-income" filers, over 50 percent of which are small businesses and which file as individuals. An 8 percent tax on employers who cannot afford to purchase government-approved health care benefits.

A propitious time, yes.

Now, I happen to represent a district in which we have 42,000 seniors—people over 65—who have made the voluntary decision to sign up for Medicare Advantage. There are 42,000 seniors in my district alone, and there are millions around the country. This bill cuts over \$150 billion from that program; \$150 billion from that program. When I speak to people in my district, they tell me it will gut that program.

So, as we consider a bill here dealing with travel at the propitious time of confronting the unemployment rate, one has to ask oneself: Why would we be forced to vote on a bill that will have an immediate short-term and long-term impact of killing jobs in this country? It does not make sense.

I also wonder whether any bill has had more uses of the word "shall" than the bill we are going to consider this week. By my count, there are 3,425 uses of the word "shall" in the bill that we are to be presented. Now, for those who don't fully appreciate statutory construction, the word "shall" means "mandate." It means "you must." There is no discretion.

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Then 3,425 times, this bill, if it becomes law, will command people, including average everyday American citizens to do something. They will have no discretion about it. They will be required to do that; 3,425 instances of that.

And so, Mr. Speaker, as we all, I hope, support the bill that is before us at this time, providing direction for the Capitol Police in a more efficient operation of their force, and as we have combined it with the travel promotion authority, which many people believe will help us deal with the loss of jobs in the travel industry, I still have to ask, Why would we be running pell-mell towards voting for a bill that will take over one-sixth of the economy of the United States and, by outside objective analysis, will result in the loss of mil-

lions of jobs in this country, primarily in the small business community? It defies logic. And while the majority is allowed to bring up anything on the floor under the prevailing rule for these several days called martial law, it doesn't have to be germane with anything else, you would hope that there would at least be the concept of consistency if we are truly concerned about the unemployed in America; if we know that 10.2 percent is much more than a number, that it reflects real live human beings who have lost their jobs. Remember, this doesn't count the hundreds of thousands of discouraged workers, those who are so discouraged by the current economic situation they are no longer looking for jobs and, therefore, they are not counted in this number. We know we have lost hundreds of thousands of those people as well. They are people with children, people with wives, people with husbands, people with grandparents and parents, people who have bills to pay, these are the people who are hurting. And for us to do something in this House which is going to even cause them more difficulty is beyond me.

So I would just ask this: If this is a propitious time for us to consider a travel promotion bill because of the unemployment that's faced by that particular segment of our society, is it not a propitious time for us to acknowledge that maybe we ought to withdraw, go back to the drawing board and come up with a bill that deals with the concerns, the legitimate concerns about the shortcomings of our health care system but that does not at the same time destroy jobs? That may be a rhetorical question, but the answer to that question is very real to the people back home.

Once again, Mr. Speaker, I want to thank my colleagues on the majority side for having worked so closely with us on this bill that's before us now.

I would urge support for this bill.

With that, Mr. Speaker, I yield back the balance of my time.

Mrs. DAVIS of California. My colleague from California, I certainly appreciate the work that we have done together on the Administration Committee. He speaks of this propitious time for trade, for travel promotion, and what we are trying to speak to here today.

I would suggest to him that it's also a propitious time, as it was on travel promotion, to work together in a bipartisan fashion and to try to work out the details of this kind of legislation over a period of time. It's been that same kind of propitious time that we would have liked to have worked on health care in that way, to have had people come together and really want to try and solve these issues for the American people.

What we have tried to do is keep the American people in the center of this discussion, to keep consumer protections for the American people in the

center of this discussion. We saw that Consumers Union recently endorsed the health care proposal. People trust Consumers Union. When they are going to purchase something, a major purchase, they want to look it up in Consumer Reports, and they want to see what they are saying about it. I think it speaks well to what we have brought together here that Consumers Union is supportive of our efforts. It is a propitious time.

It's too bad that we weren't able to work together in the way that my colleagues were able to work on this trade promotion. But I have to think about the people in my district who have become bankrupt because of their health care bills. I have to think about the people who know that they are just an illness away from losing their insurance; that preexisting conditions can even be a pregnancy in some cases. That's wrong.

We're focusing on the American people, on consumers, on people who would love to be able to even change a job that they have been in, that they know they can do better, they can innovate, they can change. They can't do that today because they are too afraid of losing their health insurance.

Mr. Speaker, I am pleased that we are able to address the issues governing the administration of the Capitol Police here today. I am very pleased as a Californian and as a San Diegan that we are addressing these issues on trade promotion today. That is very important. It is a propitious time to do that. But we also acknowledge that it's a propitious time for us to work together on the issues that the American people care about. That's what we are trying to do.

I urge an "aye" vote on this legislation.

Mr. WELCH. Mr. Speaker, I want to thank Representative DELAHUNT for working diligently to ensure the passage of the Travel Promotion Act of 2009. As the U.S. slips further behind other countries in attracting international visitors, we must take a look at how we are promoting and marketing our country, and find innovative solutions to strengthen the travel industry. I am proud to be a sponsor of this legislation in House.

The Travel Promotion Act addresses some of the important strategies that will provide greater outreach to international tourists and find ways to bring them here—to visit, to spend, and to learn about our country.

In my state of Vermont, our tourism economy is one of the most precious and valuable economic development engines we have. From our small bed and breakfast sector, to our crafts, and our cultural festivals, to being the home of Ben & Jerry's and some of the best skiing in the country—Vermont is a tourist destination, and this legislation will help it grow.

However, I want to also point out the importance of supporting cultural tourism in this country. This legislation and its implementation should remember that not all states have a major theme park or world-class resorts. But all states have cultural and heritage resources that are valuable and critical to tourism. I hope

that when this legislation is implemented, cultural tourism will be strengthened through it.

I urge my colleagues on both sides of the aisle to join me in supporting this important legislation.

Ms. BERKLEY. Mr. Speaker, I rise today once again in strong support of the Travel Promotion Act. In these difficult economic times, this bill is vital for our Nation's economy.

Last year the U.S. lost nearly 200,000 travel-related jobs. In my district, we have been hit particularly hard, with one of the highest unemployment rates in the country and a hotel occupancy rate among the lowest we've ever seen.

The Travel Promotion Act would help bring back those jobs and put Americans back to work. Independent economists have said that every dollar spent on this program will bring in three dollars in increased revenue—from the added jobs and economic growth that we will see from increased tourism to our country. And this can all be accomplished without adding to the Nation's debt.

Every State in our Nation benefits from tourism—whether you have mountains, beaches, amusement parks, vineyards, ballparks, historic monuments or casinos, we all benefit from this bill.

This is a common sense piece of legislation that will help energize our economy at a time when we need it most. I urge support for the bill.

Mrs. DAVIS of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 896.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### NATIONAL SCHOOL PSYCHOLOGY WEEK

Mr. LOEBSACK. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 700) expressing support for designation of the week beginning on November 9, 2009, as National School Psychology Week, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 700

Whereas all children and youth learn best when they are healthy, supported, and receive an education that meets their individual needs;

Whereas schools can more effectively ensure that all students are ready and able to learn if they work to meet the needs of each student;

Whereas sound psychological principles are critical to proper instruction and learning, social and emotional development, prevention and early intervention in a culturally diverse student population;

Whereas school psychologists are specially trained to deliver mental health services and academic support that lowers barriers to

learning and allows teachers to teach more effectively;

Whereas school psychologists facilitate collaboration that helps parents and educators identify and reduce risk factors, promote protective factors, create safe schools, and access community resources;

Whereas school psychologists are trained to assess barriers to learning, utilize data-based decisionmaking, implement research-driven prevention and intervention strategies, evaluate outcomes, and improve accountability;

Whereas State educational agencies and other State entities credential more than 35,000 school psychologists who practice in schools in the United States as key professionals that promote the learning and mental health of all children;

Whereas the National Association of School Psychologists establishes and maintains high standards for training, practice, and school psychologist credentialing, in collaboration with organizations such as the American Psychological Association, that promote effective and ethical services by school psychologists to children, families, and schools;

Whereas the people of the United States should recognize the vital role school psychologists play in the personal and academic development of the Nation's children; and

Whereas the week beginning on November 9, 2009, would be an appropriate week to designate as National School Psychology Week: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the designation of National School Psychology Week;

(2) honors and recognizes the contributions of school psychologists to the success of students in schools across the United States; and

(3) encourages the people of the United States to observe the week with appropriate activities that promote awareness of the vital role school psychologists play in schools, in the community, and in helping students develop into successful and productive members of society.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LOEBSACK) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

#### GENERAL LEAVE

Mr. LOEBSACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material on H. Res. 700 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LOEBSACK. Mr. Speaker, I yield myself as much time as I may consume.

I am honored to speak in support of House Resolution 700, which I introduced with my colleague, Representative EHLERS, to designate the week of November 9, 2009, as National School Psychology Week. I want to thank Mr. EHLERS in particular for his work on this resolution and his dedication to the mental health needs of students in America. Mr. EHLERS has been a leader on these issues, and it is always a pleasure to work with him.

As a former college teacher and a husband to a former second grade teacher, I have seen firsthand that the educational success of a student is based on many different factors, including their social and emotional health. Many children come to school with concerns for themselves, their family, and their loved ones. These students often face difficult home lives and the challenges they face at home follow them into the classroom, causing attention issues, behavior issues, poor grades and potentially lower educational success.

In fact, research shows one in five children and adolescents will experience a significant mental health problem that can interfere with their educational achievement during their school years. The more than 35,000 psychologists in our schools today have one priority—to help students in need.

They are trained to identify and address barriers to learning. School psychologists collaborate with teachers, school administrators and families in the classroom and even in the home. School psychologists also work to address potential barriers to learning before they arise by screening and testing for educational and developmental problems.

In addition, school psychologists work to ensure students' safety while attending school. They work to properly assess possible threats from students that could do harm to themselves or others. They also sit on school crisis teams that plan, and if called upon, act in the case of a serious crisis.

School psychologists are an integral part of the dedicated team of professionals working in our schools every day to ensure that every student in America has an opportunity for academic success and reaching his or her full potential. I am glad that we are recognizing their good work by designating next week as National School Psychology Week.

I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 700, expressing the support for the designation of the week beginning November 9, 2009, as National School Psychology Week.

National School Psychology Week takes place from November 9 to November 13 this year. Recognizing National School Psychology Week promotes the importance of providing support for children to help create a healthy, safe and positive learning environment.

The theme of this year's National School Psychology week is "See the possibilities in you. We do!" This theme focuses on highlighting the positive work school psychologists do to promote the endless possibilities for academic and personal success in the lives of the students they serve. School psychologists assist the students they serve by helping to remove academic and personal barriers to learning and